English to Speakers of Other Languages
Guiding Principles
2019–20

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I.   Purpose

"Education is the most powerful weapon in which you can use to change the world."– Nelson Mandela

Every child regardless of where they were born, their socioeconomic status, race, or gender, deserves access to quality education. As educators, it is our responsibility to equip students with the tools necessary to be successful in their attainment of that education.

Many districts use Title III funds to supplement their instructional program to assist with providing access and opportunities for English learners (ELs). Title III funding has three main requirements related to ELs:
1. Provide programs for ELs to attain English proficiency and acquire content knowledge.
2. Provide professional development to teachers and school leaders in the area of educational strategies to best meet the academic and language needs of ELs.
3. Deliver activities that promote EL parent, family, and community engagement.

The purpose of this document is to provide districts with guidance on how to properly support English learners within our South Carolina school districts. This document should be used to ensure fidelity within our various state ESOL programs.

Acknowledgment and thanks to the following State agencies for their guidance in the development of this document:
- Georgia State Department of Education
- Indiana State Department of Education

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II.   Comprehensive Plan

Every Local Education Agency (LEA)/ district in South Carolina that receives Title III funds must develop and implement a comprehensive plan for serving immigrant students and students who are English learners. The plan should address each aspect of the district program for all ESOL students, at all grade levels, and all schools in the district. The comprehensive plan should contain sufficient detail and specificity so that each staff person can understand how the plan is to be implemented and should include the procedural guidance and forms used to carry out responsibilities under the plan. Districts not receiving Title III funds are encouraged to develop and implement a comprehensive plan.

At a minimum, the local plan must:

- Describe the programs and activities that will be developed, implemented, and administered;
- Describe how the LEA will hold schools accountable for meeting proficiency;
- Describe how the LEA will promote parental notification and parental and community participation in programs for ELs;
- Describe how language instruction educational programs will ensure that students develop English proficiency;
- Describe how the LEA will collect and submit data in accordance with SCDE requirements;
- Assure that the LEA consulted with teachers, school administrators, parents, and, if appropriate, education-related community groups and institutions of higher education in developing the plan;
- Assure that all teachers in any language instruction educational program for ELs that is funded with any source of federal funds are fluent in English, including having written and oral communication skills;
- Describe the LEA's educational theory and goals for its program of services;
- Describe the LEA's methods for identifying and assessing the students to be included in the English language instruction educational program;
- Describe the LEA's procedures for designating individuals to comprise the student support team(s), responsibilities of the team for working with ELs, and procedures and the person(s) responsible for oversight of the student support team;
- Describe the specific components of the LEA's program of English language development and academic services for ELs;
- Describe the specific staffing and other resources to be provided to ELs under the school system's language instruction educational program;
- Describe the LEA's method and procedures for transitioning or exiting students from the program and for monitoring for a period of four years;
- Describe the LEA's method for evaluating the effectiveness of its program;
- Assure that the LEA's institute methods for determining that translators/translations used are effective in communicating with parents of English learner students.

III. Identification and Placement of English Learners

Each LEA is responsible for having a process of identifying English learners within their school district. This section will outline the steps necessary to ensure that all ELs are properly identified and placed in appropriate services. It is discriminatory to identify students for ESOL programs based on last name, appearance, accent, national origin, or any other surface identifier.

A. Home Language Survey (HLS)

Federal mandate requires that all LEAs identify students whose home language is other than English for English Language Development eligibility. The SCDE addresses this by requiring all districts to administer a State- adopted home language survey to all entering students in Kindergarten through twelfth grade. The home language survey is administered once at initial enrollment and should not be administered yearly.

The purpose of the home language survey is to identify students that are eligible for English language development services in order to provide them with appropriate educational services. The survey consists of a series of questions intended to help determine a student's primary or home language. The HLS asks the following questions:

1. What is the language that the student first acquired?
2. What language(s) is spoken most often by the student?
3. What is the primary language used in the home, regardless of the language spoken by the student?
4. In what language do you wish to have communication from the school?

If a language other than English is indicated for any of the questions, the student will be screened for identification for English language development services. It is important to note that all primary home language other than English (PHLOTE) students must be screened for identification **within the first thirty calendar days of school or within ten calendar days from later enrollment date.**

The Home Language Survey is a legally binding document, and federal law stipulates that parents are provided this information in a language that they understand. LEAs should make every attempt to administer the HLS in the home language of the parent/guardian via translated copies or translation services. The SCDE has provided LEAs with translated copies of the Home Language Survey in the following languages: Arabic, Chinese, Japanese, Korean and Spanish. LEAs that require additional languages are responsible for translating the State - adopted Home Language Survey to meet the needs of the languages represented in their school communities. This survey is not used to determine legal status or for immigration purposes.

Home Language Survey Frequently Asked Questions

Q1: Does every new student enrolling in my district have to complete a Home Language Survey (HLS)?

1) If the student is enrolling in school for the <u>first time</u>, **complete the HLS.**

1.) If the student is enrolling in your district from another South Carolina district, **do not complete the HLS**. Check the records for the original HLS and go by what is listed on the HLS. If the student file is not immediately available, you may go by the information contained in PowerSchool, temporarily, until records arrive and the information is verified.

   The district should contact the previous school to request that they send or fax the HLS within the identification and placement timeline. If the district will not receive the HLS within the designated timeline, contact the parent and proceed with the completion of a new HLS.

2.) If the student is enrolling in your district from outside of South Carolina, and this is the first time enrolling in the State of South Carolina**, complete the HLS**.

Q2: Can Home Language Survey questions be included in a LEAs online registration?

For districts that offer online registration, the Home Language Survey (HLS) can be administered online instead of a paper format. The HLS is intended to be completed once while enrolled in a South Carolina school district thus districts with online registration will need to set parameters within their online registration system to display the HLS. The parameter should allow HLS questions to populate only if the parent indicates that the student is enrolling for the first time in a South Carolina district. If the student is enrolling from another South Carolina district, HLS questions should not populate and districts should request the original HLS from the previous school.

Even if administered online, the HLS must be signed by the parent or guardian (an electronic signature is acceptable). The electronic HLS must be accessible in case of monitoring or student transfer. *Suggestion: Print out the electronically signed copy and place it in the student file.*

Q3: Can the Home Language Survey be administered to 3K/4K students?

The Home Language Survey can be administered to 3K/4K students however, students cannot enter EL status until Kindergarten therefore; identification screening should not occur for 3K/4K.

Q4: Who is responsible for signing the *For School Use Only* section of the Home Language Survey?

The school personnel that explained and administered the Home Language Survey is responsible for signing the Home Language Survey. This signature is stating that the individual has clearly explained the purpose of the survey and explained to the parent or guardian that placement in an English language development may result. All Home Language Surveys require a school representative's signature even if the Home Language Survey lists "English only".

For schools with online registration, there needs to be a plan in place to address this.

Q5: I have a student that has enrolled in my district, and the HLS indicates a language other than English. What are the necessary next steps?

1.) If the student is a first-time enrollee, the student is screened for identification using either the K W-APT, WIDA MODEL for Kindergarten, WIDA Screener, or WIDA MODEL.

2.) If the student is enrolling from another South Carolina school district *or* another WIDA consortium member state, check records for documentation regarding English language proficiency assessments (K W-APT, WIDA MODEL for Kindergarten, WIDA Screener, or WIDA MODEL). If the scores are less than a year old, they may be used to help make decisions regarding identification and placement. If the scores are more than a year old, or the receiving school doesn't receive the scores within the timeframe, the district should screen the student for eligibility.

3.) If the student is enrolling from outside of South Carolina from a non-WIDA consortium member state, the student is screened for eligibility.

Q6: What do I do when a student transfers into my district without an HLS?

When a student transfers into your district without an HLS, contact the previous school to request that they send or fax the HLS within the timeline. If the receiving school will not receive the HLS within the designated timeline, contact the parent and proceed with the completion of a new HLS.

Q7: A parent completed the HLS and indicated a language other than English and wants to "go back" and change it. Are they able to complete a second form?

No. The HLS is a document that is designed to be completed once. A parent cannot "go back" and change their original answers. Personnel staff must explain the purpose of the HLS.

Q8: What do I do when a parent indicates "English only" on the South Carolina Home Language Survey for a student enrolling for the first time and transferring files show the student was receiving services?

Upon receipt of transferring files and there is evidence that the student was receiving services, school personnel should communicate with the parent or guardian their child's right to services. Schools should then follow the appropriate identification process.

Q9: What is the purpose of the Home Language Survey Amendment form?

The Home Language Survey Amendment is for data entry errors related to a mistakenly coded student as an English Learner. The Home Language Survey Amendment form is not a request for removal from an ESOL program because the parent does not wish for their child to participate.

The Title III program office is in the process of redefining guidelines aligned to the use of the Home Language Survey Amendment form.

B. Identification Screening Assessments

South Carolina has been a member of the WIDA Consortium since 2014. As a consortium member, we utilize four screening tools to determine identification: K W-APT, WIDA MODEL for Kindergarten, WIDA Screener, and WIDA MODEL. Each tool is designed to assist educators in identifying students that may benefit from English language support. These identification screening assessments may only be *administered by certified personnel that has completed the required WIDA training modules*.

o   Kindergarten W-APT (K W-APT)

K W-APT Administration	Administered Subtests			
	Listening	Reading	Speaking	Writing
1st Semester Kindergarten	X		X	
Identification Criteria	• Combined Listening and Speaking ≤ 26, the student **qualifies** for services. • Combined Listening and Speaking ≥ 27, the student **does not qualify** for services.			
2nd Semester Kindergarten through 1st Semester First Grade	X	X	X	X
Identification Criteria	• Combined Listening and Speaking ≤ 26 **or** Reading of ≤ 13 **or** Writing ≤ 16, the student **qualifies** for services. • Combined Listening and Speaking ≥ 27 **and** Reading ≥ 14 **and** Writing ≥ 17, the student **does not qualify** for services.			

The Kindergarten W-APT is administered to students in kindergarten through 1st semester first grade. Visit the [Kindergarten W-APT webpage](#) to learn more about the assessment. The following table provides the raw score criteria for the four domains.

o   WIDA MODEL for Kindergarten

Kindergarten MODEL Administration	Administered Subtests			
	Listening	Reading	Speaking	Writing
1st Semester Kindergarten	X		X	
Identification Criteria	• Student **qualifies** for services if: Oral Composite PL < 4.4 • Student **does not qualify** for services if: Oral composite PL ≥ 4.4 **and** Speaking and Listening domain scores are ≥ 4.0			
2nd Semester Kindergarten through 1st Semester First Grade	X	X	X	X
Identification Criteria	• Student **qualifies** for services if: Overall Composite PL < 4.4 • Student **does not qualify** for services if: Overall composite PL ≥ 4.4 **and all** domain scores are ≥ 4.0.			

