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[DISTRICT NAME]

English learner procedures

& Plan of service

Revision Date: [MM/DD/YYYY]

Overview

Districts are required to have procedures for how they meet their legal obligations to English learners. Additionally, per 4 AAC 34, districts with eight (8) or more ELs enrolled in a single school are required to have an approved plan of service on file with the Department of Education and Early Development (DEED). This form can be used to satisfy both requirements. Individual District EL Procedures and EL Plan of Service templates are also available to districts that prefer to have separate forms.

**DEED annually notifies districts required to develop an EL Plan of Service of this requirement.**

**District and Schools’ Civil Rights Obligations to English Learner Students and Limited English Proficient Parents**

Under Title VI of the Civil Rights Act of 1964 and the Equal Educational Opportunities Act of 1974 (EEOA), public schools must ensure that EL students can participate meaningfully and equally in educational programs. Responsibilities of districts and schools include the following:

* Identifying and Assessing All Potential EL Students
* Providing Language Assistance to EL Students
* Staffing and Supporting an EL Program
* Providing Meaningful Access to All Curricular and Extracurricular Programs
* Avoiding Unnecessary Segregation of EL Students
* Evaluating EL Students for Special Education and Providing Dual Services
* Meeting the Needs of Students Who Opt Out of EL Programs or Particular Services
* Monitoring and Exiting EL Students from EL Programs and Services
* Evaluating the Effectiveness of a District’s EL Program
* Ensuring Meaningful Communication with Limited English Proficient Parents

For more information about these requirements please see the following resources developed by the U.S. Department of Justice and the U.S. Department of Education:

* [Fact Sheet: Ensuring English Learner Students Can Participate Meaningfully and Equally in Educational Programs](https://www2.ed.gov/about/offices/list/ocr/docs/dcl-factsheet-el-students-201501.pdf) (ed.gov/about/offices/list/ocr/docs/dcl-factsheet-el-students-201501.pdf)
* [Dear Colleague Letter: English Learner Students and Limited English Proficient Parents](https://www2.ed.gov/about/offices/list/ocr/letters/colleague-el-201501.pdf) (ed.gov/about/offices/list/ocr/letters/colleague-el-201501.pdf)
* [English Learner Toolkit](https://ncela.ed.gov/files/english_learner_toolkit/OELA_2017_ELsToolkit_508C.pdf) (ncela.ed.gov/files/english\_learner\_toolkit/OELA\_2017\_ELsToolkit\_508C.pdf)

**Definition of an English** **learner** *[§8101 (20)]*

The term “English Learner,” when used with respect to an individual, means an individual:

1. who is aged 3 through 21;
2. who is enrolled or preparing to enroll in an elementary school or secondary school;
3. (i) who was not born in the United states or whose native language is a language other than English;
	1. (I) who is a Native American or Alaska Native, or a native resident of the outlying areas (Virgin Islands, Guam, American Samoa, or Northern Mariana Islands); and
		1. who comes from an environment where a language other than English has had a significant impact on the individual’s level of English language proficiency; or
	2. who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; and
4. whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual:
	1. the ability to meet the challenging State academic standards;
	2. the ability to successfully achieve in classrooms where the language of instruction is English; or
	3. the opportunity to participate fully in society.

Signature Page (Plan of Service only)

[ ]  District **is required** to have a plan of service

[ ]  District **is not required** to have a plan of service (can skip this page)

Name of School District:

Superintendent/Authorized Representative:

Email:       Phone:

EL Program Coordinator:

Email:       Phone:

The district hereby assures the Alaska Department of Education & Early Development that:

