

Guidance for Limited English Proficient (LEP) Student Identification, Assessment, and Data Reporting



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Guidance for Limited English Proficient (LEP) Student Identification and Assessment Revised December 2013

Federal and state statutes require all districts to identify limited English proficient students and provide resources and services to assist those students in developing their English language skills and to provide them meaningful participation in the school district's academic program to enable these students to meet the same academic standards and content that all students are expected to meet. Districts must develop a pre-screening process to find potential LEP students, use a state-approved ELP screening assessment to determine their level of English language proficiency, and formally identify those students as LEP who are not proficient in one or more of the four domains of listening, speaking, reading, and writing in English. The purpose of this guidance is to outline the steps in the identification and assessment process for LEP students in the following question and answer format.

Note: The Elementary & Secondary Education Act, amended as the No Child Left Behind Act, and the Alaska regulations use the term "limited English proficient" or LEP students. Other terms that are considered synonymous with this term are English learners (ELs), English language learners (ELLs), and English as a second language learners (ESLs). The term limited English proficient or LEP will be used in this document.

- 1. What is the definition of a limited English proficient student?** In order to be identified as an LEP student, a student must meet all parts (A-D) of the following definition of an LEP student.

- The term "limited English proficient", when used with respect to an individual, means an individual –
- A) who is between 3 and 21 years old;
 - B) who is enrolled or preparing to enroll in an elementary school or secondary school;
 - C) who falls into one or more of the following categories of individuals:
 - (i) an individual not born in the United States or whose native language is a language other than English;
 - (ii) an American Indian, Alaska Native, or a native resident of the outlying areas (Virgin Islands, Guam, American Samoa, or Northern Mariana Islands) 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; *and*
 - D) whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual the
 - (i) ability to obtain a proficiency level of proficient or advanced, as described in 4 AAC 06.739, on the state assessments in reading and writing;
 - (ii) ability to successfully achieve in classrooms where the language of instruction is English; or
 - (iii) the opportunity to participate fully in society.

- 2. When must a district determine if a student is an LEP student?** Incoming kindergartners and older students new to the district from another state or country who are potentially LEP must be screened and identified as soon as possible after enrolling in school, and within 30 days after the beginning of the school year if enrolled at the beginning of the school year.

Note: A student that has already been identified as an LEP student who transfers into the district from another Alaskan district should not be re-screened. Instead, the sending district must transfer the student records within 14 days and must provide information about the identification of the student, including assessment results for the screening assessment (W-APT or MODEL) and the annual ELP assessment. See Requirements for Student Records Transfer in the Appendix.

- 3. Which students might be eligible to be identified as LEP students?** Before a student is screened for English language proficiency, the district must determine if the student is included in one of the categories of students eligible to be identified as LEP in parts A-C of the definition above.
- A) who is between 3 and 21 years old;
 - B) who is enrolled or preparing to enroll in an elementary school or secondary school;
 - C) who falls into one or more of the following categories of individuals:
 - (i) an individual not born in the United states or whose native language is a language other than English; and/or
 - (ii) an American Indian, Alaska Native, or a native resident of the outlying areas (Virgin Islands, Guam, American Samoa, or Northern Mariana Islands) *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.*
- 4. How does the district determine if a student is not born in the US or whose native language is a language other than English?** EED recommends that districts pre-screen with, at a minimum, the Parent Language Questionnaire (PLQ) as posted on the EED website (or a similar form). If the answer to question 1 or 2 in Part I or the answers to the questions in Part II or III of the Parent Language Questionnaire (PLQ) indicates that a language other than English is either spoken in the home, spoken to the student, or spoken by the student, the student would move to the screening assessment. The prescreening forms are found in the Appendix and are available on the EED website at <http://www.eed.state.ak.us/nclb/KeyComponentsNCLB.html> and also may be found within the Plan of Service document at: <http://www.eed.state.ak.us/forms/home.cfm> under the section heading Bilingual/Limited English Proficient students.

Note: Many parents may need assistance in understanding the form and answering the questions in the appropriate way to identify students who have a home language or language of influence other than English. It is not designed to identify students who come from an English background and are learning another language such as Spanish or an Alaska Native heritage language in order to know more than one language. District staff may talk with parents, including through the use of interpreters as appropriate, to clarify a parent's understanding of the questions and their answers prior to assessing the student with an ELP screening assessment.

5. How does the district determine if a student who is an American Indian, Alaska Native, or native resident of the outlying areas comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency? Even though a student may not speak the heritage language in the home, a student may have grown up in an environment in which the syntax, rhetorical style and sociolinguistic patterns of the heritage language may have had a significant impact on the student's level of proficiency in English in order to succeed in the classroom. If the PLQ indicates that English is spoken in the home, but the teacher has an indication that the student comes from such an environment, the teacher may administer the Language Observation Checklist, Part A. If the *Language Observation Checklist Part A (LOC-A)*, as filled out by the student's teacher, indicates 5 or more "No" answers in Part A or that a student is not fluent (compared to English-speaking students of the same age or grade level) in reading, writing, or oral language, based on the teacher's knowledge, then the student should be referred for a formal identification assessment. Note that if the PLQ as completed by the parent already indicates a need for formal identification assessment, then use of the LOC-A is at the discretion of the district. Copies of the Language Observation Checklist forms are found in the Appendix and posted on the website listed in #4 above.

6. Once a district has determined that a student falls into one of the above categories, how does the district determine if the student may be formally identified as an LEP student? A district must administer one of the state-approved ELP screening assessments (either the W-APT or the MODEL) to determine if the second part of the definition of an LEP student is met:

D) if the student's difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual the

- (i) ability to obtain a proficiency level of proficient or advanced, as described in 4 AAC 06.739, on the state assessments in reading and writing;
- (ii) ability to successfully achieve in classrooms where the language of instruction is English; or
- (iii) the opportunity to participate fully in society.

See the next question for specific information on the use of the W-APT or MODEL for identification of LEP students.

Note: For potential LEP students that are either in the special education identification process or have been identified as students with disabilities on an IEP or 504 plan, it is important to ensure that school staff providing English language support and those providing special education support collaborate in the LEP identification process. For identified LEP students with disabilities, staff from both programs should collaborate on decisions about the provision of appropriate services.

7. How is either the W-APT or MODEL used as identification assessments to screen potential LEP students? Incoming students *not yet identified as LEP* who meet the other criteria for potential LEP status must be given a state-approved LEP identification assessment as a "screeener" to determine if the student falls below the minimum score for English language proficiency. Students who fall below the minimum score in the chart are identified as LEP, are eligible for ELL services, and must take the annual

ELP assessment (ACCESS for ELLs) during the current school year. Students entering school March 1 or later *that have not yet been identified as LEP* may be identified through the use of the screener assessment, but are not required to take the ACCESS for ELLs until the following spring. Students who score at or above the minimum score for English language proficiency are *not identified as LEP* and are not required to be assessed further.