The Kindergarten MODEL can be administered to students in kindergarten through 1st semester first grade. Visit the [Kindergarten MODEL webpage](#) to learn more about the assessment. The following table provides the proficiency level scores for the applicable domains.

o   WIDA Screener and WIDA MODEL

All four domains of the WIDA Screener or WIDA MODEL should be administered to the student.

WIDA Screener or WIDA MODEL is administered to students in their 2nd semester of first grade through high school. Make sure to administer a lower grade cluster form to students in the 1st semester of the year in a grade-level cluster. Learn more about these assessments on the [WIDA Screener webpage](#) or [WIDA MODEL webpage.](#) The following table provides the proficiency level scores for the four domains.

WIDA Screener and WIDA MODEL Administrations	Administered Subtests			
	Listening	Reading	Speaking	Writing
2nd Semester First Grade through High School	X	X	X	X
Student **qualifies** for services if: Overall Composite PL < 4.4 **or** if any domain score is < 4.0.	Student **does not qualify** for services if: Overall composite PL ≥ 4.4 **and** all domain scores are ≥ 4.0.			
**Scores for the WIDA screener and WIDA MODEL are comprised of the overall score and ALL domains.				

If an LEA chooses to administer the WIDA screener or any mode of WIDA MODEL, the administrative cost will be the responsibility of the LEA. These costs must not be funded using Title III, as the identification of ELs is a local requirement and therefore use of Title III funding for this purpose would violate the Title III Supplement, Not Supplant guidelines.

o   WIDA Screener Certifications

To receive WIDA certification, you will need complete the corresponding training and score eighty percent or higher on the following quizzes:

Assessment	Name of Certification
Kindergarten W–APT	Test administrators should review the test materials and the Kindergarten W-APT training webinar. There is no quiz for Kindergarten W-APT.
WIDA MODEL and WIDA MODEL for Kindergarten	All training comes in the online interface (TAI); there is no quiz. WIDA MODEL for Kindergarten training is in the kit; there is no quiz.
WIDA Screener	ACCESS & Screener Speaking Quiz Grades 1-5 ACCESS & Screener Speaking Quiz Grades 6-12 Screener Writing Quiz Grades 1-5 Screener Writing Quiz Grades 6-12
ACCESS for ELLs	ACCESS Kindergarten Quiz ACCESS & Screener Speaking Quiz Grades 1-5 ACCESS & Screener Speaking Quiz Grades 6-12 ACCESS PAPER Administration Quiz Grades 1-12 ACCESS ONLINE Administration Quiz Grades 1-12
Alternate ACCESS	Alternate ACCESS for ELLs Quiz

Identification Screening Frequently Asked Questions

Q1: Do I need to screen a student for identification if they transfer into my district from a WIDA consortium LEA?

When a student transfers into your district from another WIDA consortium LEA (this includes Department of Defense schools), check the official records to determine identification and services they have received. If the approved documentation (K W-APT, WIDA Model for Kindergarten, WIDA Screener, ACCESS for ELLs or WIDA MODEL) shows that the student received services within the past year, place the student in your program according to their most recent results.

In some cases, a student from another WIDA LEA may have documentation of services from an identification/placement assessment that is not an approved WIDA assessment. In those cases, you will need to screen the student using the appropriate SC WIDA identification assessment to correctly place the student.

Q2: Do I need to screen a student for identification if they transfer into my district from a Non-WIDA consortium LEA?

When a student transfers into your district from a Non-WIDA consortium LEA, and the HLS indicates that they are a PHLOTE student, you must screen them for identification.

Q3: Does South Carolina accept not-eligible identification scores for students enrolling with our LEAs?

South Carolina accepts not-eligible identification scores from WIDA states if there is approved documentation from an approved WIDA identification screener supporting that the student is not-eligible for services.

South Carolina *does not accept* not-eligible identification scores from non-WIDA states. If the student enrolls in a South Carolina LEA from a non-WIDA state and was determined not-eligible for services, the LEA **must** rescreen using the appropriate WIDA identification screener to ensure that the student is adequately prepared for South Carolina content.

Q4: If a student is determined not-eligible for services based on an identification screener score or an entering ACCESS for ELLs score does that assessment information have to get entered in the initial test field?

No, if a student is determined not-eligible for services do not enter any information in the initial test box field in PowerSchool.

C. K W-APT and WIDA MODEL for Kindergarten Graphics

o   1st semester Kindergarten

K W-APT 1st semester Kindergarten Test Administration. If the criteria below are met, the student **qualifies** for services.

Combined score of Listening and Speaking test ≤ 26   =   EngProf 1
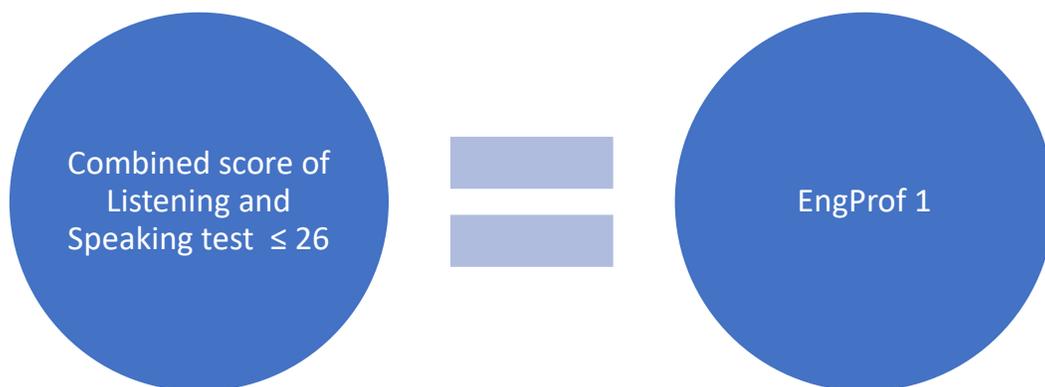
K W-APT 1st semester Kindergarten Test Administration. If the criteria below <u>are met</u>, the student **does not qualify** for services. The student will be monitored for four years.

Combined score of Listening and Speaking test ≥ 27

=

EngProf P1
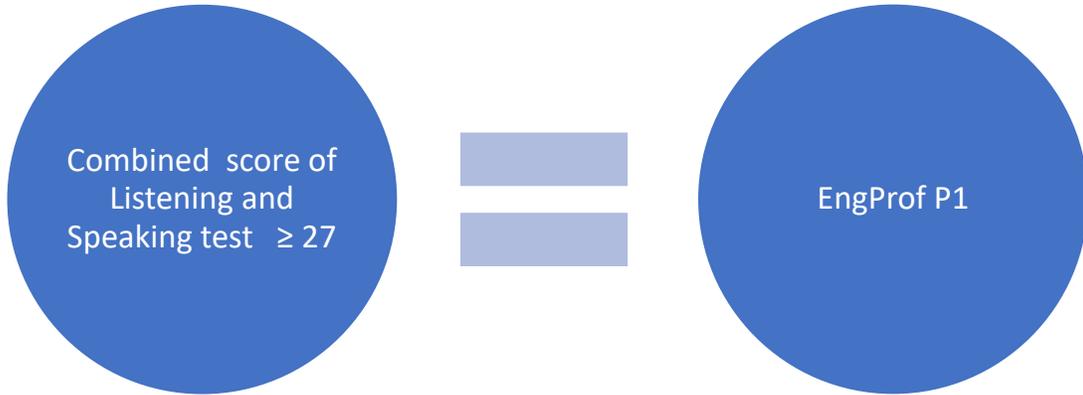
o 2nd semester Kindergarten through 1st semester First grade

If one or more of the criteria below <u>are met</u>, the student **qualifies** for services.

Reading score
≤ 13

Combined Listening and Speaking score of ≤ 26

Writing score
≤ 16

EngProf 1
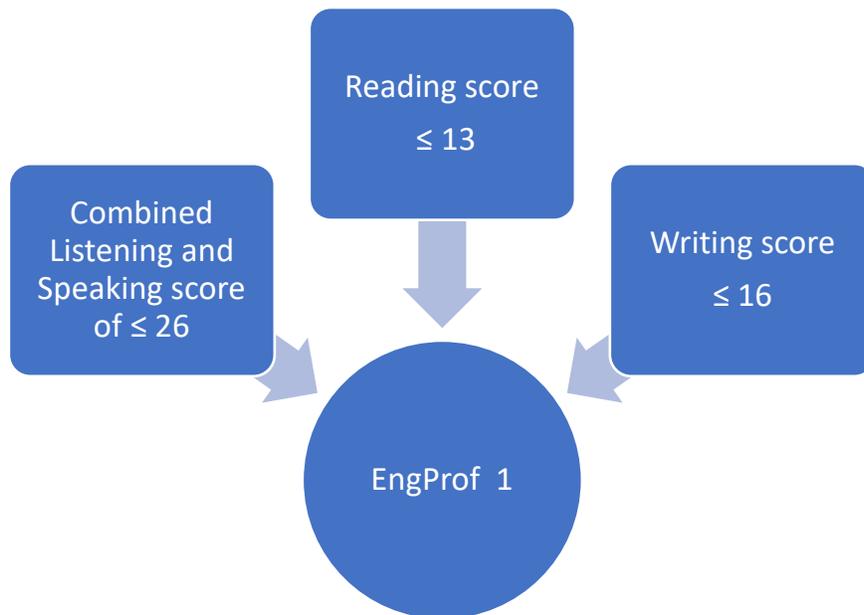
If all three criteria below are met, the student **does not** qualify for services.

| Combined Listening and speaking score ≥ 27 | ➕ | Reading ≥ 14 | ➕ | Writing score ≥ 17 | = | EngProf 8 |
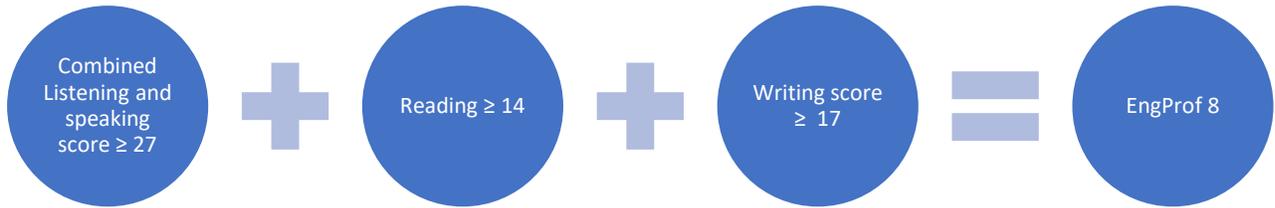
D.   WIDA Screener and WIDA MODEL Graphics

o 2nd Semester First grade through High school

If one or more of the criteria below are met, the student **qualifies** for services.

