**Walatowa High Charter School**

**English Learner (EL) Services**

ELs are protected under the Title VI of the 1964 Civil Rights Act and under the Equal Educational Opportunities Act of 1974 EEOA). The EEOA requires that public Schools take "appropriate action to overcome language barriers that impede equal participation by [their] students in [their] students in [their] instructional programs" (Education Law Center, 2015)

The Walatowa High Charter School (WHCS) Federal Programs complies with Federal and State guidelines to appropriately identify and serve ALL EL’s at the Walatowa High Charter School.

ENGLISH LEARNER FAQ

1. Who is an ELL? ELL means English language learner. The term is synonymous with English learner (EL) which is used by the federal government in the Every Student Succeeds Act (ESSA) Section 8101[20] where an EL is defined as an individual:

(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 the 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 not English, and who comes from an environment where a language other than English is dominant; and

(D) whose difficulties in speaking, reading, writing, or understanding English may be sufficient to deny the individual (i) the ability to meet the challenging state academic standards;

ii) the ability to successfully achieve in classrooms where the language of instruction is English; or

(iii) the opportunity to participate fully in society

2. Who is an ESL or ELD student?

ELD refers to English Language Development. This would refer to a student who is provided English language development instruction.

3. What is the difference between an EL and ELD?

EL stands for English Learner, a student and ELD stands for English Language Development instruction. ELD instruction should be leveled by English language proficiency (ELP) levels, as measured by the annual ACCESS for ELLs assessment, which is the required English language proficiency assessment for ELs in New Mexico.

4. How are English learners identified?

The identification process for ELs is a two-step process. First, parents complete the Language Usage Survey (LUS) upon initial enrollment in public school. A parent only completes this form once in a student’s public education career. If a student is transferring from one district to another in New Mexico, the LUS completed at the previous district has to transfer as part of student records to the new school. The new school should request this information specifically. The LUS is kept in the cumulative file.

Secondly, if any answers to questions 1-6 on the LUS are ‘yes’ or if a language other than English is indicated in question 7 of the LUS, then the English language proficiency screener (currently this is the W-APT for Kindergarten and the WIDA Screener for grades 1 - 12) is administered to the student. Based o the W-APT or WIDA Screener results a student is either identified as an initial fluent English proficient student (IFEP) or as an English learner (EL). The W-APT or WIDA Screener results are kept in the cumulative file and are transferred as part of student records to schools the student attends.

For further information and resources on the EL identification process, please see the LUS Guidance Handbook in the following link: http://ped.state.nm.us/ped/BilingualDocs/ServingELs/NMLUS\_Guidance\_Handbook\_12.23.16.pdf

5. Where are the LUS and the W-APT/WIDA Screener results kept?

The LUS, the W-APT/WIDA Screener, and the ACCESS for ELLs results must be kept in the cumulative file and transferred as part of student records to the schools the student attends.

6. Can a student be identified as an English learner using a Teacher Observation Form?

If it appears that a student is struggling academically and /or behaviorally, due to difficulties with English proficiency, a teacher observation form can be used as part of Tier 2 data collection. The SAT gathers other available data on the student, and develops a hypothesis regarding possible causes for the difficulties, and designs an individualized SAT intervention plan and/or behavior intervention plan for the student. If the frequent progress monitoring indicates that the difficulties are related to lack of English proficiency the SAT team can, in such a case, make the decisions to administer the W-APT/WIDA Screener English language proficiency screener to the student. A second language acquisition specialist should be part of

the SAT team in such a case.

For further information concerning this process, please thee the Serving English Learners technical assistance manual in the following link:

http://ped.state.nm.us/ped/BilingualDocs/ServingELs/BMEB\_Serving%20ELs\_TA\_Manual\_2016\_Rev12.27.16.pdf

7. Does an ESL or ELD class have to be taught by an English Teacher who has a TESOL endorsement or can it be any teacher with a TESOL endorsement?

