

Bourbon County Schools

Title III Lau Plan for English Language Learners

2025-26

The district should 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 should be designed to meet the district's obligations to ELs under Title VI of the Civil Rights Act and the Equal Educational Opportunities Act (EEOA).

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I. Lau Plan Guiding Principles

To ensure English Language Learners can participate meaningfully and equally in educational programs and services. Kentucky, as a member of the [WIDA Consortium](#), champions the core principles of Equity, Integration, Collaboration, and a Functional Approach to Language Development to support English Language Development (ELD). This philosophy serves as the foundation for Bourbon County Schools to empower multilingual learners (MLs) to excel academically, access standards-aligned curriculum, and achieve proficiency in English.

This document offers guidance to ensure compliance with federal laws and legal obligations for educators, parents, and stakeholders within Bourbon County Schools. Here's a summary of key federal laws and Supreme Court cases safeguarding the rights of MLs and outlining the district's responsibilities in serving them:

[Title VI of the Civil Rights Act of 1964](#) prohibits discrimination based on race, color, or national origin in federally assisted programs, including ensuring equal access to education for students with limited English proficiency.

The [Bilingual Education Act of 1968](#), also known as Title VII, provides supplemental funding for school districts to establish programs meeting the educational needs of limited English-speaking children, reauthorized in 1994 as part of the Improving Schools Act.

The [Equal Educational Opportunity Act](#) (EEOA) of 1974 bars states from denying equal educational opportunities by failing to address language barriers hindering students' participation.

[Lau v. Nichols \(1974\)](#) established that students cannot be denied access to education due to a lack of English proficiency, mandating affirmative steps to overcome language barriers.

[Castaneda v. Pickard](#) (1981) set criteria for evaluating EL programs, emphasizing qualified teachers, sound educational approaches, and ongoing program evaluation to address language barriers.

[Plyler v. Doe](#) (1982) ruled that public schools cannot require Social Security numbers or original birth certificates for enrollment, providing alternatives for undocumented students to establish identity.

[The Dear Colleague Letter of January 7, 2015](#), jointly developed by the Department of Justice (DOJ) and the Office for Civil Rights (OCR), outlines legal obligations for states, districts, and schools in serving EL students and families.

[The Every Student Succeeds Act \(ESSA\) of 2017](#) replaced the No Child Left Behind Act (NCLB), ensuring accountability for all children's education and containing provisions specific to limited English proficient students, Title I, and Title III.

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

Upon enrolling a student, all parents/guardians must complete a [home language survey](#). This data is inputted into IC, and if the home language differs from English, it is communicated to our District English Learner (EL) coordinator, Jill Maynard, school administrators, EL teachers, and regular education teachers. Students undergo screening using either the WIDA ACCESS Placement Test (WAPT) for kindergarten students or the online screener provided by WIDA. These results determine a student's eligibility for the EL program. The PSP committee convenes to craft the plan. Subsequently, the school issues a parent notification regarding EL service eligibility and outlines each student's individual Program Service Plan. Parents retain the right to decline these services, although such students will still participate in ACCESS testing.

III. Description of the LIEP

Bourbon County's LIEP consists of three certified EL teachers and a district coordinator. The EL staff will work with approximately 215 students; this number varies due to a transient population. EL students are enrolled in one of our five schools. The services used with our students are Structured English Immersion (SEI) and Pull-Out ESL Resource (POE). Services vary based on EL student's English proficiency level. An English as a Second Language class is offered to students at the middle and high school levels.

The PSP committee will develop an individual student plan to fit the needs of each student. Administration, classroom teachers, and parents are informed of services. Students will receive weekly services based on individual needs until exited from the program with a 4.5 composite score on the ACCESS assessment. Once exited, students are still monitored on a regular basis to ensure continued proficiency for a minimum of four years.

In Bourbon County, the English as a Second Language (ESL) program offers English Language Development (ELD) instruction to Multilingual Learners (MLs) to foster proficiency in listening, speaking, reading, and writing. Data and professional insight inform the provision of ESL services for students. MLs receive Tier 1 core instruction IN ADDITION TO any necessary interventions. Several components are in place to support high-quality ELD instruction for MLs:

- Kentucky Academic Standards guide grade-level expectations and curriculum.
- WIDA Standards and Framework offer guidance for English language instruction and ELD support.
- BCS Curriculum Maps and Instructional Frameworks facilitate instruction and collaborative planning.
- Multi-tiered Systems of Support (MTSS) ensure MLs receive appropriate interventions and enrichment promptly.
- State and district data, along with ongoing formative assessments, inform MLs' needs in content learning and ELD.
- The Program Service Plan (PSP) outlines EL service types, instructional accommodations, and assessment accommodations for all MLs.