The WIDA-ACCESS Placement Test™ (W-APT) has been approved by the Alaska Department of Education & Early Development as the "screener" for determining whether a potential LEP student is in fact identified as an LEP student. The W-APT is available at no cost to districts. Alternatively, the state has also approved the use of the Measure of Developing English Language (MODEL)™ that districts may choose to purchase from WIDA to use as the screening tool. All potential LEP students must be screened for placement through use of either the W-APT or the MODEL. See the following charts for timing of administration of the screener assessments and for the scores required to determine whether a student is identified as an LEP student. Also see the flowcharts in the Appendix for a visual representation of the identification process.

NOTE: Either the W-APT and the MODEL should be administered at the student's current grade level. It is not necessary to grade-level adjust as described in the WIDA manuals. The ACCESS for ELLs may not be used as a screener assessment.

For LEP identification of entering students in grades 1-12:

Grade Levels	Time of Entry in School Year	Screener	Domains Given* (L, S, R, W)	Score	Identified as LEP?	Administer ACCESS for ELLs in current school year?
1 – 12	Fall – February 28	W-APT or MODEL	All domains	Overall Composite ≥ 5	NO	NO
				Overall Composite < 5	YES	YES
1 – 12	March 1 or after	W-APT or MODEL	All domains	Overall Composite ≥ 5	NO	NO
				Overall Composite < 5	YES	NO (wait until next school year)

*L = Listening, S = Speaking, R = Reading, W = Writing

8. How is the process for LEP identification of entering kindergarten students different?

Entering kindergarten students would not yet be expected to be proficient on the reading and writing domains of the screener assessments, so the identification process for kindergartners entering school in the fall is essentially a two-part identification process. If a kindergarten student enters in the fall, the student will be given just the listening and speaking domains of the screener assessment. If the student is clearly not proficient on listening and speaking, then that student is immediately identified as an LEP student, is eligible for services, and will take the ACCESS for ELLs in the spring. If the student is proficient on listening and speaking in the fall, then the student is *not identified as an LEP student* at that time.

Subsequently, the student will take the reading and writing domains of the screener assessment after March 31 in the spring. If the student is proficient on the reading and writing domains, then that student is *not identified as an LEP student*. If the student is *not proficient on the reading and writing domains of the screener assessment*, then the student is identified as LEP and would be eligible for language instruction services. The student would be coded as L1 for the kindergarten year, and as LP in first grade. The student would take the ACCESS for ELLs for the first time in the spring of 1st grade. (See question 24 for use of codes for LEP students.)

For LEP identification of entering kindergarten students:

Grade Levels	Time of Entry in School Year	Screener	Domains Given* (L, S, R, W)	Score	Identified as LEP?	Administer ACCESS for ELLs in current school year?
Kdn	Fall – February 28	W-APT or MODEL	L & S only	W-APT: L & S < 29 OR MODEL: Oral composite < 6	YES	YES
Kdn	Fall – February 28	W-APT or MODEL	L & S only (at time of entry)	W-APT: L & S ≥ 29 OR MODEL: Oral composite ≥ 6	NO (not at this time)	No
			R & W (given after March 31)	W-APT: W ≥ 17 AND R ≥ 14 OR MODEL: Overall Composite ≥ 6	NO	NO
				W-APT: W < 17 OR R < 14 OR MODEL: Overall Composite < 6	YES	NO (wait until next school year)
Kdn	March 1 or after	W-APT or MODEL	All domains	W-APT: L & S < 29 OR W < 17 or R < 14 OR MODEL: Overall Composite ≥ 6	YES	NO (wait until next school year)
				L & S ≥ 29 AND W ≥ 17 AND R ≥ 14 OR MODEL: Overall Composite ≥ 6	NO	NO

*L = Listening, S = Speaking, R = Reading, W = Writing

9. How does a district order and use the screener assessments to identify LEP students and determine appropriate program placement?

The W-APT test forms and administration manuals (PDF files) are available to all WIDA Consortium member states at no additional cost. You must enter your district's W-APT username and password to view or print these files. Please contact your ELP test coordinator to receive your login information. Districts may also order a blackline master of the W-APT for a minimal cost through the WIDA Help Desk at help@wida.us or call WIDA toll free at 1-866-276-7735. The WIDA MODEL™ kits are available for purchase online at <http://www.wida.us/store/index.aspx>.

Training for the administration of the W-APT is required prior to implementing the assessment. Training is available online at <http://wida.us/assessment/w-apt/index.aspx>. You must enter your district's W-APT username and password to view the webinars and download the manuals. The W-APT and MODEL should be administered at the student's current grade level: it is not necessary to grade-level adjust as described in the WIDA manuals.

The results of the W-APT or MODEL identification assessment will indicate the level of the student's proficiency in each domain and will guide the appropriate program placement. The optional Language Observation Checklist Form B (LOC-B) will be useful for students who are enrolled in a dual language (immersion) or transitional program in the student's home language. If an LEP student transfers from another Alaskan school district, then the student's LEP status, ELP assessment results and other records related to their LEP status should follow the student to the new district.

10. What standards are available to guide instruction for LEP students?

Alaska has adopted the 2007 WIDA ELP Standards, whose purpose is to guide teachers in instruction that will assist LEP students in gaining proficiency in English. WIDA also has available the 2012 Amplified Standards which includes additional topics with connections to academic content standards. Both sets of standards are intended to be used together to guide instruction. The WIDA ELP Standards are available on the EED website and at <http://www.wida.us/standards/elp.aspx>.

11. What test must be used for the annual assessment in English language proficiency and which LEP students must take it?

In addition to an initial assessment for identification and program placement, all identified LEP students must be assessed annually for English language proficiency in four domains: listening, speaking, reading, and writing. Note that once a student is identified as an LEP student, that student is required to be assessed on the ELP assessment each year until the student meets the exit criteria, even if the parents have refused Title III or other language support services for the student. Beginning in 2011-2012, Alaska's assessment of English language proficiency is the ACCESS for ELLs®, which stands for Assessing Comprehension and Communication in English State-to-State for English Language Learners. More information can be obtained at the website: <http://www.wida.us>.

12. Is there an English language proficiency assessment for LEP students with significant cognitive disabilities?

Beginning in 2012-2013, the Alternate ACCESS for ELLs is an assessment of English language proficiency (ELP) that is available for students in grades 1 -12 who are classified as LEP students and have significant cognitive disabilities that prevent their meaningful participation in the ACCESS for ELLs assessment. The No Child Left Behind Act (NCLB; 2001) requires that all students identified as LEP be assessed annually for English language proficiency, including students who receive special education services. The Individuals with Disabilities Education Act (IDEA; 2004) also mandates that students with disabilities participate in state-wide and district-wide assessment programs, including alternate assessments with appropriate accommodations, when it is documented in their Individualized Education Programs (IEP). For this reason, WIDA created the Alternate ACCESS for ELLs to meet federal accountability requirements and to provide educators with a measure sensitive to English language proficiency growth of ELLs with significant cognitive disabilities.

