English Learner Program Manual

IDAHO STATE DEPARTMENT OF EDUCATION

FEDERAL PROGRAMS | STATE ENGLISH LEARNER & TITLE III PROGRAM

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Introduction

The Idaho Department of Education (IDE) supports the efforts of Idaho districts/charters to assist English Learner (EL) students to learn English while simultaneously meeting challenging state academic content and student academic achievement standards.

All Idaho district/charters are required, under the Title VI of the Civil Rights Act of 1964, to provide a comprehensive English language proficiency program for national-origin-minority students who cannot speak, read, or write English well enough to participate meaningfully in educational programs.

In addition, the Idaho SDE adheres to guidance from the Office for Civil Rights (OCR) and Elementary and Secondary Education Act (ESEA) as amended by Every Student Succeeds Act (ESSA). The primary purpose of the program is to help ensure that EL students, including immigrant children and youth, attain English proficiency, develop high levels of academic achievement and meet the same challenging State academic content and achievement standards as all children are expected to meet.

Identification and Screening

English Learner Defined

The first step in providing services to English Learners (ELs) is to identify students registering for school who may qualify for placement into a district/charter Language Instruction Educational Program. EL students in Idaho are classified according to the Federal government definition as described in the Elementary and Secondary Education Act (ESEA) Section 3201(5). An English Learner student is classified as one:

a. who is aged 3 through 21;

b. who is enrolled or preparing to enroll in an elementary school or secondary school;

c. (i.) who was not born in the United States or whose native language is a language other than English;
(ii.) (I) who is a Native American or Alaska Native, or a native resident of outlying areas; -**AND**-
(II) who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; -**OR**-
(iii.) who 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; -**AND**-

Must meet either i ii, **or** iii

If part ii, then must meet both pieces I and II

d. whose difficulties speaking, reading, writing, or understanding the English language may be sufficient to deny the individual -
(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 society.

Must meet either part i, ii, **or** iii

Purpose of the Home Language Survey

The Elementary and Secondary Education Act (ESEA) has been reauthorized eight times since its inception in 1965. Under the most recent reauthorization which passed in December 2015, Every Student Succeeds Act (ESSA) requires states to adopt standardized statewide procedures and criteria for entry into an English Learner status. Districts/Charters must not discriminate in how they approach identifying students who may lack the English proficiency needed to achieve academic and career success. To address these requirements the Idaho SDE in collaboration with the English Learner (EL) Advisory Group, developed a standardized Home Language Survey (HLS) that all districts may implement to start the EL identification process.

To accurately and efficiently identify students who are potential English Learners, districts/charters are required to administer the Idaho HLS to all newly enrolling students to the state. The HLS is given during enrollment to assist districts/charters to identify students who may need English language support services, due to a limited amount of previous English language exposure. This is the first step in the process to determine whether a language other than English is dominant and determine the degree in which the student's English language proficiency is sufficient to access grade-level content leading to ultimate academic success.

The HLS is designed to be the first piece of evidence gathered in deciding to administer an English language proficiency screener to a student. All responses to the HLS should be stored in the students cumulative file to assist school teams in understanding a holistic picture of the student's language background.

Home Language Survey Implementation

The HLS is given to a parent/guardian during the initial enrollment of a student into an Idaho public district/charter school. Districts/Charters should communicate clearly to the parent/guardian on how the school uses the HLS to assure the responses given on the statewide HLS are accurate and reflect the possible influence of other language(s) on the child's ability to use English as a medium to access instruction within the classroom. Many factors can contribute to misleading data given on a HLS (e.g., parents may think English is the "right" answer; not understanding the intent of the HLS; and reporting languages their child is exposed to through studies or television). If the data seems incorrect or is unclear, the district/charter may choose to contact a parent/guardian for clarification on the information provided in the HLS. The "EL Programming Flowchart" (Appendix A) can be used along with the "Decision to Assess Matrix" (Appendix B) as tools to assist when evaluating a student's HLS to determine whether a student should be screened for English language proficiency.

It is important that district/charters implement reliable processes to ensure the HLS is interpreted accurately or that appropriate follow-up has been conducted by staff to determine the dominance of the other language. Not every HLS with a language other than English will require an English language proficiency screener assessment to be administered, nor should it be assumed that a language other than English on the HLS automatically means that a screener should be administered. The Office for Civil Rights requires that districts "identify EL students in need of language assistance services in a timely manner". If districts/charters have 30 days to identify and place a student in a district's Language Instruction Educational Program (LIEP). This window allows the district/charter time to collect information on how the child performs in the classroom and gives teachers and school teams time to perform and evaluate student observations to determine whether the other language is causing the child difficulty in accessing the instruction delivered in English.

Idaho's statewide HLS, in English and Spanish, is located in the 'Forms' section of the English Learner Program/ Title III webpage https://www.sde.idaho.gov/federal-programs/el/index.html. The

survey can be downloaded and put on district/charter personalized letterhead but can only include the eight questions.

Identification of Native American Students

All procedures for identifying ELs apply if a Native American student's HLS indicates that a language other than English is spoken in the home. Native American students can be considered for English language services but should not be identified solely based upon being Native American.

Identification of Immigrant Students

"Immigrant" is defined in Section 3201(5) of the ESEA, referring to an individual who:

A. Is aged 3-21;

B. Was not born in any State;

C. Has not been attending one or more schools in any one or more States for more than three full academic years.

Immigrant status is not related to an individual's legal status in the United States. Not all immigrant students are English learners, and not all English learners are immigrant students. Nor is immigrant status an immediate qualifier for EL status.

Through the enrollment process, District/Charter registration personnel may determine the student could qualify as immigrant. Through conversation, or through a conversation with an interpreter, district/charter staff can verbally follow up with parents to determine whether the student meets the criteria for an immigrant student. District/charter staff must ensure parents that all the information is entirely confidential, nothing will be documented in the cumulative file, and it has nothing to do with the family or student's immigration status. Furthermore, by gathering this information, the district/charter may be eligible for additional funding to support the unique needs of immigrant students and families.

District/Charters identify immigrant status for students through the Idaho System for Education Excellence (ISEE) uploads. Required data fields include "US Entry Date" and "Country of Origin." By identifying immigrant students, a district/charter may be able to qualify for additional Title III Immigrant funding based on a funding formula. For more information on Title III Immigrant funding, see the "State EL, Title III Mini-Manual" on the Idaho English Learner Program webpage (https://www.sde.idaho.gov/federal-programs/el/index.html), Resource Files, and drop-down Manuals.

Using ELMS to Determine Eligibility

Prior to administering an English language proficiency screener assessment (WIDA Screener for Kindergarten or WIDA Screener), district/charter personnel must first check the English Learner Management System (ELMS). District/Charter personnel assigned to an ELMS Editor or ELMS Viewer role (assigned in ISEE Admin Tool User) can find student profiles to make immediate programmatic decisions for incoming students who may already be ELs, exited ELs, or potential ELs who need to be screened for English language proficiency.

For more detailed information regarding ELMS, please reference the Idaho SDE Applications Portal webpage (https://apps2.sde.idaho.gov/) and click on ELMS. Users will find the "ELMS Manual" on the ELMS home page.

Screening for English Language Proficiency

The next step in the identification process, after administering the statewide HLS and checking ELMS, is to determine whether the student meets all components of the English Learner definition. The HLS is a tool to identify potential students for English language proficiency screening. District staff should also use incoming student cumulative records to see if there is any information indicating that the student was previously identified and receiving EL services from their sending district/charter. Cumulative files can also be used to glean information regarding the student's performance and whether the language on the HLS impacts their ability to access content instruction delivered in English.

It is not necessary to administer a screener in the following scenarios:

- If the student already has English learner status in ELMS. The student's EL status indicates: L1, LE, EW, X1, X2, X3, X4, FLEP, SO.
- If the student's cumulative file/record contains WIDA assessments from another state.
    - Any WIDA assessment score (W-APT, ACCESS, ACCESS 2.0, Alternate ACCESS,) can be used to determine immediate placement into the receiving district/charter's EL program.
    - If the student has screener scores that meet Idaho's screen out criteria.
    - If the student has ACCESS scores that meet Idaho's exit criteria.
- If the student has an EL Exit Form from another state regardless of the language proficiency test used to determine exit criteria.

It is necessary to administer a screener in the following scenarios:

- If a student's EL History in ELMS states "No EL History." This student does not have an English language proficiency score that would have already qualified them as a current EL (any previous WIDA assessment(s) or IELA assessment).

- If the student has current non-WIDA (e.g., LAS, ELPA 21, TELPAS, etc.) language proficiency assessment reports that qualify them as an EL in their cumulative file.

For students meeting the criteria for administration of a language screener, district/charter EL staff must administer the appropriate language proficiency screener (WIDA Screener for Kindergarten or WIDA Screener) to determine district/charter LIEP eligibility. For additional guidance on navigating WIDA Screener and WIDA ACCESS, please review the English Language Proficiency Assessment Manual.

Screening ELs with Disabilities for English Language Proficiency

District/Charters must screen potential ELs for language proficiency even if they are a student with a disability. Qualification as an EL student does not exclude them from also participating in Special Education if deemed appropriate, just as Special Education qualification does not exclude a student from also being qualified for EL services if they need to be. For students already identified with a disability and with an Individualized Education Plan (IEP) or 504 Plan, the accommodations outlined in the plan must be used when the student takes a language proficiency screener to determine EL eligibility.

If the student's disability preludes them from participating in a domain of the screener assessment (e.g. deaf student not able to take listening and speaking) the district/charter can apply the domain scores specific to the domains the student was able to participate in to determine eligibility.

- Scenario – A fifth grade student enrolls in a school with a HLS indicating Mandarin Chinese, but the student is also identified as deaf or hard of hearing under the Individuals with Disabilities Education Act. The student cannot participate in the Listening and Speaking domains of the assessment but can participate in the reading and writing domains. The school administers the WIDA Screener domains of Reading and Writing and applies the 4.0 domain specific criteria to those two domains. If the student scores a 4.0 or above in both the domains, then the student screens out. If the student scores below a 4.0 in either of the domains, then the student qualifies as an English learner.

If the student has significant cognitive impairment, the student may be tested with the WIDA Alternate Screener. Such students may then be eligible for Alternate ACCESS summative English language proficiency testing. The IEP team, in conjunction with EL staff, should make the best interest determination, for a student with the most significant cognitive impairments, that even with accommodations, cannot fully access and participate in the language proficiency screener.

For additional guidance on navigating WIDA Screener and WIDA ACCESS, please review the English Language Proficiency Assessment Manual.

Wida Screener for Kindergarten and Wida Screener

Students in Kindergarten and first-semester 1st grade must be screened with the WIDA Screener for Kindergarten. Students from second-semester 1st grade through 12th grade must be screened with the WIDA Screener (Online or Paper). First and second semester are defined as:

- First semester- starting from the school year start date through December 31.
- Second semester- from January 1 through the end of the school year.

Kindergarten and WIDA Screener are to be used only as identification and placement tests. They absolutely cannot be used as an exit, diagnostic, or progress-monitoring tool.

Student's Grade	Screener Assessment to Administer
Kindergarten & First Semester* Grade 1 * First semester is defined as start of school year through December 31	WIDA Screener for Kindergarten • Free download online at www.wida.us • Must be printed out and administered 1-on-1 • All domains are locally scored.
Second-Semester** Grade 1 - 12 **Second semester is defined as January 1 through the end of the year.	WIDA Screener • Free online • Administered through the INSIGHT Browser in conjunction with WIDA-AMS Reading and Listening scored through INSIGHT system, Speaking and Writing are scored locally

Individuals responsible for administering these assessments must be certified through the WIDA secure portal. Please contact WIDA's client services, or your district/charter testing coordinator for assistance with obtaining an account. Testing Coordinators are responsible for managing accounts and permissions for district/charter personnel who are administering assessments.

WIDA Client Services

☎ (866) 276-7735

✉ help@wida.us

💻 http://www.wida.us

Wida Screener for Kindergarten Administration and Idaho's Screen-out Criteria

WIDA Screener for Kindergarten is an adaptive paper-and-pencil ELP screener given to provisional ELs newly enrolled in Kindergarten through first semester grade 1. WIDA Screener for Kindergarten is one tool used during the EL identification process. The WIDA Screener for Kindergarten is scored at the time the screener is administered by the Test Administrator. After the screener is completed, the Test Administrator uses the WIDA Screener for Kindergarten Score Calculator to calculate language domain proficiency levels, composite scores, and an overall English proficiency level.

If the student scores at or above Idaho's Screen-Out Criteria, he/she **does not qualify as an EL student.** All scores must be entered into ELMS, even for students who screen out. After the scores have been entered into ELMS, place the original score report in the student's cumulative file.

WIDA Screener for Kindergarten Screen-Out Criteria

First Semester Kindergarten	Second Semester Kindergarten	First Semester Grade 1
≥ 5.0 Oral Language Proficiency Level	≥ 5.0 Oral Language Proficiency Level	≥ 5.0 Oral Language Proficiency Level
≥ 4.0 Listening Proficiency Level	≥ 4.0 Listening Proficiency Level	≥ 4.0 Listening Proficiency Level
≥ 4.0 Speaking Proficiency Level	≥ 4.0 Speaking Proficiency Level	≥ 4.0 Speaking Proficiency Level
	≥ 2.0 Literacy Score	≥ 4.0 Literacy Score

Grades 1-12 WIDA Screener Administration and Idaho's Screen-out Criteria

For all other grade levels (second-semester grade 1 through grade 12), administer the WIDA Screener. It is a clustered assessment, like ACCESS WIDA Screener has two different certifications depending on the grade level being administered (grades 1-5 or 6-12).

WIDA Screener can be administered in a group setting with multiple clusters being assessed simultaneously. Approximate administration time is 60-90 minutes. Technology requirements are the same as for ACCESS. For additional guidance on navigating WIDA Screener and WIDA ACCESS, please review the English Language Proficiency Assessment Manual.

Students take the WIDA Screener assessment entirely online through the INSIGHT browser (exception of grades 1-3 taking writing as paper/pencil, as it is more developmentally appropriate). The computer browser will automatically score the listening and reading domains, but the speaking and writing

domains must be scored at the local level by a WIDA Screener Assessment Administrator who has received certification to evaluate responses in WIDA AMS. If the student scores at or above Idaho's Screen-Out Criteria (see chart below) the student **does not qualify as an EL student.** All WIDA Screener scores must be entered into ELMS, even for students who screen out. After the scores have been entered into ELMS, place the score report in the student's cumulative file.

Idaho Screen-Out Criteria for Grades 1-12

Composite Proficiency Level of 5.0 (or higher)

And

At least a 4.0 in EACH domain of Listening, Reading, Writing and Speaking.

Entering Screener Scores for EL Status Coding in ELMS

As of fall 2018, ELMS is the source of all EL data reporting. Districts/Charters no longer submit EL data through ISEE uploads to the Idaho State Department of Education (SDE). ELMS will intuitively code and maintain EL status for students based on screener data entry and ACCESS scores.

The SDE will continue to upload assessment data for ACCESS, Alternate ACCESS, ISAT, and IRI scores. Districts/Charters will still be responsible for entering EL screener scores, even for students who met the screen-out criteria.

These tasks are imperative for accurate EL data. All SDE departments will use ELMS to pull EL status; therefore, the implications for assessments, accountability, and funding are critical.

For students whose screener scores qualify them for the district/charter LIEP, the date the screener was administered will become their EL entry date. Once a screener has been entered for a student, additional screeners cannot be entered. ELs should have only one screener assessment administered for the duration of their EL placement.

In the event you need to enter a screener score for a student with disabilities who was unable to participate in a domain due to their disability (e.g. a deaf student was unable to take the listening and speaking domains), please submit an OTIS ticket with documentation of the scores available so they can be entered into ELMS for EL eligibility and correct EL status coding.

ELMS EL Status Coding Steps

1. Screen the student with the appropriate screener.

2. Calculate scores and/or print out score report.
3. Log into ELMS.
4. Find Child.
5. Click on SCREENERS and "Add New Screener."
6. Complete data entry for adding a new screener.

Once a screener assessment has been entered, ELMS will:

- Determine whether the student qualifies based on the scores entered.
- Code the student as L1 or LE if their scores qualify them

OR

Code the student as SO if they met screen out criteria.

ELMS will calculate, determine, and assign appropriate EL status codes. For more detailed information regarding Screener Score entry in ELMS, please reference the Idaho SDE Applications Portal webpage (https://apps2.sde.idaho.gov/) and click on ELMS. Users will find the "ELMS Manual" on the ELMS home page.

Entering Out-of-State Scores and Data in ELMS

Use the following scenarios for entering data into ELMS for student transferring from outside Idaho

- **For students enrolling from another WIDA state and have their original screener** in their cumulative file, district/charter staff can enter that screener into ELMS, using the date the screener was given, to qualify the student as an English Learner. Once the screener has been entered, the user can also enter subsequent years of ACCESS testing to build the student's EL history and assessment history prior to transferring into an Idaho district/charter.
- **For students enrolling from another WIDA state with only summative ACCESS scores** in their cumulative file, submit an "Status Change Based on Out of State Records" Appeal in ELMS with all pertinent assessment information (attach the scores) and the student's original EL entry date so that ELMS can update the status and scores accordingly.
- **For students enrolling from a non-WIDA state but have current EL paperwork i**n their cumulative file, administer a screener to determine whether they qualify as EL in Idaho. Once the screener has been completed, enter it into ELMS, then submit an "Other" Appeal with the students original EL entry date so that ELMS can update the EL entry date to reflect when they first qualified as an EL. For historical information, users may also want to add a note in the

District Notes section with a summary of the out of state results to provide additional information about the student and their EL history prior to transferring into an Idaho district/charter.

