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## Issue Paper

**DATE:**

4/20/22

**AGENDA ITEM (ACTION ITEM):**

**Consider/Approve the revised English Learner Lau Plan.**

**APPLICABLE BOARD POLICY:**

08.13452- English as a Second Language; EEOA

**HISTORY/BACKGROUND:**

Every district is required to have a plan designed to meet the instructional needs of English Learners (ELs) which is referred to as a Lau Plan (Lau v. Nichols, 1974). The plan is designed to meet the district obligations to ELs under Title VI of the Civil Rights Act and the Equal Educational Opportunities Act (EEOA) and should be reviewed by a Lau Plan Committee annually. The Kenton County School District is committed to providing a high-quality English Learner program to ensure that ELs instructional and social-emotional needs are met, and to further the English Language Department goals of all ELs attaining English proficiency and achieving KY academic standards. On March 17, 2022, a committee met to review and revise the current Lau Plan and update for compliance with new Kentucky Department of Education and federal guidelines.

**FISCAL/BUDGETARY IMPACT:**

None

**RECOMMENDATION:**

**Approval of the revised English Learner Lau Plan.**

**CONTACT PERSON:**

Kacie Adams-Browning

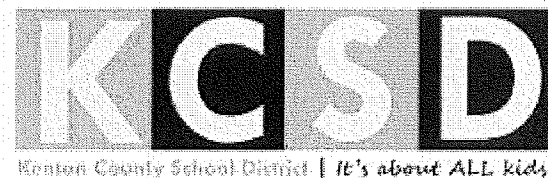
  
Principal/Administrator

  
District Administrator

  
Superintendent

Use this form to submit your request to the Superintendent for items to be added to the Board Meeting Agenda.

Principal—complete, print, sign and send to your Director. Director—if approved, sign and put in the Superintendent's mailbox.



## **Kenton County School District Lau Plan 2022-23**

Revised March 17, 2022

### **Lau Plan Committee Members:**

Kacie Adams-Browning, English Learner Coordinator  
Dorothy Dennie, Assistant Superintendent  
Mary Beth Huss, Assistant Superintendent  
Kim Mott, Caywood Elementary Principal  
Dominique Cruey, River Ridge Elementary Assistant Principal  
Lafon Benton, Dixie Heights High School Assistant Principal  
Jana Bromley, Turkey Foot Middle School Assistant Principal  
Scott Kremer, EL Teacher  
Kyle Jordan, EL Teacher  
Nicole Montello, EL Teacher  
Tiffany Hammonds, EL Teacher  
Lauren McCain, Turkey Foot Middle School Teacher  
Michelle Mersman, Caywood Elementary Teacher  
Lauren Olson, Caywood Elementary Teacher  
Debbie Brock, Academic Consultant  
Kristie Cahill, Academic Consultant  
Jessica Rollins, KCEA Representative

## **I. Lau Plan Guiding Principles**

The Kenton County School District will provide equal educational opportunities to students regardless of race, national origin, sex, color, or disabilities. The Lau Plan (Lau v. Nichols, 1974) is developed to meet the linguistic, academic, social and emotional needs of all English Learners. The Kenton County School District is committed to providing a high-quality English Language Development program to ensure that the instructional and social-emotional needs of ELs are met, and to further the English Language Development Department goals of all English Learners attaining English proficiency and achieving Kentucky academic standards.

English Learners are those students aged 3-21 whose primary language is a language other than English [See ESSA 8101(20)] and who have not met Kentucky fully-English proficient requirements. In order to provide equal access to school programs, English Learners (including immigrant, refugees, migrants and undocumented students) will receive instruction that increases English proficiency and core academic content knowledge. English Learner students are entitled to English Language Development programs with sufficient resources to ensure the programs are effectively implemented, including highly qualified teachers, support staff, and appropriate instructional materials.