Note: In order to qualify to participate in the Alternate ACCESS for ELLs, a student in grades 3-10 must be participating in the Alternate Assessment in the state content assessments in reading, writing, and math for students in grades 3-10. An LEP student will not qualify to exit LEP status when taking the Alternate ACCESS for ELLs as it does not address the performance at levels 4, 5, or 6 in order to reach proficiency.

For Alaska specific requirements to participate in the Alternate ACCESS, please use the *Alternate ACCESS Participation Criteria Checklist* found in the Appendix of this document. It is also on EED's website at http://education.alaska.gov/tls/assessment/elp/WIDA/AlternateAccess/AALEP_ParticipationCriteriaChecklist_2013.pdf. For more information and training on test administration for the Alternate ACCESS, go to: <http://www.wida.us/assessment/alternateaccess.aspx>.

13. When must the ACCESS for ELLs be given?

The annual ELP assessment must be administered to all identified LEP students anytime during the **test administration window of February 1 – March 31** of each year. Districts may choose the most appropriate time for test administration, but should plan to administer the test early enough during the test window to test all LEP students and to return the tests for scoring in a timely fashion. Scheduling should also consider make up dates for students absent during portions of the testing or students entering the district during March. All LEP students that have already been identified as LEP that transfer into a district from another Alaskan district during the test window must be given the ACCESS for ELLs unless the district has information that the sending district has already administered the assessment.

All potential LEP students entering school before March 1 must be assessed with the screening tool for identification and placement and, if identified as LEP, must take the ACCESS for ELLs during the test window. Potential LEP students who enter school on March 1 or after must be assessed with a screening tool for identification within two weeks of entering school, but are not required to take the ACCESS for ELLs during the current school year. *Do not use ACCESS as a screening tool for identification.*

14. How are the ACCESS for ELLs assessments ordered and how is staff trained to administer the assessments?

District ELP Test Coordinators can obtain test materials by submitting an enrollment order online through MetriTech at <https://www.metritech.com/wida/login.aspx>. Orders must be based on the number and grade level of LEP students submitted to the state in the Fall OASIS file. Students identified as LEP in the Fall OASIS file will have a pre-printed test label sent to the district. You must enter your district's username and password to view and post your enrollment order. MetriTech will send an email to the ELP Test Coordinator each year with a new username and password. Contact MetriTech directly at mtinfo@metritech.com if you did not receive the email or if the username and password was lost.

Test administrators are required to be re-certified annually to administer the ACCESS for ELLs. Training for district personnel is available through the WIDA website at <http://www.wida.us/login.aspx>. Test administrators must enter their district's username and password to log in for the online training. Please contact the district ELP test coordinator to receive login information. EED also provides training in person during the annual fall District Test Coordinator's training.

15. How does the district receive the scores for the ACCESS for ELLs?

All districts in Alaska will return the completed ACCESS for ELLs tests and all testing materials to MetriTech for scoring and reporting. (The Speaking portion and all kindergarten domains are scored during the test administration). Once all scoring has been completed, MetriTech will create score reports for each student and for schools and districts. The reports will be provided in hard copy for districts to copy and distribute to parents and teachers. The expected timeline for districts to receive score reports is June. Districts will also be able to download the ELP student data file from the MetriTech website for one year. The district may order a CD of the data file, free of charge, before the reports are printed.

16. What other assessments must LEP students take?

All students identified as limited English proficient must participate in all assessments included in the Alaska Comprehensive System of Student Assessment (CSSA). The CSSA consists of the following assessments:

- a standards-based test to measure student attainment of the state's standards (SBAs, grade 3-10);
- an alternate assessment for student with significant cognitive disabilities (AA, grade 3-10);
- a state high school graduation qualifying examination (HSGQE, grade 10);
- an assessment to measure a student's level of preparedness to make the transition to work or college (WorkKeys, grade 11).
- an assessment to identify English language proficiency (ACCESS);
- the developmental profile (kindergarten);
- biennial participation in the national assessment of education progress (NAEP, grades 4 and 8).

*Note: the state academic content assessment for reading may not be used in place of the annual English language proficiency test, with the exception of LEP students who are in the first year of attendance at a U.S. school. These students are not required to take the reading and writing subtests of the SBA; **these students are required to take the ELP assessment.** See the Appendix for Immigrant Students Excluded from State Content Assessments Alaska Regulation 4 AAC 06.805 (j).*

17. What accommodations may be made for LEP students taking required CSSA assessments?

Per Alaska state regulation, LEP students must be provided reasonable LEP accommodations on state *academic* assessments, to the extent practicable. LEP accommodations are allowed for LEP students when testing for academic content knowledge and skills, **but not when testing for English language proficiency.** The Alaska Participation Guidelines provides guidance regarding permissible accommodations.

http://education.alaska.gov/tls/assessment/pdf_files/ParticipationGuidelinesWeb_2011.pdf

Additional guidance specifically for LEP students participating in the WorkKeys assessment are found in the Alaska Supplement for WorkKeys Assessment.

http://education.alaska.gov/tls/assessment/accommodations/WK/WKSupplement_January2012.pdf

ELL-responsive accommodations have been shown to support ELLs linguistically in order to more accurately assess their academic content knowledge. Careful selection of ELL-responsive accommodations allows for meaningful participation in content assessments and ensures information obtained from the assessment is an accurate reflection of what the assessment is meant to measure rather than a measure of the students' English proficiency level. For detailed instructions on the selection, administration, and evaluation of LEP accommodations refer to the Testing Accommodations Manual for LEP Students:

http://education.alaska.gov/tls/assessment/accommodations/LEP/ELL_Accommodations_Manual_093011.pdf

18. What accommodations may be made for LEP students with disabilities when taking the ELP assessment?

LEP students with disabilities may use appropriate accommodations when taking the ACCESS for ELLs and other statewide assessments. The IEP or 504 team should select appropriate accommodations based on the student's needs, and must provide documentation and the rationale for the accommodations on the IEP or 504 plan. The *Participation Guidelines for Alaska Students in State Assessments* should be referenced for state-approved accommodations at <http://www.eed.state.ak.us/tls/assessment/elp.html>. Because of the close link between assessment and instruction, the IEP or 504 plan must describe how the accommodations for assessment are included in the student's classroom instruction and assessment. Always refer to the test administrator's manual prior to testing; some accommodations may render a test invalid.

19. What notification and information must be provided to parents?

Districts that receive Title III funds are required to provide the following notifications to parents of LEP students and all other districts are encouraged to provide similar notification. Parents must be annually notified within 30 days of the start of the school year that their student has been identified as LEP. If a student enrolled after the start of the school year, the notification must be within two weeks after placement in an LEP program. The notification must include:

- a) the reasons for identification;
- b) the level of English proficiency, how it was assessed, and the status of the child's academic achievement;
- c) the methods of instruction to be used in the English language acquisition program;
- d) how the program will meet the educational strengths and needs of the child;
- e) how the program will help their child learn English and meet academic achievement standards for grade promotion and graduation;
- f) the exit requirements for the program, the expected rate of transition from the program into classrooms not tailored for limited English proficient children, and the expected rate of graduation from secondary school;
- g) in the case of a child with a disability, how the program meets the objectives of the IEP of the child; and
- h) information about their parental rights to withdraw their child from the program, to decline to have their child enrolled in the program or to choose another program or method if available, and information to assist parents in selecting among various programs if more than one is available. (*Title I, Section 1112 (g); Title III, Section 3302*)

20. Which districts must serve LEP students and which districts must file a Plan of Service for limited English proficient students?