< 4.4 overall

< 4.0 Speaking

< 4.0 Listening

EngProf level as identifed by assessment (1.0 - 6.0)

< 4.0 Writing

< 4.0 Reading

If ALL criteria below are met, the student **does not qualify** for services.

Eng Prof 8
- ≥ 4.5 Overall
- ≥ 4.0 Listening
- ≥ 4.0 Reading
- ≥ 4.0 Writing
- ≥ 4.0 Speaking

E.   Parent Notification

Parents are our partners in education and should be continuously updated on their child's progress towards English proficiency and academic achievement. Under ESSA, Title I requires that every LEA that uses funds under either Title I or Title III for services to ELs must provide a parent with a notification that outlines their child's identification as an EL and placement in a Language Instruction Educational Program (LIEP). To ensure that parents can make an informed decision for their child, they must receive information regarding assessment results in a timely manner[1].

After identification screening has been completed, LEAs <u>must</u> share information with the parent regarding the student's proficiency level and program options, and an opportunity to opt-out of ESOL services. LEAs are responsible for effectively communicating with EL parents, who may require translation or interpreter services.

Specifically, parent notification must include:

• The reason for the identification of the child as an EL;

• The child's language proficiency, how the level was assessed, and the status of the child's academic achievement;

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[1] Identification screening must occur within the first thirty days of school or within ten days from a later enrollment date.

• Methods of instruction used in the program in which the child is, or will be, participating, and the methods of instruction used in other available programs, including how the programs differ;
• How the program will meet the educational strengths and needs of the child and help the child achieve English language proficiency, and meet academic standards;

• Exit requirements for the program, expected rate of transition to a classroom not tailored for ELs, and expected rate of high school graduation;

• In the case of a child with a disability, how the program meets the annual goals in the child's individualized education program (IEP); and

• Information regarding parents' right to withdraw the child from a program upon their request, and to decline enrollment or choose another program or method of instruction, if available.

When sharing information with parents/guardians, the notice and information provided must be in an understandable and uniform format and, to the extent practicable, delivered in a language that the parents can understand. LEAs should inform parents of both the academic benefits of participating in the program as well as the potential challenges that may be associated with waived services.

F.   Parent waiver of services

Parents have the option of enrolling or waiving their child's right to participate in an ESOL program. Under Title VI and the EEOA, a parent's decision to opt-out of a program for ELs must be knowing and voluntary, and an LEA may not recommend that parents decline all or some services within a program for ELs for any reason. If a parent chooses to decline ESOL services for their child, LEAs must have the parent/guardian provide written documentation indicating this decision. This written documentation must be completed each year annually that the student is eligible for services and kept on file.

Although a parent/guardian has declined services for their child, it does not absolve the LEA of providing that student with equal access and opportunity towards obtaining language proficiency while meeting academic needs. ELs are eligible for classroom and testing accommodations and modifications required to complete state-mandated assessments.

The ESEA requires that LEAs still must assess all ELs using the annual English language proficiency assessment, including those students whose parents have declined to enroll them in, or had them removed from, ESOL services. All ELs enrolled in schools served by the State of South Carolina must be assessed annually using the State's English language proficiency assessment. A waiver only exempts the student from receiving services; they will still participate in ACCESS testing and will be monitored until they meet the exit criteria and four years after.

Table 19: Growth Trajectories by Screener Level Including Current Observed Growth Trajectories from Minimum Value of Screener Level.

	Y1	Y2	Y3	Y4	Y5
Screener Level 1	1.9	2.9	3.8	4.1	4.4
Screener Level 2	2.6	3.2	3.8	4.1	4.4
Screener Level 3	3.3	3.6	3.8	4.1	4.4
Screener Level 4	4.1	4.2	4.3	4.4	
Observed	2.3	2.8	3.3	3.6	3.9
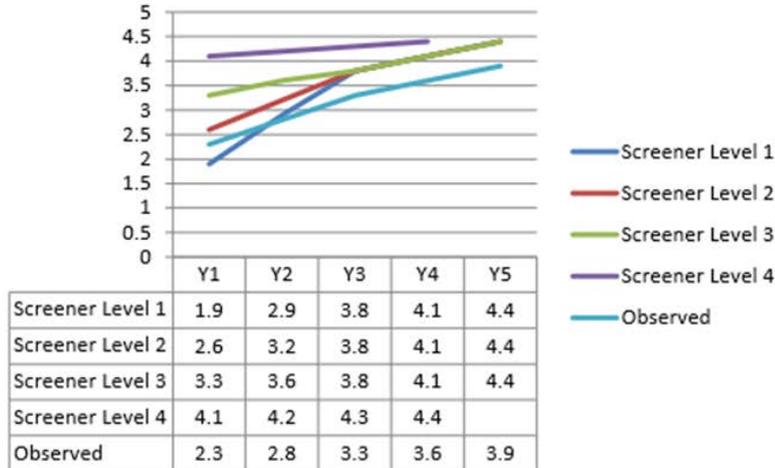
G.   PowerSchool

When completing these fields, ensure that they are accurate as this information is used to track an ELs English proficiency and progress. This data will be used for accountability purposes aligned with our Every Student Succeeds Act State Plan, which was approved in May 2018.

Initial screener date **Date of Initial Test**	The date an EL enrolls in a South Carolina school LEA **or** the date the student was assessed using K W-APT, WIDA Screener WIDA MODEL for Kindergarten and WIDA MODEL.
Initial screener score **Score on Initial Test**	The score that the student received on the K W-APT, WIDA Screener, WIDA MODEL for Kindergarten and WIDA MODEL **or** the most recent ACCESS scores for an incoming student.
Initial screener test **Type of Test**	The type of assessment given. • K W-APT • WIDA Screener • ACCESS for ELLs • Alternate ACCESS • WIDA MODEL for Kindergarten • WIDA MODEL

If a student is found not-eligible for services based on an identification screener score or an entering ACCESS for ELLs score do not place any information in the initial test score field in PowerSchool.

o ESOL Service Years and Service Codes

This is the number of years that a student has received instruction in English, both in and outside of the US. These codes must be updated each year in which an EL has an English proficiency code of 1 – 6 and does not include any time spent in their home country.

PowerSchool years	ESOL Service codes	PowerSchool years	ESOL Service codes
1	Less than 1 year	2	Greater than 1 year but less than 2 years
3	Greater than 2 years but less than 3 years	4	Greater than 3 years but less than 4 years
5	Greater than 4 years but less than 5 years	6	Greater than 5 years but less than 6 years
7	Greater than 6 years but less than 7 years	8	Greater than 7 years but less than 8 years
9	Greater than 8 years but less than 9 years	10	Greater than 9 years but less than 10 years
11	Greater than 10 years but less than 11 years	12	Greater than 11 years but less than 12 years
13	Greater than 12 years but less than 13 years	14	13 years or more

Code	Description
ELLI01	ESL Pull – out class
ELLI02	ESL Class period
ELLI03	ESL Push – in/co-teaching
ELLI04	ESL Newcomer program
ELLI05	ESL Sheltered content-based program
ELLI06	ESL Structured Immersion
ELLI07	ESL Mainstream with accommodations
ELLI08	ESL Mainstream without accommodations
ELIL09	ESL Monitored (P1- P4)

o   Initial Assessment Date

SCDE has provided guidance on how to properly code the initial assessment date for ELs.

If a student transfers into your LEA from a WIDA LEA and **was receiving services**	•Check student records for the most recent WIDA assessment scores (K W-APT, WIDA MODEL for Kindergarten, WIDA Screener, ACCESS for ELLs, WIDA MODEL) and enter the score as the initial test score. •Enter the transfer/enrollment date as the initial assessment date.
If a student transfers into your LEA from a WIDA LEA and **was receiving services but records are not readily available.**	•Contact the previous school and request records and documenation of services. •If the receiving LEA doesn't receive the necessary documentation within the designated timeframe, then proceed with identification and placement guidelines. •The initial screener date would be the date of initial assessment or enrollment date.
If a student transfers into your LEA from a non-WIDA LEA.	•Parent must complete the Home Language Survey (HLS). If the HLS indicates a language other than English, screen student for eligibility using the appropriate screener. •Enter the screener (K W-APT, WIDA MODEL for Kindergarten, WIDA Screener, WIDA MODEL) score as the inital test score. •Enter the date of enrollment as the inital assessment date.
If a student **wasn't receiving services** and enrolls in your LEA and this is the first time entering a South Carolina district and the **Home Language Survey indicates a language other than English**	•If the student is from a WIDA consortium State, check for documentation from an approved WIDA assessment (K W-APT, WIDA Model for Kindergarten, WIDA Screener, ACCESS for ELLs, WIDA MODEL) to determine identification and placement. •If the student is from a non-WIDA consortium State, screen for identification. •Enter the screener score as the initial test score and enter the transfer/enrollment date as the intiial assessment date.
If a student enters your LEA and **was not receiving services** and the **Home Language Survey indicates English as the primary language**	•This is not an EL student. This student is coded as EngProf 8 - Never EL.

Note: WIDA LEAs refers to consortium member states. All states represented on this list are considered WIDA LEAs. If a student enters your LEA from a state not listed, they are considered a non-WIDA LEA.

Initial Assessment Date Frequently Asked Question

Q1: When a student enrolls in my district, then withdraws and reenrolls, do I change the initial assessment date?

The answer to this depends on the time that has lapsed between withdrawal and re-enrollment.

- If the time between withdrawal and re-enrollment is less than forty-five days, <u>KEEP</u> the initial assessment date.
- If the time between withdrawal and re-enrollment is forty-five days or more, <u>CHANGE</u> the initial assessment date to reflect the current enrollment.

  o   English Proficiency Codes 1 – 6

English Proficiency (EngProf) codes identify the score that the student earned on the WIDA assessments with a score range of 1.0 – 6.0. These scores are entered in PowerSchool based on guidelines illustrated in Appendix XIII.