Serving ELs is a federal requirement and EL teachers must be proficient in English and be provided appropriate training for serving ELs. A TESOL endorsement is not required to teach ELs, but it can serve as an indicator of proper training. The following offers further guidance on staffing an EL program and service:

1. Districts/schools must provide the personnel necessary to effectively implement EL programs.

2. Necessary personnel include teachers who are qualified to provide EL services, core-content teachers who are highly qualified in their field as well as trained to support EL students, and trained administrators who can evaluate these teachers.

3. Districts must provide adequate professional development and follow-up training in order to prepare EL program teachers and administrators to implement the EL program effectively.

4. Districts must ensure that administrators who evaluate EL program staff are adequately trained to meaningfully evaluate whether EL teachers are appropriately employing their training in the classroom in order for the EL program model to successfully achieve its educational objectives. (EL Toolkit, chapter 3)

Please note: A TESOL endorsement may be required if serving ELs in a New Mexico state-funded bilingual multicultural education program (BMEP).

For further information on BMEP licensure

requirements, please see the link below.

http://ped.state.nm.us/ped/BilingualDocs/educationBMEP\_Licensure\_Requirements.pdf

8. What kind of services does a district/school have to provide English learners?

• a. The federal requirement is that a district must offer an EL program and service until an EL student is:

• 1. proficient in English and

• 2. can participate meaningfully in the standard instructional programs without EL supports within a reasonable amount of time.

• b. Such an EL program and service must meet the standards established in Castañeda v. Pickard:

• 1. It must be based on a sound educational theory.

• 2. Programs and practices must be reasonably calculated so that the program and service can be implemented effectively (including having the necessary resources).

• 3. The program must be evaluated for effectiveness to ensure it produces results within a reasonable period of time.

9. What does an EL program have to include?

The two goals of an EL program are:

1. Attaining English language proficiency

2. Meaningful access to the standard instructional program within a reasonable period of time.

Attaining English language proficiency

For English language proficiency a district/school has to offer an ESL or ELD course depending on the English language proficiency (ELP) level of the student or a dedicated ELD block in elementary school that has to be at the minimum 45 minutes. An integrated ELD-ELA class can be offered to EL students whose overall score on the ACCESS for ELLs assessment is 4.5 or higher. The primary goal is learning English and learning content is secondary. (Saunders,Goldenberg, Marcelletti, 2013)

Meaningful access to the standard instructional program within a reasonable period of time

In order for EL students to learn grade-level content and thus have meaningful access to the standard instructional program all content area classes have to shelter instruction and offer language supports for EL students. Learning content is the primary goal and language is secondary. (Saunders, Goldenberg, Marcelletti, 2013)

10. Can parents refuse to have their student take the ACCESS for ELLs assessment?

A parent cannot refuse the EL classification nor the ACCESS for ELLs assessment. It is a parents’ right to know that their child is becoming proficient in English and is able to have meaningful access to all content areas and courses. EL identification and exiting EL status stem from the Title VI of the Civil Rights Act of 1964 and are based on federal requirements. Students exit from EL status by scoring an overall (composite) score of 5.0 or higher on the ACCESS for ELLs assessment. Not taking the ACCESS for ELLs assessment denies a student the right to exit from EL status.

Please note: Districts/schools should provide support and guidance for parents throughout the EL identification process as described in the LUS Guidance Handbook in the link below.

http://ped.state.nm.us/ped/BilingualDocs/ServingELs/NMLUS\_Guidance\_Handbook\_12.23.16.pdf

11. What assessments does an EL student have to take?

In addition to the annual English language proficiency assessment, ACCESS for ELLs, an EL student like all students are assessed for academic achievement as follows pursuant to New Mexico Administrative Code (NMAC) 6.29.1.9L(1)-(2):

A student who has been in US schools under three years can be assessed in the home language of Spanish in language arts (SBA Spanish), in math ( PARCC Spanish math), and in science (SBA Spanish science). A student can receive a Testing in English waiver for testing in the home language of Spanish for the above mentioned tests if the districts request this through the Testing in English waiver process. This waiver is valid for one year and can be requested up two times. No more, than two waivers are allowed.

In order to be granted a Testing in English Waiver a student must be an EL and must have attended a US school for no more than five years including kindergarten. Please note: Students who are enrolled for the first year in a U.S. school may receive a language exemption from the standards based assessment for the reading subtest only. In this situation, the student's score on the ACCESS for ELLs assessment, if available, will be substituted for the reading score.