Each school district that enrolls limited English proficient (LEP) students is responsible under federal law (Office of Civil Rights legislation and Title I of the ESEA) for taking appropriate steps to develop the students' English-language skills and to provide them meaningful participation in the school district's academic program consistent with applicable state and federal standards. In addition, each school district with a school that is attended by at least eight LEP students shall file a Plan of Service for Limited English Proficient Students. (See Alaska regulation 4 AAC 34.055.) Forms for the Plan of Service may be obtained at <http://www.eed.state.ak.us/forms/Bilingual/05-08-035.doc>. For districts that receive Title III funding, the Plan of Service for LEP students must meet the criteria required under Title III and will be considered as part of the ESEA Consolidated Federal Programs Application for Title III-A.

21. When may an LEP student be exited from LEP status?

Beginning with the spring 2012 annual assessment of English language proficiency, in order to be considered proficient and to be exited (removed) from LEP status, an LEP student must have met the following criteria:

As a result of testing on ACCESS for ELLs (*on Tier B or Tier C for a student in grades 1-12, no tier designation for kindergarten*) a student has:

- (1) a composite score of 5.0 or higher; and

(2) a score of 4.0 or higher in each tested domain – reading, writing, speaking, and listening. After meeting the exit criteria, a former LEP student will be in monitoring status for two years. Students in monitoring status do not take the ACCESS for ELLs.

22. How does a district monitor former LEP students?

Former LEP students (codes M1 and M2) are those who have met the criteria to be exited from LEP status and program services. *Former LEP students should not take the annual ELP Assessment.* The academic progress of these former LEP students should be monitored for two years using the state content-based assessments in reading, writing and math (for students in grades 3-10) as well as district-determined local criteria. Students in grades K, 1, 2, 11, and 12 will be monitored for academic progress in reading/language arts and math according to local criteria as determined by the district. An LEP student who met the exit criteria in the prior school year should be coded as M1, a former LEP student, on both the Fall OASIS Data Collection and the Summer OASIS Data Collection for the school year following the year that the student met the exit criteria and was coded LT. (See question 24 for use of codes for LEP students.)

23. How may a former LEP student be re-identified as an LEP student?

If a former LEP student struggles academically, the first step is to ensure the student is receiving any instructional supports available to all students. After a minimum of one semester of exit from LEP status, the general education core content teacher(s) or instructional team working with a struggling former LEP student must meet with the ESL teacher or district ELL coordinator to review academic performance on classroom assignments and local and state assessments. If they determine that there is compelling evidence that the student is struggling as a result of English as a second language acquisition needs, then they make a recommendation to the district ELL coordinator to assess the student for potential re-identification as LEP. The district ELL coordinator in turn notifies the parent. The district will then administer the MODEL (preferred for reclassification information) or W-APT to get a measure of the student's current language proficiency and necessity for reclassification. If the student scores below the state established criteria for proficiency on the MODEL or W-APT, the student shall be re-identified as LEP and receive appropriate language support services. Note: if a former LEP student (coded as M1 or M2 in the Fall OASIS data collection) is re-classified during a school year, enter a code of LP in the Summer OASIS data collection *and ensure that a comment is entered in the Notes field that the student has been re-classified as LEP through use of the screener assessment.*

24. What data must be reported on LEP students?

Districts must report the LEP status (L1, LP, LT, M1, or M2) of each current or former LEP student on the Participation Rate file for the state Standards Based Assessments (SBAs) and in the Fall OASIS and Summer OASIS Student Level Data Collections. In addition, in the Summer OASIS data collection, districts must report the native language of identified LEP students (the primary, first or home language or language of influence that is not English), and whether or not former LEP students in grades K, 1, 2, 11, and 12 are meeting academic progress goals for two years after exiting LEP status. The department will track the results of content assessments for those former LEP students in

monitoring status in grades 3-10. The ELP test contractor will report to the district and to EED the ELP test proficiency scores. EED will match the student data with the test data in order to determine the number of LEP students in the state, to report on their progress to the US Department of Education, and to determine if the Title III districts have met the Alaska Title III Annual Measurable Achievement Objectives (AMAOs). See the Appendix for LEP student data codes.

25. Are all students enrolled in a dual language (immersion) program or a Native heritage language program considered LEP students?

No. An LEP student is one who meets the LEP definition described in the Appendix and has been identified as not proficient in English according to the ELP screener assessment.

26. Should foreign exchange students be identified, assessed and served as LEP students?

There are different categories of foreign exchange students and visas. Most foreign exchange students are present in the school for up to one school year and many already have enough command of the English language to benefit from regular classroom instruction. Each district may determine if a foreign exchange student should be identified and receive services as an LEP student. If a foreign exchange student is identified as an LEP student, then he or she would be required to participate in the annual ELP assessment. Generally, if a district reports a student for OASIS funding, that student is eligible for all of the rights and privileges as other students and must meet all of the requirements.

27. What is an immigrant student, how are immigrant students reported, and must a student be identified as LEP to be considered an immigrant student?

The term “immigrant children and youth” means individuals who 1) are aged 3 through 21; 2) were not born in any state (including the Districts of Columbia or Puerto Rico); and, 3) have not been attending one or more schools in any one or more states for more than three full academic years. (See ESEA Title III Section 3301(6)). The common definition of the term immigrant identifies a person who has come to settle in a new country, not, for example, come for a temporary period of time as a foreign exchange student. Students are reported as immigrant students through the Summer OASIS data collection, whether or not they have been identified as LEP. Also, the first US school entry date for immigrant students is reported in Summer OASIS, if it is known.

Note: An immigrant student may or may not have limited English proficiency. All students who meet the definition of immigrant must be reported as immigrants in the Summer OASIS data collection whether or not they are identified as LEP students.