Student	English Proficiency scores
1st- time enrollee	K W-APT, WIDA Screener, WIDA MODEL for Kindergarten and WIDA MODEL
A transfer student from WIDA Consortium member state	ACCESS scores (most recent scores)
A transfer student from a non-WIDA state	K W-APT, WIDA Screener, WIDA MODEL for Kindergarten and WIDA MODEL

Note: If a student transfers into your district and records have not been received. It is the responsibility of the district to exercise due diligence in securing records. If the receiving district doesn't receive the necessary documentation within the designated timeline, then proceed with identification and placement guidelines.

  o   English Proficiency 8

When a student is coded EngProf 8 in PowerSchool, a status of Former EL, Never EL or Foreign Exchange student must be entered as well.

- Former ELs are those students who were initially identified as ELs needing ESOL services but who exited by meeting criteria on the state-mandated English proficiency assessment (ELDA- before 2015 and ACCESS after 2015). These students completed the four-year monitoring periods before being coded 8.

- Never ELs are those students who initially met exit criteria on the state-mandated English proficiency screener assessment and never received ESOL services. These students never completed monitoring periods unless they were tested during the first semester of kindergarten. Students who were monitored for four years due to meeting the exit criteria score on the first semester K W-APT and WIDA MODEL for Kindergarten will be coded 8 – Never EL even though they were monitored four years.

- Foreign Exchange meets English proficiency criteria through the Foreign Exchange organization, which sponsors them. These students do not take the state-mandated English proficiency tests, nor do they receive support from the ESOL program.

IV.   Language Instruction Educational Program

A.   Non-Regulatory Guidance Requirements

Title III of the ESEA replaces the expectation in the ESEA, as amended by NCLB that LIEPs be "scientifically based" with a new expectation – that LIEPs 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 (A) 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 subgrant a description of the effective programs and activities that will be provided, including language instruction educational programs (ESEA Section 3116(b)(1)).

B.   Private School Participation

- After timely and meaningful consultation with appropriate private school officials, local education agencies (LEAs) receiving Title III funds must provide educational services to ELs and educational personnel in private schools that are located in the geographic area served by the district. This does not mean that the LEA is responsible for the actual

implementation of services. The participating private school is responsible for implementing services.

- To ensure timely and meaningful consultation, the LEA must consult with appropriate private school officials during the design and development of the Title III program on issues such as:
    1. How will EL student needs be identified?
    2. What services will be offered?
    3. Who will provide services?
    4. How will you assess services?
    5. How much funds are available for those services?
    6. How will the LEA will make decisions about the delivery of services, including thorough consideration of the views of the private school officials on the provision of contract services through potential third-party providers?

- Title III services provided to children and educational personnel in private schools must be equitable and timely and address their educational needs.

- Funds provided for educational services for private school children and educational personnel must be equitable, taking into account the number and educational needs of those children, to the funds provided for participating public school children.

- Title III services provided to private school children and educational personnel must be secular, neutral, and nonideological.

- LEAs may serve private school ELs and educational personnel either directly or through contracts with public and private agencies, organizations, and institutions.

- The LEA must retain the control of funds used to provide services and the title to materials and equipment purchased with those funds.

- Services for private school children and educational personnel must be provided by employees of the LEA or through a contract made by the LEA with a third party.

- Providers of services to private school children and educational personnel must be independent of the private school and any religious organization, and the providers' employment or contract must be under the control and supervision of the LEA.

- Funds used to provide services to private school children and educational personnel must not be commingled with nonfederal funds.

C.   Program Models

The SCDE does not, from a statewide perspective, prescribe specific guidelines for determining the nature of programs designed for ELs. The number of students may vary from only a few in some LEAs to several thousand in others. For this reason, decisions concerning the instructional program model must be made by each LEA.

The LEAs program of services to ELs must address the following two requirements: (1) the provision of evidence-based English language acquisition services and (2) the provision of effective participation of ELs in all district academic and special programs.

- Age – Appropriate Placement

All ELs must be placed age appropriately in all courses and grade levels. A birth chart should be referenced for correct age-grade placement. High school placement is not determined by age beyond grade nine. A student without transcripts or with no high school experience must be placed in 9th grade, regardless of age.

Please Note: In the event of the lack of formal schooling, an EL may be placed in a lower grade of no more than one year of the age-appropriate placement level. However, prudence and evidence of communication with the parent(s), ESOL teacher, and other stakeholders to discuss the placement must be documented along with written parental consent.

- Age- Appropriate Placement Frequently Asked Question

Q1: We received a new student who was in the 4th grade in Arizona last year. Her age-appropriate placement for this year would be grade 7. The previous school placed her in the 4th grade after administering a baseline test in mathematics. The student struggled throughout the year and was on the retention list for the upcoming year. Before coming to AZ, the student was in Mexico but had no school records. What should we do now that she's in South Carolina?

The student must be placed age-appropriately, so she should be enrolled in the 7th grade. Since she is coming from a non-WIDA state, she will need to be screened using the WIDA Screener or WIDA Model for identification and placement.

Q2: A 3rd grade student was enrolled in my district from August 2016 to December 2018 before returning to Guatemala. He did not attend school for the remainder of the 2017–18 school year nor did he attend school during the 2018–19 school year. He returned to my district for the 2019–20 school year. What grade should I place the student?

Based on the provided information, the student should be age-appropriately placed in the 6th grade despite his interrupted education.

D. Developing the English Learner's Schedule

When decisions are being made regarding student placement, it is important to consider the services and support in place to ensure that ELs are developing social and academic language proficiency and that ELs effectively participate in all academic and special programs within the LEA. As part of this process, district personnel must familiarize themselves with the WIDA Performance Definitions which serve as the basis for the K W-APT, WIDA MODEL for Kindergarten, WIDA Screener, WIDA MODEL and ACCESS for ELLs Composite Proficiency Levels (CPL). The WIDA Performance Definitions may be accessed on the WIDA website (www.wida.us).

ELs should be considered the same as any other students eligible for any program that will help them reach the same standards of performance asked of all students. Once a child enters a mainstream education class, he or she may need language development and other types of support that must be included in everyday classroom instruction. For ELs, these may consist of accommodations to the instructional activities, tasks, and assessments. As ELs attain fluency in English; however, fewer accommodations will be necessary.

ELs at lower levels of proficiency and/or with an educational background of limited or interrupted instruction may require additional support and/or multiple classes of support at the beginning, while those nearing proficiency, may benefit from scheduled (also called "sheltered") content classes or from ESOL courses targeted to those academic areas in which these ELs are most likely to need additional support.

It is essential to remember that while the provision of language support services to ELs within certain programs may have the effect of separating national origin minority students from other students during at least part of the school day, the LEAs program should not separate ELs unnecessarily for purposes other than to receive the support program provides. Additionally, ELs must be afforded services located in similar facilities to those in which non-ELs receive services. Furthermore, procedures should be in place indicating how parents, who may be English learners themselves, will be notified of school activities that are called to the attention of other parents (e.g., student progress reports, school schedules, extracurricular activities, special meetings, ceremonies, events, etc.).

o Certification

ESOL Teachers of Kindergarten through twelfth grade should be appropriately certified with:

A. Regular Elementary, Middle, or High School certification
B. ESOL certification or working towards certification using a completion schedule developed by the SCDE.

All non-certified personnel working in an ESOL program must work under the supervision of a certified teacher. Paraprofessionals are not to be given any direct responsibility for teaching and/or supervising students.

For questions regarding certification, contact the certification office at (803) 896-0325 or certification@ed.sc.gov.

o   Ratio Guidance

Core language instruction has been mandated through the Federal judicial system and is monitored by the Office of Civil Rights. The SCDE realizes that identified ELs have differing needs based upon their success in learning academic English. To meet the core language instructional needs of ELs each school district must maintain appropriate teacher to student ratios. Therefore, the following guidance provides very liberal interpretations of what appropriate ratios are to demonstrate that an LEA is providing the core language instruction to ELs using available state and local funds. The SCDE uses these recommended ratios to make determinations related to the use of the Federal Title III funds. There are no State Board Regulations related to required ratios for ELs.

Program Type	Recommended Ratio	Teacher Credentials
Pull-out or sheltered instruction (no aide)	1:15	Highly Qualified and ESOL add-on credential
Pull-out or sheltered instruction (with an aide)	2:30	Highly Qualified and ESOL add-on credential; paraprofessionals HQ and supervised by a teacher
All core instruction and monitored students[2]	1:60	Highly Qualified and ESOL add-on credential

All LEAs will be monitored by the SCDE to determine if core Language instruction is being provided. If the ratios are not met, the monitoring report will contain the information for the Superintendent's review. School districts that do not meet the recommended ratios and that receive Title III funds may only use funds for professional development and extended learning time. Professional development should be provided to both ESOL and mainstream teachers.

o   Minimum Service Hours

The SCDE does not, from a statewide perspective, prescribe specific guidelines for determining the number of hours needed to provide services to ELs. The guidance from the SCDE is that

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[2] This is the complete caseload of students served.

each district program must meet the needs of its EL student population. There are no State Board Regulations related to minimum service hours for ELs.

E.   ESOL Service Guidelines

One of the purposes of Title III funding is to help ensure that ELs develop high levels of academic attainment in English and meet the challenging State academic content as all children are expected to meet. The English proficiency level of the student determines the ESOL services which should be provided to ELs in the least restrictive age-appropriate environment immediately.

Currently served ELS begin receiving services the first day of school. At the start of school, ALL newly identified ELs must begin receiving ESOL instruction within thirty calendar days. If a student enters at a later start date, they must be identified, placed, and receiving services within ten days of enrollment.

English Proficiency Level		Placement Name	Frequency of ESOL Services	Classroom Accommodations and Modifications
1.0 – 1.9 **Entering**		Entering	Daily, multiple periods if possible	Extensive
2.0 – 2.9 **Emerging**		Emerging	Daily, multiple periods if possible	Extensive
3.0 – 3.9 **Developing**		Developing	Daily	Moderate
4.0 – 4.9 **Expanding**		Expanding	Daily	Minimal - Moderate
5.0 – 5.9 **Bridging[3]**		Bridging	Limited services (1x-4x/week); content instruction with ESOL support	Minimal support as needed
6.0 **Reaching**		Reaching	Limited services (1x-4x/week); content instruction with ESOL support	Minimal support as needed
P1 P2 P3 P4	**Monitoring Only**	Exited/Mainstreamed	Monitored only	As needed based on supporting evidence
Waived		Waived/Declined services	No services (parent request)	Minimal – moderate

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[3] Student has a composite overall score of 5.0 or higher but does not have a 4.0 or higher in each domain.

F.   Individualized Modifications and Accommodations Plan

Every EL student with an English Proficiency of a 1-6 or W, whether served or waived, needs to have an Individualized Modification and Accommodation Plan (IMAP). The plan will address what accommodations and modifications the student will receive in the regular education class to help make him/her successful. The IMAP should be signed off on by the ESOL teacher as well as teachers who are academically vested in the child's education.