- **For students enrolling from any state with EL exit forms in their cumulative file,** submit an "Status Change Based on Out of State Records" Appeal, with supporting documentation of the exit, so that the SDE can update EL coding to an exited status. For historical information, users may also want to add a note in the District Notes section with a summary of the out of state scores and documentation to provide additional information about the student and their EL history prior to transferring into an Idaho district/charter.

If you do not have access to ELMS, check with your District's ISEE Coordinator, they can see who has rights to ELMS. That person can submit on your behalf or they can give you rights to submit the appeals. If your District ISEE Coordinator needs help, they can contact our support desk. 208-332-6923 support@sde.idaho.gov

Program Placement

District/Charters must provide high-quality language instructional educational programs that are educationally sound and effective in increasing English proficiency and student academic achievement in the core academic subjects (ESEA Section 3115(c)(1)). EL students must be placed in the grade level that is age appropriate and cannot be placed in lower grades due to newcomer status or low language proficiency. For more detailed information regarding types of Language Instruction Educational Programs and how to appropriately staff such programs, please reference the "Language Instruction Educational Programs Mini-Manual" on the https://www.sde.idaho.gov/federal-programs/el/index.html. Resource Files, and drop-down Manuals.

Please Note: The intensity of language services may vary based on the individual needs of the student as measured by the WIDA Screener for Kindergarten or WIDA Screener. For example, a first-semester Kindergarten student at higher levels of language proficiency may be better served with language development supports within the general education classroom.

Family Notification

Districts/Charters are required (ESEA Section 1112(e)(3)) to notify guardians of EL students regarding their child's placement, continuation, or exit from a LIEP. The chart below outlines the required components of the EL Parent Notification Letter.

Federal Requirements for Parental Notification
(ESEA Section 1112(e)(3))

- **Parental Notification Must Include –**

Parents must be informed annually regarding their child's placement in a LIEP within 30 calendar days after the beginning of the school year or within the first two weeks of placement in the LIEP for students who enroll after the start of the school year. The letter must include the following required elements:

- The reason for EL 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;
- How the program will meet the educational needs of the child;
- Exit requirements, expected graduation rate, and expected rate of transition to a classroom not tailored for EL 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.

The notice and information must be provided, to the extent practicable, in a uniform format that is in a language understandable by the parents. (ESEA Section 1112(e)(4)).

If the student's screener score qualifies them for participation in the district/charter's LIEP, then a letter must go home—in a language understandable to the parents (to the extent practicable) indicating that their child was identified as needing specific English language development services. Parental notification of their child's placement into a LIEP must occur within 30 school calendar days of the child's placement into the program if at the beginning of the school year or two weeks after the start of the school year. See a sample "Parent Notification Letter" in the Forms section of the Title III webpage https://www.sde.idaho.gov/federal-programs/el/index.html. If the student does not qualify (screened out), the district is not obligated to inform the parents since the child was not placed in the district/charter's LIEP.

Parental Waiver of EL Services

Districts/Charters are required to inform parents that they have the right to waive LIEP services for their child (ESEA 1112(e)(3)(A)(viii). Under Title VI of the Civil Rights Act and the Equal Education Opportunities Act (EEOA), a parent's decision to opt out of a program for ELs must be knowing and voluntary, and a district/charter may not recommend that parent decline all or some of the services within a program for any reason. It is recommended that EL staff discuss the benefits of language instruction and address any misconceptions or questions parents/guardians may have about the program.

It must be clear that the parental waiver of EL services does not exempt the child from annual ACCESS assessment and does not remove any EL designation. EL students, whose parents waived services, are still required to be assessed annually for English language proficiency along with ALL district/charter EL students (ESEA Section 1111(b)(2)(G).

District assessment policies, if they include the right to opt a child out of assessments, do not override or diminish the district/charter's obligation to assess 100% of the ELs in their district on the annual English language proficiency assessment, ACCESS.

Note however, that if an EL is not participating in the LIEP services due to parental waiver, the district still has an obligation under Title VI and EEOA to provide the student with access to all its educational programs and curriculum. The English language and other academic needs of an EL student still must be met to allow them access to the full range of educational opportunities as their native English-speaking peers.

A "Parental Waiver of Services" form must be completed, signed, uploaded into ELMS, and filed in the student's cumulative file **once per year**. This is to ensure that parents can change their mind about their child's educational services for language development.

Entering Waivers Into ELMS

EL students whose parents have waived EL services must be flagged as English Learner-Waived (EW) status in ELMS. Use the following steps to enter a Waiver form for a student in ELMS.

1. Log into ELMS.
2. Find Child.
3. Click on Waiver.
4. Upload the signed Waiver form.

ELMS will code the student EW for every school year that a waiver form has been uploaded. For more detailed information regarding Parental Waiver form entry in ELMS, please reference the Idaho SDE Applications Portal webpage (https://apps2.sde.idaho.gov/) and click on ELMS. Users will find the "ELMS Manual" on the ELMS home page. See a sample "Parent Waiver of Services" form in the Forms section of the Title III webpage (https://www.sde.idaho.gov/federal-programs/el/index.html).

Identification Post-Enrollment

The post-enrollment identification process allows district/charters to make changes to a child's original Home Language Survey in the event that weeks into the school year it is revealed that a student does speak a language other than English in the home.

Scenario: A student has a Home Language Survey that indicates English is spoken at home (all questions are answered in English). A few weeks into the school year, the student reveals that she knows how to speak Chinese because "we always talk Chinese at our house." How does a district/charter proceed? Should the student be screened language proficiency?

District/Charter staff must first look the student up in ELMS to ensure there is no previous EL History or assessments. If the student has "No EL History" the district/charter staff may proceed with the following process to change the HLS to accurately reflect the student's language use.

Changing a Home Language Survey Process

1. Contact the student's parents to determine how the language affects the child.
2. Conduct a cumulative file review to collect any data.
3. Document the other language on the original HLS with dates and authorized personnel name and title. Parents must know of the language change on the HLS.
4. Choose an option based upon the situation:
    a. Student has **no** academic concerns: Student is added to a "watch list." The district/charter proceeds with occasional checks to see if concerns arise where the language other than English impacts the student's ability to access instruction being delivered in English. Based on the information gathered, either screen for language proficiency, or not, depending on whether concerns arise.
    b. Student has academic concerns: Screen student for language proficiency.

Erroneous EL Identification

Idaho has established a procedure for removing the English learner designation from any student erroneously identified as an English learner, consistent with Federal Civil Rights obligations. This process allows district/charters to request the removal of the EL designation from students whose original Home Language Survey prompted language screening resulting in an EL program placement, but due to certain circumstances was incorrect. Such circumstances might include a child's Home Language Survey being filled out by an individual other than a parent/guardian who described language use of their own home rather than of the student's home. Another circumstance could be that a student's Home Language Survey was completed with a language that the child is exposed to through television programming but does not have a significant impact on the child's ability to access instruction delivered in English.

It is important to note that this process absolutely **CANNOT** be used to remove the EL designation from an EL student whose parent no longer wants their child in the EL program. In accordance with Office for Civil Rights, EL students are entitled to appropriate language development services. If parents do not wish that their child participates, they have the right to waive English language development services offered by the district/charter. For more information, see the section of this "Identification and Screening Mini-Manual" on Parental Waiver of EL Services.

Requesting an EL Designation Removal

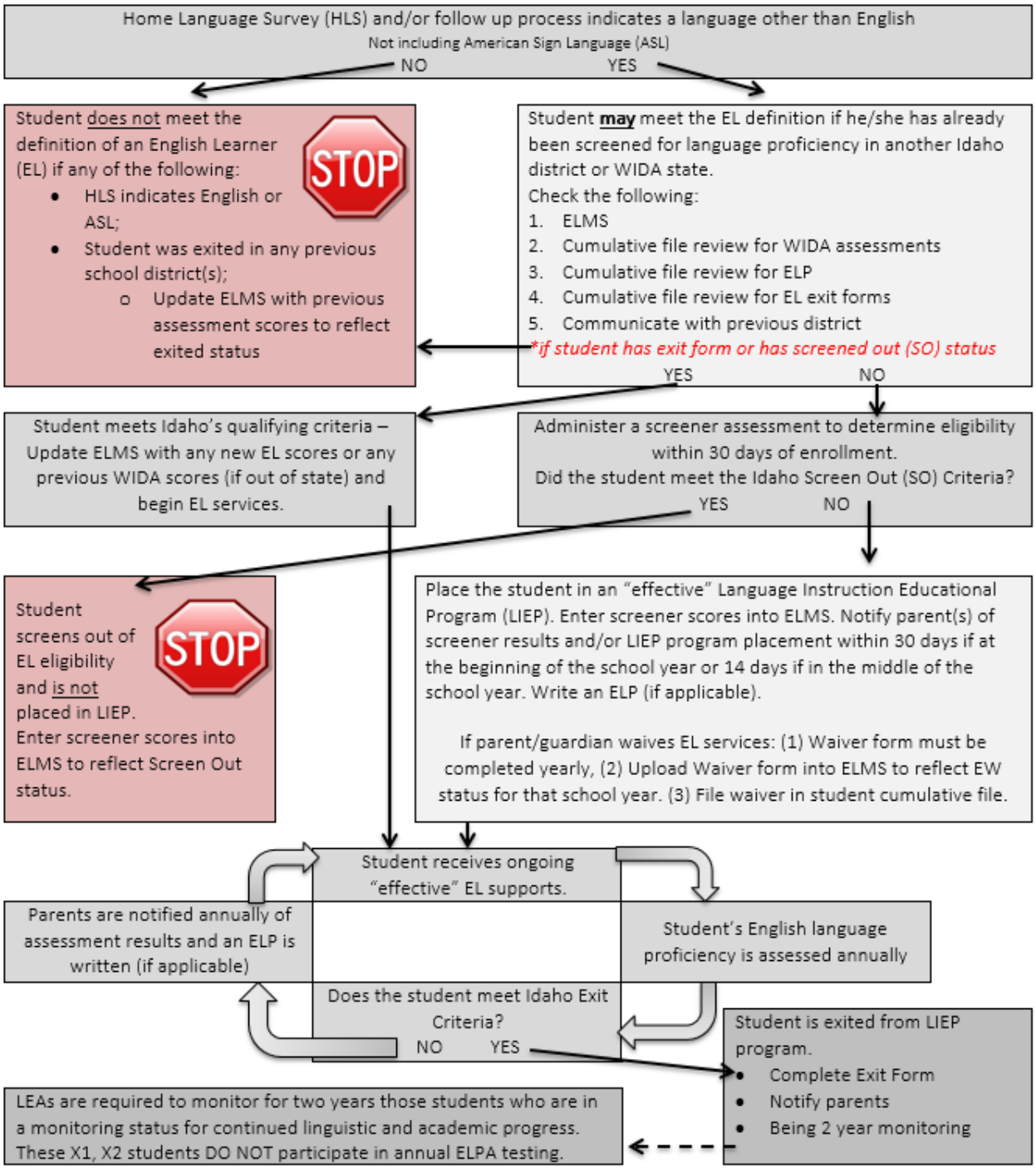
For students meeting criteria for the removal of the EL designation, district/charter staff must complete an EL Designation Removal Request in ELMS and submit for SEA approval. It is important to note that not all requests will be approved. Use the following steps to enter a "Remove EL Designation" request for a student in ELMS.

1. Log into ELMS.
2. Find Child.
3. Click on "APPEALS"
4. Click on "Designation Removal for Erroneous Identification"
5. Complete the request details.
    - The Team must consist of at least an EL educator, an administrator, and parent at a minimum.
    - All appropriate documentation must be uploaded, including the original HLS (required).
6. Submit for SEA approval.
7. SEA will review the requests and either Approve or Deny.

- **APPROVED**: For students whose requests are approved, ELMS will be updated to accurately reflect that the student should never have been qualified as an EL with their screener results, EL entry, and EL status deleted. District/charter personnel should securely dispose of the EL screener results in the student's cumulative file or document on the report that the scores are invalid due to erroneous identification.
- **DENIED:** Students whose requests are denied, ELMS will maintain the appropriate LE or L1 EL status code. Parents have the right to sign a "Waiver of EL Services" form annually, but this does not remove a district/charter's obligations to support his/her language development. The student must continue to take the ACCESS assessment annually until they meet Idaho's exit criteria.

For more detailed information regarding EL Designation Removal Requests in ELMS, please reference the Idaho SDE Applications Portal webpage (https://apps2.sde.idaho.gov/) and click on ELMS. Users will find the "ELMS Manual" on the ELMS home page.

English Learner Programming Flow Chart



English Learner Management System (ELMS); English Learner Plan (ELP); English Language Proficiency Assessment (ELPA); EL Codes: L1=EL student first year identified; LE= Current EL students; EW=Current EL student whose parent waived EL services; X1/2/3/4=Exited student in 1st/2nd/3rd/or 4th year of monitoring status; FLEP=formerly EL; SO=Screened Out, FLEP=Former Limited English Proficient

Decision to Assess Matrix

Question	Answer								
1. What language(s) are spoken in the home?	Other than English	English	English	English	English	Other than English	Other than English	Other than English	Other than English
2. What language(s) does your student speak most often? (Always triggers a test if answered as a language other than English)	English	Other than English	English	English	English	English	Other than English	Other than English	Other than English
3. What language(s) did your student first learn?	English	English	Other than English	English	English	Other than English	Other than English	Other than English	Other than English
4. Which language does your student speak with you? (Always triggers a test if answered as a language other than English)	English	English	English	Other than English	English	English	English	Other than English	Other than English
5. Which language do you use when speaking with your student?	English	English	English	English	Other than English	English	English	English	Other than English
Action:	Call: What is the exposure to other language(s) in the home?	Test	Call	Test	Call	Test	Test	Test	Test

If only questions 1, 3 or 5 have a language other than English, then call the home to clarify the exposure to other language(s) and the potential impact on learning.

Exception: If question 1 and 3 are both marked as a language other than English, then administer the language proficiency test (K-WAPT or WIDA Screener Assessment).

English Learner Data Reporting

Data Reporting Background

All district/charters have multiple data reporting requirements regarding current or potential English Learner (EL) programs and plans. District, school, and student-level data are required for accreditation, accountability, and funding purposes.

Beginning in school year 2018-2019, data reporting for EL students fully transitioned into the English Learner Management System (ELMS).

English Learner Management System (ELMS)

ELMS is a collaborative EL management system shared by the SDE and the local education agencies (LEA). The responsibility of the SDE will be to maintain the system and upload assessments scores (ACCESS, ISAT, IRI). District/Charters will be responsible for entering screener scores throughout the school year, complete English Learner Plans (ELPs), as well as report program information at the end of the academic year for the Consolidated State Performance Report (CSPR) to the U.S. Department of Education. For detailed information regarding screener score entry and Annual Data collection in the ELMS, please see the ELMS User Guide & Walkthrough.

Accessing ELMS

Contact your local district ISEE Coordinator to be assigned the role of **ELMS.Editor or ELMS.Viewer** in the **Admin Tool User**. The roles can be assigned to multiple users in a district. For security purposes, roles should only be assigned to district/charter staff who have an educational "need to know". For more detailed information regarding ELMS and using ELMS, please reference the Idaho SDE Applications Portal webpage (https://apps2.sde.idaho.gov/) and click on ELMS. Users will find the "ELMS Manual" on the ELMS home page.

ELMS Coding for English Learners

All district/charters are required to identify English Learners (ELs) in their schools. Once screened for English language proficiency, screener scores must be entered into ELMs so that students are coded appropriately. The following defined codes are used to identify types of EL students: SO, L1, LE, EW, X1, X2, X3, X4, FL, N. Once screeners have been entered and submitted into ELMS, ELMS will apply the correct code for the student's EL status and will maintain or adjust the status for the student over their educational career.

Correct status coding is essential for data quality for reporting purposes. These status codes are used to populate "EL History" in the ELMS application, allowing district personnel to see the EL status of a student historically in all Idaho school district/charters. They are used for required reporting on the number of EL students in the state to the US Department of Education. And furthermore, they are used to substantiate state and federal funding.

ELMS English Learner Status Codes

EL Code	EL Status	Has an EL Entry Date?	Has an EL Exit Date?	Takes ACCESS?
L1	An English learner who has been identified in the past year. This status rolls over to LE after one year. Note that L1 students are exempt from one administration of the ELA ISAT assessment.	Yes	No	Yes
LE	A current English learner. This status remains until he/she meets exit criteria.	Yes	No	Yes
EW	A current English learner whose parents have waived EL services. This status is prompted by the annual upload of a signed waiver form from the parents.	Yes	No	Yes
X1	A student who has met Idaho's exit criteria on the annual ACCESS 2.0 assessment or the Alternate ACCESS last school year. These students are currently in their first year of monitoring status where the LEA monitors their progress to ensure that they are academically successful in the classroom where instruction is delivered in English.	Yes	Yes (Provided by SDE)	No
X2	A student who has met Idaho's exit criteria on the annual ACCESS 2.0 assessment or the Alternate ACCESS two school years ago. These students are currently in their second year of monitoring status where the LEA	Yes	Yes (Provided by SDE)	No

EL Code	EL Status	Has an EL Entry Date?	Has an EL Exit Date?	Takes ACCESS?
	monitors their progress to ensure that they are academically successful in the classroom where instruction is delivered in English.			
X3 X4	A student who has met Idaho's exit criteria on the annual ACCESS 2.0 assessment or the Alternate ACCESS three/four years ago. These students are no longer being monitored but are counted within the EL subgroup for Accountability purposes.	Yes	Yes (Provided by SDE)	No
FL	A student who met Idaho's exit criteria more than five years ago and is now a Former EL student.	Yes	Yes (Provided by SDE)	No
SO	A student who has met Idaho screen out criteria on a language proficiency screener and is NOT qualified as an EL student.	No	No	No

Annual Data Collection

Every year the Idaho State Department of Education must report on statistics of EL students and programs to the US Department of Education. Annual Data Collection begins in the spring and must be completed and submitted to the SDE by June 30th. State EL and Title III plans will not be approved until this data collection has been submitted and approved by the SDE.