28. Where can I find more information about identifying, assessing, and serving LEP students?

More information can be found on the following websites:

- a) EED, Assessments (<http://www.education.alaska.gov/tls/assessment/elp.html>),
- b) EED, No Child Left Behind (<http://www.eed.state.ak.us/nclb/KeyComponentsNCLB.html>),
- c) US Department of Education, Office of English Language Acquisition: www.ed.gov, and
- d) National Clearinghouse for English Language Acquisition (NCELA) at <http://www.ncela.gwu.edu/>

APPENDIX

Statutes and Regulations relating to Limited English Proficient Students

Definition of Limited English Proficient Student

[Section 9101 (25 & 30) of NCLB and Alaska Regulation 4 AAC 34.090(2)]

The term “limited English proficient”, when used with respect to an individual, means an individual –

- D) who is between 3 and 21 years old;
- E) who is enrolled or preparing to enroll in an elementary school or secondary school;
- F) who falls into one or more of the following categories of individuals:
 - (i) an individual not born in the United states or whose native language is a language other than English;
 - (ii) an American Indian, Alaska Native, or a native resident of the outlying areas (Virgin Islands, Guam, American Samoa, or Northern Mariana Islands) 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; and
- D) whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual the
 - (i) ability to obtain a proficiency level of proficient or advanced, as described in 4 AAC 06.739, on the state assessments in reading and writing;
 - (ii) ability to successfully achieve in classrooms where the language of instruction is English; or
 - (iii) the opportunity to participate fully in society.

Identification Assessment Required for LEP students

[Alaska regulation 4 AAC 34.055(a)]

Each school district that enrolls limited English proficient (LEP) pupils shall administer a state-approved assessment for identification of English language proficiency to all pupils who may be LEP pupils but have not been identified as LEP pupils. The district is responsible for taking appropriate steps to develop LEP pupils' English-language skills and to provide them meaningful participation in the school district's academic program consistent with applicable state and federal standards.

Immigrant Students Excluded from State Content Assessments

[Alaska Regulation 4 AAC 06.805(j)]

- (j) Notwithstanding any provision in this chapter, if a district enrolls a student who qualifies as an LEP pupil under 4 AAC 34.090(2) , is new to the United States, and first enrolls in a school in the United States after the previous school year administration of the state standards-based assessment under 4 AAC 06.710(2), the district may
 - (1) excuse the student from participation in the state assessments in reading or writing; and
 - (2) elect not to include the student's performance in any state assessment in the determination of adequate yearly progress under 4 AAC 06.810.

Transfer of Student Records

[Excerpt from the Student Data Reporting Manual, adopted by reference in regulation 4 AAC 06.120(a)(4)]

Within 14 days after enrolling a child as a transfer student in an elementary or secondary school, the school or school district shall request directly from the child's previous school a certified copy of the child's record. An Alaska elementary or secondary school or a school district in this state requested to forward a copy of a transferring child's record to another school shall comply with the request within 10 days after receiving the request unless the record has been flagged by the Department of Public Safety due to a child's disappearance.

Student Records

[Alaska Regulation 4 AAC 07.060]

- a) Each district shall maintain for each student a cumulative record consisting, at a minimum, of the following:
 - (1) subjects student has taken;
 - (2) grades earned and an explanation of the grading system used;
 - (3) units of credit earned;
 - (4) attendance records;
 - (5) scores student has recorded on standard tests taken;
 - (6) records of required immunizations and physical examinations and other health-related matters required by state law or district policy or bylaws; and
 - (7) beginning August 31, 2002, a unique 10-digit individual student identification number issued by the department; the student identification number must appear in each electronic record containing student-level information that is reported to the department; the student identification number must appear on each student examination booklet administered under 4 AAC [06.712](#), 4 AAC [06.737](#), and 4 AAC [06.755](#).
- b) All district policies and practices with respect to student records must conform to current and appropriate state and federal laws and regulations.

Limited English Proficient (LEP) Student Data Codes

- L1 = 1st year of identification as an LEP student. Student meets definition of LEP and has scored at some point below the proficient level on a state-approved screener assessment of English language proficiency. (Note that an L1 student may or may not have taken the annual ELP assessment, depending on the time of year of identification.)
- LP = Student is a continuing LEP student that has been identified as LEP in a previous school year and has not yet scored proficient on the state-approved assessment of English language proficiency and met the exit criteria to be exited from LEP status.
- LT = LEP student who has scored at the proficient level on the annual state-approved assessment of English language proficiency during the current school year and met the exit criteria.
- M1 = First year of monitoring for former LEP student. The student should have had a code of LT at the end of the previous school year in the Summer OASIS data submission.
- M2 = Second year of monitoring for a former LEP student. Student should have had a code of M1 at the end of the previous school year.
- X = Not identified or considered to be an LEP student (includes former LEP students who are no longer in monitoring status).

NOTE: Beginning in 2012 with the new ELP assessment, the definition of proficiency has changed. In order to be considered proficient, meet the exit criteria, and be marked as LT, the LEP student must obtain a composite score of 5.0 or higher on Tier B or Tier C of the ACCESS for ELLs *and* a score of 4.0 or higher in each tested domain – reading, writing, speaking, and listening. (There are no Tier designations on the ACCESS for ELLs for kindergarten, so the Tier B or C is not applicable for kindergarten students.) Districts will receive the data on the results of the ELP assessment in early June and must use that data to determine students who should receive a code of LT before submitting the Summer OASIS file.



PARENT LANGUAGE QUESTIONNAIRE (Home Language Survey)

_____ School District

This form is required by State and Federal law.

Identification of students who may have limited proficiency in the English language enables the school to provide appropriate learning programs for the student. Please complete this form and return it to the school office as soon as possible. If you have questions or need help with the form, please contact: _____

Student Name: _____ **Alaska Student ID #:** _____
(Last Name, First Name)

Place of Birth: _____ **Date of Birth:** ____/____/____
Month Day Year

School: _____ **Grade:** ____ **Sex:** Female Male

PART I: STUDENT LANGUAGE BACKGROUND

1. What is the first language learned by the student? English Other _____
Specify
2. What language(s) does the student currently use in the home? English Other _____
Specify
3. Is this student participating in a student exchange program? Yes No
4. How long has the student attended school in the U.S.A.? 3 or more full school years Less than 3 full school years

PART II: FAMILY LANGUAGE BACKGROUND (Please complete all columns)

	Mother/Guardian	Father/Guardian	Other Significant Adult* Relationship:
1. Home community and State			
2. First language learned			
3. Language(s) spoken to the student			
4. Language(s) spoken in the adult's home			

*Other significant adult could be a grandparent, aunt, uncle, daycare provider, etc. who has contributed to the student's language development.

PART III: PARENT VERIFICATION OF LANGUAGE USE (Please check appropriate box)

	Only the other language, no English	Mostly the other language, some English	The other language & English equally	Mostly English, some of the other language	Only English
A. When the student speaks with family , he/she speaks:					
B. When the student speaks with friends , he/she speaks:					

Parent/Guardian Signature: _____	Phone Number: _____
Printed Name: _____	Date: _____



LANGUAGE OBSERVATION CHECKLIST PART A

This form must be completed by English speaking teacher(s) in collaboration with program staff familiar with the student.

Student Name: _____ **Alaska Student ID #** _____
(Last Name, First Name)

School: _____ **Grade:** _____ **Language:** _____
(home language other than English)

Compared to *Standard English-speaking* students of the same age, does the student consistently exhibit any of the following characteristics when listening, speaking, reading or writing?