1. The district will use the provisions Alaska Regulation 4 AAC 34.055, the Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA), and Title VI of the Civil Rights Act of 1964 in the development of the plan of service, evaluation, and any modifications for the provision of services to English learners.
2. The district will ensure that it is not in violation of any State or Federal law regarding the education of English learners.
3. The district will use state-approved methods including the Home Language Survey, Language Observation Checklists, and the state-approved English language proficiency screener assessment to screen and identify students who are English learners.
4. The district will annually assess English language proficiency of all identified English learners using the state-approved assessment of English language proficiency test in grades K-12 adopted by reference in 4 AAC 04.155.
5. The district will be responsible for taking appropriate steps to help ensure English learners attain English proficiency and develop high levels of academic achievement in English.
6. The district will monitor the academic progress of former English learners who have met exit requirements in accordance with Alaska Regulation 4 AAC 34.055(d).
7. The district will implement the Plan of Service in the school year following the year of submission.
8. The Plan of Service may be in effect for up to five years. The district assures that it will annually review the plan and update as needed to reflect current information. The district will file changes to an existing Plan of Service with the department before implementation of the change.

CERTIFICATION: I certify that, to the best of my knowledge and belief, the information in this Plan of Service is true and correct, and that the district will comply with the above assurances.

Signature of Superintendent/Authorized Representative:       Date:

Title:       Expiration Date of Plan:

Instructions

All districts are required to complete the portions of this form not specifically designated as part of an EL Plan of Service. DEED annually notifies districts if they are required to have a plan of service. **Districts required to have an EL Plan of Service** **must develop their plans in consultation with appropriate** stakeholders (parents and family members, teachers, researchers, school administrators, community members, public or private entities, and institutions of higher education).

Districts that are not required to have an EL Plan of Service can choose whether to complete Plan of Service-specific portions. **DEED encourages all districts to complete all portions**, though it is required for districts not required for districts not required to have a Plan of Service.

Each school district with a school that is attended by at least eight English learners is required to file a Plan of Service. The Plan of Service requirements are based on Alaska Regulation 4AAC 34.055, Title VI of the Civil Rights Act of 1964, and the Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA). Districts receiving Title III-A funds will address those requirements in this plan.

**Instructions (only required for district’s required to have an EL Plan of service)**

Enter the plan’s expiration date on the cover page. The Plan of Service (POS) expires on **July 1st** its expiration year, and may be valid for up to 5 years, provided that all elements are up to date. The POS must be reviewed annually and revised as appropriate to reflect any changes or updated elements. The Plan becomes effective in the school year following the adoption of the plan. If significant changes are made to an EL Plan of Service prior to its expiration, it must be resubmitted to DEED for review and approval.

In order to facilitate timely review and approval, submit a completed and signed Plan of Service **by May 1st** of its expiration year to**:**

**Electronically (preferred):** eli.barsy@alaska.gov

 **Mail to**: Eli Barsy, English Learner/Title III Program Manager

Alaska Department of Education & Early Development

333 Willoughby Ave., 9th Floor, State Office Building

P.O. Box 110500, Juneau, AK 99811-0500

**Note**: Districts not required to have an EL Plan of Service are not required to submit this document to DEED. Districts (whether required to have an EL Plan of Service or not) must regularly evaluate this document and update it as appropriate.

Procedures

*Note: If your district does not have any currently-identified English Learner students enrolled, use this template to describe the steps the district would take to fulfill its obligations were an EL student to enter the district.*

**It is recommended that these procedures be reviewed annually and updated as necessary.**

# **Identifying and Assessing All Potential EL Students**

## Identifying Potential English Learners (all districts)

[District Name] identifies in a timely manner EL students in need of language assistance services.

1. A home language survey (HLS) is sent home and completed by the parents.
2. If a response other than English is indicated on the HLS, the student is advanced to a State-approved screener assessment.
	1. A Language Observation Checklist (LOC-A) may be used by the teacher if there is an indication the Home Language Survey does not accurately reflect the student’s language background.

*Describe the district's process for collecting and reviewing home language surveys. Include who collects these, who reviews them, and who determines what the step is (screener, languag observatio checklist, family interview, etc.) and how.*

\*Attach a copy of the Home Language Survey to be used.

## Determining Which Students are English Learners (all districts)

[District Name] assesses all potential ELs within 30 days of enrollment with a State-approved screener assessment to determine if they are in fact ELs.