12. Can students whose home language is Navajo receive a Testing in English Waiver?

No. The Testing in English waiver is for tests in the home language of Spanish only, per New Mexico Administrative Code (NMAC) 6.29.1.9 L(1)-(2). However, an EL student can receive accommodations. For allowable accommodations for each assessment, please see the assessment vendor accommodations manuals. For further guidance on accommodation procedures, please see the 2015-2016 Student Assessment Accommodations Manual in the link below. An allowable accommodation should have been used in daily instruction for a sufficient period of time prior to testing for a student to become comfortable with it. A school-based team of at least three staff members who are familiar with the EL student’s abilities and language needs, standardized test procedures, and valid ELL test accommodations Assessment accommodations are allowable changes in assessment administration that help an EL student access the content of the assessment without giving undue assistance. In most cases, assessment accommodations enable an EL student to overcome a language barrier. An allowable assessment accommodation does not alter the concept being measured.

http://www.ped.state.nm.us/ped/AssessmentEvalDocs/TestCoordPres/2016/Accom%20Manual%202015%20-%202016%20Final.pdf

13. Can a student who has scored an overall (composite) score of 5.1 on ACCESS for ELLs assessment still receive a Testing in English Waiver?

No. An overall score of 5.1 on the ACCESS for ELLs assessment means that the student is proficient in English and therefore no longer classified as an EL. Students exit from EL status by scoring an overall (composite) score of 5.0 or higher on the ACCESS for ELLs assessment. A student who is no longer an EL cannot receive a Testing in English Waiver.

14. Do students with disabilities who are also ELs take the ACCESS for ELLs assessment?

Students with disabilities who are also English learners must receive services in both areas: language services as well as disability related services; neither service supersedes the other. A parent can decide to opt his/her child out of EL services but not out of the ACCESS for ELLs assessment. The student takes the ACCESS for ELLs assessment annually; any accommodations must be allowable under the ACCESS for

ELLs assessment and written into the IEP or 504 Plan of the student. Students with cognitive disabilities who also take the NMAPA assessment can take the Alternate ACCESS assessment, if this is specified in the student’s IEP. An IEP team for an EL student with a disability should include a second language acquisition specialist in order to ensure that all the needs of the student are being met. For further information please see the ELs in Special Education FAQ on our website in the link below.

http://ped.state.nm.us/ped/Bilingual\_EL\_FAQ.html

There is also great information on ELs with disabilities in the English Learner Tool Kit (by USDE) in the link below, specifically chapter 6.

http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/chap6.pdf

You can also find further information on serving ELs in the PED Serving English Learners Technical Assistance Manual in the link below:

http://ped.state.nm.us/ped/BilingualDocs/Serving\_ELs\_TA\_Manual\_2016.pdf

15. What is the process and what forms do we use to to monitor exited ELs?

Per NMAC 6.29.5.12 exited ELs (reclassified English proficient students—RFEPs) must be monitored for academic progress for two years. Each district creates their own monitoring system for RFEPs including documents used. Such documents inform the district of the effectiveness of the particular EL program(s) used at the district as well as how well the EL program(s) has created a basis for continued success for RFEPs. The English Learner Tool Kit has a chapter on monitoring and exiting ELs (chapter 8) as well as a chapter on serving ELs who opt out of EL programs with tools and resources. These are helpful in creating district/school documentation that works in ensuring that

students succeed after exiting status or when opting out of EL services. The links to each chapter are below.

Chapter 8: 8.Monitoring and Exiting English Learners from EL Programs and Services

http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/chap8.pdf

Chapter 7: Serving English Learners who Opt-Out of EL Programs :

http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/chap7.pdf

16. Do identified English learners have to participate in a New Mexico state-funded bilingual multicultural education program (BMEP)?

No. Districts/schools can choose to meet their federal obligations of serving English learners through a state-funded BMEP.

The federal requirement is that a district must offer an EL program and service until an EL student is:

1) proficient in English and

2) can participate meaningfully in the standard instructional programs without EL supports within a reasonable amount of time.