When creating the Individualized Modification Accommodation Plan (IMAP), it is important to keep the following in mind:

1) The IMAP is a legally binding document similar in importance to an IEP or 504 plan. Supreme Court case Lau v. Nichols (1974) and subsequent legislation from the Equal Education Opportunity Act (1974) provide for English learners to receive a meaningful and equal education.

2.) An IMAP is required of all students until they have entered P1 – P4 stages of monitoring. Accommodations and modifications may not necessarily be required; however, there must be documentation stating "no accommodations or modifications needed."

3) The curriculum should be both accommodated and modified to give students work on a level they can comprehend. Accommodations are minor changes in the presentation of assessment like reading aloud, allowing more time, allowing the use of a dictionary, etc. Accommodations traditionally do not alter the actual assignment or assessment. Modifications, on the other hand, are more advanced and involved methods of scaffolding work for students. Modifications can include using lower-level reading texts, cutting out non-essential objectives and assignments, shortening tests, or providing for altogether different assessments. Work almost always will need to be modified for core academic classes unless the student is at the advanced level or above. The need to modify curriculum in electives, related arts, or co-curricular will vary depending on how work and grades are assigned in those classes.

4) Accommodations must be considered carefully, as they will be used on district and state tests. Only those accommodations included on the IMAP may be used on standardized tests. Accommodations should be chosen based on the individual needs of the student and not applied arbitrarily to all ELs. The following guidelines may be used to make these decisions:

   a. A bilingual dictionary may be provided if the student reads and writes in his or her primary language. Dictionaries should be used throughout the year.
   b. Oral administration is appropriate if the student reads below grade level.
   c. Small group testing provides less distraction for ELs, and usually, the test administrator is a staff member familiar with the EL and their needs.

d. Extended time can be beneficial for all levels of ELs. If allowable on state standardized testing, it should be allowed in classroom testing situations as well.
e. ELs can also receive the accommodation of repeating and rewording directions in whatever way is necessary for the student to understand what is expected.

NOTE: Accommodations used in standardized testing should be used regularly in the classroom. Modifications should also be provided for, but they will NOT apply to standardized tests.

Some students have both IEPs and IMAPs. In this case, the ESOL teacher and the special education teacher should discuss accommodations together to determine what is in the student's best interest. Each program ultimately decides the accommodations allowable, and some accommodations available to one program may not be available to the other, and vice versa. In this case, students should receive all the accommodations for each program. The accommodations from each program complement and supplement each other and are additive in nature.

G.   Academic Monitoring

Students enrolled in ESOL programs and those that have declined services, are working towards the goal of English proficiency and content knowledge and should be assessed regularly to gauge progress. Both the ESOL teacher and classroom teachers should work collaboratively regarding a student's academic progress.

The monitoring of classroom performance includes measures of English-language proficiency and curricular achievement. Schools should compare ELs achievement to that of their academically successful native English-speaking peers as well as mainstreamed language-minority students. Educators should use classroom performance or available achievement test scores to revise a student's academic program or change the types of language assistance services he or she is receiving.

Language-minority students must be compared with their native English-speaking peers in the knowledge of the subject matter. It is important to assess a student's foundation for the acquisition of new information, as well as the ability to participate in mainstream classes.

H.   Data Collection for Monitoring Student Success

Monitoring is necessary while students are in the ESOL program as well as required after they exit the program. Comprehensive and comparable data on all students are needed to evaluate the success of students in obtaining an effective and appropriate education. Data on current and former ELs should be maintained as part of a system that includes all students. This data allows comparisons to be made between ELs and their native English-speaking peers in mainstream programs. Each district is responsible for deciding on the best way in which to conduct monitoring.

LEAs should maintain the following types of information about any students identified as an English learner for their individual student profiles:

1. Assessment information (e.g. standardized tests taken, WIDA identification
   scores and dates)
2. Academic information (e.g. courses taken, grades attendance and promotion/retention)
3. Entry date into U.S. schools
4. Entry date into local district
5. Years of schooling in the home language
6. Interrupted education? Yes or no - educational history
7. Testing for vision and hearing
8. Physical conditions that may affect learning
9. Classroom observations by teachers
10. Enrollment history and criteria used for placement in special services (e.g. ESOL, IEP, speech therapy, special education, gifted services, etc.)

I. Exiting ESOL Services

As a student progresses through the program, fewer services should be required as they near proficiency. To determine if a student is eligible to be exited from a program, they must demonstrate English proficiency on a valid and reliable ELD assessment. The SCDE convened a committee comprised of six district personnel and two SCDE staff members to identify the following exit criteria:

To exit from ESOL services, a student must achieve a at least a 4.4 overall composite score and no lower than a 4.0 on each of the domains (listening, reading, speaking, and writing) on the States assessment tool, ACCESS.

> Student scores ≥ 4.4 (overall) AND
> ≥ 4.0 – Listening domain
> ≥ 4.0 – Reading domain
> ≥ 4.0 – Speaking domain
> ≥ 4.0 – Writing domain

South Carolina will accept exit scores from non-WIDA states if there is written documentation of the student exiting from an English language development assessment similar to ACCESS for ELLs. If a student exits from a non-WIDA state on an identification/placement screener, you will have to rescreen the student using the appropriate SC WIDA identification assessment as non-WIDA identification/placement assessments aren't permissible in South Carolina.

o   Post – Exit Achievement Monitoring & Data Reporting

After students have reached proficiency, they must be exited from the ESOL program. LEAs are still responsible for **monitoring the academic progress of the student for four years. Additionally, State assessment scores will be reported to SCDE for four years**. The four-year post-exit monitoring period allows districts to ensure that the exited student is progressing as academically expected. To maintain compliance with monitoring, make sure that documentation is on file for each exited student.

While monitoring, if the district finds that an exited student is not progressing as expected and there is evidence of a persistent language need, the district should re-test the student to determine if additional services are needed. If the exited student is found to need additional services, the district should document the reasons why along with the parent/guardian's consent for reentry.

Under *Title III* of the *ESEA*, as amended by *ESSA* [Section 3121(a)], LEAs must report on the number and percentage of former ELs meeting state standards for four years.

V.   Grades & Retention

A.   Grading

Traditional procedures or assigning grades to students may not be appropriate for ELs due to the lack of English proficiency. Teachers should maintain high expectations for student learning and should accommodate and adapt lessons and assignments so that ELs can progress. A student may not be assigned a failing grade in a content area or be retained at grade level based on a lack of English language proficiency. The key to appropriate grading of ELs is appropriate accommodations.

Students in grades nine through twelve must be allowed to earn credits toward graduation. Students should be given grades on work done with modifications and accommodations. Teachers must follow these guidelines:

- ELs must receive accommodation of content work when needed.
- Student grades are based on accommodated work.
- Grading is based on accommodated work.
- ELs must not be failed based on the lack of English language proficiency.

B.   Retention

A student may not be retained at grade level based on the lack of English language proficiency. There are many adverse effects of retention, and retaining ELs will not facilitate English

language acquisition. Other alternatives to retention must be explored before retention conversations. Prior to suggesting retention for ELs, consider the following points:

1. Has the student been enrolled in the LEA for more than one full academic year?
2. Are classroom accommodations and modifications being made in the classroom? Have they been documented?
3. Is the student receiving the proper amount of support?
4. Does the teacher modify grading appropriate to the students need?
5. Has there been a discussion with the ESOL teacher or coordinator?

After reflecting on the questions, if evidence does not support a strong instructional program, the student should not be retained. The decision to retain ELs should involve multiple data points and is not a decision that should be taken lightly. Every effort should be made to assist the student in achieving academic content to progress to the next grade level.

VI. Assessment of English Learners

A. ACCESS for ELLs

ACCESS for ELLs is administered annually to all English learners. It is a standards-based, criterion-referenced English language proficiency test designed to measure English learners' social and academic proficiency and progress towards English proficiency. It assesses social and instructional English as well as the language associated with language arts, mathematics, science, and social studies within the school context and across the four language domains of speaking, listening, reading, and writing. ACCESS for ELLs meets the Title I mandate in the Every Student Succeeds Act of 2015 that requires states to evaluate all ELs in grades Kindergarten through twelfth grade on their progress towards English proficiency.

Only certified personnel who have completed the required WIDA training for ACCESS for ELLs are permitted to administer the annual proficiency assessment.

ACCESS for ELLs	Administered Subtests			
	Listening	Reading	Speaking	Writing
All ELs Grades K-12	X	X	X	X
Student **qualifies** for services if: Overall Composite PL < 4.4 **or** if any domain score is < 4.0.	Student **does not qualify** for services if: Overall composite PL ≥ 4.4 **and all** domain scores are ≥ 4.0. Student will be monitored for 4 years after exiting. Students may still receive accommodations as needed.			
**Scores for ACCESS for ELs are comprised of the overall score and ALL domains.				

o   Administrative Considerations

These administrative considerations are available to any EL student and do not need to be listed on an IMAP/IEP or 504 plan.

Individual or Small Group Setting
- Monitor placement of responses in the test booklet or onscreen
- Participate in different testing format
- Specific Seating
- Short Segments
- Verbal praise or tangible reinforcement for on task or appropriate behavior
- Verbally redirect student's attention to the test (English or Native Language)
- Familiar Test Administrator
- Frequent or Additional supervised Breaks

o   Universal Tools

These universal tools are available on ACCESS for ELLs and are also available to any EL student.

- Audio aids
- Color contrast
- Color overlay
- Highlighters, colored pencils, or crayons
- Keyboard Navigation
- Line guide or tracking tool
- Low-vision aids, or magnification devices
- Sticky notes
- Scratch paper

o   Accommodations

These accommodations are only available to ELs with identified needs and would have to be documented on an IEP or 504 plan.

- Braille (BR)
- Interpreter signs test directions in ASL (SD)
- Extended testing of a test domain over multiple days (EM)
- Large Print (LP)
- Extended Speaking test response time (ES)
- Manual control of item audio (MC)
- Extended testing time within the school day (ET)

- Repeat item audio (RA)
- Human reader for items (HI)
- Scribe (SR)
- Human reader for response options (HR)
- The student responds using a recording device, which is played back and transcribed by the student (RD)
- Human reader for repeat of items (RI)
- The test may be administered in a non-school setting (NS)
- Human reader for repeat of response options (RR)
- Word processor or similar keyboarding device to respond to test items (WD)

B.   Alternate ACCESS for ELLs

All ELs are required to participate in the annual ELD assessment. ELs with a disability may receive accommodations on ACCESS per the student's individual Education Plan (IEP). If it is determined that an alternate ELD assessment is needed for an EL with significant cognitive disabilities in grades one through twelve, Alternate ACCESS for ELLs will be used. The exit criteria score for the Alternate ACCESS assessment is P1.

