



**Norwalk Community School District
Norwalk, IA**

Lau Plan for Serving K-12 English Learners (ELs)

July 2019

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PURPOSE

The Norwalk Community School District's (NCSD) Lau Plan and Procedure Manual serves as guidance for addressing the linguistic needs of English learners (ELs) – for those enrolled and those yet to be enrolled – and for implementing appropriate programming designed to reduce linguistic barriers to the district's instructional program.

The district plan designed to meet the instructional needs of ELs is referred to as the Lau Plan (Lau v. Nichols, 1974)¹. The plan is to ensure that immediately upon enrollment, the EL student has access to a specialized language instruction educational program (LIEP). The plan for meeting the linguistic needs of ELs must provide resources to support the LIEP and the academic achievement of ELs, using state and local funds.

The Iowa Department of Education requires that all school districts report their plan to identify and serve ELs in accordance with Title VI of the Civil Rights Act to the Department of Education. The district's Lau Plan ensures that there is an approved process in place for the identification of ELs, as well as a plan to begin English language development services for such students immediately upon enrollment. In addition, the NCSD's Lau Plan includes screening procedures and a plan for administering an annual assessment of the students' English language development. The plan also identifies LIEP models for ELs.

Additionally, the district will work with limited English proficient parents or guardians in a language they can understand so that they comprehend the programs, services, and activities available to them and their children in NCSD.

¹ [Lau v. Nichols](#): A class action suit brought by parents of non-English-proficient Chinese students against the San Francisco Unified School District. In 1974, the Supreme Court ruled that identical education does not constitute equal education under the Civil Rights Act of 1964. The court ruled that the district must take affirmative steps to overcome educational barriers faced by the non-English speaking Chinese students in the district. [414 U.S. 563 (1974)]

I. LAU PLAN GUIDING PRINCIPLES

Overall goal

The overall objective of the EL program is for students to be able to take challenging content-level academic courses and be as successful as English-speaking students. When students are proficient on the ELPA21, they are exited from the program. .

A. English language development (ELD)

The LIEP is in place to ensure systematic English language development (ELD) in listening, speaking, reading, and writing for all ELs.

B. Academic Achievement

The NCSD will educate ELs to the same rigorous standards as all students in the district by supporting ELs academic success in the content areas at grade- and ELD-appropriate levels. Language proficiency encompasses both social and academic language acquisition; therefore, every instructional event is also an English learning opportunity for English learners:

1. To provide English learners access to the Core curriculum.
2. To provide support for English learners in learning the general education curriculum (e.g., supplementary materials, scaffolding, leveled readings).
3. To value the languages of all students and to appreciate and commit to creating an environment that embraces their cultural diversity.

C. Cross-cultural efficacy

II. IDENTIFICATION AND PLACEMENT of ELs in Language Instruction Educational Program (LIEP)

A. Home Language Survey – IA

1. The first step in identifying an English learner is to conduct a *Home Language Survey* – Iowa (Appendix A). This survey will also collect race and ethnicity data for reporting purposes. Parents or guardians are required to complete the *Home Language Survey* of all students new to the district, including kindergartners, transfer students, refugees, migratory children, and immigrants.

The NCSD uses the TransACT website www.transact.com to provide the Home Language Survey to parents or guardians in their first language.

2. The survey results are shared with the building secretaries who provide a copy of every survey to the ESOL teachers. Information gathered from the survey becomes part of the student's permanent records and is available to the student's teachers.

3. The HLS-IA is placed in the student's cumulative folder

B. State-approved English language proficiency placement assessment

1. As of August 1, 2018, the English Language Proficiency Assessment for the 21st Century (ELPA21) Dynamic Screener will be used as a placement screener. It is designed to allow schools to place students into classrooms and services best suited for their current level of acquisition, based on their acquisition of English language proficiency skills.

ELPA21

2. The ELPA21 Dynamic Screener is administered by a certified test administrator at the beginning of the school year for new students to the country or Kindergarten students. If the student moves in during the school year, the ELPA21 Dynamic Screener is administered within two weeks of the student's enrollment. The entire identification and placement process must be completed within 30 days of enrollment when an EL enrolls at the beginning of the year as well as thereafter.