### **Kenton County School District English Language Development Program Goals**

- Support schools in engaging every English Learner in high-quality instruction in order to ensure access to grade-level content, progress toward English proficiency, and transition-readiness.
- Provide effective, evidence-based English Language Development programming delivered by highly-qualified English Language Development staff that moves students toward English proficiency.
- Facilitate connections between schools and English Learner families.
- Afford parents/guardians the opportunity to make decisions regarding their child's participation in the English Language Development program.
- Provide appropriate and regular assessment in order to properly place students, measure progress, adjust instructional plans and determine when students are proficient to be reclassified to monitoring status.
- Provide professional learning opportunities to build the knowledge, strategies, and skills of all teachers to meet the academic and linguistic needs of English Learners in all subject areas.

## **II. Enrollment, Identification and Placement of English Learners in a Language Instruction Educational Program (LIEP)**

Parents and/or guardians registering their children at neighborhood schools are asked to complete a Home Language Survey as part of the Kenton County School District enrollment form. This survey identifies students whose first language is not English. If the answer on any of the questions on the survey indicate a language other than English, the school contacts the appropriate English Language Development staff for initial referral. English Language Development staff will use the WIDA Kindergarten Screener (Kindergarten) or WIDA Online Screener (Grades 1-12). This includes students previously identified as an English Learner in a non-WIDA state.

The results of the Screener will be shared with the student's parent/legal guardian and other stakeholders, including a Program Service Plan Committee. If a student qualifies for English Language Development services, the results of the Screener will be used to develop a Program Service Plan (PSP), which will include language proficiency assessment information, type of LIEP/ELD services, and the instructional/assessment accommodations of the student. A Notification of Eligibility Form will be sent to the parent/guardian within 30 days after the first day of the school year, or within 10 instructional days of the student's first date of attendance for mid-year enrollments. This form includes the reason for student's identification for screening and method of screening, the levels of English proficiency and the type of English Language Development service type(s), as well as an invitation to attend and participate in a Program Service Plan meeting. A Program Service Plan Committee, which will consist of the child's parent/guardian, English Language Development teacher, and a school administrator, will hold the Program Service Plan Meeting. Classroom teachers unable to attend the Program Service Plan meeting will be made aware of the Program Service Plan and accommodations by the EL teacher and a school administrator. All Program Service Plan meetings will be documented. Parents are entitled to guidance in a language they can understand about their child's rights, the range of EL services their child could receive, and the benefits of such services.

Parents/Guardians will also be notified that they have a right to decline the English Language Development services for their child in the Language Instruction Education Program (LIEP). If a parent declines English Language Development programming, the school still must provide a Program Service Plan and meaningful education. Services will be provided by the general education teacher with consultation from the EL staff. The parent/guardian must sign the Parent Opt Out Form, which must be kept in the student's English Language Development folder. The student is required to take WIDA ACCESS

annually and will remain an Active English Learner until Kentucky fully-English proficient scores have been achieved.

Non-public schools within the Kenton County School District may participate in the District's English Language Development program. An Intent to Participate form and needs assessment should be completed by the non-public school to determine English Language Development services.

### **Placement of English Learners**

#### **Elementary English Learner Students**

Elementary English Learner students will be placed at the age appropriate grade level. The principal determines the grade level, but may consult with English Language Development staff to help make the determination.

English Language Development programming may include Pull-out/Resource, Content-Based EL, Sheltered English Instruction, and/or a Newcomer Program. All elementary English Language Development services will be delivered at the student's home school.

#### **Secondary English Learner Students**

Middle school (6-8th grade) English Learner students will be placed at the age-appropriate grade level. High school (9-12th grade) English Learner students will be placed in classes that mostly resemble a traditional graduation track as possible. High school guidance counselors will evaluate all transcripts to determine the courses necessary for a traditional high school diploma.

English Language Development programming for secondary English Learner students may include Pull-out/Resource, Content-Based EL, Sheltered English Instruction, and/or a Newcomer Program. Secondary Newcomer English Learners will attend a Newcomer Academy at Turkey Foot Middle School or Dixie Heights High School for a minimum of one year.

### **III. Description of the Language Instruction Education Program (LIEP)**

Kenton County School District's Language Instruction Education Program is a research-based instructional approach that effectively promotes English proficiency and high academic achievement. It is a systemic approach for serving English Learners based on WIDA English Language Proficiency Standards and Kentucky Academic Standards.