For students in Kindergarten, our district uses the  .

For students in grades 1 through 12, our district uses the  .

For students in grades KG-12 with the most significant cognitive disabilities, our district uses the  .

*Describe the district's process for administering an approved screener, including who administers, ensures proper training, ensures screening is done within 30 days, and who is responsible for udpating student records based on screener results.*

## Informing Parents of their Child’s Identification (all districts)

[District Name] ensures that schools annually inform parents and guardians in a timely manner, and in an understandable format, their child’s ELP level and EL program options.

1. Once students are identified as an EL, parents are notified within 30 days of the start of the school year.
	1. For students that enroll after the start of the school year, parents are notified within two weeks.
2. Notification letters address the following:
	1. the reasons for the identification and need for placement;
	2. the child’s level of English proficiency, how it was assessed, and the level of academic achievement;
	3. the method of instruction used and other programs available including how such programs differ;
	4. how the program selected will meet the educational needs of the child;
	5. how the program will help the child learn English and meet age appropriate academic achievement standards;
	6. the specific exit requirements of the program and the expected rate of transition from such program or graduation rate if from a secondary school;
	7. how the program meets the objectives of the EL of a child with a disability; and
	8. information pertaining to parental rights including written guidance detailing the right of parents to have their child removed from the program, to decline enrollment in a program or choose another program, and to receive assistance in selecting a program.

The district ensures that parent notification letters are available to parents in an understandable format and language by

*Describe district procedures for ensuring notifications are available in an understandable format, including who compiles the letters, who ensures they are sent in a timely, and who ensures appropriate translation has occured.*

\*Attach a sample notification letter.

# **Providing Language Assistance to EL Students**

## Language Goals for English Learner Students (Plan of Service only)

*Only required for districts with eight (8) or more identified ELs in a single school. Recommended for all districts.*

*Describe district's language goals for ELs. These should measurable and based on data.*

## Academic Goals for English Learner Students (Plan of Service only)

*Only required for districts with eight (8) or more identified ELs in a single school. Recommended for all districts.*

*Describe district's academic goals for ELs. These should measurable and based on data.*

## Providing English Learners with a Language Assistance Program (all districts)

[District Name] offers EL services and programs until ELs are proficient in English and can participate meaningfully in educational programs without EL support.

[District Name] provides the following EL programs:

[ ]  Sheltered English instruction

[ ]  Sheltered Instruction Observational Protocol (SIOP)

[ ]  Structured English immersion (SEI)

[ ]  Content-based English as a second language (ESL) program (or Push-in ESL)

[ ]  Pull-out English as a Second Language (ESL) or English language development (ELD)

[ ]  Two-way immersion program or Two-way bilingual program

[ ]  Heritage language program or Indigenous language program

[ ]  Developmental bilingual program

[ ] Transitional bilingual program

[ ]  Other *Describe Program if "Other" Selected*

Provide a brief description of the core services and programs provided to EL students. *Note: For districts that receive Title III-A funds, only describe those services and programs* ***not*** *funded via Title III-A.*

*Describe the district's EL program, supports, and services. Include what those services look like, who provides them, and when/how often.*

# **Staffing and Supporting an EL Program** (all districts)

[District Name] ensures that teachers, administrators, and support staff are adequately prepared to effectively implement the EL program in the following ways:

*Describe the staff who implement the programs, including how the district ensures that the staff implementing the district's EL program are qualified and what training they receive to effectively implement the program.*

# **Providing Meaningful Access to All Curricular and Extracurricular Programs** (all districts)

[District Name] ensures that EL students have meaningful access to their grade-level curricula.

[District Name] ensures that EL students have equal access to all co-curricular and extracurricular programs and activities.

*Describe how the district ensures that EL students have equal access to all district programs/activities.*

# **Avoiding Unnecessary Segregation of EL Students** (all districts)

[District Name] ensures that EL students are not segregated on the basis of national origin or EL status, and that EL services and programs are carried out in the least segregative manner consistent with achieving the program’s stated educational goals.