The Alternate ACCESS for ELLs is a large – print, paper-based test that is designed for ELs who have disabilities that prevent them from meaningfully participating in ACCESS for ELLs. This assessment is aligned with the WIDA Alternate English Language Proficiency levels. Additional information on this assessment can be found at
http://www.wida.us/assessment/alternateaccess.aspx

Alternate ACCESS	Administered Subtests			
	Listening	Reading	Speaking	Writing
All ELs Grades 1-12 who qualify for alternate testing	X	X	X	X
Student **qualifies** for services if: Overall proficiency level is ≤ A3.	Student **does not qualify** for services if: Overall proficiency level is ≥ P1. Student will be monitored for 4 years after exiting. Students may still receive accommodations as needed.			
**Scores for Alternate ACCESS are comprised of the overall score and ALL domains.				

VII.   ELs with Disabilities, Gifted and Talented, Long-term ELs and Students with Limited or Interrupted Formal Education

A.   ELs with Disabilities

The Individuals with Disabilities Education Act (IDEA) and *Section 504 of the Rehabilitation Act of 1973 (Section 504)* addresses the rights of students with disabilities in school and other

educational settings. If an EL student is suspected of having a disability, referral and placement must happen in a timely manner.

Educators who are knowledgeable about and familiar with the student's language acquisition must be involved at every step throughout the process. Being an EL student is not a basis for testing for a disability.

LEAs must determine identification in accordance with *The Individuals with Disabilities Education Act (IDEA)* and *Section 504 of the Rehabilitation Act of 1973 (Section 504)*. LEAs are also required for providing all notices and consents to parents in the parent's native language unless the language is not written, or it is not feasible to do so.

ELs may be identified for Special Education placement if they meet the following general criteria:

1. Consistent, objective monitoring indicates that the EL is significantly struggling. This may be a collaborative identification by ESOL program staff, classroom teacher(s), and other staff.
2. The student's academic struggles are **not related** to second language acquisition.
3. An interpreter must be furnished if the child's dominant language is other than English. It is preferable that the psychologist is proficient in the native language of the child, but if that isn't possible, an interpreter may be used who is from the culture and language of the child. It **cannot** be a family member and must represent a non-biased party.

Evaluations must be conducted by personnel authorized to do so. For more specific information and answers to some commonly asked questions visit http://idea.ed.gov/ and/or http://www2.ed.gov/about/offices/list/ocr/504faq.html

Should parents decline disability-related services under IDEA and Section 504, the SEA and LEA remain obligated to provide appropriate language assistance services to ELs. If parents opt out of specific ESOL programs and services but have consented to the provision of disability-related services, the LEA remains obligated to provide such services as required in the IEP or Section 504 plan and to conduct ELD monitoring and/or provide language assistance as appropriate.

B. Gifted and Talented Education (GATE) Programs

ELs should be provided equal access and opportunities to Advanced Placement (AP) classes, International Baccalaureate (IB) classes, and Gifted and Talented programs similar to their peers. To ensure that ELs truly have access to meaningful curriculum, LEAs should work to identify ELs who can participate in these types of programs. In doing so, it is important for LEAs to review their GATE admission policies and practices to make sure that they are not inadvertently limiting ELs access to and participation in GATE.

To ensure that ELs can participate in GATE programs, LEAs should:
- Evaluate them using multiple assessment tools and methods.
- Receive input from various sources on the ELs ability (teachers, parents, and others).
- Understand the nuisances of different cultures and recognize the gifts and talents that come from diverse populations.

C.   Long-term ELs (LTEL)

LTELs are ELs that have not yet attained English proficiency within five years of initial classification. These are ELs that have been enrolled in US schools (and therefore an ESOL program) for five or more years (may include PK) who have not reached WIDA proficiency (4.4 or higher) or shown fluency on other standardized testing metrics. ESEA Section 3121(a)(6) requires that LEAs report annually on the number and percentage of ELs not meeting English language proficiency within five years of initial classification and enrollment in the LEA.

LTELs may face significant barriers to English language acquisition and attaining academic proficiency. LEAs must improve their individual programs to meet the needs of this group.

D.   Students with Limited or Interrupted Formal Education (SLIFE)

Students with Limited or Interrupted Formal Education (SLIFE) is a term used to describe ELs that are age-appropriately placed in their grade but who have a gap of more than half a year of missed instruction in an academically rigorous setting. SLIFE students are usually new to the U.S. school system and are often below grade level in most academic skills.

SLIFE students will need additional support as they work to achieve English proficiency and mastery of academic content. LEAs must improve their individual programs to meet the needs of this group. This plan may include ways to:

- Acclimate the student to the U.S. school system
- Address the social and emotional needs of the student
- Provide focused academic skill instruction to bridge knowledge gaps

VIII. WIDA

A.   WIDA Framework

The WIDA Standards Framework describes WIDA's conceptualization of language learning in addition to the nature of academic language and its relation to language development. It is represented by the following components.

1.) The **WIDA Can Do Philosophy** is based on the belief that all students bring to their learning cultural, experiential, and linguistic practices, skills, and ways of knowing from their homes and communities. WIDA believes that as educators, our role is to craft instruction that capitalizes on and builds upon these assets.

2.) The **Guiding Principles of Language Development** represent WIDA's core beliefs about language development. They are derived from a synthesis of literature and research related to language development and effective instructional practices for language learners.

3.) The **Features of Academic Language in Sociocultural Contexts** highlight academic language features across three dimensions: discourse, sentence, and word/phrase and six levels of language proficiency taking into consideration the various components of the learning environment (grade-level content, purposes for language use, role relationships with others, and other factors).

4.) The **Performance Definitions** delineate the criteria for receptive language (listening and reading) and productive language (speaking and writing) at six levels of language proficiency. They are informed by the Features of Academic Language.

5.) The **Can-Do Descriptors** illustrate what learners can do at each level of language proficiency across the five language development standards.

6.) The **Standards Matrices** help educators envision what language development might look like in K–12 classrooms across levels of language proficiency for each of the five standards. The matrices are used in conjunction with the Performance Definitions to describe possible student trajectories for academic language development.

B.   English Language Proficiency Level Performance Definitions

The *ACCESS for ELLs*, WIDA Screener, and WIDA MODEL all provide an English language proficiency performance level score based on a scale of 1.0 to 6.0. The expectations for students at each of these performance levels are defined in two charts, one for Speaking and Writing and one for Listening and Reading. These charts may be downloaded at no charge from the listing on the right side of the WIDA Standards webpage at http://www.wida.us/standards/eld.aspx.

C.   English Language Development Standards (ELD standards)

The WIDA[TM] English Language Development (ELD) Standards are designed as a curriculum and instruction planning tool. They help educators determine children's proficiency levels and how to appropriately challenge them to reach higher levels. The five standards encompass the areas of Social and Instructional language; the language of Language Arts, Math, Science, and Social Studies. The WIDA ELD Standards are:

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

D.   Model Performance Indicators (MPIs)

A Model Performance Indicator is the smallest unit of a topical strand that describes a specific level of English language proficiency. A strand of MPIs consists of five levels of English language proficiency for a given topic and language domain and is thematically connected through common example topics or genres that have been identified from state and national academic standards.

Detailed information regarding the Model Performance Indicators may be found in the document under the English Language Development Standards webpage at
https://www.wida.us/standards/eld.aspx

Information about the 2012 Amplified English Language Development Standards may be found on the same webpage, under the 2012 Standards tab.

E.   CAN DO Descriptors

Information regarding the *CAN DO Descriptors* by grade level clusters are available at
http://www.wida.us/standards/CAN_DOs/ and may be downloaded at no cost, while spiral-bound booklets of individual grade cluster sets are also available for purchase. These descriptors provide teachers with excellent examples of what a student at each proficiency level can be expected to be able to do and allow teachers to differentiate instructional tasks to fit the needs of the individual student.

IX.   Title III, Part A EL Applications

o   Purpose

The overarching purpose of Title III is to ensure that English learner (EL) students, including immigrant children and youth, attain English language proficiency (ELP) and meet the same challenging state academic standards that other students are expected to meet. Districts are

eligible to receive Title III funds to supplement state language instruction educational programs, designed to assist ELs achievement goals.

o   Title III, Part A Allocations

The U.S. Department of Education determines the grant awarded to South Carolina by using a formula based on the number of EL and immigrant students enrolled in the state. From our State issued apportionment, ninety-five percent is allocated as subgrants to eligible districts serving EL and/or immigrant students while the remaining five percent is held as a set-aside to administer the SCDE's Title III program. (Title III, Section 3111(a), (b)(1).)

Title III, Part A allocations are based on the following formula:

1.) Total federal allocation is divided by the total number of ELs in each participating district throughout the state. This will provide the EL per-pupil dollar amount. The per-pupil allocation for the 2019–2020 school year was $86.07.
2.) The per-pupil dollar amount is then multiplied by the number of eligible ELs in each district. The number of eligible[4] ELs is pulled from the PowerSchool 180-day count from the previous year.

Once the allocation has been determined, LEAs will receive a Grant Award Notification (GAN) indicating the amount of their allocation. To accept this subgrant, the district will complete an application in the Grants Electronic Management System (GEMS) showing how they will use Title III funds to assist ELs in achieving English proficiency while meeting academic achievement standards.

The LEAs Title III, Part A EL plan will be reviewed by the SCDE Title III Program Manager to ensure that supplemental services that improve the English language proficiency and academic achievement of ELs is evident. Once approved by the SCDE Title III Program Manager, the district may then upload the Title III budget from their approved Title III, Part A EL plan into the Grants Accounting Processing System (GAPS) for approval. Districts must reapply for their allocation each fiscal year.

o   Immigrant Allocations

From the ninety-five percent allocated as subgrants to eligible LEAs serving EL and/or Immigrant students, the SCDE holds a 10% set-aside for Immigrant allocations. The Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act (ESSA), sections 3201(1) and (5) defines immigrant children and youth as individuals who
- are aged 3 through 21,
- were not born in any state, and

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[4] English Proficiency levels P1 – P4 and 8 do not generate a funding allocation.

- have not attended one or more schools in any one or more states for more than three full (cumulative) academic years.