English Learner students will participate in progress monitoring assessments in order to evaluate progress toward English language proficiency. Data from progress monitoring will be analyzed regularly by English Language Development staff, principals, and classroom teachers in order to determine next steps in instruction. Along with the progress monitoring data analysis, common assessment data will be included in KCSD Community Based Accountability System for Student Learning and Progress and will be reviewed recursively by a committee of stakeholders in order to determine areas of strength and growth in attaining district goals of closing the achievement gap for English Learners.

English Language Development instruction is provided by a certified teacher with an ESL endorsement as required by state and federal laws. Program delivery is provided by a team of educators which may include an EL teacher, a general education teacher, and other specialists.

**Types of program services may include:**

- **Content-Based ELD** – Teachers in the mainstream classroom make use of instructional materials, learning tasks, and classroom techniques from academic content areas as the vehicle for developing language, content, cognitive and study skills. English is used as the medium of instruction. This method helps students acquire technical vocabulary and grammar used in academic language and builds background knowledge, which makes mainstream classes more comprehensible. ELD teachers provide consultation for mainstream classroom teachers.
- **Pull-out/ Resource** – ELD Teacher removes EL student from general education classes to pre-teach, teach or re-teach English language skills and/or academic content covered by the classroom teacher. Intervention is provided directly in small groups and focuses on increasing students' English proficiency in listening, speaking, reading and writing. WIDA standards are the basis for instruction.
- **Sheltered English Instruction** – Classroom teachers and/or ELD teachers use strategies including physical activities, visual aids, and the environment to teach vocabulary for concept development in mathematics, science, social studies and other subjects. This method uses techniques such as direct teaching of vocabulary and explicit modeling that makes content more accessible to all learners. Classroom teacher and/or ELD teacher will receive professional learning in researched-based English Language Development strategies and methods. ELD teachers may collaborate with classroom teachers.
- **Newcomer program** – Students with little to no English are placed in a program with intensive English instruction to accelerate the acquisition of early literacy skills in English and basic conversational fluency.

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

English Learner students must be allowed to participate in every program for which they are eligible. Placement in one does not preclude placement in a second or third program. To avoid inappropriately identifying EL students as students with disabilities because of their limited English proficiency, EL students should be evaluated in an appropriate language based on the student's needs and language skills. Programs referred to include Special Education, ELD, Gifted, Title program, Tier Interventions, Advanced Placement courses, and additional content support will be considered and provided as needed.

The Kenton County School District has a systemic process for monitoring all student participation in co-curricular and extra-curricular activities. The EL Department is committed to ensuring ELs have equal opportunities as their non-EL peers to participate in co-curricular and extra-curricular activities.

#### **V. English Language Development Professional Development for Staff who Deliver Instruction or Support the Language Instruction Education Program for English Learners**

English Learner students face the unique challenge of developing skills and content mastery while simultaneously acquiring a new language – often when their native language is not yet fully mastered. This means that classroom teachers must also simultaneously meet the language and academic needs of English Learner students.. While supporting access to content, teachers of ELs are called upon to accelerate English language development and literacy. Thus, teachers need to know how to create classrooms that are supportive of using and learning language.

Professional Learning opportunities will be available for all KCSD staff and will address the district's growing and changing EL population and needs, district goal of closing the achievement gap for ELs, and federal and state requirements for Title III/English Learners. Sessions will reflect the belief that all teachers are language teachers and that all ELs can learn grade level content.

The English Language Development Department will support schools in providing high quality professional learning opportunities to ensure every English Learner can access grade-level content and is transition ready. Professional development sessions, to include job embedded and paid sessions, will be provided for the English Language Development Department teachers and classroom teachers to include strategies to meet the needs of the English Learner. Additionally, professional development for building principals will include guidance and support to implement the overall English Language Development Program with fidelity.