# **Evaluating EL Students for Special Education and Providing Dual Services** (all districts)

[District Name] ensures that EL students with disabilities are provided **both** the language assistance and disability-related services to which they are entitled under Federal law, and takes steps to ensure that EL students are not inappropriately identified as students with disabilities because of their limited English proficiency.

*Describe how the district coordinates special education services with te EL program for students who are both EL and in Special Education.*

# **Meeting the Needs of Students Who Opt Out of EL Programs or Particular Services** (all districts)

[District Name] takes steps to provide opted-out EL students with access to its educational programs, monitor their progress, and offer EL services again if a student is struggling.

*Describe how the district meets the needs of ELs who have opted-out of EL programs & services.*

# **Monitoring and Exiting EL Students from EL Programs and Services**

## Tracking the Progress of English Learners (all districts)

[District Name] annually assesses, between February 1 and March 31, each EL student’s oral language, reading and writing skills using the State-approved English language proficiency assessment, ACCESS for ELLs or for students with significant cognitive disabilities, the Alternate ACCESS for ELLs.

*Describe how the district ensuring that all ELs complete the annual ELP assessment, including how the district tracks completion, who ensures administrators complete the required assessment training.*

## Monitoring English Learner Progress in Core Content Areas (all districts)

[District Name] annually assesses all ELs in grades 3-10 on the statewide standards-based assessments.

*Describe how the district ensures that EL students participate in statewide content assessments. Include how the distrcit ensures that appropriate accommodations are provided to EL students.*

## Exiting English Learners (all districts)

[District Name] exits eligible EL students from a Language Instruction Education Program (LIEP) within the school year they have met the following exit criteria on ACCESS for ELLs:

1. a composite score of 4.5 or higher on tier B/C (no tier designation for Kindergarten);

*Describe how the district ensures accurate reporting of students' EL status.*

## Monitoring Former English Learners (all districts)

[District Name] monitors the academic progress of each student who was identified as an EL for four years after the student is no longer identified as an EL.

[District Name] uses the following data to monitor former ELs:

[ ]  MAP scores

[ ]  AimsWeb scores

[ ]  State content assessment in ELA and/or math

[ ]  Alaska Science Assessment scores

[ ]  Student grades

[ ]  District-determined local criteria: [Describe]

## Re-Identifying Former English Learners (all districts)

[District Name] makes recommendations for re-identification, not less than one semester after exiting EL status, for those students in monitoring who exhibit academic difficulties attributed to a “persistent language barrier”. After recommendation, the student is advanced to a State-approved screener assessment to determine English language proficiency levels.

[District Name] uses the following data to determine recommendation for re-identification:

[ ]  MAP scores

[ ]  AimsWeb scores

[ ]  State content assessment in ELA and/or math

[ ]  Alaska Science Assessment scores

[ ]  Student grades

[ ]  Teacher recommendation

# **Evaluating the Effectiveness of a District’s EL Program** (all districts)

[District Name] regularly evaluates its EL services and programs to ensure they are effective and to make changes to services and programs as necessary.

*Describe the district's process for evaluating EL services and programs. Include who is involved in the evaluation, what data is used, and how often evaluation occurs.*

# **Ensuring Meaningful Communication with Limited English Proficient Parents** (all districts)

[District Name] takes steps to ensure meaningful communication with parents with limited English proficiency and that LEP parents receive the same communications that non-LEP parents receive in a language they can understand.