There are eight (8) tabs of specific information for LEAs to complete:

- District Home (personnel contact information)
- Identification and Placement
- Reclassified Students
- Educational Programs

- Teacher Certification
- District LIEP Activities
- Professional Development
- Participant Information
- EL Activities

Idaho System of Educational Excellence (ISEE)

The Idaho State Department of Education (SDE) has created the Idaho System for Educational Excellence (ISEE), a K-12 Longitudinal Data System, which supports the budgeting processes, data submissions, and delivers information to educational stakeholders to create data-driven decisions. Data reporting is required from the LEA to the SDE through six (6) yearly data submissions. LEAs report data to the SDE for all programs and students.

The only data reporting that is required for English Learners and Immigrant student through ISEE is Immigrant Status Reporting. Required data fields include "US Entry Date" and "Country of Origin." Not all English Learners will be Immigrant, and not Immigrant students will be EL. *The EL Entry date will be used in combination with a student's L1 status to determine the eligibility for the L1 newcomer exemption for the ELA portion of the ISAT assessment.*

By identifying immigrant students, a district/charter may be able to qualify for additional Title III Immigrant funding based on a funding formula. For more information on Title III Immigrant funding, see the "State EL, Title III Mini-Manual" on the Idaho English Learner Program webpage (https://www.sde.idaho.gov/federal-programs/el/index.html), Resource Files, and drop-down Manuals.

For more information about ISEE or how to get access to the ISEE portal, please refer to the ISEE Technology Resource Webpage (http://www.sde.idaho.gov/tech-services/isee/).

State English Learner Program and Title III-A Plan Reporting (CFSGA)

Every year LEAs are required to write, submit, and have an approved plan on file with the SDE regarding their use of state and federal funds (Idaho Code: Section 33-1617). These plans are written, submitted, and approved through the Consolidated Federal and State Grants Application (CFSGA). District/charters will not have any program funds released until all program plans have been submitted and approved. Submission deadline for all program plans through the CFSGA is June 30th.

Upon signing into to CFSGA, options for EL Assurances, State EL plan, and Title III plan will depend on whether the district/charter has any identified EL students and whether they qualify for their own Title III grant allocation.

LEAs Reporting No English Learners

All district/charters reporting that they do not have ELs must answer a minimum assurance question regarding what they would do if/when enrolling an EL student and the qualifications of the staff designated for providing EL supports. As of school year 2018-2019 they will also be allowed to opt into participating in the Title III Consortium in the event that they discover ELs who have transferred into their district mid-year and require EL supports. As well, they must identify a contact person in the role of "Title III Language Instruction for English Learners" in the Idaho District Contact Information (IDCI) to receive EL related information as well as a person in the ELMS. Editor role to look up new students upon enrollment.

State English Learner Program Plan

District/charters receiving State EL funds must have an approved plan for such funds on file with the SDE annually (Idaho Code: Section 33-1617). State EL Plans consists of information regarding the district/charter's use of State funds for supporting the instruction of their enrolled ELs. Program services and expenditures described in this plan are the district/charter's core language supports for students who are English Learners, which district/charters are required to provide (a.k.a. Lau Plan).

Additional information regarding how to complete the State EL Plan, please reference the EL and Title III Webpage at https://www.sde.idaho.gov/federal-programs/el/index.html.

Title III-A Program Plan

District/charters receiving their own allocation for federal Title III funds must submit and have an approved plan on file that details their use of federal funds. Federal Title III funds must be used to supplement, not supplant, the core program they are required to provide their English Learners regardless of whether they receive federal funds.

Additional information regarding how to complete the State EL Plan, please reference the EL and Title III Webpage at https://www.sde.idaho.gov/federal-programs/el/index.html

Core Language Instructional Programming

Background

All school district/charters in Idaho are required to be "on alert" and ready for English learners (ELs) who may enroll in their schools. Once faced with addressing the linguistic needs for the student, appropriate programming must be developed to assure linguistic barriers to accessing the core instructional program are properly mitigated. There are many ways for a school or charter to teach English to non-English speakers. It is not the purview of the Idaho State Department of Education (SDE) to determine which program or curriculum materials/resources would work best for all districts; however, it is a Federal requirement that any program of service or curriculum provided to ELs must be "effective". In addition, OCR and Title III do not mandate or forbid any specific type of language program, such as bilingual education.

This guidance will help schools prepare the required policy and plans, choose an appropriate program model, assure ELs are included in the core educational program, and assist parents of ELs to participate in their children's education.

Language Instructional Education Program (LIEP) Requirements

All district/charters, even those not reporting ELs, must select one or more methods of instruction that are effective in teaching English Learners. Under Title VI and the EEOA school districts must provide a core language program that is effective—educationally sound and proven successful.

Idaho legislation (Idaho Code: Section 33-1617) requires that all school districts/charters annually report to the SDE their plan (a.k.a. State EL and/or Lau Plan) to identify and serve all ELs in accordance with Title VI of the Civil Rights Act, as well as other federal cases. Plans are submitted to the SDE via the Consolidated Federal and State Grants Application (CFSGA) by June 30th each year.

- School districts/charters reporting ELs– State EL Plan includes numerous assurances, including that the district/charter has adopted the statewide Home Language Survey (HLS). The district/charter must also identify a contact individual for EL programming and assessment. Additionally, they must respond to narrative questions describing the program(s) they are providing to identified ELs in their school(s).

- School districts/charters not reporting ELs– State EL Plan must describe how they would meet the Title VI and OCR obligations in the event they were to have an EL student enroll in their school(s). This plan includes an assurance that the district/charter has adopted the Statewide Home Language survey for use in all students' registration, they have identified a contact individual for EL programming, as well as a chosen LIEP to implement for an enrolling EL if/when they were to receive one.

Title III-A Requirements for LIEPS

Title III of the ESEA, as amended by ESSA, expects that a district/charter's chosen LIEP be "effective". An LEA must:

- Use Title III funds for effective approaches and methodologies for teaching ELs (ESEA Section 3115(a));
- Increase the English proficiency of ELs by providing effective language instruction educational programs that meet the needs of ELs and demonstrate success in increasing
- English language proficiency; and (B) student academic achievement (ESEA Section 3115(c)(1));
- Use Title III funds in ways that build its capacity to continue to offer effective language instruction educational programs that assist English learners in meeting challenging State academic standards (ESEA Section 3113(b)(3)(E)); and
- Include in its local plans for a Title III sub-grant a description of the effective programs and activities that will be provided, including language instruction educational programs (ESEA Section 3116(b)(1)).

Under Title VI and the EEOA LEAs must provide a language assistance program that is effective—educationally sound and proven successful. Furthermore, districts/charters receiving Title III funds have an obligation to use those funds to supplement, not supplant, to meet this civil rights obligation.

Language Instruction Educational Program Models (LIEPs)

Districts and charters have the flexibility to choose the program model and services that best meet the needs of their EL population. In addition, they must offer appropriate EL programming and services until ELs are proficient in English and can participate meaningfully in the classroom where instruction is delivered in English. Depending on the EL population and the EL staff employed, districts/charters can implement more than one program type.

The US Department of Education requires district/charters to report their chosen LIEPs. The following are the only six (6) reportable Language Instruction Educational Program types, with descriptions of each:

LIEP Models	Description	Alternate and/or Corresponding Names
Transitional Bilingual	Bilingual program where students begin in grade K or 1 by receiving instruction all or mostly in their L1, and transition incrementally over to English. Typically, transition to all English is complete by mid- to late elementary school. L1 is used to leverage L2 acquisition, but L1 proficiency is not a program goal.	• Early Exit Bilingual • Early Exit Transitional
Dual Language or Two-Way Immersion	Bilingual program where the goal 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 primary-English speakers and half primary speakers of the other language.	• Two-Way Bilingual • Development Bilingual • Dual Immersion
English as a Second Language (ESL) or English Language Development (ELD)	Class format programming consisting of techniques, methodology, and special curriculum designed to teach ELs explicitly about the English language, including the academic vocabulary needed to access content instruction, and to develop their English language proficiency in all four language domains (speaking, listening, reading, and writing). Instruction is delivered in English by a trained EL teacher/specialist and focuses on development of proficiency in the English language, including grammar, vocabulary and communication skills.	• Pull-Out ESL/ELD • Push-In ESL/ELD • ELD/ESL Class Period

LIEP Models	Description	Alternate and/or Corresponding Names
Content Classes with Integrated ESL Support	Classroom and/or ESL teacher provides language instruction that uses content as a medium for building language skills. Although using content as a means, instruction is still focused primarily on learning English. Fully developed prototypes of this program include: • Sheltered Instruction Observational Protocol (SIOP) • Specially Designed Academic Instruction in English (SDAIE)	• Sheltered English Instruction • Content-based ESL • SIOP • SDAIE • Structured English Immersion(SEI) • GLAD
Newcomer Programs	Program that offers specialized services and classes to help newly arrived ELs acclimate to U.S. schools, develop foundational skills in content areas (e.g., basic literacy and math concepts). Newcomer programs are short-term, typically lasting no longer than one year.	• Newcomer Center
Other	Some other options for Language Instruction Educational Program types that Idaho districts can implement: • Co-Teaching • Heritage/Indigenous Language Program(s) • Extended Instructional Day	

Questions to Consider When Choosing an LIEP

1. How many or what percent of students in the school have a home language other than English?
2. Are there commonalities of the population? (languages, place of origin, L1 literacy?)
3. What is the overall percentage of students in the school that are actually classified as English learners?
4. What community organizations represent various groups?
5. What educational backgrounds are represented? (Continuous or interrupted prior schooling, no prior schooling, schooling in home country)

Program Evaluation

In determining whether a grant recipient's LIEP complies with Title VI of the Civil Rights Act of 1964, the Office for Civil Rights uses the standard set forth in Castañeda v. Pickard. The three- prong approach to evaluating a LIEP includes:

- The school system is pursuing a program informed by an educational theory recognized as sound by some experts in the field or, at least, deemed a legitimate experimental strategy [A Sound Approach]
- The programs and practices actually used by [the] school system are reasonably calculated to implement effectively the educational theory adopted by the school [Reasonable Implementation]
- The school's program succeeds, after a legitimate trial, in producing results indicating that the language barriers confronting students are actually being overcome [Evaluate for Outcomes].

Curriculum Adoption

Each year Idaho holds a curriculum adoption for various content curriculums, with EL curriculum being reviewed every six (6) years. The well-organized event is open to teachers, preferably with an Idaho teaching certification in Bilingual K-12 and/or ESL K-12. Teachers use rubrics aligned to the WIDA ELD Standards framework and score textbooks/materials accordingly. Most of the work takes place on your own schedule, with a culminating weeklong event in the summer to compare results. As an added benefit, teachers who participate are able to keep the materials. The most recent curriculum review for EL materials was held spring/summer of 2018 with results of the curricular review available by Fall 2018. For more information on the Curriculum Review process or to access the most recent list of approved EL curriculums, see the Idaho SDE Curricular Materials webpage (http://www.sde.idaho.gov/academic/curricular/). Recommendation lists can be found, by specific content area, in the dropdown sections under "Recommended Curricular Materials"

Idaho's English Language Development (ELD) Standards

The five distinct standards represent the social instructional and academic language needed for students to interact with peers, teachers, and content areas. The WIDA ELD standards contain a framework for instruction that represents the English language development standards through language functions, content and scaffolding.

WIDA ELD Standards	Abbreviation
Standard 1 - English language learners **communicate** for **Social and Instructional** purposes within the school setting.	Social and Instructional Language
Standard 2 - English language learners **communicate** information, ideas and concepts necessary for academic success in the content area of **Language Arts.**	The language of Language Arts
Standard 3 - English language learners **communicate** information, ideas and concepts necessary for academic success in the content area of **Mathematics.**	The language of Mathematics
Standard 4 - English language learners **communicate** information, ideas and concepts necessary for academic success in the content area of **Science.**	The language of Science
Standard 5 - English language learners **communicate** information, ideas and concepts necessary for academic success in the content area of **Social Studies.**	The language of Social Studies

Please reference the WIDA ELD Standards website for additional information and online Standards Training and materials at https://www.wida.us/standards/eld.aspx.

Educational Learning Plans (ELPS)

Idaho statute (IDAPA 08.02.03 - 111.04) requires that an individualized educational learning plan (ELP) is written for any student who requires any accommodations or designated supports on a statewide or district- wide assessment based upon the language proficiency. Assessment accommodations/supports must also be used during regular classroom instruction and testing. ELPs are a collaborative and strategic instructional written by a team that has evaluated the unique needs of each English Learner. Documented accommodations/supports are then used throughout the school year, not just on statewide assessments. A student may not receive accommodations/supports on any assessment unless it is documented in the ELP. Most importantly, do not assign accommodations/supports to students who have not had time to become familiar with them.

Student ELPs are created within the English Learner Management System (ELMS). For more detailed information regarding how to write ELPs in ELMs please reference the Idaho SDE Applications Portal webpage (https://apps2.sde.idaho.gov/) and click on ELMS. Users will find the "ELMS Manual" on the ELMS home page.

Copies of completed ELPs must be housed in the student cumulative file. If students were to move out of Idaho, their ELPs that was written and completed in ELMS would not follow them (ELMS is an Idaho specific web application). Therefore, it is important that a copy be placed in the cumulative file that would follow the student in the event they move out of state. ELPs should be used by EL staff to communicate the types of instructional supports that can be used for ELs in classroom instruction. The ELP also provides teachers with valuable information regarding how to serve their English Learners. A school can create an ELP for an EL even if they do not require accommodations/supports in the classroom or annual assessment.

Language Instruction Educational Program (LIEP) Staffing

All staff in a school play a vital role in the success of ELs. From the secretary to the building administrators, everyone must be trained in how to work and engage with ELs and their families. Additionally, everyone in the building should be held accountable for serving ELs appropriately. It is not the sole responsibility of the EL teacher or paraprofessional to ensure ELs are served properly and successfully. Title VI and the EEOA require LEAs to provide the personnel and resources necessary to effectively implement their chosen language assistance program. However, it is crucial to the success of ELs that teachers are trained on how to support both ELs' English language development and their mastery of academic content knowledge.

All districts and charters must identify at least one individual in the role of "Title III Language Instruction for EL" Coordinator in the Idaho District Contact Information (IDCI). This person serves as the contact person at the district level for EL topics, including receiving SDE communications around EL programmatic updates and training opportunities. Personnel needing this role assignment would need to contact their district ISEE Coordinator to be placed in the role. Person(s) assigned to this role should be involved in decision making that may be related to the use of funds to support ELs and the district/charter's LIEP and acts as the supervisor for the district's LIEP.

The educators listed below perform a variety of roles within the language program. Collectively, they are responsible for identifying ELs, coordinating and providing services based on needs, and insuring students' civil rights to education are not compromised. Depending on the size of the district/charter, some roles and responsibilities listed below may include more or less responsibilities (general responsibilities are provided).

Role or Title	Description
EL / Title III Administrator or Coordinator	As the district level person responsible for the comprehensive language program, this role coordinates with other district level staff (Federal Programs, Special Education, Curriculum & Instruction, Assessment), Technology and Finance departments, school principals and staff and the Idaho Department of Education to - • provide a district/charter vision and goals for the linguistic and academic success of ELs; • implement a LIEP that aligns with state and federal regulations; • develop and administer a budget to support the program; • recruit, interview, and hire qualified EL teachers; "Districts have an obligation to provide the staff necessary to implement their chosen program properly within a reasonable period of time." See Castaneda, 648 F. 2d at 1013 • communicate and disseminate information about the language program to principals, staff, teachers, families of ELs, and other interested community members; • serve as a resource of professional information and support for principals, teachers and staff; • ensure data quality (ELMS, ISEE, CFSGA) and that data to submitted in a timely fashion;

Role or Title	Description
EL / Title III Administrator or Coordinator	• facilitate the development of the State EL & Title III plan, under the direction of the Superintendent and school board, for submission to the Idaho State Department of Education; and • annually evaluate the district's language program.

Content/Classroom Teacher	As the educator who teaches ELs in a general classroom, the teacher's role is to support student inclusion as participating members within the classroom by - • communicating and collaborating with the EL teacher in order to understand ELs' level of English proficiency, the reasonable expectations of student performance based on their proficiency level, the WIDA Can-Do Descriptors and instructional objectives that develop language and support academic achievement; • making accommodations to classroom instruction and materials in order to engage students in course work and to support their academic growth, providing equal access to curriculum through linguistic and culturally sensitive differentiation; • creating situations to help ELs interact with other students, observing their social and emotional behaviors, and conferring with the EL teacher or school counselor when it seems that a student is experiencing difficulty adjusting to the new setting or coping with interpersonal experiences. • using flexible grouping, effective instructional strategies and supplemental instructional materials to meet the needs of ELs; and • encouraging students to continue speaking and developing their native languages and if possible, encouraging native language support when learning English and academic content.
EL Teacher	As the educator with specialized training regarding English language acquisition and the social, emotional, and academic needs of ELs, the EL teacher's role is to serve as - **a placement coordinator who-** • evaluates the student's level of proficiency using the WIDA Screener for Kindergarten or WIDA Screener placement tests; • identifies the model of delivery for language services; • collects data for student ELPs, which may include contacting prior schools for records;

Role or Title	Description
EL Teacher	• maintains an EL folder of student assessment data, parent communications and other compliance documents in the cumulative folder; • monitors each ELs' linguistic and academic progress; and • notifies appropriate school personnel when a student's proficiency meets the requirements for exiting the LIEP and conducts 2-year monitoring. **a teacher responsible for -** • English language development and instruction based on WIDA's ELD standards framework; • ongoing consulting with content teachers to monitor grade level performance by reviewing language proficiency of ELs, classroom grades, assessments, and other benchmark scores; • supports and coaches teachers with learning objectives, instructional strategies, differentiation techniques and helps teachers understand the unique challenges faced by ELs; • supervision of paraprofessionals/volunteers who assist with instruction; • assisting ELs and their families in understanding the school culture and participating in the school community; and • evaluating the effectiveness of the LIEP throughout the year and annually. **a school-based testing coordinator who -** • chairs committees to determine classroom and testing accommodations for the development of students' ELP; • coordinates the placement and annual ACCESS 2.0 and Alternate ACCESS testing with the district office, school principal, and classroom teachers; and • attends and provides trainings for administrating Idaho's English language assessments (WIDA).