English learners must be provided specific instruction in English language development. Please see question number 9 in this FAQ for further details.

For further information on state-funded BMEP , please see the link below.

http://ped.state.nm.us/ped/Bilingual\_BMEP.html

**SHELTERED ENGLISH INSTRUCTION**

Since the early 1980's content-area teachers have looked to sheltered English instruction as a way to make content comprehensible for the English language learners (ELLs) in their classrooms. In the days when the term was first used in connection with ELLs, students were considered "sheltered" because they studied in classes separate from "the mainstream" and did not compete academically with native English speaking students (Freeman & Freeman, 1988). Today, the majority of ELLs study alongside their English-speaking peers, are held accountable to the same curriculum standards, and take the same high-stakes tests. Sheltered English instruction has come to mean a set of practices valuable to all teachers in helping ELLs learn English and, at the same time, learn content material in English. Questions frequently raised about sheltered English instruction are answered below.

**What is sheltered English instruction?**

Sheltered English instruction is an instructional approach that engages ELLs above the beginner level in developing grade-level content-area knowledge, academic skills, and increased English proficiency. In sheltered English classes, teachers use clear, direct, simple English and a wide range of scaffolding strategies to communicate meaningful input in the content area to students. Learning activities that connect new content to students' prior knowledge, that require collaboration among students, and that spiral through curriculum material, offer ELLs the grade-level content instruction of their English-speaking peers, while adapting lesson delivery to suit their English proficiency level.

**Where is sheltered instruction used and by whom?**

Sheltered English instruction is used in English as a second language (ESL) programs with sheltered content courses (e.g., sheltered chemistry, sheltered U. S. history), newcomer programs, transitional bilingual education, developmental bilingual education, dual-language programs, and two-way immersion programs. Sheltered instruction appears in classes that consist of only English language learners and in classes of both ELLs and native English speaking students. The sheltered approach is also used in many foreign language classes in the United States.

**Who is qualified to teach sheltered English instruction?**

Content-area teachers can acquire the skills necessary for sheltered English instruction and may already practice many of the instructional strategies involved. Essential to sheltered instruction are teacher willingness and capacity to learn about and incorporate the prior knowledge of ELLs into instruction, to understand second language acquisition and address the linguistic needs of ELLs, to deliver comprehensible yet rigorous input, and to use spiraling and scaffolding techniques whereby every piece of information learned and every skill acquired provides the next-level substructure for building higher-order knowledge. To the extent possible, teachers also need to learn about students' culture and community and how these contexts affect students' ways of learning.

**Is sheltered English instruction effective?**

The success of sheltered English instruction depends largely on two integrated factors. First, the teacher must provide modified instruction in English without oversimplifying the content. All students, including ELLs, are held to the same high expectations of achievement and must demonstrate that they meet content standards. Second, to avoid fossilization of language skills at the conversation level, the teacher must engage the student in a constant, concerted effort to develop and enhance academic language. In other words, teachers must first simplify their discourse to make class content comprehensible and then gradually make their language more complex, without sacrificing the quality of instruction or depth of comprehension in the process.

Research conducted in 1997-98 and again in 1998-99 showed that English language learners in classes with teachers who had been trained in sheltered instruction under the SIOP model outperformed similar students in control classes (Echevarria, Vogt, & Short, 2004).

**How does sheltered English instruction intersect with school initiatives, curricular programs, and professional development plans?**

Sheltered instruction is an approach to teaching English language learners. While not a program in itself, sheltered instruction extends the time in which students participate in instruction that explicitly provides language support as well as standards-based content instruction. Sheltered instruction also teaches ELLs how to perform academic tasks, such as writing outlines and making presentations. This focus on building knowledge of academic language, content, and performance helps prepare English language learners for non-sheltered classes, in which they will be expected to achieve high academic standards alongside their English-speaking peers.

The SIOP Observation Protocol provides teachers with a model of sheltered instruction designed to enhance teachers' practice. The SIOP may be used to enhance other initiatives supporting ELLs or all students. It has become the basis of professional development efforts for teachers of ELLs across the United States. To prepare ELLs fully for academic success, sheltered instruction must be part of a broad school- or district-wide initiative that takes into account many elements of good teaching practice, including culturally responsive teaching; multicultural, theme-based curriculum; effective classroom management; appropriate grading; and meaningful, collaborative involvement of parents.