Bourbon County Schools extends ESL services to MLs across all levels and in every school. The following LIEP service types are available:

- **ESL Pull-Out (POE):** ESL teachers pull MLs from general education classrooms to provide targeted instruction in small groups, pre-teaching, teaching, or re-teaching English language skills and/or academic content.
- **Content-Based ESL (CBE):** English language instruction is integrated into Mathematics, English Language Arts, Science, and Social Studies content areas.
- **Structured English Immersion (SEN):** ESL teachers collaborate with general education teachers through a co-teaching model, offering linguistic and academic support to MLs in the general education classroom. This approach requires extensive collaboration and deliberate planning to ensure effective language instruction within content areas.

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

Bourbon County Schools remains dedicated to guaranteeing equitable access to high-quality programs and academic opportunities for all students. Multilingual Learners (MLs) will retain equal access to district programs, encompassing Gifted and Talented, Early Childhood, co-curricular, and extracurricular activities, among others. Regardless of their background or academic level, MLs are encouraged to actively participate in a diverse range of educational experiences and activities available to all students. All EL students and parents are made aware of school programs, co-curricular and extracurricular programs yearly. This information is shared in newsletters, transition activities, flyers, phone calls, web pages, and announcements.

V. EL Professional Development for Staff who Deliver Instruction or Support the LIEP for ELs

The EL staff offers various professional development (PD) opportunities to all school staff members. They participate in new teacher orientation to provide an introduction to the EL program and continue to engage with them through after-school meetings throughout the year. Additionally, administrators, regular education teachers, and instructional classified staff are mandated to undergo annual EL training. Further PD sessions are available to support regular education teachers throughout the school year, conducted during Professional Learning Communities (PLCs), faculty meetings, after-school sessions, or on a one-on-one basis upon request. EL teachers are obligated to complete district PD sessions, WIDA assessment trainings, and are encouraged to attend other EL-related PD events whenever feasible funding-wise.

Vision:

Our vision is for every multilingual learner to achieve proficiency as successful English language readers, writers, listeners, and speakers within a nurturing and culturally sensitive atmosphere.

Mission:

Our mission is to expedite students' English language development through high-quality language and content instruction empowering them to become life-long learners, effective communicators, innovative thinkers, and contributing citizens.

VI. Annual English Language Proficiency Assessment and Administration

The annual proficiency assessment is the ACCESS test, and it is administered to all EL students in grades K-12. The assessment assesses ELs in the four language domains (Listening, Reading, Speaking, Writing) and is segmented in the following grade clusters: K, 1, 2-3, 4-5, 6-8, 9-12. Our EL teachers work with district and school administration to schedule and administer the assessments. The District EL coordinator orders assessments and ensures anyone participating in the testing has been properly trained. The WIDA ACCESS for ELLs [Interpretive Guide for Score Reports](#) is a comprehensive document explaining the types of scores reported for EL students. All test administrators are trained annually through WIDA before administering the ACCESS for ELLs.

The Alternate ACCESS for ELLs is an annual summative English proficiency assessment given to all identified alternate assessment ML students in grades 1-12. Each language domain (Listening, Reading, Speaking, Writing) is given separately and may take a different amount of time to deliver depending on the student's grade level, abilities, and modes of communication.

The WIDA Alternate ACCESS [Interpretive Guide for Score Reports](#) offers a thorough explanation of the various scores reported for Multilingual Learners (MLs) assessed through the Alternate assessment. Prior to administering the Alternate ACCESS for ELLs, all test administrators undergo annual training provided by WIDA.

MLs who are dually identified receive their Individualized Education Program (IEP) accommodations as permitted by the WIDA [Accessibility and Accommodations manual](#).

VII. LIEP Exit Criteria and Procedures

All EL students are required to participate in annual ACCESS testing. Once the district receives the results of assessments from WIDA, EL staff reviews and analyzes the results. Students with an overall composite score of 4.5 or above is exited from the EL Program. The exit criteria for Alternate Assessment is P2 or higher Overall Composite Proficiency Level. The program Exit Date will be June 30 of the school year in which the student exited services.