Section 3201(13) of the ESSA defines State as each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

To be eligible for a Title III Immigrant allocation, an LEA must have experienced a significant increase, as compared to the average of the two preceding fiscal years, in the percentage or number of immigrant children and youth, who have enrolled, during the fiscal year preceding the fiscal year for which the subgrant is made. LEAs that experience a 7% increase over the average of the two preceding fiscal years and have 25 or more immigrant students are eligible to receive a Title III Immigrant allocation.

Title III Immigrant Allocations are based on the following formula:

1.) Average the two preceding fiscal years and multiply by 7% to identify the immigrant minimum requirement. This information comes from a PS report.
2.) Compare the current school year's 45 day count to the minimum requirement.
3.) If the LEA has met the immigrant minimum requirement **and** has 25 or more immigrant students they are eligible to receive an immigrant subgrant allocation.
4.) The 10% immigrant set-aside is then divided by the total number of eligible immigrant students for the per- pupil dollar amount. The total number of eligible immigrant students is identified by adding all LEAs with eligible students.
5.) The per-pupil amount is then multiplied by the number of eligible immigrants in each district to determine each allocation.

Once the allocation has been determined, LEAs will receive a Grant Award Notification (GAN) indicating the amount of their allocation. To accept this subgrant, the district will complete an application in the Grants Electronic Management System (GEMS) showing how they will use the funds to provide enhanced instructional and supplemental support opportunities for immigrant students and their families.

The LEAs Title III, Part A Immigrant plan will be reviewed by the SCDE Title III Program Manager to ensure that supplemental services that support opportunities for immigrant students and their families are evident. Once approved by the SCDE Title III Program Manager, the LEA may then upload the budget from their approved plan into the Grants Accounting Processing System (GAPS) for approval.

o   Consortiums

Per Title III, Part A statute, "a state educational agency shall not award a subgrant…if the amount of such subgrant would be less than $10,000" [Sec. 3114 (b)]. Any LEA receiving a Title III subgrant of less than $10,000 in any school year must apply for and participate in a consortium in order to use Title III, Part A funds. Each consortium must identify a district to serve as the fiscal agent. The consortium lead is responsible for acting as the fiscal and program agent for the consortium; and, will file the required expenditure reports in the Grants Accounting Processing System (GAPS).

Consortium member districts are responsible for signing the memorandum of agreement, completing the Core instructional program section in GEMS, acknowledge the Title III assurances, accept the terms and conditions for Title III funds, and for working with the fiscal lead to complete year-end reports.

o   2019–20 Title III Geographical Consortiums Map
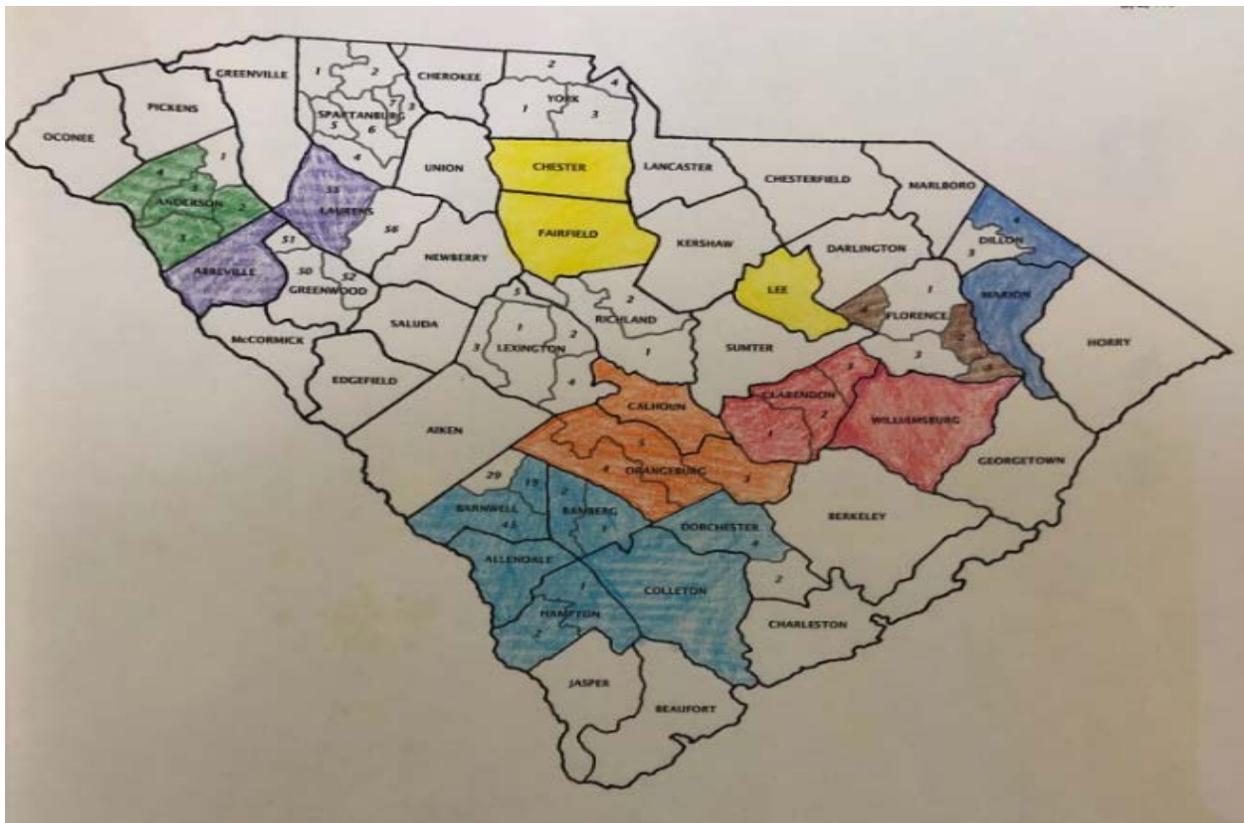
o   Title III Local Plan

The Title III plan should be created in conjunction with stakeholders' input. Each submitted local plan must have the following items evident in the plan:
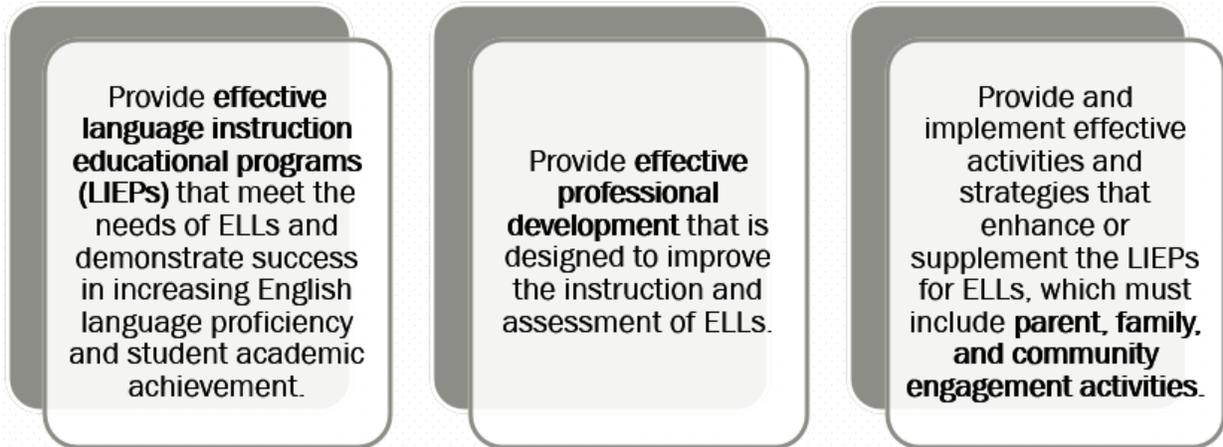
describe the programs and activities proposed to be developed, implemented, and administered under the subgrant	describe how the LEA will use the funds to meet all annual measurable achievement objectives described in section 3122	describe how the LEA will hold elementary schools and secondary schools receiving funds under this subpart accountable for — (A) making adequate yearly progress for limited English proficient children, as described in section 1111(b)(2)(B); and (B) annually measuring the English proficiency of English Language Learners children
describe how effective professional development will be provided to classroom teachers, principals, and other school or community based personel	describe how the eligible entity will promote parental and community participation in programs for English Language Learners	describe how language instruction educational programs carried out under the subgrant will ensure that English Language Learners being served by the programs develop English proficiency
	contain an assurance that the eligible entity consulted with teachers, researchers, school administrators, and parents, and, if appropriate, with education-related community groups and nonprofit organizations, and institutions of higher education, in developing such plan	

Local plans should also ensure that:

- All teachers in the LIEP program are fluent in English and any other language used for instruction, including having written and oral communication skills.
- Each LEA included in the eligible entity is complying with section 3302 prior to, and throughout, each school year.
- The LEA will annually assess the English proficiency of all English learners participating in programs funded under this part.
- The proposed plan is based on effective programs that will enable children to speak, read, write, and comprehend the English language and meet challenging State academic content and student academic achievement standards.
- LEA is not in violation of any State law, including State constitutional law, regarding the education of English learners, consistent with sections 3126 and 3127.

The SEA will review all submitted plans and once approved, the LEA will sign assurances of compliance with the Title III statute and regulations.

○ Required Uses of Title III funds

| Provide **effective language instruction educational programs (LIEPs)** that meet the needs of ELLs and demonstrate success in increasing English language proficiency and student academic achievement. | Provide **effective professional development** that is designed to improve the instruction and assessment of ELLs. | Provide and implement effective activities and strategies that enhance or supplement the LIEPs for ELLs, which must include **parent, family, and community engagement activities.** |

1.) **To increase the English language proficiency** of English learners by providing effective language instruction educational programs that meet the needs of English learners and demonstrate success in increasing English language development and student academic achievement.

2.) **To provide effective professional development** that is:

- Designed to improve the instruction and assessment of English learners;
- Designed to enhance the ability of educators to understand and implement curricula, assessment practices, and measures, and instructional strategies for English learners;
- Effective in increasing English language proficiency or substantially increasing subject matter knowledge, teaching knowledge, and teaching skills;
- Of sufficient intensity and duration to have a positive and lasting impact on the teachers' performance in the classroom; and
- To provide and implement other effective activities and strategies to enhance or supplement language instruction programs for English learners

3.) **To provide and implement effective strategies that supplement LIEPS and include parent, family, and community engagement activities.** Parents have the rights under Title III [Sec. 3302(a)] to be informed related to:

- The reasons for the identification of their child as an English learner and in need of placement in a language instruction educational program;
- The child's level of English proficiency, how each level was assessed, and the status of the child's academic achievement;

- The method of instruction used in the program in which their child is, or will be, participating, and the methods of instruction used in other available programs, including how such programs differ in content, instruction goals, and use of English and native language instruction;
- How the program in which their child is, or will be participating will meet the educational strengths and needs of the child;
- How such a program will specifically help their child learn English, and meet age-appropriate academic achievement standards for grade promotion and graduation;
- The specific exit requirements for such program, the expected rate of transition from such program into classrooms that are not tailored for English learners and the expected rate of graduation from secondary school for such program if funds under this title are used for children in secondary schools;
- In the case of a child with a disability, how such program meets the objectives of the individualized education program of the child; and
- Information pertaining to parental rights that includes written guidance detailing their right to have their child immediately removed from such program upon their request; and,
- The options that parents have to decline to enroll their child in such a program; or, to choose another program or method of instruction, if more than one program or method is offered by the eligible entity.