Instructional Paraprofessional	The paraprofessional's role is to support the linguistic and academic success of ELs by • working in close proximity and under the direct supervision of a highly qualified teacher • conferring with supervising teacher to discuss instructional planning, student progress and other needs; • carrying out instructional activities and monitoring student progress; • providing instructional support in small groups or one-on-one; • attending professional development activities/opportunities; • communicating with parents/families of ELs.

If a district/charter receives their own Title III allocation and uses such fund to support staff positions, then the positions must be supplemental. Meaning Title III funded staff cannot be used to meet obligations to ELs under Title VI and the EEOA, including administering any English language proficiency screening and summative language assessment.

Idaho ESL and Bilingual Teacher Certification

The following table describes the State's requirements for teaching assignments specific to instruction for ELs in Idaho. For example, English Language Development (ELD) at the elementary, a teacher with an All Subjects K/8 certification can provide elementary ELD instruction for ELs in their school/district. Please note that although the state does not require an English as a New Language (ENL) certification at the elementary level to provide ELD instruction, best practices suggest that a teacher with experience and training in second language acquisition will be more effective. With a teacher-shortage in Bilingual Education and ENL certified teachers, a district will need to provide ALL language and content teachers with professional development to meet the needs of ELs.

Teacher Assignment	Code
00012 Bilingual Education – Elementary (Gr. K-6) Instruction provided to students whose primary language is something other than English, but lessons are presented in both English and the student's primary language. Designed to help students meet the same rigorous standards that all other students must meet within the same time constraints. Programs of language development that go beyond the teaching of basic vocabulary and grammar skills, and are designed to parallel English language instruction and native speakers in content and approach. In such programs, English vocabulary and mechanics are often embedded in engaging content and/or literature. Transitional Bilingual Education (TBE) Programs in which reading is initially taught in both the students' non-English home language and their second language (English) until their English is proficient enough for them to participate successfully in a regular classroom. Use of the non-English language is phased out as English language is gradually phased in.	• 7010 All Subjects (K-8) • 7038 Bilingual Education (K-12)
00013 English as a New Language (ENL) – Elementary (Gr. K-6) Instruction designed to teach the English language to students with limited English proficiency (ENL). Programs in which students whose primary language is not English are placed in regular immersion instruction for most of the school day but receive extra instruction in English for part of the day. This special help is based on a special curriculum designed to teach English as a new language. The non- English home language may or may not be used in conjunction with ENL instruction.	• 7010 All Subjects (K-8) • 7126 English as a New Language (ENL) (K-12)
00070 Supplemental Instruction – Elementary (Gr. K-6) (Restricted) Supplemental elementary instruction provided to help children most in need to meet state standards. Can be used for Title I teacher who is supplementing the instruction of an elementary teacher of record, not in place of. This code is not intended for special education; see codes 00080, 00081, 00083, 00084 and 00092 as applicable.	• 7010 All Subjects (K-8) • 7028 Gifted and Talented (K-12) • 7038 Bilingual Ed (K-12)

Teacher Assignment	Code
51008 English as a New Language (ENL) (Gr. 6-8) **01008 English as a New Language (ENL) (Gr. 9-12)** Courses designed for the rapid mastery of the English language, focusing on reading, writing, speaking, language, and listening skills. ENL courses usually begin with extensive, listening and speaking practice, building on auditory, speaking, and listening skills, and then move to reading and writing. Basic structures of the English language are explained, and student's progress from an elementary understanding of English words and verb tenses to a more comprehensive grasp of various formal and informal styles, enabling the student to advance to "regular" English courses. An orientation to the customs and culture of people in the United States may be included in ENL classes.	• 7010 All Subjects (K-8) - if the person holds this endorsement, use assignment code: 51008 • 7126 English as a New Language (ENL) (K-12)
51019 Bilingual (Gr. 6-8) **01019 Bilingual (Gr. 9-12)** Instruction provided to students whose primary language is something other than English, but lessons are presented in both English and the student's primary language. Designed to help students meet the same rigorous standards that all other students must meet within the same time constraints. Programs of language development that go beyond the teaching of basic vocabulary and grammar skills, and are designed to parallel English language instruction and native speakers in content and approach. In such programs, English vocabulary and mechanics are often embedded in engaging content and/or literature. Transitional Bilingual Education (TBE) Programs in which reading is initially taught in both the students' non-English home language and their second language (English) until their English is proficient enough for them to participate successfully in a regular classroom. Use of the non- English language is phased out as English language is gradually phased in.	• 7038 Bilingual Ed (K-12)
51047 Supplemental Instruction – Secondary (Gr. 6-8) (Restricted) 01047 **Supplemental Instruction – Secondary (Gr. 9-12) (Restricted)** Supplemental secondary instruction may use Title I funds to help children most in need to meet state standards. (Facilitation in conjunction with content teacher of record) This code is *not* intended for special education; see applicable codes for special education assignment codes and services.	• 7010 All Subjects (K-8) - if the person holds this endorsement, use assignment code: 51047 • Valid Idaho Secondary endorsement

Professional Development for LIEP and All Staff

Title VI and the EEOA require districts/charters to provide the personnel and resources necessary to effectively implement their chosen language assistance program. Access to effective educators is critical for supporting ELs; research has shown that teacher effectiveness is strongly correlated with student success. In order to promote positive educational outcomes for ELs, preparation and professional development for teachers of ELs and school leaders should improve instruction, increase teachers' and school leaders' ability to implement effective curricula for ELs, increase students' English language proficiency and improve students' academic achievement.

Professional Development (PD)

All district/charters that have one or more English Learners are required to provide professional development to all staff regarding research-based programming on how to serve ELs. It is the district/charter's responsibility to ensure that all teachers are implementing strategies to serve ELs successfully. In addition, a grant recipient may not in effect relegate English Learners to second-class status by indefinitely allowing teachers without formal qualifications to teach them while requiring teachers of non-English Learners to meet formal qualifications.

For districts/charters receiving their own Title III allocation, Section 3115(c)(1)-(3) of the ESSA requires that some of their Title III funds be used to for professional development activities. If a district/charter is part of the Title III Consortium, The Title III Consortium may use these funds to provide preparation and professional development opportunities to all teachers of ELs and all leaders of schools in which ELs are enrolled. Thus, any districts/charters should provide training not only to those who exclusively teach ELs, but to teachers who may only have a few ELs in their classrooms. Title III funds may also be used to provide professional development for other educators who work with ELs to include paraprofessionals, counselors, and special education teachers.

Supporting English Learners in the Content

Collaborative Planning

Collaborative planning may take place among administrators, content teachers, English Language specialists, and paraprofessionals. This process should be guided by state content standards, Idaho's ELD standards, and the individualized needs of students, ensuring that lesson design and implementation effectively support both content mastery and language development.

Effective instruction for English Learners (ELs) requires strong collaboration between classroom teachers and paraprofessionals. Collaborative planning ensures that ELs receive consistent, linguistically supportive instruction across their learning environments. Below are key elements and best practices for successful collaborative planning between teachers and paraprofessionals.

Key Elements of Collaborative Planning with Paraprofessionals

Shared Understanding of Student Needs

- Teachers and paraprofessionals should review student language proficiency levels, Individualized Learning Plans (ILPs), and any accommodations or modifications required.
- Use data (e.g., WIDA scores, formative assessments) to inform instruction.

Clearly Defined Roles and Responsibilities

- Classroom teachers lead instruction and plan lessons while paraprofessionals support implementation.
- Paraprofessionals provide targeted support, such as small-group instruction, scaffolding, and one-on-one assistance.
- Both should collaborate on strategies to reinforce content and language objectives.

Scheduled Planning Time

- Regular meetings (e.g., weekly or biweekly) help ensure alignment of instructional strategies and student support.
- Teachers and paraprofessionals can co-create lesson plans that integrate language development.

Use of Visuals, Sentence Frames, and Language Supports

- Plan for the use of visuals, anchor charts, sentence stems, and graphic organizers to support ELs.
- Ensure paraprofessionals understand how to implement these supports effectively.

Feedback and Reflection

- Paraprofessionals provide insights into student progress and engagement.

- Teachers and paraprofessionals adjust support strategies based on observations and student responses.

Professional Development and Ongoing Learning

- Provide training opportunities for paraprofessionals to develop skills in supporting ELs.
- Encourage a culture of continuous learning and reflection on best practices.

Best Practices for Effective Collaboration

- Communicate openly – Establish a system for quick check-ins and feedback.
- Encourage mutual respect – Value each other's contributions to student learning.
- Focus on student-centered instruction – Keep the needs of ELs at the forefront of planning.
- Be flexible and adaptable – Adjust strategies based on student progress and classroom needs.
- Foster a growth mindset – Adapt strategies as student needs evolve.

Collaborative planning between teachers and paraprofessionals enhances the educational experience for ELs by ensuring instruction is intentional, structured, and supportive of both content and language development.

Collaboration Between Content Teachers and Language Specialists

Collaborative planning between content teachers and English Language (EL) specialists is essential for ensuring that English Learners (ELs) receive both content instruction and language development support. This partnership integrates language acquisition strategies into academic lessons, helping ELs succeed in both areas.

1. Establishing Shared Goals
    a. Define both content objectives (aligned to state standards) and language objectives (aligned to WIDA or other language development frameworks).
    b. Identify key academic vocabulary and linguistic structures students will need to access the content.
2. Aligning Instructional Strategies
    a. Identify scaffolding techniques (e.g., sentence frames, visual aids, graphic organizers) to support language development.
    b. Plan differentiated instruction to meet the needs of ELs at various proficiency levels.
3. Designing Integrated Lessons

    a. Embed language supports into content lessons rather than treating language development as separate instruction.

    b. Ensure that assessments measure both content knowledge and language proficiency.

4. Defining Instructional Roles

    a. Determine instructional roles (e.g., co-teaching, small group instruction, push-in/pull-out services).

    b. Language specialist is not typically a content specialist

    c. Model and reinforce academic language through structured interactions and discussions.

By working together, content teachers and EL specialists can create meaningful learning experiences that promote both academic success and language development for English Learners.

Using Idaho's English Language Development Standards

Idaho's English Language Development (ELD) Standards, based on the WIDA (World-Class Instructional Design and Assessment) framework, provide a structured approach to supporting English Learners (ELs) in developing both social and academic language proficiency. These standards guide educators in integrating language development into instruction while ensuring ELs have access to grade-level content.

Key Components of Idaho's ELD Standards

The Idaho ELD Standards align with WIDA's five key areas of language development:

1. Social and Instructional Language

    a. Focuses on everyday communication and classroom interactions.

    b. Example: Engaging in group discussions, following classroom routines.

2. Language of Language Arts

    a. Supports comprehension and expression in reading and writing.

    b. Example: Understanding figurative language, analyzing texts.

3. Language of Mathematics

    a. Helps ELs grasp math-specific vocabulary and concepts.

b. Example: Explaining problem-solving processes, interpreting graphs.

4. Language of Science
    a. Develops skills for engaging in scientific inquiry and discourse.
    b. Example: Describing experiments, using cause-and-effect language.
5. Language of Social Studies
    a. Enhances understanding of historical, geographical, and civic concepts.
    b. Example: Comparing perspectives, discussing historical events.

Proficiency Levels and Can-Do Descriptors

Idaho's ELD Standards recognize that ELs develop language at different rates. Can-Do Descriptors help teachers differentiate instruction by outlining what ELs can do at each level in listening, speaking, reading, and writing.

WIDA's six proficiency levels help guide instruction:

Level	Description	Example of Student Ability
1 - Entering	Minimal comprehension, relies on visuals and gestures	Points to pictures, follows one-step directions
2 - Emerging	Basic communication, phrases, and simple sentences	Labels diagrams, responds with key words
3 - Developing	Expanding vocabulary, simple academic language	Writes short paragraphs, participates in discussions with support
4 - Expanding	More complex sentences, increased academic fluency	Writes multi-paragraph responses, explains reasoning
5 - Bridging	Approaching proficiency, minimal language support needed	Debates topics, writes detailed essays

6 - Reaching	Proficient, performs at grade level in English	Engages in academic discussions without scaffolds

Implementing Idaho's ELD Standards in the Classroom

1. Align Language and Content Objectives
    a. Content Objective: Students will compare and contrast two ecosystems.
    b. Language Objective: Students will use comparative language (e.g., "both," "however") to describe ecosystems.
2. Use Scaffolding Strategies
    a. Visuals & Graphic Organizers: Anchor charts, concept maps.
    b. Sentence Frames: "I predict that __ because __."
    c. Word Banks & Vocabulary Development: Explicitly teach academic language.
3. Differentiate Instruction
    a. Use proficiency levels to modify assignments and expectations.
    b. Provide structured peer interactions (e.g., partner talk, small groups).
4. Assess Language Growth
    a. Use ACCESS for ELLs to monitor proficiency progress.
    b. Implement formative assessments (observations, student journals, projects).

When implementing ELD standards within the content area, content teachers and EL specialists work together to embed language objectives into lessons. In addition, paraprofessionals should receive guidance on supporting ELs with language scaffolds during pull-out or small group instruction. As an administrator, there must be guidance of proper implementation and professional development for all staff members working with multilingual students. Using Idaho's ELD Standards helps create language-rich classrooms where ELs develop both academic content knowledge and English proficiency. By integrating language objectives, scaffolding learning, and differentiating instruction, educators can ensure ELs succeed in all subject areas.

Linguistic Scaffolds Versus Content Scaffolds

Scaffolding is essential for supporting English Learners (ELs) as they develop both language proficiency and academic understanding. While linguistic scaffolds help ELs navigate the language demands of a lesson, content scaffolds assist in making subject matter more comprehensible. Both types of scaffolds work together to create an inclusive learning environment.

Linguistic Scaffolds

Linguistic scaffolds provide ELs with the language structures and supports needed to understand and express academic content. These scaffolds focus on listening, speaking, reading, and writing skills.

Below are some examples of linguistic scaffolds:

1. Sentence Frames & Sentence Starters
    a. Help ELs structure responses
    b. Science: "The experiment showed that __ because __."
    c. Math: "To solve this problem, first I __, then I __."
2. Word Banks & Glossaries
    a. Provide key vocabulary and definitions in student-friendly language
3. Graphic Organizers with Language Prompts
    a. Guide students in organizing their thoughts and using academic language
    b. Example: Venn diagrams with sentence stems for comparing and contrasting
4. Oral Language Supports
    a. Think-pair-share, partner discussions, and rehearsing responses before speaking
5. Modeled Academic Language
    a. Teachers demonstrate how to use academic vocabulary and sentence structures in context

Content Scaffolds

Content scaffolds help ELs access and understand grade-level academic material by reducing the cognitive load while maintaining rigor.

Below are examples of content scaffolds:

1. Visual Supports & Realia
    a. Use pictures, diagrams, charts, and physical objects to clarify concepts
2. Hands-On Activities
    a. Engage ELs in kinesthetic learning experiences to reinforce abstract ideas
3. Chunking Information
    a. Break complex texts or concepts into smaller, digestible parts
4. Modified Texts & Bilingual Resources
    a. Provide simplified readings or translations to aid comprehension
5. Collaborative Learning & Peer Support
    a. Pair ELs with bilingual peers or use small groups to encourage peer-assisted learning
6. Scaffolded Questions
    a. Start with simple, concrete questions before moving to abstract or analytical questions
    b. Lower Support: "What happened in the story?"
    c. Higher Support: "How do you think the character felt, and why?"

Key Differences Between Linguistic and Content Scaffolds

Feature	Linguistic Scaffolds	Content Scaffolds
Focus	Language development	Content comprehension

Goal	Help ELs express ideas using academic language	Make academic material accessible
Examples	Sentence frames, vocabulary banks, oral practice	Visual aids, hands-on activities, simplified texts
Application	Supports speaking, reading, writing, and listening	Supports understanding of subject matter

Grading Considerations

Grading English Learners (ELs) requires a fair, equitable, and growth-focused approach that accounts for their developing language proficiency while maintaining academic rigor. Traditional grading methods may not accurately reflect ELs' knowledge and skills, as language barriers can impact their ability to demonstrate understanding in content areas. To ensure grades are meaningful and support ELs' learning progress, educators should consider the following principles and strategies.

Principles for Grading Multilingual Learners

1. Grade for Growth, Not Just Mastery
    a. Recognize ELs’ progress in both content knowledge and language development
    b. Consider formative assessments and effort in addition to summative assessments
2. Differentiate Between Language Proficiency and Content Knowledge
    a. Assess what students know and can do, even if their English skills are still developing
    b. Example: If a science test requires essay responses, allow ELs to demonstrate knowledge in multiple ways (e.g., labeled diagrams, oral explanations)
3. Use Multiple Measures of Assessment
    a. Include performance-based assessments, portfolios, and observations alongside traditional tests

b. Provide opportunities for ELs to show understanding using scaffolds (sentence stems, visuals, word banks)

4. Align Grades with Individualized Learning Goals

    a. Reference WIDA Can-Do Descriptors and EL students' language proficiency levels to set realistic expectations

    b. Modify assignments to be linguistically appropriate but still rigorous

Strategies for Equitable Grading

Use Modified or Alternative Assessments

1. Allow Multiple Modalities

    a. Accept responses in different formats: oral presentations, graphic organizers, bilingual responses, video/audio recordings

    b. Use cloze activities, sentence frames, and structured outlines to support written work

2. Offer Extra Time and Support

    a. ELs may need additional time for reading, writing, and processing academic content

3. Simplify Language, Not Content

    a. Reword test questions without reducing academic expectations

    b. For example: Instead of "Explain the process of evaporation in detail," ask, "What happens to water when it gets hot? Use pictures or words to explain."