*Describe how the district ensures meaningful communication with limited English proficient parents. Include how the district meets the language needs of its EL families.*

These procedures were adopted by the [District Name] on [Date] and will be in effect for the period of [School Year]**.**

*Printed Name of Superintendent*

*Signature of Superintendent Date*

# **Appendix A: Definitions**

**Definition of an English** **learner** *[§8101 (20)]*

The term “English Learner,” when used with respect to an individual, means an individual:

1. who is aged 3 through 21;
2. who is enrolled or preparing to enroll in an elementary school or secondary school;
3. (i) who was not born in the United states or whose native language is a language other than English;
	1. (I) who is a Native American or Alaska Native, or a native resident of the outlying areas (Virgin Islands, Guam, American Samoa, or Northern Mariana Islands); and
		1. who comes from an environment where a language other than English has had a significant impact on the individuals level of English language proficiency; or
	2. who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; and
4. whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual:
	1. the ability to meet the challenging State academic standards;
	2. the ability to successfully achieve in classrooms where the language of instruction is English; or
	3. the opportunity to participate fully in society.

**Definition of an Immigrant Student** *[§3201(5)]*

The term “immigrant children and youth” means individuals who:

1. are aged 3 through 21;
2. were not born in any state; and,
3. have not been attending one or more schools in any one or states for more than 3 full academic years.

*“State” is defined in Section 3201(13) of the ESEA to include the 50 States, the District of Columbia, and Puerto Rico. Therefore, students born in Puerto Rico cannot be included as “immigrant” students under Title III.*

*Note,* that immigrant children and youth may or may not be identified as English learners. It is not a requirement to be an English learner to qualify as an immigrant student.

# **Appendix B: Language Instruction Educational Programs**

The definitions below are from the [National Clearinghouse of English Language Acquisition website](https://ncela.ed.gov/resources/fact-sheet-english-learners-and-instructional-programs-december-2019) at ncela.ed.gov/resources/fact-sheet-english-learners-and-instructional-programs-december-2019. L1 represents the student’s home or primary language of influence. L2 represents the language the student is trying to learn, or English. If you are using a program other than one listed below, provide a description of the program and include information indicating how research shows that it is proven to be effective for English learners.

## **Sheltered English Instruction**

The goal is increasing proficiency in English while learning content in an all-English classroom instructional setting. Students from various linguistic and cultural backgrounds can be in the same class. Instruction is adapted to students’ proficiency in English, and is supported by visual aids and L1 support as available.

## **Sheltered Instruction Observational Protocol (SIOP)**

 is a fully developed prototype of this program. Sheltered English instruction is not in itself a complete language acquisition program, and should be used in conjunction with specific language acquisition support for English learners.

## **Structured English Immersion (SEI)**

The goal is fluency in English, usually serving only English language learners in the classroom. All instruction is in English, adjusted to the proficiency level of students so subject matter is comprehensible. Teachers should have some receptive skills in the students’ home language(s) and generally use sheltered instructional techniques.

## **Specially Designed Academic Instruction in English (SDAIE)**

A specific prototype of Sheltered English Instruction (see above).

## **Content-based English as a Second Language (ESL) Program (or Push-in ESL)**

The goal is fluency in English. Students are served in a mainstream classroom, receiving instruction in English with some native language support if needed. The ESL teacher or an instructional aide provides clarification, translation if needed, and uses ESL strategies.

## **Pull-out English as a Second Language (ESL) or English Language Development (ELD)**

The goal is to develop fluency in English. ELL students leave mainstream classroom part of the day to receive ESL instruction, often focused on grammar, vocabulary, and communication skills, not academic content. There typically is no support for students’ home languages.

## **Two-way Immersion Program or Two-way Bilingual Program**

The goal is to develop strong skills and proficiency in both home language (L1) and English (L2)—for this reason, may also be called **dual language program**. Includes students from L2 background and students with L1 background. Instruction is in both languages, typically starting with a smaller proportion of instruction in L2, and gradually moving to half of the instruction in each language. Students typically stay in the program throughout elementary school.

## **Heritage Language Program or Indigenous Language Program**

The goal is literacy in two languages. Content taught in both languages, by teachers fluent in both languages. Typically targets non-English speakers with weak literacy skills in L1 Known by the name Indigenous Language Program particularly in American Indian educational communities, the program supports endangered languages and serves students with weak or no receptive and productive skills in the language.