CHARACTERISTICS	Oral		Written	
	Yes	No	Yes	No
a. Uses pronouns, genders correctly.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Uses tenses correctly.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Uses singular & plural forms correctly.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Uses prepositions correctly.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Understands teacher directions.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Uses appropriate sentence structure.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. Uses developmentally appropriate vocabulary.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

READING – PLEASE CHECK ONE:	COMMENTS:
<input type="checkbox"/> Non-Reader (not reading) <input type="checkbox"/> Developing Reader (reading below grade level) <input type="checkbox"/> Fluent (at or above grade level)	_____ _____ _____
WRITING – PLEASE CHECK ONE:	COMMENTS:
<input type="checkbox"/> Non-Writer (not writing) <input type="checkbox"/> Developing writer (writing below grade level) <input type="checkbox"/> Fluent (at or above grade level)	_____ _____ _____
ORAL – PLEASE CHECK ONE:	COMMENTS:
<input type="checkbox"/> Non-Speaker (non-English speaker) <input type="checkbox"/> Developing speaker (speaks below grade level) <input type="checkbox"/> Fluent (at or above grade level)	_____ _____ _____

Date (Month/Day/Year)	Printed Name	Signature	Position
	Printed Name	Signature	Position



LANGUAGE OBSERVATION CHECKLIST PART B

This form is only required of schools that provide dual language (immersion) or transitional programs in the student's home language.

Use this form to identify the student's listening, speaking, reading & writing skills in the home language.

Form should be completed and signed by one of the following (check one):

- a. School staff member who is proficient in the student's home language
 b. Speaker/Parent of the student's home language

Student Name: _____ **Alaska Student I.D. #** _____
 (Last Name, First Name)

School: _____ **Grade:** _____ **Language:** _____
 (home language other than English)

	Non-English	Mostly Non-English, Some English	Both Equally	Mostly English, Some Non-English	English Only
1. Language used by student	4	3	2	1	0
2. Language used by the adults in the home.	4	3	2	1	0
3. Circle the numbers to show how the language is used by the student.					
a. Prefers to use this language with friends	4	3	2	1	0
b. Follows simple directions in this language	4	3	2	1	0
c. Understands most things in this language	4	3	2	1	0
d. Speaks in this language	4	3	2	1	0
e. Prefers to use this language in classroom activities	4	3	2	1	0

4. Reading in the home language. Please check one:
 _____ Non-Reader _____ Developing Reader _____ Fluent Reader

5. Writing in the home language. Please check one:
 _____ Non-Writer _____ Developing Writer _____ Fluent Writer

Signature of Interviewer

Printed Name of Interviewer

Date



Alternate ACCESS for ELLs Participation Criteria Checklist

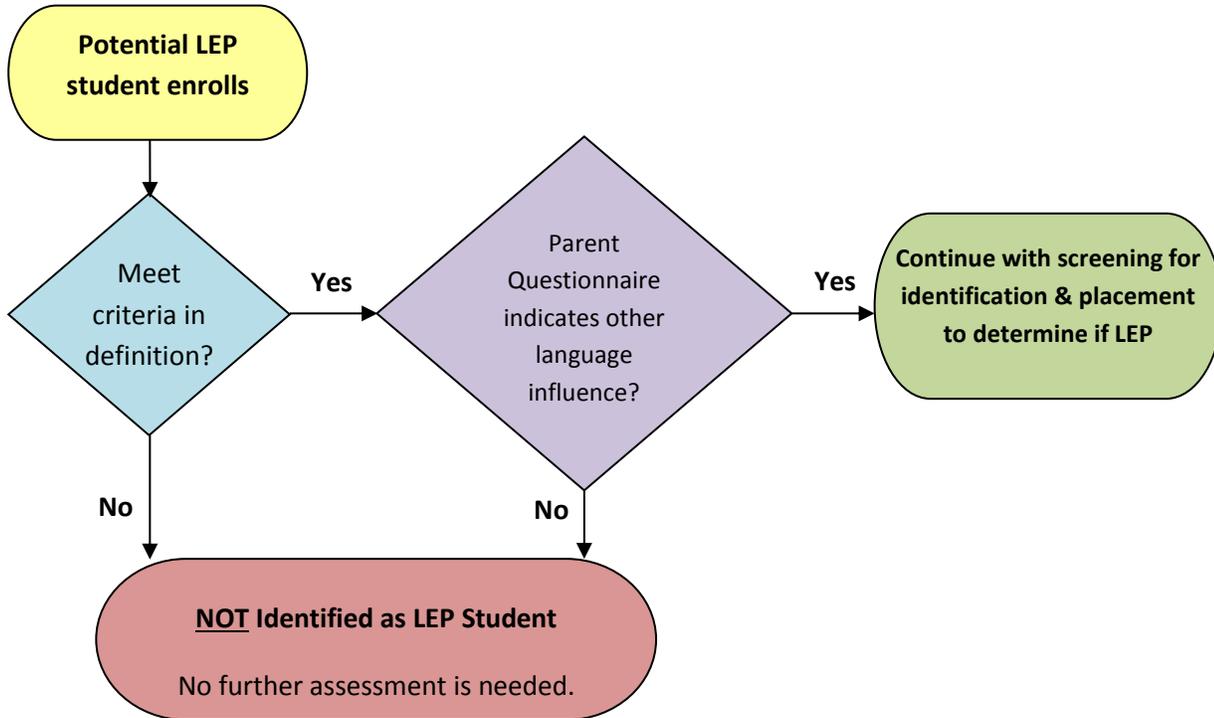
The *Participation Criteria Checklist* should be a part of the decision making process for students who may be eligible to take the annual ELP assessment, the Alternate ACCESS for ELLs. If any response to the criteria below is “No” or “Disagree”, the student **must** participate in the regular ACCESS for ELLs assessment with or without accommodations.

Yes/No	Alternate ACCESS for ELLs Criteria <i>(applies to students in all grades unless otherwise specified)</i>
	The student has an Individualized Education Program (IEP) and is currently identified as Limited English Proficient (LEP).
	The student shows evidence of a significant cognitive disability and exhibits deficits in adaptive behavior/skills that adversely impacts the student’s educational performance and prevents completion of the standard academic curricula that leads to a diploma.
	The student takes the Alaska Alternate Assessment instead of Standards Based Assessment (SBA). This applies to LEP students in grades 3 through 10 only.
	The student requires extensive, frequent, individualized instruction in multiple settings to acquire, maintain, generalize and demonstrate performance of skills.
	The student requires extensive direct instruction to accomplish the acquisition, application and transfer of English language skills.
	Objectives written for the student in the designated content area are less complex than the Alaska English/Language Arts and Math Standards, making the regular ELP assessment, even with accommodations, inappropriate for this student.
	The accommodations or modifications needed by the student to participate in the regular ACCESS for ELLs assessment would compromise the validity of the test.
	The decision to participate in the Alternate ACCESS is not based solely on excessive or extended absences.
	The decision to participate in the Alternate ACCESS is not based solely on language, social, cultural, or economic differences.
	The decision to place the student on the Alternate ACCESS is not being made for program administration reasons, such as the student is expected to perform poorly on the regular ELP assessment; the student displays disruptive behaviors or experiences emotional duress during testing.