3. Certificates of test completion for trained screeners are stored with the ESOL administrator and are also available through AEA 11 PD online.

4. The summary of EL student results are kept in the students' cumulative folders.

C. Process to place students in appropriate LIEP and content courses

1. If a response on the Home Language Survey indicates a language other than English in the student's background, the ESOL teacher facilitates the identification process as needed, including gathering additional information by using both standardized and locally developed English language proficiency and academic skill assessments and/or conducting interviews.

Other data that may be collected and considered by the team, to potentially identify a student as needing LIEP services include:

- student records
- teacher interview
- parent information
- teacher observation
- referrals
- student grades
- informal assessment

See *Districtwide Screening Data* (Appendix B) for an additional listing of specific district assessment data.

2. Based on the results of the screening and/or assessment, a team-based determination is made as to the level of support the student needs in the EL program. Students who are shown to be in Emerging or Progressing in English skills are placed into appropriate

levels of programming and provided academic support to assist in their continued acquisition of English. Students who are Proficient are not placed in an LIEP program.

3. Placement decisions are team-based by the ESOL teachers, classroom teacher(s), administrator(s), and others as necessary. The classroom teacher and ESOL teacher assess academic skills in relation to the student's grade- or age-level, within two years of the student's age-appropriate grade level.

4. Based on the assessment results, an EL is matched with the appropriate English Language service delivery model. This initial placement is flexible and may be changed based upon classroom and English Learner teacher observations. Placement should be age-appropriate, within two years of actual age, or grade-level placement of non-EL peers.

Based on the results of the screening and/or assessment, a determination is made as to the level of support the student needs in the EL program.

No placement is considered permanent; it is always flexible based on the needs of the student. The student's progress is monitored and evaluated frequently, and appropriate program changes are made as needed.

D. Parental forms distributed in a language most easily understood

When the family's primary language is not English, every attempt will be made to secure a trained interpreter who is proficient in the family's language to explain the registration process as well as with school meetings during the year e.g. conferences, IEP meetings. Required TransAct forms will be used when necessary. (Such resources include www.LanguageLine.com)

1. When a student is determined eligible, the *English Learner Program Placement form (Appendix D)* and *Determination of Student Eligibility for Program Placement (Appendix C)* form is sent once upon placement, to notify the parents that their child is eligible for ESOL services and to garner their permission.

2. If a student's score indicates that he/she is eligible for the LIEP, the ESOL teacher will complete and send home the *EL Program Placement (Appendix D)*. Sent initially and annually from Transact.

3. Parent notification of eligibility will be sent out within 30 days of the beginning of the academic year or within 30 days of the beginning of the school year for new students.

4. All signed forms will be stored in the student's cumulative folder.

E. Process for waiving students from LIEP

The LIEP is a voluntary program. If at any point the parents or guardians refuse services or choose to withdraw their student from the LIEP, then:

1. a meeting is held to discuss recommendations, concerns, ELPA21 assessment requirements and potential outcomes with parent(s). [Note: All students who qualified for ESOL services, including the students who waived those services, will be required to take the *ELPA21* annually until they reach English language proficiency.] A copy of the

Explanation of Consequences for not Participating in English Learner Program (Appendix H) will be provided.

2. the parent must sign a *Request for Change in Program Participation* (Appendix E). This signed form is kept in the student's cumulative folder.

3. All students in the NCSD are monitored regularly via classroom assessments, district assessments, teacher/student interviews and yearly through the Iowa Assessments. Students will receive necessary accommodations, interventions, and support targeting their individual needs, as needed, with parental approval.