## **Developmental Bilingual Program**

This program is also known as Late exit transitional program, or Maintenance bilingual education program. The goal is to develop some skills and proficiency in L1 and strong skills and proficiency in L2 (English). Content taught in both languages, with teachers fluent in both languages. These programs may also be called dual language programs. Instruction at lower grades is in L1, gradually transitioning to English; students typically transition into mainstream classrooms with their English-speaking peers. The variations among programs focus on different degrees of literacy in L1, but students generally do continue to receive some degree of support in L1 after the transition to L2 classrooms.

## **Transitional Bilingual Program**

This program is also known as Early exit bilingual program or Early exit transitional program.The goal is to develop English proficiency skills as soon as possible, without delaying learning of academic core content. Instruction begins in L1, but rapidly moves to English (L2). Students typically are transitioned into mainstream classrooms with their English-speaking peers as soon as possible.

# **Appendix C: Title III-A Requirements**

## Program Activities

Required Activities*[§3115 (c)]*

1. a district receiving funds under Section 3114(a) shall use the funds:
	* 1. to increase the English proficiency of English Learners by providing effective language instruction educational programs that meet the needs of English learners and demonstrate success in increasing:
			1. English language proficiency; and
			2. student academic achievement
		2. to provide effective professional development to classroom teachers (including teachers in classroom settings that are not the settings of language instruction educational programs), principals and other school leaders, administrators, and other school or community-based organizational personnel, that is:
			1. designed to improve the instruction and assessment of English learners;
			2. designed to enhance the ability of such teachers, principals, and other school leaders to understand and implement curricula, assessment practices and measures, and instructional strategies for English learners;
			3. effective in increasing children's English language proficiency or substantially increasing the subject matter knowledge, teaching knowledge, and teaching skills of such teachers; and
			4. of sufficient intensity and duration (which shall not include activities such as 1-day or short-term workshops and conferences) to have a positive and lasting impact on the teachers' performance in the classroom, except that this subparagraph shall not apply to an activity that is one component of a long-term, comprehensive professional development plan established by a teacher and the teacher's supervisor based on an assessment of the needs of the teacher, the supervisor, the students of the teacher, and any local educational agency employing the teacher, as appropriate; and
		3. to provide and implement other effective activities and strategies that enhance or supplement language instruction educational programs for English learners, which –
			1. shall include parent, family, and community engagement activities; and
			2. may include strategies that serve to coordinate and align related programs.

### Authorized Activities *[§3115 (d)]*

1. a district may use the funds to achieve one of the purposes described in subsection (a) by undertaking 1 or more of the following activities:
	* 1. Upgrading program objectives and effective instructional strategies.
		2. Improving the instructional program for English learners by identifying, acquiring, and upgrading curricula, instructional materials, educational software, and assessment procedures.
		3. Providing to English learners –
2. tutorials and academic or career and technical education for limited English proficient children; and
3. intensified instruction which may include materials in a language that the student can understand, interpreters, and translators.
	* 1. Developing and implementing effective preschool, elementary school or secondary school language instruction educational programs that are coordinated with other relevant programs and services.
		2. Improving the English language proficiency and academic achievement of English learners.
		3. Providing community participation programs, family literacy services, and parent and family outreach and training activities to English learners and their families:
4. to improve the English language skills of English learners; and
5. to assist parents and families in helping their children to improve academic achievement and becoming active participants in the education of their children.
	* 1. Improving the instruction of English learners, which may include English learners with a disability, by providing for:
6. the acquisition or development of educational technology or instructional materials;
7. access to, and participation in, electronic networks for materials, training, and communication; and
8. incorporation of the resources described in subparagraphs (A) and (B) into curricula and programs, such as those funded under this subpart.
	* 1. Offering early college high school or dual or concurrent enrollment programs or courses designed to help English learners achieve success in postsecondary education.
		2. Carrying out other activities that are consistent with the purposes of this section.