## **VI. Annual English Language Proficiency Assessment and Administration**

WIDA ACCESS for ELs 2.0 is a federal and state-required annual assessment for all English Learners. A student identified as an English Learner must be administered ACCESS annually until attaining a fully English language proficient score, which is currently defined as a Level 4.5 composite score on Tier B/C of ACCESS 2.0. Students who qualify for alternate assessment will be administered WIDA Alternate ACCESS annually until attaining a fully English language proficient score of P2. Schools do not need parental permission to administer ACCESS. If a student has been identified as an English Learner and parent(s) or guardian(s) refuse services, that student must be administered ACCESS annually until fully English proficient status is reached.

English Learner students with severe cognitive disabilities will take the Alternate ACCESS. A student with significant cognitive disabilities is identified as having one or more of the existing categories of disabilities under IDEA (e.g., intellectual disabilities, autism, traumatic brain injury, multiple disabilities, etc).

### **Alternate ACCESS Participation Criteria:**

- The student has been classified as EL.
- The student has a significant cognitive disability and is eligible for special education services under IDEA.
- The student is in an alternate curriculum aligned with their state's academic standards and will be participating in the state's alternate accountability assessment, as decided by the student's IEP team.

English Learner students are included in all Kentucky state-required assessments. Students may be eligible for the state's approved accommodations for English Learners that are documented in the student's Program Services Plan (PSP). English Learners who have been enrolled in U.S. school for less than 240 cumulative days are not counted for performance and are "Participation Only" students for the Kentucky Summative Assessment.

## **VII. LIEP Exit Criteria and Procedures**

If a student is identified as an English Learner, then that student must be administered ACCESS annually until a fully English language proficient score is attained, which is currently defined as a Level 4.5 Composite score on TierB/C of ACCESS or a P2 on Alternate ACCESS. This assessment is administered by an individual who has received WIDA administration training. Schools do not need parental permission to administer ACCESS. If a student has been identified as EL and the parents refuse services, that



student must be administered the ACCESS for ELs annually until that student attains 4.5 (ACCESS) or P2 (Alternate ACCESS) Composite.

When a student reaches 4.5 on ACCESS or a P2 on the Alternate ACCESS, an Exit Letter is sent home, along with ACCESS assessment results. Students exit Active EL Status on June 30th of the calendar year in which they reach English Language Proficiency of 4.5 or P2 and are entered into Monitored Status for four years.

### **VIII. Monitoring Procedures after Students Exit the LIEP Program**

Title III of the ESEA as amended by the ESSA [Section 3121(a)(5)] requires that districts report on the number and percentage of English Learners (ELs) meeting the state academic standards for four years after students are no longer receiving Title III services.

Exited English Learners will be monitored for four years after achieving exit status by meeting the Kentucky English proficiency requirements.

English Language Development staff will formally monitor the Exited EL student's academic performance every grading period for the four years of monitored status. If monitoring shows that the student is struggling in academic performance and/or English language skills, appropriate assistance and language instruction services will be made available to the student. Data gathered will include state assessment results, grades, attendance, behavior, and input from classroom teachers on student's classroom performance. English Language Development staff will be responsible for gathering this data in their assigned schools, including gathering input and data from classroom teachers.

If an Exited EL is not progressing academically as expected and monitoring suggests a continuing language issue, ELD staff will re-test the student's English language proficiency (ELP) with WIDA MODEL. A team will then meet to decide if the student should be re-classified as active EL. The team should consist of EL Coordinator, ELD Teacher, principal, and classroom teacher(s). Parent consent must be given to re-classify a student as Active EL.

Progress monitoring will continue for a student re-classified as Active EL until the student again achieves exit status by meeting the Kentucky English proficiency requirements of 4.5 on WIDA MODEL.

### **IX. English Language Development Program Evaluation**

The Lau Plan and English Language Development Program Review Committee will include a variety of stakeholders. The Lau Plan can only be revised with committee approval and will be presented annually to the Board of Education. The committee will meet annually to address the following:

- a. Evaluate or revise the English Language Development program.
- b. Review the Lau Plan and recommend revisions if necessary.
- c. Determine strengths and weaknesses of the English Language Development program based on data and make recommendations for improvement.
- d. Review feedback and suggestions from staff, parents and students (if appropriate) concerning Lau Plan procedures and ELD services provided to students.