Use a Grading Scale That Reflects Progress

1. Consider growth-based grading, where students are measured against their own progress rather than compared to native English speakers
2. Use rubrics with differentiated criteria for ELs based on their proficiency level
3. Avoid punitive grading (e.g., giving zeros for language-related difficulties)

Weight Language and Content Separately

1. Clearly distinguish between language expectations and content understanding.
2. Some examples:

a. A history essay could be graded on content knowledge separately from grammar

b. An EL at a beginner level might receive full credit for demonstrating understanding through a labeled diagram or short phrases instead of a full essay

Communication with Families and Students

1. Explain Grading Policies to Families
    a. Share grading expectations in students' home languages when possible
    b. Emphasize progress over perfection and celebrate language growth
2. Provide Clear, Actionable Feedback
    a. Focus on strengths and next steps rather than penalizing language errors
    b. For example: instead of "This paragraph is unclear," say, "Try using the transition word 'because' to explain your idea."
3. Encourage Self-Reflection
    a. Have students set personal language and content goals and track their progress

Avoiding Common Grading Pitfalls

It is essential to avoid these common graining mistakes in order to create a positive experience for both the student and educator.

1. **Penalizing multilingual students based on their language proficiency:** evaluate students based on their understanding of the subject matter rather than their language proficiency. For example, a student struggling with grammar should receive a grade in science that reflects their comprehension of the concept.

2. **Relying solely on traditional tests:** use a variety of assessments to capture a student's true understanding rather than relying solely on traditional tests. While this approach requires additional planning and preparation time, it provides a more comprehensive view of the student's grasp of the content.

3. **Assuming no response means the student does not understand:** interpret a lack of response as an opportunity to support the student in expressing their knowledge. Provide scaffolds such as word banks or visuals to help them demonstrate their learning.

Conclusion

Effective grading for ELs should be flexible, equitable, and growth-oriented, ensuring that language development does not mask content understanding. By using scaffolds, alternative assessments, and differentiated grading criteria, educators can accurately measure ELs' progress and provide meaningful feedback that fosters both academic success and English proficiency.

Coordination of Services

Coordination of Federal Program Services

Effective coordination of federal program services ensures that English Learners (ELs) receive the necessary support to achieve academic success while developing English proficiency. Federal programs, such as Title I, Title III, and Migrant Education Programs (MEP), provide funding, resources, and instructional services to support ELs and their families. Collaboration among district administrators, EL specialists, teachers, and community stakeholders is essential for aligning these services to maximize student outcomes.

Key Federal Programs Supporting Multilingual Students

- Title I, Part A: Improving the Academic Achievement of the Disadvantaged
    - Provides additional academic support to ELs from low-income families.
    - Supports reading/math intervention programs, tutoring, and extended learning opportunities.
    - Encourages family engagement programs for EL families.
- Title III, Part A: English Language Acquisition, Language Enhancement, and Academic Achievement
    - Specifically designed to support ELs and immigrant students.
    - Funds EL programs, professional development for teachers, and instructional materials for ELs.
    - Requires language instruction programs that build both English proficiency and academic skills.
    - Ensures parent engagement and outreach in multiple languages.
- Migrant Education Program (MEP) – Title I, Part C
    - Supports migrant EL students who frequently move due to agricultural or seasonal work.
    - Provides supplemental educational support, bilingual staff, summer programs, and health services.
    - Ensures migrant EL students receive a continuity of instruction despite mobility.
- Individuals with Disabilities Education Act (IDEA)
    - Ensures ELs with disabilities receive special education services in their preferred language when possible.
    - Requires collaboration between EL specialists and special education teachers to create linguistically appropriate IEPs.
- McKinney-Vento Homeless Assistance Act
    - Provides educational stability for homeless EL students.

Ensures access to transportation, school enrollment, and language support services.

Strategies for Coordinating Federal Program Services

- Align Services to Support ELs Across Programs
    - Develop joint planning between Title I and Title III coordinators to ensure ELs receive appropriate interventions.
    - Ensure funding is used strategically to complement services rather than duplicate efforts.
    - Coordinate EL instruction with special education and migrant education programs.
- Implement Data-Driven Decision-Making
    - Use WIDA ACCESS scores, academic assessments, and EL progress data to determine service needs.
    - Monitor EL growth across multiple measures and adjust programs accordingly.
- Provide Professional Development
    - Train educators on best practices for teaching ELs, including culturally responsive instruction.
    - Offer cross-training for Title I, Title III, and special education staff to ensure a unified approach to EL support.
- Enhance Family & Community Engagement
    - Offer multilingual family nights, workshops, and resources in ELs' home languages.
    - Partner with community organizations to provide wraparound services (e.g., health care, job assistance).
- Ensure Compliance with Federal & State Requirements
    - Follow Every Student Succeeds Act (ESSA) guidelines for EL instruction and assessment.
    - Follow Idaho policy and legislation for EL instruction and assessment.
    - Submit required Title III and MEP program reports documenting how funds are used to support ELs.

Best Practices for Effective Coordination

Best Practice	
Collaboration between EL, Title I, and Special Education staff	Provides comprehensive, aligned support to meet diverse student needs.
Use of bilingual liaisons	Bridges communication between schools and EL families.
Culturally responsive outreach efforts	Builds trust and increases family engagement.
Regular review of EL performance data	Helps track progress and adjust instructional supports.
Providing wraparound services (health, nutrition, transportation)	Reduces barriers to learning for ELs and their families.

Conclusion

Coordinating federal program services for ELs requires intentional collaboration, strategic use of funding, and culturally responsive support. By aligning Title I, Title III, MEP, and other federally funded programs, schools can create equitable learning environments that help ELs succeed both linguistically and academically.

Intervention and Evaluation for English Learner Students

The Idaho Department of Education has a guidance document called the "Intervention and Evaluation for English Learner (EL) Students: Guidance for Idaho School Districts." The guidance document outlines best practices for Idaho school districts when considering special education evaluation for students identified and English learners.

Gifted & Talented

English Learners (ELs) are often underrepresented in Gifted and Talented (G/T) programs due to language barriers, cultural differences, and assessment biases. However, giftedness exists in all

linguistic and cultural backgrounds and identifying and supporting G/T ELs ensures equitable access to advanced learning opportunities.

1. Challenges in Identifying G/T English Learners

- Assessment Barriers
    - Traditional G/T identification relies on standardized tests that may not accurately measure ELs' abilities due to language proficiency limitations.
    - Many assessments are not normed for bilingual students.
- Teacher Perceptions & Bias
    - Educators may mistake language development struggles for a lack of ability.
    - G/T traits in ELs may look different from those in native English-speaking students (e.g., advanced problem-solving but limited English vocabulary).
- Cultural Difference
    - Some EL students may not demonstrate giftedness in traditional ways due to cultural values (e.g., emphasis on humility rather than standing out).

2. Characteristics of Gifted English Learners

- High Intellectual Ability
    - Grasps new concepts quickly, even if English proficiency is still developing.
    - Makes complex connections between ideas and subjects.
- Advanced Problem-Solving Skills
    - Uses creative or unconventional methods to solve problems.
    - Displays strong reasoning skills, even when struggling with English.
- Strong Memory & Observation
    - Learns patterns and sequences quickly.
    - Remembers details and applies them in new contexts.
- High Curiosity & Engagement
    - Asks deep, thought-provoking questions.
    - Demonstrates a passion for learning despite language challenges.
- Rapid Language Acquisition
    - Picks up new vocabulary and grammar structures quickly.
    - May switch between languages fluidly (translanguaging).

3. Best Practices for Identifying G/T ELs

- Use Nonverbal and Culturally Responsive Assessments

    - Consider nonverbal intelligence tests.
    - Use performance-based assessments instead of relying only on standardized tests.
- Utilize Multiple Identification Measures
    - Include teacher and parent observations, portfolios, classroom work samples, and creativity assessments.
    - Use dynamic assessments that measure potential rather than prior knowledge.
- Train Educators on Recognizing G/T ELs
    - Provide implicit bias training to ensure ELs are not overlooked.
    - Teach culturally responsive identification methods to recognize diverse expressions of giftedness.
- Use Peer & Self-Nomination
    - Allow students and peers to nominate gifted classmates.
    - Provide nomination materials in students' home languages.

4. Supporting Gifted English Learners

- Differentiate Instruction
    - Offer advanced learning opportunities that challenge thinking while supporting language development.
    - Use tiered assignments to provide complexity without adding linguistic barriers.
- Provide Enrichment Opportunities
    - Engage G/T ELs in STEM projects, problem-based learning, debate, and leadership programs.
    - Offer dual-language G/T programs when possible.
- Support Social-Emotional Needs
    - Ensure ELs feel included and understood in G/T programs where they may be underrepresented.
    - Foster peer mentorship and bilingual role models.
- Involve Families in Their Home Language
    - Communicate G/T program details in families' native languages.
    - Provide culturally responsive outreach to encourage participation.

5. Ensuring Equity in G/T Programs for ELs

Best Practice	Impact
Use multiple measures for identification	Increases access to gifted programs for ELs
Provide linguistic scaffolds in G/T classes	Ensures ELs can fully participate in advanced coursework
Train teachers on culturally responsive gifted education	Reduces bias and improves recognition of gifted ELs
Offer dual-language or bilingual G/T programs	Supports both language development and gifted learning
Encourage parent engagement in home languages	Builds trust and increases EL family participation

Conclusion

Identifying and supporting Gifted & Talented English Learners requires equitable assessment practices, differentiated instruction, and culturally responsive approaches. By removing language barriers in G/T identification and providing meaningful enrichment, schools can ensure ELs have access to advanced learning opportunities that nurture their potential.

English Learners in Statewide Assessment

Assessment Requirements

Federal guidelines under Title I and Title III require that English Learners (ELs) annually participate in both the statewide annual English language proficiency assessment (ACCESS) as well as the statewide Idaho Standards achievement Test (ISAT). Both assessments are used in the calculations for the Idaho School Accountability System. For additional guidance on navigating WIDA Screener and WIDA ACCESS, please review the English Language Proficiency Assessment Manual.

Use this chart to identify the Federal Program's requirements for EL participation in statewide annual assessments.

Federal Programs Requirements for Participation of ELs in Statewide Assessments

Requirement	Federal Program Citation
The LEA uses the state approved English language proficiency screener aligned to the State's English language proficiency standards and the State's academic content standards.	Title VI of the Civil Rights Act of 1964.
All identified EL students are annually assessed for English Language Proficiency using the state approved English language proficiency assessment aligned to the state's English language proficiency standards and the State's academic content standards.	Title I - ESSA Section 1111(b)(2)(G) Title III - ESSA Section 3113(b)(3)(B)
The LEA assesses all qualified ELs on annual academic achievement assessments (in appropriate grades), and exempts Els in their first year in a US school from the English Language Arts portion of the annual academic achievement assessment.	Title I - ESSA Section 1111(b)(2)(B)(vii)(III) and 1111(b)(3)

Statewide English Language Proficiency Assessments

WIDA ACCESS

Idaho is one of 40 states and territories that comprise the national WIDA English Language Proficiency Assessment Consortium. Upon joining the consortium, ELs in Idaho began taking the WIDA Screener for Kindergarten and WIDA Online, as well as the ACCESS annual proficiency assessment.

WIDA Certifications

WIDA assessments require that testing administrators be certified annually for each grade-span assessment they are proctoring. Each assessment, both the annual English language proficiency test and screener assessments, have their own certification requirements. The training and certification quizzes are completed and stored in the WIDA Secure Portal (www.wida.us). Maintain a record of certification completion.

- If you are **new staff in a district/charter** and administering any WIDA assessments, you must complete all appropriate certifications prior to administering an assessment.
- If you have **previously been certified** in a specific assessment administration type, please use the chart below to determine what certification is required for each year.

WIDA Assessments (Idaho English Learner Proficiency Assessment Manual – ELPA Link)

Screeners	Annual Assessments

• WIDA Screener for Kindergarten
• WIDA Screener Grades 1-12
  ○ Writing Grades 1-5
  ○ Writing Grades 6-12
	• Kindergarten ACCESS for ELLS
	• ACCESS for ELLs Online
	• ACCESS for ELLs Paper
	• Alternate ACCESS

Testing Coordinators who are training district test administrators must also follow the same cycle of Certification Refreshing Requirements for Testing Coordinators.

WIDA and WIDA-AMS Site Navigation

There are two websites and portal areas needed for training, certification, and test setup/administration. If you are new and need access to either site, please consult your District Test Coordinator. If you are a new District Test Coordinator, please contact Idaho State Department of Education, English Language Proficiency Assessment Coordinator for account requests and set up.

1. WIDA Secure Portal - Resource and training page topics:
   - WIDA framework and explanation on standards and instruction.
   - Assessment training and certification.
   - Assessment resources (including printable resources for Kindergarten Writing, any paper screeners).
   - Idaho state-specific guidance.
2. WIDA AMS site - Assessment Management System features:
   - AMS site includes all things related to operation and administration of WIDA assessments.
   - Test ordering, set up, management, and report delivery.
   - District Test Coordinators should manage new users, including level of permissions on this site.

- Test Administrators scoring Reading and Listening domains must have related permissions on WIDA AMS.
- Test demo for students as a test resource.

Screener Assessments

An English language proficiency screener is used to determine whether a student qualifies for designation as an English Learner (EL) based on Idaho's defined English proficiency levels. Screeners are designed to be identification assessments and should not be used for any other purpose (e.g. progress monitoring).

It is important to check the English Learner Management System (ELMS) prior to screening any student to ensure they have not already been screened and identified as an English learner in another district/charter in Idaho.

There are two screeners utilized in Idaho depending upon a student's grade. The Kindergarten Screener is an English language proficiency screener test administered to kindergartners and first semester grade one students (first semester is defined as start of school year through December 31). The Kindergarten Screener is a paper-based assessment given in a one-to one test environment.

The WIDA Screener is administered to second semester grade one students through grade twelve. It can be an online or paper-based assessment. Districts/schools can determine the best mode of WIDA Screener administration depending upon the needs/abilities of the student or the type of environment the screening is occurring within.

Important notes to know about the WIDA Screener:

- WIDA Screener requires account access to the WIDA Secure Portal for certification and training.
- Test administrators score the Writing and Speaking domains of the WIDA Screener while the computer self-scores Listening and Reading domains.
- Most paper materials can be printed. For further explanation on needed materials for administering the paper format, refer to WIDA Screener Paper.
- Test administrators require access to WIDA AMS, and require permissions set to score the Speaking and Writing domains.
- The assessment is a computer-based test administered using the DRC Insight Browser (same as ACCESS).
- Certification or preparation online is required prior to administering either the Kindergarten WIDA Screener for Kindergarten or WIDA Screener.

For more detailed information regarding screener assessments, please reference the **Idaho English Learner Proficiency Assessment Manual – ELPA Link**,.

Annual English Language Proficiency Assessment

ACCESS is an annual assessment that determines an EL's level of English language proficiency. All identified EL students in the state (L1, LE, EW) in grades K-12, must take the ACCESS annually, regardless of time in a U.S. school. The assessment allows the state and districts to accurately and comprehensively track ELs' linguistic growth, to ensure that all ELs are making progress and mastering the English language. ACCESS also highlights the language development needs of students individually in each of the four language domains of Listening, Speaking, Reading, and Writing.

ACCESS is administered online (or on paper), during the designated assessment window, typically between late January to early March. The annual assessment is only for students who qualify (L1, LE) for the district's Language Instruction Educational Program (LIEP) and for students whose parents' waived language services (EW). Parents can waive services of a LIEP but not the annual English language proficiency assessment.

More information about the ACCESS Assessment can be found on the WIDA website at **https://wida.wisc.edu**. Idaho state specific ACCESS administration requirements and processes can be found on WIDA Idaho member page.

Accessibility and Accommodations for ELs with Disabilities
ELs with disabilities, as documented on an IEP or 504, are entitled to the accommodations appropriate for their participation in assessment(s). Students cannot receive accommodations on the ACCESS assessment without an IEP or 504. School based IEP/504 teams document appropriate accommodations for participation in assessment(s).

Additional information about appropriate accommodations for a student with disabilities can be found in the WIDA Accessibility and Accommodations page.

Inability to Administer an ACCESS Domain
In the event that the student's disability precludes them from participating in a domain of the assessment, (i.e. student is deaf and cannot take the listening domain) the student's participation can be documented with a Do Not Score (DNS) code. In this instance, a testing coordinator would document a DNS code of SPED (Special Ed/IEP/504) within the domain(s) that the student was unable to participate. The student must participate in all other remaining domains of the assessment. Further guidance is available within ACCESS Test Administrator's Manual on assigning DNS codes.

ACCESS for Students who are Visually or Hearing Impaired

WIDA offers large print, Braille, and paper formats of the ACCESS assessment for students who may require these specific accommodations. Additional details regarding alternate formats and ordering alternate formats of the ACCESS assessment are addressed in the ACCESS Test Administration Manual.

The student is only permitted to participate with an alternate format (e.g. Braille or large print) if they are also eligible for this accommodation in other assessments as documented on their IEP or 504.