District Plan *[§3116]*

The district verifies the current Plan of Service submitted shall -

1. describe the effective programs and activities, including language instruction educational programs, proposed to be developed, implemented, and administered under the subgrant that will help English learners increase their English language proficiency and meet the challenging State academic standards;
2. Describe how the eligible entity will ensure that elementary schools and secondary schools receiving funds under this subpart assist English learners in
	1. Achieving English proficiency based on the State’s English language proficiency assessment under section 1111(b)(2)(G), consistent with the State’s long-term goals, as described in section 1111(c)(4)(A)(ii) and
	2. Meeting the challenging State academic standards;-
3. A description of how the eligible entity will promote parental, family, and community engagement in the education of English learners;
4. Contain assurances that –
	1. Each local educational agency that is included in the eligible entity is complying with section 1112(e) prior to, and throughout, each school year as of the date of application;
	2. The eligible entity is not in violation of an State law, including State constitutional law, regarding the education of English learners, consistent with sections 3125 and 3126;
	3. The eligible entity consulted with teachers, researchers, school administrators, parents, and family members, community members, public or private entities, and institutions of higher education, in developing and implementing such plan; and
	4. The eligible entity will, if applicable, coordinate activities and share relevant data under the plan with local Head Start and Early Head Start agencies, including migrant and seasonal Head Start agencies, and other early childhood education providers.

Teacher English Fluency *[§3116(c)*]

Districts shall certify that all teachers in any language instruction educational program for English learners funded under Title III-A are fluent in English and any other language used for instruction, including having written and oral communication skills.

Parent Information & Notification*[§1112(e)(3)(A)(i-viii)]*

*Notification of identification as EL and program placement:*

* + 1. NOTICE. - Each local educational agency using funds under this part or title III to provide a language instruction educational program as determined under title III, shall not later than 30 days after the beginning of the school year inform parents of an English learner identification for participation or participating in such a program of –

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 such a level was assessed, and the status of the child’s academic achievement;

the methods 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, instructional goals, and the use of English and a native language in instruction;

how the program in which their child is, or will be, participating will meet the educational strengths and needs of their child;

how such program will specifically help their child learn English and met age-appropriate academic achievement standards for grade promotion and graduation;

the specific exit requirement for the program,, including the expected rate of transition from such program into classrooms that are not tailored for English learners, and the expected rate of graduation from high school (including four-year adjusted cohort graduation rates and extended-year adjusted cohort graduation rates for such program) if funds under this part are used for children in high schools;

in the case of a child with a disability, how such program meets the objectives of the individualized education program of the child, as described in section 614(d) of the Individuals with Disabilities Education Act; and

information pertaining to parental rights that includes written guidance –

detailing the right that parents have their child immediately removed from such program upon their request;

detailing the options that parents have to decline to enroll their child in such program or to choose another program or method of instruction, if available; and

assisting parents in selecting among various programs and methods of instruction, if more than 1 program method is offered by the eligible entity.

* + 1. SPECIAL RULE APPLICABLE DURING THE SCHOOL YEAR. — For those children who have not been identified as English learners prior to the beginning of the school year but are identified as English learners during such school year, the local educational agency shall notify the children’s parents during the first 2 weeks of the child being placed in a language instruction educational program consistent with subparagraph (A).

Parental Participation*[§1112(e)(3)(C)]*

(i) IN GENERAL.—Each local educational agency receiving funds under this part shall implement an effective means of outreach to parents of English learners to inform the parents regarding how the parents can—

 (I) be involved in the education of their children; and

(II) be active participants in assisting their children to—

(aa) attain English proficiency;

(bb) achieve at high levels within a well-rounded education; and

(cc) meet the challenging State academic standards expected of all students.

(ii) REGULAR MEETINGS.— Implementing an effective means of outreach to parents under clause (i) shall include holding, and sending notice of opportunities for, regular meetings for the purpose of formulating and responding to recommendations from parents of students assisted under this part or title III.

Basis for Admission or Exclusion *[§1112(e)(3)(D)]*

A student shall not be admitted to, or excluded from, any federally assisted education program on the basis of a surname or language-minority status.