III. DESCRIPTION OF THE LIEP

- A. LIEP Program Goals** The intent of the LIEP is always to help each student get to the point where LIEP services are no longer needed. This requires the student to score proficiency (scores of 4 or 5) on all the ELPA21 subtests of ELPA21- reading, writing, listening, and speaking.
- B. LIEP models** Additionally, the specific placement and access to Core curriculum are the same as the "Placement of ELs in appropriate LIEP designed to meet their EL development" section above.
1. Currently, NCSD uses an English as a Second Language Program (i.e. pull-out, push-in) to meet the needs of our EL students:
 2. Norwalk is in the process of expanding and defining its service model that is sensitive to the ELD levels and needs of students using the *Recommended Services per ELPA21 Score* (Appendix I).
 3. All identified ELs, including EL students with disabilities, will receive direct LIEP instruction, unless services have been waived. The way in which this is delivered is still being developed.
- C. Annual parental notification of continuing placement and programming options**
1. Parent notification of eligibility will be sent out annually or within 30 days of the beginning of the academic year or within 30 days of the beginning of the school year for new students, using the *EL Program Placement* (Appendix D).
 2. The ESOL teacher(s) will be responsible for implementing the parental notification process.
 3. Records of the *EL Program Placement* are stored in students' cumulative files annually.
- D. Procedure for annual communication with parents who have waived**
1. The ESOL teacher will communicate with parents, who have previously waived services, each year to obtain a signed document. The form to be signed is the *Explanation of Consequences for not Participating in English Learner Program* (Appendix H).

LIEP services in place annually

2. Parents or guardians always have the right to waive services at any time. Waived services are documented on the *Request for Change in Program Participation form (Appendix E)*.
3. The *Request for Change in Program Participation* form is stored in the student's cumulative folder.

E. Qualified LIEP and content staff

1. The district employs highly qualified classroom and ESOL teachers as licensed by the Iowa Department of Education.
2. ESOL teachers hold an EL endorsement and classroom teachers are licensed in the content area for which they are teaching.

F. Designated administrator

1. The Director of Student Services, Eric Neessen, is in charge of oversight of the LIEP in the NCSD.
2. The Director will participate in ESOL trainings at the state, AEA, and local level.

G. Access to Iowa Core and ELP Standards

1. Best practice is that a student will be assigned to a classroom no more than two years different from his/her age peers. Likewise, each EL student will have access to the Iowa Core standards like every other non-EL student, as well as access to instruction based on the English Language Proficiency (ELP) standards. The ESOL teacher and the Director of Student Services have completed the online ELP Standards modules. District staff required to complete module training will view the online PD modules individually or collectively as well as take the associated quiz to document completion and content attainment.
2. ESOL teachers and general education teachers will collaborate weekly to discuss the needs of EL students in order to ensure that EL students' needs are being met. Additionally, differentiation of instruction will be practiced by all teachers during the school day to ensure that ELs learn grade-level content.

H. Curriculum and Supplemental Resources for LIEP

1. The curricula that are used to support our EL students in the Core:
 - National Geographic Reach
 - National Geographic Inside
 - Academic Vocabulary Toolkit
 - Reading intervention (e.g. 95% Group)
 - 21st Century Reading

Supplemental materials are selected with input from experts, purchased using Title III and district funds.

2. The selection of these materials were based on training, research, and the pilot process. Scope and sequence for ELD was also required in determining which Core and supplemental LIEP materials were purchased.

3. When considering core curriculum, the district maintains a focus on the needs of all students, including varying ELP levels of ELs.

IV. PROCESS TO PROVIDE MEANINGFUL ACCESS TO CO-CURRICULAR AND EXTRA-CURRICULAR PROGRAMS AND ACTIVITIES

A. Gifted and Talented (G/T) ELs

1. Norwalk Community School has created a recommendation process and identification plan for the Gifted and Talented (G/T) program that considers multiple measures. These measures include test data, specific aptitude ability, and other evidence-based information. Collecting multiple results maximizes the probability that most gifted children will be identified.

Additional data to consider when evaluating an EL student:

- ELPA21 results,
- ELPA21 Dynamic Screener results,
- prior academic performance in another language,
- ability to speak multiple languages,
- rapid acquisition of a second language,
- high ability shown in mathematics,
- mature sense of diverse cultures and languages,
- code switches easily (can think in both languages),
- demonstrates an advanced awareness of American expressions,
- translates at an advanced level, and
- navigates appropriate behaviors successfully within both cultures.

G/T nominations may also come from parents or guardians, teachers, or students.

After a nomination is received, EL eligibility and placement is decided by the G/T steering committee consisting of the G/T teacher, ESOL teacher, program coordinator, building principal, and counselor.