- o Supplement not Supplant

Federal funds available under the Title III, Part A subgrant must be used "to supplement the level of federal, state, and local public funds that, in the absence of such availability, would have been expended for programs for EL and immigrant children and youth, and in no case to supplant such federal, state, and local public funds." (Title III, Section 3115(g).)

- o Allowable Activities for Immigrant Children and Youth

- Family literacy, parent outreach, and training activities to help parents to participate actively in their children's education;
- Support for personnel, including teacher aides, specifically trained to serve immigrant children;
- Tutoring, mentoring, and academic or career counseling;
- Identification and acquisition of supplemental curricular materials, and educational software and technologies;
- Basic instruction services directly attributable to their enrollment; classroom supplies, costs of transportation, etc.;
- Other instruction services to assist immigrant students: civics education, introduction to the educational system, etc.; and,

- Activities coordinated with community-based organizations, institutes of higher education, and private sector entities to assist parents by offering comprehensive services.

  o Allowable vs Non-allowable Activities for Title III Funds

Allowable Activities	Non-allowable activities
Upgrading program objectives and effective instructional strategies - Improving the instructional program for English learners by identifying, acquiring, and upgrading curricula, instructional materials, educational software, and assessment procedures - Providing tutorials and academic or career and technical education - Providing intensified instruction, which may include materials in a language that the student can understand, interpreters, and translators - Developing effective preschool, elementary, or secondary language instruction educational programs that are coordinated with other relevant programs and services - Improving the English language development and academic achievement of English learners - Providing community participation programs, family literacy services, and parent and family outreach and training activities to English learners and their families	- Translation or interpretation that is required under the Office of Civil Rights statutes may not be paid for with Title III funds (from the OCR May 25, 1970 Memorandum). The Office of Civil Rights statutes predates Title III. - Title I translation or interpretation cannot be paid with Title III funds due to Supplement, Not Supplant [Sec.3115 (g)
Improving the instruction of English learners, which may include English learners with a disability, by providing for: - The acquisition or development of educational technology or instructional materials; - Access to, and participation in, electronic networks for materials, training, and communication; and - Incorporation of these resources into curricula and programs funded by Title III	

X.   Translation and Interpretation Services

- o   Title III, Part A Allowable Translation/Interpretation Services

Title III Part A funds may be used for translation and interpretation services that support the specific parent outreach and training activities found in Title III, §3115(c)(3)(A), (d)(6), or (e)(A) but not those required by the Office for Civil Rights under Title VI of the Civil Rights Act (Lau) or other Federal programs, including IDEA and Title I of the ESEA. For example, translation of communications, outreach and trainings that are provided solely to parents of Title III-served ELs regarding the Title III-specific language program is permissible. Also permissible are translation and interpretation services in support of outreach programs and events for the purposes of fulfilling Title III, §3115(c)(3) – to enhance and supplement the Title III-A language instruction educational program.

Note: Translators and interpreters funded with Title III monies and split-funded district parent liaisons providing translation/interpretation services must indicate on time and effort logs the Title III activities for which their services were required.

- o   Scenarios

Scenario 1 – Your district's Title III-A plan includes components allowed under §3115(d)(6)(B), in which family literacy services are provided in order to assist parents in becoming active participants in the language education of their EL children. Communication concerning these services, and perhaps the services themselves, will be translated or interpreted to the parents of Title III-served students. Payment for these interpretation/translation services for such parents is permissible under Title III law, as these are not OCR or other federally-required services.

Scenario 2 - Your district is planning parent-teacher conferences and has translated the invitation in various languages and will provide interpreters at the conferences for parents who require them. Payment for this translation/interpretation is not permissible under Title III law because Title VI of the Civil Rights Act already requires that parents who have limited English skills receive information from the school in a language that they can understand.

Scenario 3 - Your school holds special meetings for EL parents concerning the WIDA ACCESS assessment and its results. This meeting is not applicable to all parents in the school, solely to those of students in the ESOL language program; therefore, it would not be appropriate to use Title III-A funds to provide interpreters and translation services for this event, as explaining assessments to parents is a locally-funded responsibility. If, on the other hand, Title I funds provide support for a supplemental language instructional program, Title I funds could possibly be used in support of ESOL services as this translating is pursuant to Title I [§1112(e)(3)(A)].

o   IDEA Translation/Interpretation Requirements

Services that are provided above and beyond the basic OCR requirements may be allowable expenditures under other Federal programs. For example, the Individuals with Disabilities Education Act (IDEA) lists several situations in which translation or interpretation might be required in order to communicate with limited English proficient parents. In the relevant sections of 34 C.F.R. it states:

- Assessments and other evaluation materials used to assess a child must be provided and administered in the child's native language, unless it is clearly not feasible to do so. [§300.304 (c)(1)(ii)]
- All parents of a child with a disability are to be provided with written notice before the school proposes to initiate or change the identification, evaluation, or educational placement of the child. This written notice must be provided in the native language of the parent, unless it is clearly not feasible to do so. If the native language is not a written language, the school must ensure that the notice is translated orally. [§300.503 (c)]
- In general, parents are strongly encouraged to attend IEP team meetings. The school must take whatever action is necessary to ensure that the parent understands the proceedings of the IEP Team meeting, including arranging for an interpreter if needed. [§300.322]
- When consent is sought (for accepting special education services, etc.) the parent must be fully informed of all information relevant to the activity for which consent is sought, in his or her native language, or other mode of communication. [§300.9]

o   Monitoring and Technical Assistance

The SEA, LEAs, and schools are accountable for increasing the ELD and core academic content knowledge of ELs. The LEA is responsible for maintaining a plan for the allocated funds for the fiscal year and for meeting reporting requirements. (Title III, sections 3114(a), 3115(a), 3121(a)(b).) LEAs are monitored for compliance with Title III through periodic desk reviews and on-site monitoring visits on a three-year rotation or based on specific needs or concerns.

If LEAs are found by the SCDE to require support based on poor performance during onsite monitoring or desk reviews, the State Title III coordinator will work with the director of the Office of Federal and State Accountability to provide an action plan that will help the district improve. This plan will be individualized based on district and school areas of need for technical assistance. At any time, LEAs may request additional technical assistance from the Title III office.

XI.   Appendix II: Resources

Federal Law and English Learners
Home Language Survey
Home Language Survey (Spanish)
South Carolina English Language Learners Identification and Placement Guidance Document
2019–20 English Proficiency Codes
2019–20 Alternate ACCESS English Proficiency Codes
Assessment One-pagers

Appendix Resources not attached to this document.

XII. Important Terms

Access for ELLs – A secure large - scale English Language Proficiency assessment given to Kindergarten through twelfth-grade students identified as ELs.

Can Do Descriptors - The WIDA Can Do Descriptors are commonly used by ESOL teachers to assist general education teachers with differentiated instruction for ELs.

EL - English Learner - This is any student working towards acquiring English proficiency.

ELL – English Language Learner – This is any student working towards English proficiency.

ELI – English Learner Instructional Model – PowerSchool Field that shows the kind of services an EL receives.

English Language Proficiency Assessment - An assessment designed to measure a student's English proficiency. In the State of South Carolina, we utilize WIDA's assessment suite.

ESSA - Every Student Succeeds Act – Legislation that replaces No Child Left Behind. The main purpose of ESSA is to make sure public schools provide a quality education for all kids.

ESOL – English to Speakers of Other Languages – A language acquisition program designed to teach English to students whose native language is not English.

GAN - Grant Award Notification - The official document that states the terms, conditions, and funding amount of the grant award. It also contains programmatic and fiscal data, as well as the names and contact information of the respective program officers.

GAPS - Grant Accounting Processing System – The system that the SCDE uses to process grant applications and budgets.

GEMS - Grants Electronic Management System - The system that the SCDE uses for districts to submit Title III applications.

HLS - Home Language Survey – This a survey that is completed during the enrollment process that documents the language history of the enrolling student. This form is only completed once during the educational career.

K W-APT - Kindergarten WIDA ACCESS Screener – An English language proficiency screening assessment that helps determine whether a student is eligible for a language assistance program.

IMAP - Individualized Modification and Accommodation Plan – Student plan that states the ESOL services, classroom modifications and testing accommodations an EL student will receive.

LEA - Local Education Agency – Refers to individual school districts in South Carolina.

LIEP - Language Instruction Education Program – A program for students whose dominant language is not English for the purpose of facilitating the student's achievement of English proficiency and academic standards.

LTEL - Long Term English Learner – EL student that has been in an ESOL program for 5+ years and hasn't reached English Proficiency.

MPI - Model Performance Indicator – Examples of how language is processed or produced within a particular context.

PHLOTE - Primary or Home Language Other Than English – Student whose primary or home language is not English.

SEA - State Education Agency – Governing body that monitors compliance and holds districts accountable.

SLIFE - Students with Limited or Interrupted Formal Education – ELs that have had interrupted or limited schooling opportunities.

WIDA - A consortium of states dedicated to the design and implementation of high standards and equitable educational opportunities for ELs.

WIDA Model - An English language proficiency assessment for students in Kindergarten through Grade 12. This assessment may be used for screening, placement, and progress monitoring.

WIDA Screener - An English language proficiency screener that helps determine whether a student is eligible for a language assistance program.

XIII. SMART List: Additional Resources and Federal Guidance

[Guidelines and Requirements for Adding Certification Fields and Endorsements](#)

[Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act](#)

[South Carolina Consolidated State Plan](#)

[U.S. Department of Education's Non-Regulatory Guidance on English Learners](#)

[Non-Regulatory Guidance Addendum](#)

[Non-Regulatory Guidance Equitable Services for Private Schools](#)

[Dear Colleague Letter: English Learner Students and Limited English Proficient Parents](#)

[English Learner Toolkit](#)

[Newcomer Toolkit](#)

[Unaccompanied Children and Immigrant Students Fact Sheet](#)