VIII. Monitoring Procedures after Students Exit the LIEP Program

The KDE District Guide for the English Learners Program delineates the monitoring expectations subsequent to students exiting the LIEP Program. Districts are legally obligated under Title VI of the Civil Rights Act and the Equal Educational Opportunities Act (EEOA) to oversee the academic progress of formerly designated English learners (EL) who have achieved Full English Proficiency (FEP). According to Title III of the Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA) Section 3121 (a) (5), these students must be monitored for four years following their exit from a language instruction program.

This monitoring process ensures that Redesignated Fully English Proficient (RFEP) students can effectively engage in regular classroom activities. Post-exit from an EL program, school districts must monitor the academic advancement of former EL students to verify that: 1) they were not prematurely exited; 2) any academic deficiencies resulting from EL program participation have been remedied; and 3) they are successfully integrating into the regular academic curriculum comparable to their peers who were never EL students.

After each term, schools receive an Exited EL monitoring report detailing the current academic performance of former EL students. The Multi-Tiered System of Support (MTSS) process is applied to all students, whether they are currently active ELs or have exited EL status. If former EL students encounter academic challenges, the school will provide supplementary support and interventions through the MTSS process. The ESL Department is available to explore recommended strategies aimed at addressing the needs of former EL students. If, despite additional support, a student continues to struggle, the possibility of reinstating ESL support will be considered.

Although students may exit with an overall composite of 4.5, these students are monitored for at least four years. EL teachers work with classroom teachers and the students to ensure language proficiency and academic performance are progressing. For a student struggling, EL teachers and classroom teachers will collaborate to provide intervention to enhance student learning.

IX. EL Program Evaluation

The district school, administrators, and teachers shall evaluate the effectiveness of the EL Program each year based on the following criteria: EL Teacher and Coordinator Participation in Instructional Rounds; PD Provided for other educators to increase knowledge and use of EL instructional strategies; PD completed by EL teachers/Coordinator; Accuracy of Records and Timeliness of Entry/Exit/Monitoring, Data Analysis Of relevant data- BRIGANCE, RENAISSANCE COMPREHENSIVE ASSESSMENTS, KSA, ALT KSA, ALT ACCESS, ACCESS; Stakeholder Feedback and Involvement. The district and schools shall analyze state and local assessments to determine student academic performance and the success of our EL program. Once the EL evaluation is completed, the district and schools shall make modifications to the EL plan. The following evaluation form will be used to complete the annual evaluation:

EL Program Evaluation Form

| Criteria | Ineffective | Developing | Proficient | Exemplary |
|---|---|---|---|--|
| PD Provided for other educators to increase their knowledge and use of EL instructional strategies | No EL PD is provided for regular education teachers | 3-6 hours of EL training is provided for teachers throughout the district | 7-12 hours of EL training is provided for teachers throughout the district | 13 plus hours of EL training is provided for teachers throughout the district |
| PD completed by EL teachers/Coordinator | Teachers do not complete the required district PD | Teachers complete the required district PD | Teachers complete the required district PD and required WIDA Testing PD | Teachers complete Required district PD, required WIDA testing PD, and other EL-related PD |
| Accuracy of Records and Timeliness of Entry/Exit/Monitoring | Data is not checked for accuracy | Data is only checked when records are entered | EL Teachers, Programs Director, and EL Coordinator will complete records audit once a year | EL Teachers, Programs Director, and EL Coordinator will complete records audit twice a year |
| Data Analysis Of relevant data-RENAISSANCE, ALT KSA/KSA, ALT ACCESS/ACCESS | Data Analysis not completed | Data analysis completed with no next steps identified | Data analysis completed with next steps identified with EL teachers and EL administrators | Data analysis completed with next steps identified and monitoring plan with EL teachers and EL administrators |
| Stakeholder Feedback and Involvement | No feedback was requested from the stakeholders | Feedback/Involvement requested through surveys, etc. with no follow-up at least once a year | Feedback/involvement requested with two-way communication and next steps based on feedback at least once a year | Feedback/involvement requested with two-way communication and next steps based on feedback at least twice a year |

***Reference English Learner Policy 08.13452 for additional guidelines.**