Address hearing impaired

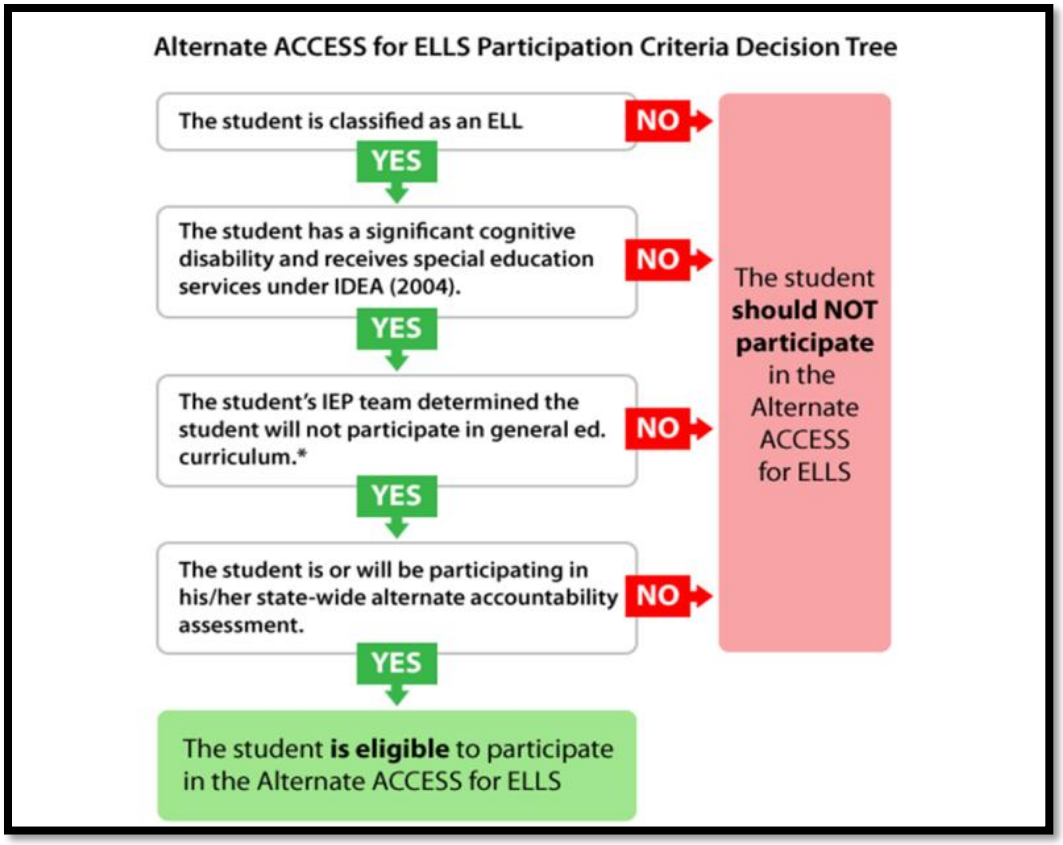
Alternate Access

The Alternate ACCESS is available for students with significant cognitive disabilities that meet the alternate assessment participation criteria as defined in the Special Education Manual. *Students participating in the alternate English language proficiency assessment MUST also be participating in the alternate version of statewide academic achievement assessment(s).*

State Guidance on Alternate Assessment:
If a student is eligible for the alternate assessment, they need to qualify for each of the following three criteria:

1. The student has a significant cognitive impairment.
2. The student is receiving academic instruction that is aligned with the Idaho Extended Content Standards.
3. The student's course of study is primarily adaptive skills typically not measured by state or district assessments.
4. The student requires extensive, direct, individualized instruction and substantial supports to achieve measurable gains in grade- and age-appropriate curriculum.

Please use the chart below when making decisions as to whether an EL is eligible to participate in the Alternate ACCESS.



English Language Proficiency and Accountability

As previously stated, all qualified ELs must participate annually in the summative English Language Proficiency Assessment, ACCESS or Alternate ACCESS. ESSA further spotlighted English language proficiency and growth toward proficiency by including the English Language Proficiency Indicator within all states' Accountability Plan (Add link).

EL Code	EL Assessment Participation and Accountability
L1, LE, EW	MUST participate in all domains of ACCESS or Alternate ACCESS. **Accountability**: Participation is counted in ELP Indicator for growth and proficiency.
X1, X2, X3, X4, FL, SO, N	These EL status codes DO NOT participate in ACCESS or Alternate ACCESS. **Accountability:** Not Applicable – these students do not take ACCESS or Alternate ACCESS.

Statewide Academic Achievement Assessments

Idaho Standards Achievement Test (ISAT)

All EL students in grades 3rd–8th and 11th must take the ISAT annually. However, if students are coded L1, they are exempt from the English Language Arts (ELA) ISAT. This is a one-time exemption and only applicable in the ELA portion. X1/X2/X3/X4 students who have met Idaho's exit criteria will be counted in the EL subgroup for accountability purposes if the EL subgroup is at least 20.

L1 Participation in Statewide Assessments

Name of Statewide Assessment	Accountability: Participation	Accountability: Performance	Supports or Accommodations
ACCESS Alternate ACCESS	Yes	Yes	If applicable based on student needs as determined in their IEP or 504
ISAT English Language Arts/Literacy	No (use exemption) L1 are exempt for the first administration	No (use exemption)	Based on student need*
ISAT Math	Yes, if enrolled on or before first Friday in May	No	Based on student need*

Name of Statewide Assessment	Accountability: Participation	Accountability: Performance	Supports or Accommodations
ISAT Science	Yes, if enrolled on or before first Friday in May	No	Based on student need*

*For accommodations and supports based on student need, please refer to ISAT Usability, Accessibility and Accommodations Guidelines (UAAG).

LE & EW Participation in Statewide Assessments

Name of Statewide Assessment	Accountability: Participation	Accountability: Performance	Supports or Accommodations
ISAT English Language Arts/Literacy	Yes, if enrolled on or before first Friday in May	Yes, if enrolled in first 56 calendar days of school	Based on student need*
ISAT Math	Yes, if enrolled on or before first Friday in May	Yes, if enrolled in first 56 calendar days of school	Based on student need*
ISAT Science	Yes, if enrolled on or before first Friday in May	Yes, if enrolled in first 56 calendar days of school	Based on student need*
IRI / ISIP	Yes, if enrolled prior to end of IRI window	Yes, if enrolled for Fall and Spring IRI test window	Directions available in Spanish

*For accommodations and supports based on student need, please refer to ISAT UAAG.

X1, X2, X3, X4, FL Participation in Statewide Assessments

Statewide Assessments	Accountability: Participation	Accountability: Performance	Supports or Accommodations
ISAT English Language Arts/Literacy	Yes, if enrolled on or before first Friday in May	Yes, if enrolled in first 56 calendar days of school	Based on student need*

Statewide Assessments	Accountability: Participation	Accountability: Performance	Supports or Accommodations
ISAT Math	Yes, if enrolled on or before first Friday in May	Yes, if enrolled in first 56 calendar days of school	Based on student need*
ISAT Science	Yes, if enrolled on or before first Friday in May	Yes, if enrolled in first 56 calendar days of school	Based on student need*
IRI / ISIP	Yes, if enrolled prior to end of IRI window	Yes, if enrolled for Fall and Spring IRI test window	Directions in Spanish

*For accommodations and supports based on student need, please refer to ISAT UAAG.

Districts can access guidance on allowable EL supports for the ISAT at the following link: (http://www.smarterbalanced.org/assessments/accessibility-and-accommodations/). Please contact the Idaho State Department of Education Assessment & Accountability staff with any questions regarding ISAT testing.

Idaho Reading Indicator (IRI)

The IRI/ISIP is an early reading screener for students in K-3rd grade. The screener is mandatory for Idaho public school students in the fall and spring with an optional winter assessment. All qualified EL students in K-3, including L1, must take the IRI/ISIP. Spanish/English translations for test directions and test modeling are the only supports available to EL students taking the IRI assessment.

I-station

The computer adaptive assessment is for students in grades K-3 and assesses students in the five (5) foundational skills of reading, including: phonemic awareness, phonics, vocabulary, comprehension and fluency.

Districts offering Spanish Dual Immersion and/or Spanish Bilingual programs could administer (at additional cost) the IRI by I-station in Spanish to determine their bilingual students' Spanish literacy progress. This is reserved only for districts/charters implementing either Spanish Dual Language or Spanish Bilingual programs. Please contact the Idaho State Department of Education Assessment & Accountability staff with questions regarding IRI by I-station testing implementation.

Exiting and Monitoring

Program Exit and Monitoring Background

An English Learner (EL) student, who has the linguistic ability to successfully achieve in classrooms where the language of instruction is English, is ready to exit from the district Language Instruction Educational Program (LIEP). Idaho's annual English Language Proficiency Assessment ACCESS 2.0 and Alternate (ACCESS) are used to measure an EL student's English proficiency level to determine exit.

Section 3113(b)(2) of the ESEA require that a State's standardized exit criteria and procedures must include valid and reliable, objective criteria that are applied consistently across the State. In order to implement a uniform methodology for determining an EL student's readiness for exit from a district LIEP across the state, the Idaho State Department of Education (SDE) worked with the EL Advisory Group in 2016-2017 to establish and clearly define new exit criteria. Idaho's new exit criteria was implemented in Spring 2017.

Beginning in school year 2018-2019 all EL coding and data reporting transitioned out of the Idaho System of Educational Excellence (ISEE) and into the English Learner Management System (ELMS). Students who meet exit criteria will have an exit date assigned to them in ELMS, which will automatically rollover into subsequent exited statuses with each school year.

Statewide Exit Criteria

Idaho's EL Advisory Committee, and the SDE, in collaboration with WIDA, thoroughly analyzed ACCESS data to determine the "sweet spot" of ACCESS performance that correlated to ISAT proficiency. The exit criteria was determined to be 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.

- Proficiency on ACCESS does not mean the student will be proficient in/on ISAT, IRI, district-wide assessments, and classroom performance.
- Proficiency on ACCESS does mean the student has the language ***ability*** to be proficient in/on ISAT, IRI, district-wide assessments, and classroom performance.

To qualify to exit from a district/charter LIEP the student must meet the following scores depending on the type of ACCESS assessment in which they participate.

Idaho's Statewide Exit Criteria

Summative Assessment	Exit Criteria
ACCESS	Exit Criteria for ACCESS: Composite PL ≥ 4.2 AND PL ≥ 3.5 in **EACH** domain of Listening, Writing, and Reading, AND a PL ≥ 1.0 in the Speaking domain.
Alternate ACCESS	Composite Proficiency Level (PL) of P2

Students who meet Idaho's exit criteria are exited and transition into their two-year monitoring years. Exited students no longer receive services through the LIEP and no longer take the ACCESS assessment. Note, this does not preclude the district from making special provisions (e.g. RTI, special education, Title I, etc.) or providing other interventions to further support the specific areas where the student may continue to struggle.

Statewide Exit Process in ELMS

Upon receipt of ACCESS score reports from WIDA in May, the SDE will apply the exit criteria to all students who have participated in all domains of the assessment and have composite scores, to determine which students met the exit criteria. The SDE will upload all ACCESS and Alternate ACCESS scores into ELMS, where they will be viewable in the students' EL History, under the Assessments tab. For students who met the exit criteria, the SDE will provide an EL exit date of June 30, for that school year. Exiting and Monitoring status (X1, X2, X3, X4) will be driven by the EL exit date and will automatically rollover year after year until the student becomes FL.

Exiting English Learners with Disabilities

English learners who do not qualify to take Alternate ACCESS must participate in the ACCESS with appropriate accommodations. In the event the student's specific disability precludes them from participating in a domain, (e.g. deaf student cannot participate in listening) the district/charter staff are to indicate specific Do Not Score (DNS) codes for the domain(s) in which the student cannot participate. Upon receipt of ACCESS scores in May, the SDE, in collaboration with the district/charter for any needed information, will apply the domain-specific criteria to the domains in which the student was able to participate for determining eligibility to exit.

Program Exit Documentation

Students who have met exit criteria must have some type of documentation (e.g. EL Exit Form) placed in their cumulative file regarding how and when they met exit criteria. While this information is also housed in ELMS, documentation in the cumulative file protects the exit status of the student if they were to move out of Idaho. By placing an "Exit Form" in the cumulative file, the receiving district/charter in the next state will have a record that the student met criteria in Idaho and can honor the student's exited status.

Parents of students who meet Idaho's criteria to exit from the district/charter LIEP must be notified regarding their child's exit status and transition into monitoring status. A sample "Parent Notification of Exit" letter and "Exit Form" can be found in the Forms section of the Title III webpage https://www.sde.idaho.gov/federal-programs/el/index.html.

Monitoring Status

Schools are required to monitor former EL students for two (2) years after exiting from the LIEP. Students in their X3 and X4 years are not required to be monitored. The primary purpose of monitoring a student after exiting from a program is to ensure that the student is not encountering difficulty due to English language proficiency.

- ***That*** a district/charter monitors their X1s and X2s is required.
- ***How*** a district/charter chooses to monitor their X1s and X2s is a local control decision.

Exited students who are determined to be encountering difficulty as a result of English language proficiency can be reclassified back into a LIEP if the EL teacher, along with staff, determines that the information collected during the two (2) year monitoring period indicates a need or reclassification. While this is possible, it should be very rare. Please reference the "Reclassification" section of this Mini-Manual for more information about the process and when reclassification is appropriate.

Monitor status students (X1 and X2) do not count for State EL or Federal Title III funding purposes as they are not taking the ACCESS assessment any longer, but they do count towards a school's EL subgroup for academic achievement assessments under Title I Accountability. Students in their X3 and X4 year are not required to be monitored but do continue to be counted in the EL subgroup for academic achievement assessments under Title I Accountability.

Uniform Procedure for Monitoring Students

District/charters have some flexibility in how they monitor the academic success of their X1 and X2 students. Each district/charter has access to various and different forms of local assessments they can use to fulfill their monitoring requirements. Some possible forms of local assessments might include:

- Classroom grades
- Statewide Academic Achievement Tests (ISAT and IRI)
- AimsWeb
- NWEA MAP testing
- STAR
- One-on-one student meetings
- Locally created observation tools

*ACCESS **CANNOT** be used as a progress-monitoring tool for language during the two-year monitoring period, nor can it be used as a reclassification tool for placing an exited student back into an EL program.*

District/charter staff must monitor all X1 and X2 students throughout their two-year monitoring status. This process should be ongoing throughout the school year during the two years to catch any concerns early on rather than at the end of the school year when little can be done to support the area of need until the following school year.

Reclassification

Due to the high rigor of the ACCESS assessment and language expectations that are built into Idaho's exit criteria, reclassification should be extremely rare.

In extenuating circumstances, an exited student (X1 or X2) still may need more language support services. An example scenario could happen when a student meets Idaho's exit requirements in the 8th grade and is exited. The student then moves on to 9th grade, into their X1 monitoring year, and struggles with the academic language in the content classes. In this case, or similar scenarios, the district/charter should determine whether the student should be reclassified or placed back into the school's LIEP and be qualified as an English learner again.

If sufficient evidence deems that a particular student needs to be placed back into a LIEP program, the district/charter team must gather a portfolio of evidence to support that the student continues to struggle due to language and not some other academic concern that may be better supported through other coordinated services (e.g. RTI, Title I, Special Education). An "Reclassification" Appeal must be submitted with all portfolio evidence to document the reclassification along with screener scores. The SDE will review the documentation and scores to determine whether reclassification is appropriate, and if so will enter the second screener into ELMS to reclassify the student as and English learner.

If you do not have access to ELMS, check with your District's ISEE Coordinator, they can see who has rights to ELMS. That person can submit on your behalf or they can give you rights to submit the

ticket. If your District ISEE Coordinator needs help, they can contact our support desk at 208-332-6923 or email support@sde.idaho.gov

Important to Note! If students continue to struggle in their monitoring years (X1 and X2), there may be other programs (e.g. MTSS, special education, Title I) that can better serve the specific need(s) the student has. A student would not have gotten a language proficiency score to exit unless they had the language to do so.

If the student screens out, he/she does not qualify as an EL student and cannot be reclassified as an EL student. If he/she qualifies, then this student will again be coded as LE for language support services and for testing purposes. The school must ensure all documentation used to justify reclassification is placed in the student's cumulative file.

Parental notification that the school is reclassifying the student back into a LIEP is required. The parent must be given the option to waive EL program services if they so desire. If a parent waives program services, then that documentation must be placed in the student's cumulative file.

Glossary

The following terms either appear in this handbook, or are commonly found in other EL publications, federal statute, or state law.

ACCESS for ELLs
The statewide English language proficiency test given annually to ELs. ACCESS for ELLs (often simplified to ACCESS) is purchased from the WIDA Consortium by the State, and is made available to all public school districts, as well as private schools who receive Title III funding.

District
Any Local Education Agency (LEA) that is a recipient of federal financial assistance directly from ED or indirectly through an State Educational Agency (SEA) or LEA, including public school districts, public charter schools, public alternative schools, and choice schools opting into public reporting or receiving Title funds.

EL/ELL
English Learner, formerly English Language Learner. ESEA defines an EL as an individual

- who is aged 3 through 21;
- who is enrolled or preparing to enroll in an elementary school or secondary school;
- who was not born in the United States or whose native language is a language other than English; or
    - who is a Native American or Alaska Native, or a native resident of the outlying areas, and who comes from an environment where a language other than English has had a significant impact on the individual's level ofEnglish language proficiency; or
    - who 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;
- whose difficulties in speaking, reading, writing, or understanding the English languagemay be sufficient to deny the individual the ability to meet State academic standards.

ELP
English Learner Plan. This is a written plan for an EL which details strategies, accommodations,and supports to be implemented in the classroom and on assessments (see pages: 8, 42, 74, 93).

ELD
English Language Development. English language development (ELD) means instruction designed specifically for English language learners to develop their listening, speaking, reading, and writing skills in English.

ELMS
English Learner Management System. Idaho's state data base for English Learner information, including screener results, ELPs, and assessment scores.

EL Supports
The language, literacy, and content supports, accommodation, and explicit language instruction a student may receive in either their first or second language to succeed socially and academically. Language programming, accommodations, scaffolding, mentoring and tutoring all fall into the realm of support and may vary by school, district, or program.