Alaska Policy for Administration of the Alternate ACCESS for ELLs

- It is strongly recommended that districts designate a contact person to oversee the Alternate ACCESS and to work closely with special education staff to meet the testing needs of these students.
- It is strongly recommended that certified teachers administer the Alternate ACCESS.
- Alternate ACCESS is designed only for **current LEP students** with significant cognitive disabilities.
- The IEP team will determine if the student will take the Alternate ACCESS or regular ACCESS. For students in grades 3-8, the students must also be taking the Alternate Assessment instead of the Standards Based Assessments in reading, writing, and math. For students in grades 1, 2, 11 & 12 who do not take the SBAs, the IEP team makes the decision about the Alternate ACCESS using this checklist.
- Test administrators must be certified online annually to administer the Alternate ACCESS.
- Online training is available at WIDA’s website: <http://www.wida.us/assessment/alternateaccess.aspx>.
- Refer to the *WIDA Test Administration Manual* for accommodations for LEP students with disabilities. **Caution:** some accommodations will render this assessment invalid.
- **The Alternate ACCESS for ELLs does not address Proficiency levels 4, 5 or 6, therefore, a student cannot exit LEP status as Proficient on this assessment.**

Pre-Screening for Identification of Potential LEP Students (all grades)

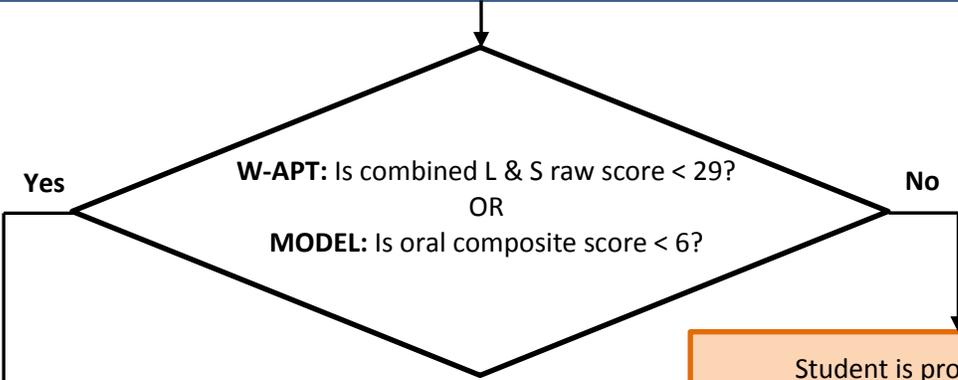


Upon enrollment, districts follow their pre-screening process to identify potential LEP students – those that meet the definition stated in 4 AAC 34.090(2) – usually by requesting parents to complete the Parent Language Questionnaire (Home Language Survey) and perhaps having teachers complete the optional Language Observation Checklist (LOC A). These forms are available on the EED website at <http://www.eed.state.ak.us/nclb/KeyComponentsNCLB.html>.

Only students who have been found in the pre-screening process to have a language influence that limits their English language proficiency **and** who meet the other criteria in the definition of an LEP student must take the W-APT or MODEL to formally determine if their ability to speak, listen, read and write English is not sufficient to achieve in English speaking classrooms. See specific grade level and screener flow charts for a visual representation of the minimum criteria to be considered proficient in English or to be identified as LEP.

Alaska's Flowchart for Kindergarten LEP Identification
Students entering kindergarten before March 1

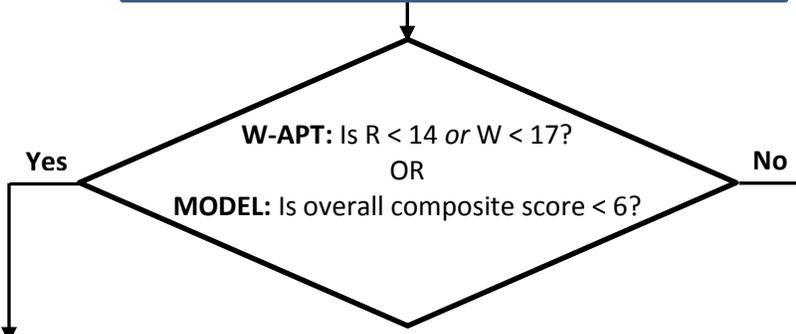
Fall - February
 Administer Listening (L) & Speaking (S) domains only using W-APT or MODEL



Student is proficient in L & S
Not identified as LEP at this time

Do NOT administer ACCESS for
 ELLs in spring

After March 31
 Administer Reading (R) & Writing (W)
 domains only using W-APT or MODEL



Student is proficient in
 R & W & L & S
NOT identified as LEP

No further assessment is
 necessary
 Do not administer ACCESS

Student is not
 proficient in L & S -
IDENTIFIED AS LEP

Provide ELL support
 services

Administer ACCESS for
 ELLs in spring

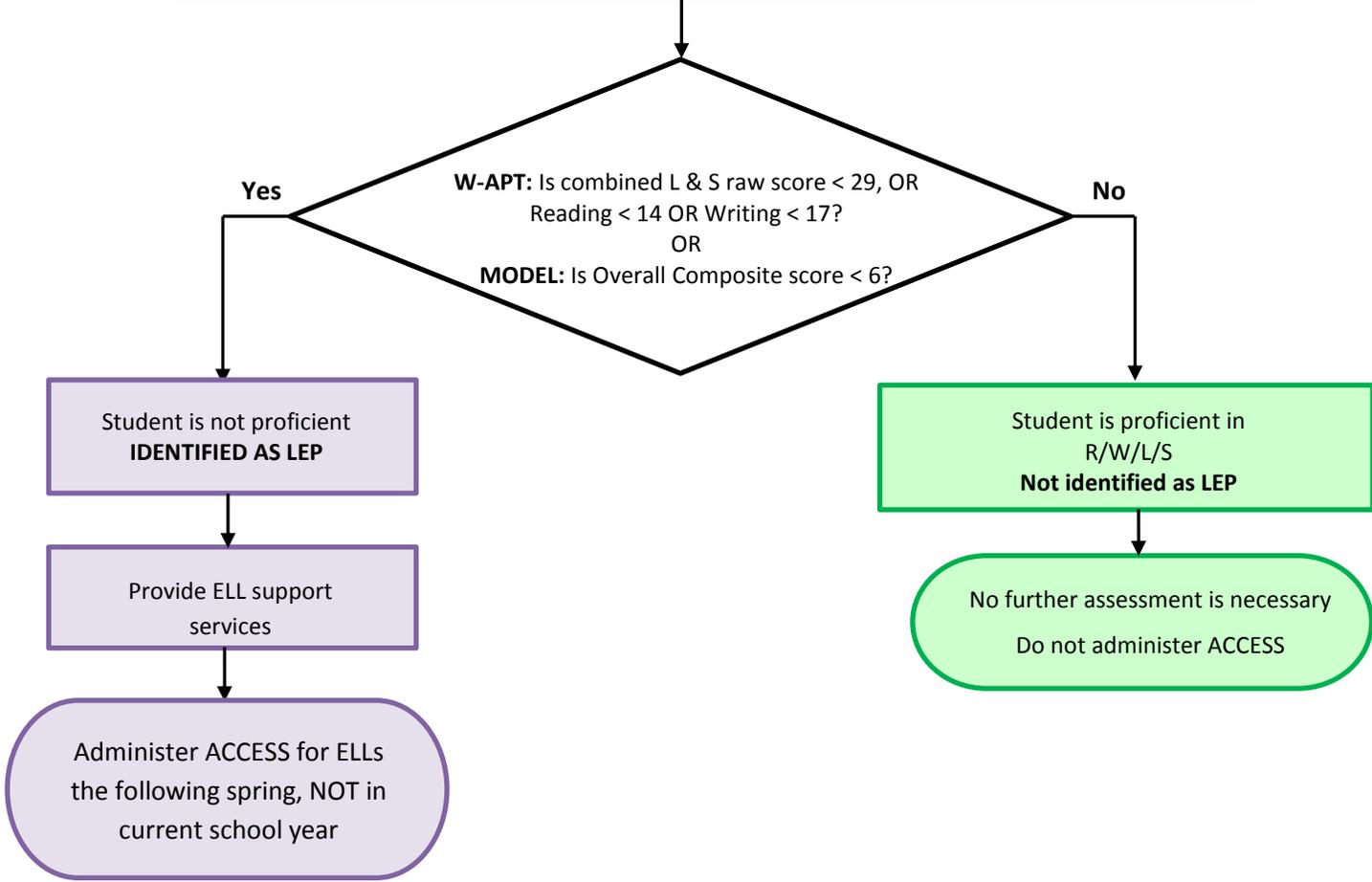
Student is not
 proficient in R & W -
IDENTIFIED AS LEP