**What are the components of sheltered English instruction?**

While teachers of ELLs have used sheltered English instruction for many years, a consistent understanding of the components of sheltered instruction has emerged only within the past five years. In 1999 the Sheltered Instruction Observation Protocol (SIOP) was developed following intensive observation of sheltered English teaching across the United States (Echevarria, Vogt, & Short, 2004). The SIOP identifies 30 important elements of sheltered instruction under eight broad categories:

* Preparation
* Building Background
* Comprehensible Input
* Strategies
* Interaction
* Practice/Application
* Lesson Delivery
* Review and Assessment

Critical to effective sheltered instruction is the preparation of learning objectives for every lesson. These include content objectives, aligned with state and local content-area standards, and language objectives, aligned with state language proficiency benchmarks or language arts standards, or the national TESOL standards. Teachers communicate content and language objectives to students, design activities to achieve objectives throughout the lesson, and assess progress toward objectives by the end of the lesson. In this way learning, teaching and assessment are integrated into an ongoing process that provides feedback to students and informs future instruction.

Within each sheltered lesson the teacher seeks to ensure that students have sufficient background knowledge to tackle new curriculum material. Teachers modify their speech and, when necessary and feasible, content text so that English language learners can grasp important content concepts, facts, and questions. Teachers explicitly teach learning strategies – from teacher-centered to peer-supported to student centered – so that students develop a toolkit for accomplishing difficult learning tasks. Teachers also provide ample opportunities for students to interact in the target language around purposeful tasks that are meaningful to them.

Ever mindful of the lesson's framing objectives, sheltering teachers are careful to integrate listening, speaking, reading and writing skills into each lesson. They provide opportunities for students to apply their new knowledge through tasks that involve concepts and skills students have learned. Sheltering teachers work to engage all students at least 95% of the time in instructional activity, at the same time paying attention to pacing, so that no student is left behind.

## **Federal Resources for Serving ELLs**

**Federal Resources for Serving English Learners**

* English Learner Toolkit
  + <https://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html>
* Newcomer Toolkit
  + <https://webnew.ped.state.nm.us/wp-content/uploads/2017/12/Newcomer-Toolkit-U.S.-Department-of-Education.pdf>
* US Department of Education
  + <https://www.ed.gov/>
* Office of Civil Rights
  + <https://www2.ed.gov/about/offices/list/ocr/index.html>
* OCR Programs for ELLs Guide
  + <https://www2.ed.gov/about/offices/list/ocr/ell/index.html>   
       
    **New Mexico Public Education Department Resources for Serving English Learners**
* English Language Development Regulation 6.29.5.11 NMAC - 10.31.2016
  + <https://webnew.ped.state.nm.us/wp-content/uploads/2017/12/6.29.5.11-NMAC_10.31.2016.pdf>
* Serving English Learners Technical Assistance Manual
  + <https://webnew.ped.state.nm.us/wp-content/uploads/2017/12/BMEB_Serving-ELs_TA_Manual_2016_Rev_2.8.17.pdf>
* New Mexico Language Usage Survey Guidance Handbook
  + <https://webnew.ped.state.nm.us/wp-content/uploads/2018/04/ADA-NMLUS_Guidance_Handbook_Revised_4.10.2018.pdf>
* Language Usage Survey Process Map
  + <https://webnew.ped.state.nm.us/wp-content/uploads/2018/02/LUS-Process-Map.pdf>
* Every Student Succeeds Act (ESSA) Parent Notification Requirements Memo
  + <https://webnew.ped.state.nm.us/wp-content/uploads/2018/02/Every-Student-Succeeds-Act-ESSA-Parent-Notification-Requirements.pdf>
* Sample Parent Notification Letter - Revised 08/2017
* <https://webnew.ped.state.nm.us/wp-content/uploads/2017/12/Parent_Notification_Letter_Sample-Revised_08.2017.docx>