ESEA
The Elementary and Secondary Education Act of 1965. This was the first major education lawpassed in the United States, which mandates equal access to education for all students. The ESEA continues to be the foundational law governing how we administer public education programs in the United States. The ESEA has been amended several times, most recently by ESSA.

ESSA
The Every Student Succeeds Act, signed into law in December 2015, and implemented starting in the 2017-18 school year expands on the changes that were implemented by No Child Left Behind Act (NCLB) and amended by ESEA.

Exchange Student
A student from a country other than the U.S. and its territories who is temporarily enrolled in a U.S. school in order to gain a cultural experience. There are several types of visas which allow students to live temporarily in the U.S. as exchange students. Requirements and allowable activities (e.g., school or work) differ depending on visa type.

HLS
Home Language Survey. A Survey given to parents/guardians of newly enrolling students to confirm if a language(s) other than English is present in the student's life.

Immigrant
Immigrant children and youths are individuals who:

- are aged 3 through 21;
- have not been born in any state (defined as each of the 50 States, the District ofColumbia, and the Commonwealth of Puerto Rico); and
- have not been attending one or more schools in any one or more states for more thanthree full academic years. (Months counted for schooling need not be consecutive.)

Interpreter
An individual employed by a district who is fluent in English and another language to provide verbal explanations to parents in a language they understand. An interpreter must be knowledgeable in both languages of any specialized terms or concepts and have training on theethics of interpreting and the need to maintain confidentiality.

LEA
Local Educational Agency - see District.

LIEP
Language Instruction Educational Program. The program under which ELs are taught English.There are several different program models; however, all focus on building both English language development and academic content.

MTSS
Multi-level system of supports. A system that provides equitable services, practices, and resources to every learner based upon responsiveness to effective instruction and intervention.In this system, high

quality instruction, strategic use of data, and collaboration interact within a continuum of supports to facilitate learner success.

NCLB
The No Child Left Behind Act of 2001. This act amended the ESEA, promoted standards-based approaches to education, and required statewide testing to demonstrate student growth.

Newcomer Program
A short-term program, typically less than one year, with a focus on English acquisition and acculturation into U.S. schools. A Newcomer Program is designed for students who are recentimmigrants to the United States, with limited English proficiency and/or limited education in their native countries.

Parent
Within this handbook, unless otherwise noted, parent is interchangeable with legal guardian. Parent is also interchangeable with the sponsors of unaccompanied minors placed in their careby DHS, regardless of guardian status.

Refugee
A refugee is any person who is outside any country of such person's nationality or, in the case of a person having no nationality, is outside any country in which such person last habitually resided and who is unable or unwilling to return to and is unable or unwilling to avail himself orherself of the protection of that country because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion.

SEA
State Educational Agency (e.g., Idaho State Department of Education).

Title I-A
Title I-A, Part A of ESEA provides financial assistance to LEAs with a high percentage of childrenfrom low-income families to help ensure that all children meet challenging state academic standards.

Translator
An individual employed by a district who is fluent in English and another language to provide written explanations. A translator must be knowledgeable in both languages of any specializedterms or concepts and have training on the ethics of translating and the need to maintain confidentiality.

WIDA
A nonprofit organization housed at WCER which provides Idaho’s ELD standards, ELP screeners, and end of year proficiency assessments. The WIDA Consortium is made up of approximately 40 states and territories, and these members drive decisions on the design and implementation of WIDA’s assessments and standards.

Frequently Asked Questions

Identification & Screening

Do we have to administer a Home Language Survey to every student every year?

No, a Home Language Survey should be filled out once upon enrollment into the district/charter.

It has been discovered that a student's HLS was completed with English for all questions, when there actually is another language spoken at home. Do we have parents complete another HLS?

No, if there are circumstances where a student's home language does change from English to any other language, then the district may choose to complete an addendum to the original HLS. Changes should be made on the original HLS with documented details and dates. For more information, see the section of this Mini-Manual on Identification Post Enrollment.

We have used the "Identification Flow Chart" and the "Decision to Assess Matrix" and determined that a follow-up phone call was necessary. After talking with the parents, we still don't know whether to test or not, what should we do?

If at the end of the 30-day identification and placement period, staff still do not know what to do, then err on the "to assess" side. All potential ELs must be screened for English language proficiency to determine whether they are in fact ELs. Students, who are truly not ELs and are truly bilingual, can and should, screen out of EL qualification.

I have a parent who is adamant that they do not want their student enrolled in our district LIEP at all and with no EL designation. Can we remove the child as an EL completely?

No. A parent has the right to waive EL program support services but cannot remove a child from the program and EL designation completely. The student's screening and identification was substantiated by initial Home Language Survey responses. The only exception would be in the case where there was an error on the student's original HLS and the student was erroneously identified as an EL student.

When is it appropriate to submit an Appeal for Erroneous Identification?

The Appeal for Erroneous Designation Removal was created for situations where the HLS indicated a language other than English that prompted a screener assessment for a student resulting in the student qualifying as an EL. Upon follow-up, district staff discover that the language other than English was written incorrectly and does not have a significant impact on the child's ability to access content being delivered in English (e.g. it was a language the parents wanted the child to learn, it was the language spoken at the Aunt's house, it was a language that is spoken in the child's favorite television show). Erroneous Identification requests are submitted in ELMS and reviewed for approval/denial at the SDE.

How do we know if a student should be coded as an immigrant if we cannot ask questions regarding their date of entry to the US or country of origin?

At the time of enrollment, districts/charters should have an individual assess student's registration paperwork for evidence of possibly being an immigrant (e.g., birth certificate from another country). If the registrar suspects that a child might be immigrant, they can/should have a conversation explaining the advantages for the district and their child if they are new arrivals to the United States, but also assure them that the conversation has nothing to do with their immigration status or citizenship. Nothing should be documented on the registration paperwork or in any student cumulative file paperwork, but a country of origin and a U.S. date of entry can be collected for being able to identify immigrant status for data collection purposes only (ISEE).

Can I accept the EL status of a student who comes from another state?

If the student is from another WIDA state and has either current WIDA Screener, ACCESS, MODEL, Alternate ACCESS, or WIDA Screener for Kindergarten scores in their cumulative file - Yes, a district may accept that student immediately as an EL and use the original screener date when the student first qualified for an EL program. Enter the original screener score and date into ELMS. ELMS will calculate the EL Status Code for the student. Also, enter any previous WIDA ACCESS scores into ELMS to build the EL assessment history for the student.

If the student comes from a state that is not a WIDA state - No, a district may not immediately accept that student into their district LIEP. The Idaho district/charter must administer the Kindergarten WIDA Screener for Kindergarten or WIDA Screener to determine whether the student qualifies as an EL based upon Idaho's ELP standards, assessment, and criteria.

I need to qualify a student from another WIDA state as EL but there are no screeners in their cumulative file and the former district cannot provide any screener scores.

Please do your due diligence to contact the previous school district to obtain original EL screener scores. If you are able to get them, enter the screener score into ELMS using the original assessment date to first qualify the student. Add any additional ACCESS scores once you have qualified the student with the screener.

If you cannot obtain the original EL screener, please submit an OTIS ticket requesting to have the student qualified as EL and include the original EL entry date from previous district.

Data Reporting

Why do we need an SO code? Can't we just leave the students with an N status?

The purpose of the Screened-Out (SO) code is to identify that this particular student has already had a language proficiency screener administered to them and scored at such a level that they are not an EL student. This is particularly important for students who are mobile and move between district/charters. Receiving schools can look up enrolling students in ELMS on the day they enroll, see they are coded SO,

and immediately know this student has already taken a screener assessment from a sending school, thus saving themselves and the student the time it would take to administer another screener assessment.

How long do we have to upload a student's W-APT/Screener Assessment in ELMS?

Districts have 30 academic days to test a student upon enrollment. In addition, districts have 30 days to notify parents regarding the status or placement of their EL student in the LIEP. Districts should follow this same timeline for uploading their scores into the ELMS, 30 days from time of enrollment.

This timeline may be condensed during the time of year when district/charters are also ordering testing materials or when needing to meet other assessment deadlines to ensure that all students who need to be coded as English Learners reflect an EL status prior to the deadline.

Language Instructional Education Plan

Is there a required number of minutes that our EL teachers need to provide for an EL student based upon their level of language proficiency?

Neither the State or Federal policy directly correlates services minutes to levels of language proficiency. District/Charters exercise local control by deciding their choice of LIEP that best serves the needs of their students and their staffing abilities. Decisions on which program models are implemented will impact the direct service time amounts. For example: District A implements an ELD program through pull-out services for 30 minutes per day, three days per week = 90 minutes of pull out ELD instruction/week. District B implements a Co- Teaching Model where an endorsed EL teacher and General Ed teacher provide all-day instruction. EL students in this classroom are receiving EL and academic content instruction simultaneously and therefore are receiving EL services every minute, of every day, of every week.

When writing an ELP, what's the difference between an assessment support and assessment accommodation?

For all intents and purposes these terms are synonymous and used interchangeably…but for ISAT assessments they have very different meanings.

ISAT "Designated Supports" – in ISAT terms, are either embed or non- embedded supports are available to students for whom a need has been identified (including limited English language proficiency) by school personnel familiar with each student needs and testing resources.

ISAT "Accommodations"- in ISAT terms, accommodations are only available to students with a documented need noted on an Individualized Education Plan (IEP) or 504 plan.

When writing an ELP, what's the difference between an instructional support and an assessment support?

Assessment support – a support to facilitate the student's accessibility to taking the assessment. Must not void the construct being tested (e.g. read aloud testing directions, work-to-word bilingual dictionary).

Instructional support – a support used to facilitate the teaching and learning of a concept (e.g. bilingual dictionary with definitions, annotated notes, manipulatives, visuals).

Do we have to have parental signature(s) on the ELP?

There is no requirement that ELPs include parental signature(s). Parents should most certainly be involved in the creation of their child's ELP and be fully aware of the educational services being provided for their student's success.

What's the difference between Language Programs, Language Instruction, and Program Policies?

Language Program - This is the program choice of ***how*** the district educates their EL student(s).
Language Instruction - This is ***what the teachers are doing*** to implement the program the district has chosen.
Program Policy - These are the ***written rules*** the district/charter has adopted that guide them in ensuring that any EL enrolling in that district/charter would have access to language services immediately upon registering and qualifying as an English learner. Most often, these must be approved by the local School Board and are typically published in Handbooks that are accessible to anyone who would need to know what the district/charter's LIEP is.

Assessment

I have a student who moved here in the middle of the ACCESS testing window. Can we just administer the ACCESS?

No. Potential ELs must take a screener assessment (WIDA Screener for Kindergarten or WIDA Screener) to determine whether they qualify as an EL. Then, must also take the ACCESS annual assessment.

What if a new student transfers into our district during the last week of the ACCESS window, do we have to get additional materials ordered and administer all those tests in that short timeline?

If the student is brand new and never been qualified as an EL – A district has 30 days to determine whether a potential EL qualifies. If a district needs those days to administer the assessment and qualify the student, then the district can do that. That being said, if a district chooses not to administer the ACCESS in the short timeline, this delays the ability for the district to see growth in language proficiency. For example, if a student transfers in the last week of the ACCESS window during their Kindergarten year, then the districts will not be able to establish growth for this student until the spring of their 2nd grade year. Language growth can only be measured from ACCESS test to ACCESS test. Therefore, in the example, the student's first-time taking ACCESS wouldn't be until their first grade year, and then growth would not be established until the second-grade year.

If the student has already been qualified as an EL (as determined in ELMS or cumulative file review from a district in another WIDA state) – Yes, the student must take the ACCESS. Follow-up with the school where the student last attended as the student may have already completed a test there. If a student started an assessment but did not finish, the test session can be transferred to your district to have the student complete the assessment. Refer to the ACCESS Test Administration Manual and District & School Test Coordinator Manual for more details.

I have a first grader with severe cognitive disabilities and is in a grade that would not take academic achievement tests (ISAT). Can we administer the Alternate ACCESS to him/her?

Yes, but only if the IEP team were to determine that the child meets the alternate assessment eligibility criteria and that the child will participate in alternate assessments when they are in grades where academic achievement testing occurs.

I have a parent that is adamant that their child not take the ACCESS. They have signed a waiver of EL services. Do we have to test him/her?

Yes. ESSA requires that the LEAs still must assess all ELs using the annual English language proficiency assessment, including those students whose parents have waived services. All ELs enrolled in schools must be assessed annually using the state's English language proficiency assessment (ACCESS). (ESEA Section 1111(b)(2)(G), emphasis added). State or district assessment policies, if they include a right to opt a child out of assessments, do not override or diminish the LEA's obligation to assess 100 percent of ELs using the annual English language proficiency assessment.

That being said, a student cannot be forced to physically sit for the test. Due diligence should be exercised and documented as needed to demonstrate the attempt to test.

I have a student who speaks Spanish. Can we administer the ISAT in Spanish to him/her? Or give him/her Spanish stacked translations?

Yes, but be cautious! This is considered a designated support and a school team must determine student need before this support is assigned. Be sure that the student is truly proficient in Spanish and that either of these are appropriate. If the student is not literate in Spanish, then a test in Spanish may be less conclusive than a test administered in English. If you provide stacked translations for a non-literate Spanish student, you have just doubled the amount of text they had to read and determine meaning.

Some options for Spanish embedded and non-embedded supports include:

- An embedded English dictionary will be available for the full write portion of an ELA/literacy performance task. A non-embedded English dictionary may be available for the same portion of the test.
- Spanish text is read aloud to the student by a trained and qualified human reader.
- Students can see test directions in another language
- Translation glossaries are provided for selected construct irrelevant terms for mathematics.
- Stacked translations provide the full translation of each test item above the original item in English.
- Printed text that appears on the computer screen as audio materials are presented.

Exit & Monitoring

How do I know what exit criteria was in place for previous years ACCESS and IELA?

The SDE has provided a document entitled “Past to Present Screen-Out and Exit Criteria” that outlines the screen out and exit criteria for each assessment by school year. It can be found on the in the Guidance section of the https://www.sde.idaho.gov/federal-programs/el/index.html.

What if I find a student in ELMS coded as LE/X1/X2/X3/X4/FL and there are no EL Assessments showing under the Assessments Tab in their EL History?

ELMS only displays historic IELA data back to the 2011-2012 school year but the data for calculating EL statuses included IELA scores dating back to the 2006-2007 school year. You can also check the student’s cumulative file for any historic Idaho English Language Assessments (IELA) that are not displayed in ELMS.

I have a student who enrolled at my school that was already exited from a LIEP in their former school district. Can I accept it and how do I get ELMS to reflect the exited status?

If you find exit documentation, regardless of being from a WIDA state or not, we will honor that the student met exit criteria. Submit an “Other” Appeal in ELMS with supporting documentation in the attachments. Include the following information:

- Original EL entry date
- All EL proficiency assessment documentation for any and all years the student was qualified
- Original EL exit date
- Exit form or letter
- Any monitoring documentation

Legislative Background & Legal Requirements

Legislative Foundations

Federal and State legislation requires that district/charters provide Language Instruction Educational Programs (LIEP) and services to support the language development of EL students. This section provides a brief historical development of the legislation and case law that regulate EL programming at both the state and local level.

Federal Legislation Governing English Learner Programming

Equal Protection Clause of the 14th Amendment (1868)

- The 14th Amendment states that "no state shall…deny any person within its jurisdiction the equal protection of the laws." The "equal protection" in practice has included fair treatment, nondiscrimination, and the allowing for the provision of equal opportunities.

Civil Rights Act of 1964

- This law prohibits discrimination in any federally funded program. Title VI (Section 2000d) states that "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activities receiving Federal financial assistance." While language proficiency is not specifically mentioned, The Civil Rights Act of 1964 will be used in future court case rulings, citing that discrimination based upon language proficiency is discrimination based upon national origin or race.

Bilingual Education Act (1968)

- This law allowed for the first federal allocation to states for language minority students. It is the first law that acknowledged that having limited English proficiency is a barrier to "equal access" to educational opportunity.

May 25 Office for Civil Rights Memorandum (1970)

- This memo disallowed the practice of placing EL students in Special Education based on language proficiency or denying access to college preparatory courses based upon language proficiency.

Equal Education Opportunities Act (EEOA) (1974)

- This law states that "No U.S. state can deny equal educational opportunity to any person on the basis of gender, race, color, or nationality through intentional segregation by an educational institution." Intentional segregation includes failing to remove language barriers preventing students from being able to equally participate in content classes being delivered in English.

Lau v. Nichols (1974)

- The US Supreme Court ruled that a school was providing a lesser quality LIEP for some of its ELs to learn English. All students deserve a high-quality education, and it is a civil right for students to receive language instruction. A district/charter must have a plan and LIEP in place to support the language development of any EL students enrolled in its school(s).

- The State EL Plan (a.k.a. Lau Plan) is the plan that districts/charters complete annually in the Consolidated Federal and State Grant Application (CFSGA).

Castañeda v. Pickard (1981)

- The US Supreme Court ruled that a school district was discriminating against EL students by not providing them a type of LIEP that allowed them full access to content instruction. A three-prong test was established to evaluate whether the district/charter LIEP is being implemented effectively. LIEPs must:

    1. Be based upon sound theory and approach that is proven effective in increasing language proficiency.

    2. Be implemented with sufficient resources, staff, and space.

    3. Be evaluated to determine whether the program's services and supports are meeting the goals for EL students.

Plyler v. Doe (1982)

- The US Supreme Court ruled that schools could not deny the enrollment of any student based on undocumented status. District/charters cannot require SS# or immigration status on any enrollment paperwork. Home Language Surveys (HLS) or registration paperwork cannot ask about country of origin or date of entry into the US. District/charters are required to provide full access to free and appropriate education for all students in its jurisdiction, meaning that if a student resides at an address in the district, then they are entitled to attend in that district.