Provide ELL support
 services

Administer ACCESS for ELLs
 the following spring, NOT in
 current school year

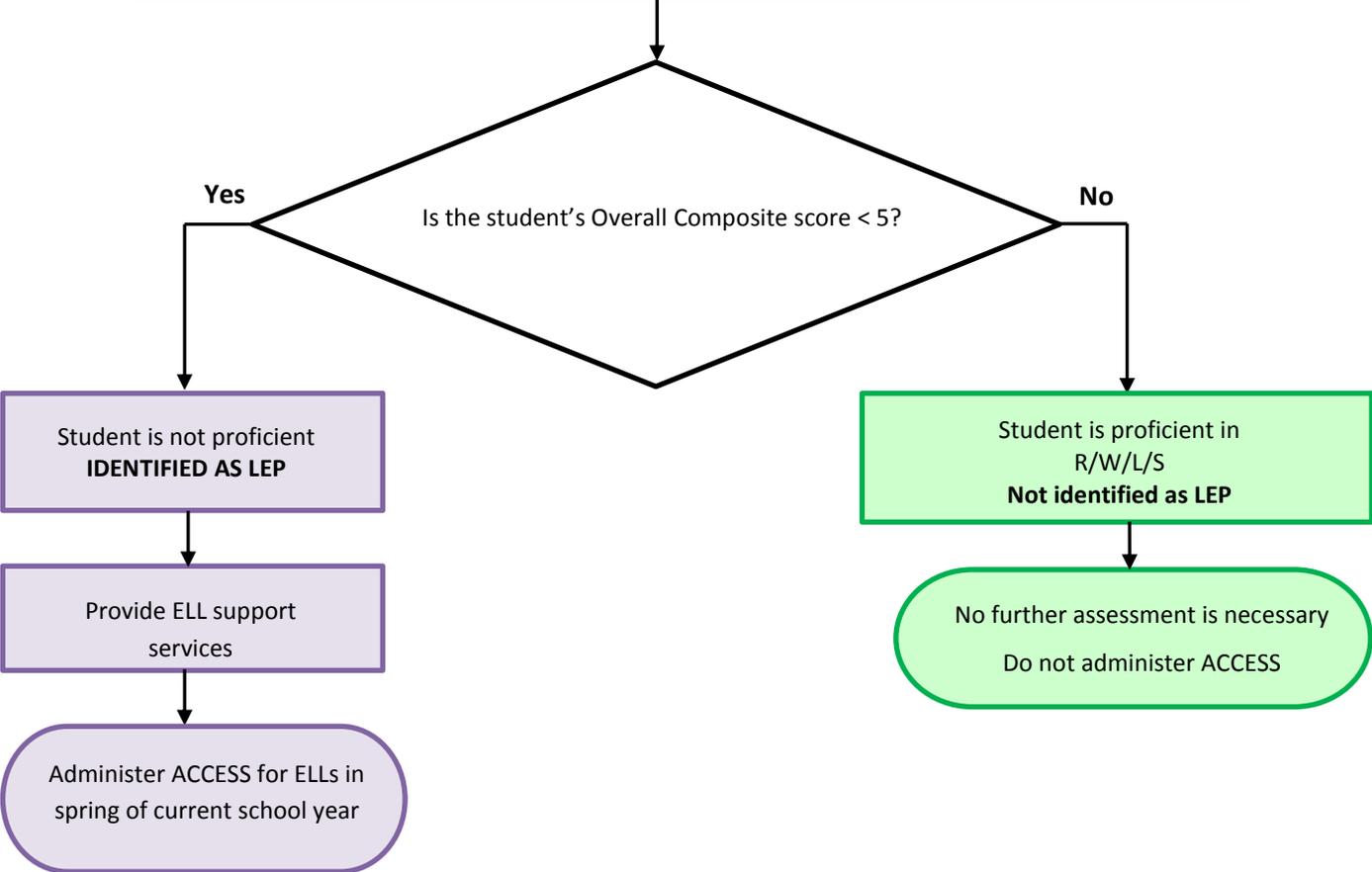
Alaska's Flowchart for Kindergarten LEP Identification
Students entering kindergarten March 1 and later

March 1 – End of School Year
Administer all domains of the W-APT or the MODEL:
Listening (L), Speaking (S), Reading (R), and Writing (W)



Alaska's Flowchart for Grades 1 - 12 LEP Identification
Students entering school before March 1

Fall - February
Administer all domains of the W-APT or the MODEL:
Listening (L), Speaking (S), Reading (R), and Writing (W)



Alaska's Flowchart for Grades 1 - 12 LEP Identification
Students entering school March 1 and later

March 1 – End of School Year
Administer all domains of the W-APT or the MODEL:
Listening (L), Speaking (S), Reading (R), and Writing (W)

Is the student's Overall Composite score < 5?

Yes

No

Student is not proficient
IDENTIFIED AS LEP

Provide ELL support
services

Administer ACCESS for ELLs
the following spring, NOT in
current school year

Student is proficient in
R/W/L/S
Not identified as LEP

No further assessment is necessary
Do not administer ACCESS