State Legislation Governing English Learner Programs

Idaho Statute 33-1617

- Idaho State Statute requiring that each district/charter "shall formulate a plan in sufficient detail that measurable objectives can be identified and addressed which will accomplish English language acquisition and improved academic performance. Funds distributed to school districts based upon the population of EL students and distributed to school districts to support programs for students with non-English or limited-English proficiency shall be utilized in support of the district plan."

IDAPA 08.02.03-111.04

- Idaho State law requiring that an Educational Learning Plan (ELP) be written for any EL student who requires accommodations on a statewide or district-wide assessment. Assessment accommodations must also be used during regular classroom instruction and testing. The intent is that every ELP team evaluates the individual needs of each EL and that supports are used throughout the school year, not just on statewide assessments.

State English Learner: Core Language Instruction Educational Program (LIEP)

District/charters must provide a core LIEP to support the language development needs of students identified as EL. The core LIEP and services, as described in a district/charter's State EL Plan in CFSGA, must meet the minimum obligations under OCR, EEOA, and the other federal case law described in the first section of this manual. LIEP services, provided to all ELs in a district/charter, must be educationally sound in theory and effective in practice. Programs and services provided by the core LIEP must be supported and funded by either state or local funding sources.

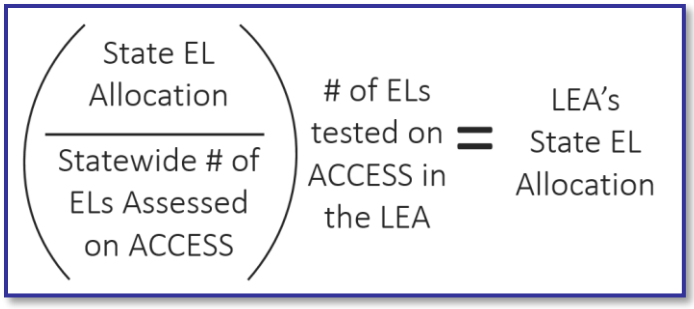
In addition to federal regulations, there are two Idaho state-specific requirements that district/charters must comply with: (1) annual submission of a plan that details the district/charter's core LIEP, and (2) written ELPs for EL students requiring accommodations on statewide or districtwide assessments.

This section of the manual will detail the Idaho state requirements as well as the funding structure for State English Learner programs and supports.

State Funding

The State English Learner program appropriation is determined annually by the Idaho State Legislature and is finalized by the end of the Legislative session. Funds are appropriated into the SDE budget, which is overseen by the Federal Programs Department. All State EL funds are distributed directly to Idaho district/charters.

The number of qualified EL students (L1, LE, EW) tested during the annual ACCESS assessment determines the district/charter allocation. WIDA reports the EL count by district annually to the SDE in May. Students who have exited (X1, X2, X3, X4, FLEP) should not be taking the ACCESS and therefore are not included in the funding calculations. The image below illustrates the State EL funding formula.



State English Learner Plans
All district/charters that have EL students receive funding and must use it for English language development services. Idaho Statute 33-1617 requires that district/charters annually submit a plan to the SDE detailing the core LIEP and services provided to EL students who are enrolled in their school(s). All districts receiving State EL funds are required to have an approved State EL plan on file annually.

District/charters submit their State EL Plan within the CFSGA application. Unless otherwise communicated, all CFSGA plans are due to the SDE by June 30th. The SDE distributes State EL funds by October. District/charters do not need to request the State funds specifically nor are State funds uploaded to the Grant Request Application (GRA).

Enhancement Grants
The purpose of the EL Enhancement Grant Program is to provide Idaho districts with additional resources to enhance core LIEPs for English learners. Enhancement grants are awarded through a competitive grant application process.

The EL Enhancement Grants are allocated for a block of three years. Continued funding over the three years is contingent on the district/charter meeting all grant specifications and goals. Note that the Idaho Legislature approves EL Enhancement Grant funds on a yearly basis. Thus, the SDE does not guarantee continuous funding of the grants over the lifecycle.

Schools, districts, and charters may submit grant applications to support supplemental EL program enhancements (e.g., Co-Teaching initiatives, EL Regional Coaches, specific EL enhancement). Applications go through a blind review for scoring, with the top grant applications being funded.

EL Enhancement Grant recipients are assigned an EL Enhancement Grant Coach who offers technical assistance in the implementation of the grant and an annual evaluation of the intended goals.

EL Digital Curriculum
The Idaho State Legislature has allocated money for digital EL content. The SDE works with curriculum providers to contract site licenses, technical assistance, and professional development for implementation of the digital curriculum. District/charters are informed regarding the number of licenses reserved for their EL students annually.

Idaho EL Curriculum Adoption

Each year Idaho holds a curriculum adoption for various content curriculums, with EL curriculum being reviewed every six (6) years. District/charter staff can participate in the curriculum adoption process to evaluate curriculum resources during a week-long summer workshop. For more information on the Curriculum Review process or to access the most recent list of approved EL curriculums, see the Idaho SDE Curricular Materials webpage (http://www.sde.idaho.gov/academic/curricular/). Recommendation lists can be found, by specific content area, in the dropdown sections under "Recommended Curricular Materials."

ESEA and ESSA

The Elementary and Secondary Education Act (ESEA) as amended by Every Student Succeeds Act (ESSA) brought numerous changes and increased attention to ELs. Provisions formerly housed in Title III shifted to Title I, including assessment and accountability for ELs. This section provides information on federal regulations, requirements, and an overview of the Federal Title III program in Idaho.

Under ESSA, States were also charged with establishing standardized entrance and exit processes and procedures for ELs. Idaho implemented its standardized entrance and exit criteria beginning school year 2017-2018. All district/charters in Idaho, whether they have ELs or not, must use the Statewide Home Language Survey (HLS) and follow the procedures for identification and screening as outlined in the "Identification and Screening Mini Manual". For more information on Idaho standardized entrance and exit process and procedures, see the "Identification and Screening Mini Manual" and the "Exiting and Monitoring ELs Mini Manual" on the Idaho English Learner Program webpage (https://www.sde.idaho.gov/federal-programs/el/index.html), Resource Files, and drop-down Manuals.

English Learners in Title I-A Programs

Title I-A supports students who are at-risk, including but not limited to English Learners. With the passage of ESSA, several requirements formerly held in Title III-A shifted to Title I-A. Below is a list of the provisions regarding multilingual learners that are now required by Title I-A.

- **English Language Proficiency (ELP) Indicator in Accountability:** All qualified EL students must be annually assessed for English language proficiency using the state-approved English language proficiency assessment aligned to the state's English language proficiency standards and the State's academic content standards. ESSA Section 1111(b)(2)(G). Note that this requirement is housed in both Titles I and III.

- **Academic Achievement of ELs in Accountability:** The district/charter assesses all qualified ELs on the annual academic achievement assessments (in appropriate grades), and exempts first

year ELs from the English Language Arts portion of the annual academic achievement assessment. ESSA Section 1111(b)(2)(B)(vii)(III); 1111(b)(3).

- **EL Parent Notification:** Parents have been informed of their child's placement into a LIEP within 30 days of enrollment. Parents have been informed regarding their right to withdraw the child from a program's services upon their request and to decline enrollment or choose another program or method of instruction. ESSA Section 1112(e)(3)(A-B).

- **EL Parent Involvement:** The district/charter ensures that it implements an effective means of outreach to parents of English Learners regarding their education. ESSA Section 1112(e)(3)(C).

Title III-A

Title III is a federal program designed to support supplemental EL programming and services for English learners and immigrant children and youth. Listed below are the required activities of district/charters qualifying for a Title III subgrant (Section3115(c)(1)-(3)).

1. Provide effective supplemental LIEP services that meet the needs of ELs and demonstrate success in increasing English language proficiency and student academic achievement.

2. Provide effective professional development (PD) to classroom teachers (including teachers in general education classrooms), principals, and other school leaders, administrators and other school or community-based personnel.

3. Must provide and implement other effective activities and strategies that enhance or supplement LIEPs for ELs, which must include parent, family, and community engagement activities.

Supplement Not Supplant

Title III prohibits the use of such funds to supplant LIEP programming and services that would otherwise be required in the absence of federal funds. Meaning that federal funds must be added to, not take the place of, state and local funds that should be used for the same purpose. Any requirements that a district/charter has to provide core LIEP services for ELs under other laws (e.g., OCR or EEOA) cannot be funded with Title III or any other federal funding source. For example, the following activities cannot be funding using federal funds, as they are obligations required by OCR and EEOA:

- Identification and assessment of ELs.

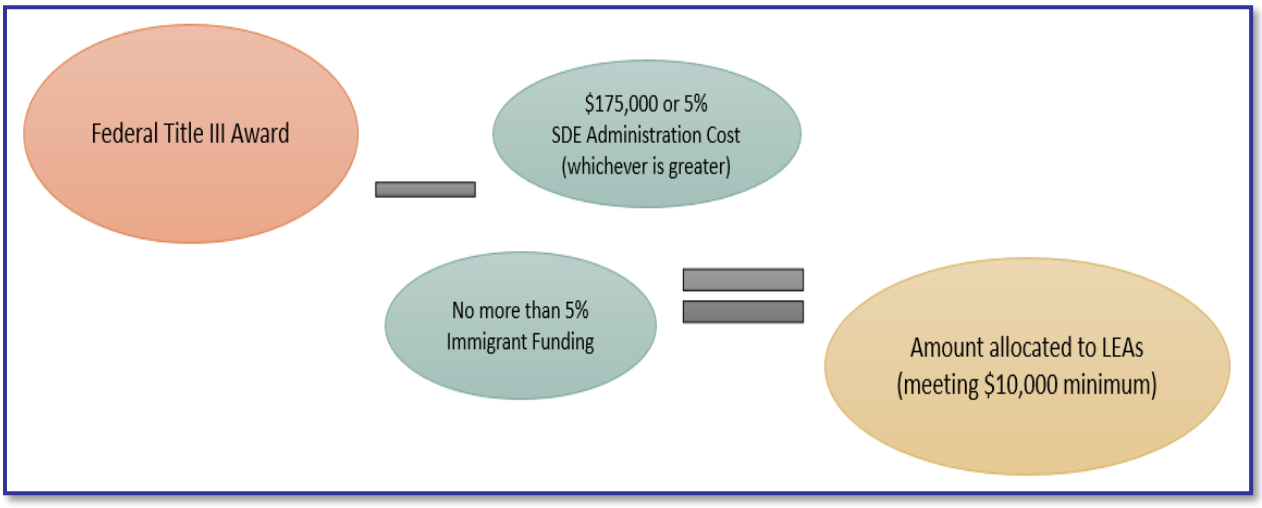
- Providing ELs with a LIEP that is educationally sound and proven successful (required by Casteñeda v. Pickard and Lau v. Nichols Supreme Court Rulings)

- Providing sufficiently well prepared and trained staff and support the LIEP for ELs (required by OCR and EEOA)

- Continuing to meet the needs of ELs who opt out of LIEPs
- Exiting and monitoring ELs
- Evaluating the effectiveness of the district LIEP to ensure it continues to meet the needs of the EL population
- Ensuring meaningful communication with parents of ELs

Title III-A Funding

Federal Title III-A funds are distributed to the State Education Agency (SEA; in Idaho this is the State Department of Education) directly in a non-competitive format and are allocated according to a formula. Title III-A allocations are committed annually by July 1 by the U.S. Dept. of Education. The image below illustrates the Title III-A funding formula.



As with State EL, the number of qualified EL students (L1, LE, EW) tested during the annual ACCESS assessment determines district/charter Title III allocation. Students who have exited (X1, X2, X3, X4, FL) should not be taking the ACCESS and therefore are not included in the funding calculations. District/charters that do not meet the $10,000 minimum subgrant are not eligible to receive funds but may participate in Idaho's Title III Consortium to access technical assistance and professional development. More information about Idaho's Title III Consortium is covered in the Title III Consortium section of this manual.

Title III-A Immigrant Funds

Section 3114 (d) of ESSA requires that states reserve a portion of the overall Title III allocation for Immigrant funds. Idaho reserves up to 5% of the Title III funds for Immigrant Fund purposes. An immigrant child or youth is defined as:

1. Aged 3-21
2. Not born in any US State (including District of Columbia or Puerto Rico)
3. Have not been attending one or more schools in any one or more States for more than three (3) full academic years.

The new student does NOT necessarily need to qualify for the district/charters LIEP program and services; however, most new immigrants will. For example, a district could receive an immigrant student from India who is already fluent in English, but can still be counted for Immigrant funds.

Immigrant funds are allocated to district/charters using a completely different formula based upon the number of immigrant students qualified in the district/charter over the past 36 months. District/charter eligibility for Title III Immigrant funds is calculated according to the following formula:

- **A significant increase of immigrants reported, over the average increase of immigrants in the district in the past two years.**

Immigrant funds are allocated on an annual basis. District/charters qualifying under the above formula are allocated Title III Immigrant funds within the CFSGA, where a separate plan must be written and submitted for approval regarding the use of funds to specifically support immigrant children and youth.

Title III-A Plan in CFSGA

District/charters qualifying to receive their own Title III allocation must annually submit for approval, a Title III plan to the State (ESEA Section3114(a) and 3116(a)). Title III plans are submitted within the CFSGA. Preliminary Title III allocations are uploaded into the CFSGA in early April and are finalized in August. Unless otherwise communicated, all CFSGA plans are due to the SDE June 30th.

Title III funds are distributed and uploaded to the GRA by October. District/charters request Title III funds through the GRA. Business Managers should ensure that requests to draw down funds are within three months of the expenditure start date. Requests outside the three-month timeframe will require documentation to support them and could delay the release of funding.

District Title III administrators and business managers must be familiar with the federal regulations found in the Education Department General Administrative Requirements (EDGAR) pertaining to appropriately obligating funds. Funds that are not properly obligated within the specified timeframe will revert to the SDE, and the district/charter will lose the ability to seek reimbursement for expenses.

Carryover and Reallocation of Federal Funds

Federal Title III funds can be allocated for up to 27 months after the grant year. Title III does not cap the amount of carryover funds a district/charter can have as long as the district/charter can justify why a substantial portion of carryover is “reasonable and necessary”. Carryover funds are defined as the funds left over from the prior year’s allocation, whereas excess carry over funds are funds from two years prior. If a district/charter has not obligated excess carryover funds by September 30 and drawn down in the GRA by December 15, the SDE will draw back the funds to be reallocated.

No later than October 15 of each year, the SDE shall send the “Intent to Use Excess Carryover” form to each district/charter that has excess carryover to determine whether they will expend the excess funds before the end of the grant period. The district/charter shall submit the form to the SDE for approval no later than October 31. There are no exceptions to this deadline. If the district/charter chooses not to submit the form, or if they fail to respond by the deadline, the funds will be reallocated.

Equitable Services to Private Schools

The following applies only to districts that have private schools accepting Title III services. Districts must engage in “timely and meaningful consultation” with private schools within its jurisdiction to determine whether they intend to participate in federally funded programs and services, including Title III.

To ensure timely and meaningful consultation, the district must consult with appropriate private school officials during the design and development of the Title III program on issues such as:

- How the EL student’s needs will be identified.
- The size and scope of the services to be provided to the private school children and educational personnel and how, where, and by whom the services will be offered.
- The amount of funds available for those services.

- How and when the district will make decisions about the delivery of services, while considering the views of the private school officials on the provision of contract services through potential third-party providers.
- How the services will be evaluated and how the evaluation results will improve services.

Title III services provided to students and educational personnel in private schools must be equitable and timely and address their educational needs. Title III services provided to private school students and educational personnel must be secular, neutral, and non-ideological.

Districts may serve private school EL students and educational personnel either directly or through contracts with public and private agencies, organizations and institutions. Providers of services must be independent of the private school and of any religious organization, and the providers' employment or contract must be under the control and supervision of the district.

The control of funds used to provide services and the title to materials and equipment purchased with those funds must be retained by the district. Funds used to provide services to private school students and educational personnel must not be commingled with non-Federal funds.

For more detailed information on Equitable Services, see the Idaho SDE Equitable Services webpage (http://www.sde.idaho.gov/federal-programs/equitable-services/).

Title III-A Consortium

Idaho's Title III-A Consortium supports district/charters that do not meet the minimum $10,000 requirement to garner their own federal Title III allocation. These district/charters join together as a single entity, the Title III Consortium, to garner a Title III allocation. District/charters eligible to participate in the Title III Consortium indicate their intention to either participate or decline within the State EL Plan that is submitted in the CFSGA. Participating district/charters receive access to additional professional development and technical assistance to improve language acquisition programs and EL educational opportunities. Beginning school year 2018-2019 district/charters that do not currently have ELs are able to join the Title III Consortium in order to access the supports and professional development as soon as they would enroll an EL.

The Title III Consortium expands the reach of federal Title III dollars to districts with small numbers of ELs, especially in the state's rural districts and charters. The SDE expects the Consortium will produce several outcomes, including:

- Better identification of ELs
- Better prepared teachers (both EL and general education) and support staff
- Quicker response to support ELs when a district or charter is new to having ELs and

- More collaboration among staff from local, state and federal programs that serve ELs to better meet students' identified needs.

Assurances for participating or declining to participate in the Title III Consortium are done through the State EL CFSGA Plan. Consortium assurances are due along with the State EL Plan by June 30th.

Federal Programs Monitoring

A State is required to oversee and monitor the activities of its Local Education Agencies (LEAs) (Section 3113(b)(3)(F), 34 CFR §§760700-76.783). The SDE monitors on a 6-year cycle and uses the following factors to determine district priority:

- Coordination with other Federal Programs
- District requests for program evaluation
- New Title III Coordinator and/or New Superintendent
- District improvement status
- Sudden and/or significant increase in the number of English Learners
- Formal compliance complaint filed with the Idaho State Department of Education, Idaho State Board of Education and/or U.S. Department of Education - Office for Civil Rights

For more information on the Federal Programs Monitoring process, see the Idaho SDE Federal Program Monitoring webpage (http://www.sde.idaho.gov/federal-programs/program-monitoring/).