EL students are eligible for GT regardless of English language proficiency level.

2. The individual language needs of the EL students will be supported within the G/T program as well.

B. Special education and ELs

1. Limited English proficiency is not a disability. ELs should only be placed in a special education program if the exclusionary factors are thoroughly investigated and documented sufficiently. To assist in determining the appropriateness of a referral to special education, the district's established pre-referral process for interventions will be followed, independent of the EL identification.

During the eligibility decision-making process, the evaluation team must rule out language and acculturation as the primary reason for performance deficits. An assessment of the individual's English language proficiency is needed in order to develop appropriate interventions or evaluate the individual's response to interventions and to make eligibility decisions.

When an evaluation is completed, the evaluation team examines all relevant information through a process known as RIOT (Review, Interview, Observation and Test) to determine whether a child's performance difficulties are primarily the result of a true disability or a result of the developmental process of acquiring a second or additional language. For children whose primary language is not English, communication deficits only constitute a disability if the communication problem is present in both English and the child's primary language.

2. EL students identified as needing special education services will receive support for language needs by the special education teacher along with their ongoing EL services by a highly qualified ESOL teacher.

3. An ESOL teacher will be a member of the team to help differentiate between language acquisition and disability symptoms. If necessary, another person with requisite knowledge of the child's language needs and training in acquiring a second language will also be included in the IEP team discussion.

C. Process for involvement of ELs in co-curricular programs (e.g. Title I, At-Risk, Technical Education programs, Counseling services, Advanced Placement courses)

1. All EL students will have access to and will be encouraged to participate in all co-curricular programs to the same extent as non-ELs. Academic activities may include at-risk, Title 1, and advanced placement courses. EL students will be identified using the same criteria as non-EL students, taking into consideration language differences and ensuring that language needs are supported within the program.

2. The district is committed to informing parents and students of these activities in a language that is most easily understood by both.

3. ESOL teachers will be included in the review of data when placements in such programs are considered.

D. Process for involvement of ELs in extra-curricular (e.g. performing and visual arts, athletics, clubs, honor societies)

1. All EL students will have access to and will be encouraged to participate in all extra-curricular programs to the same extent as non-ELs. EL students will be identified using the same criteria as non-EL students, taking into consideration language differences and ensuring that language needs are supported within the program.

2. The district is committed to informing parents and students of these activities in a language that is most easily understood by both.

V. ONGOING PROFESSIONAL DEVELOPMENT FOR STAFF

A. Ongoing EL professional development for staff

1. All English Language teachers, as well as classroom and content teachers, support staff, paraprofessionals and administrators, will participate in EL specific professional development offered at the district level as well as through Title III funds. ESOL teachers and district staff that are responsible for support and delivery of services to ELs are required to participate in annual EL specific professional development. Examples of these professional development opportunities include, but are not limited to:

- Iowa Culture and Language Conference
- Our Kids Summer Institute
- Workshops offered through Heartland Area Education Agency
- English Language Proficiency Standards training through the AEA

B. District training of ELP standards and implementation

1. The district will work with the AEA to obtain state and federal updates regarding EL requirements and PD opportunities. The district will require ESOL teachers (and others the district deem appropriate) to view the online modules individually via AEA PD online and take the associated quizzes to document completion and content attainment.
2. Documentation of training procedures used and completion attained will be via AEA PD online.
3. Documentation of training completion will be stored in teacher personnel files.
4. The district will require all new ESOL teachers to complete the necessary training stated above.

VI. ANNUAL EL PROFICIENCY ASSESSMENT AND ADMINISTRATION (ELPA21)

The ELPA21 is administered during second semester within the timeframe determined by the DE. The ELPA21 is administered to every student who has been identified as an English learner – including those students whose parents or guardians have waived services).

A. Annual training to staff assigned to administer ELPA21

1. ESOL teachers annually complete the online training provided by the Iowa Department of Education for the ELPA21 (screener and annual assessment)-prior to administering these assessments to students.
2. ESOL teachers submit their certificate of completion to the Director of Student Services annually. Certificates are stored in personnel files.

B. Dissemination of scores to stakeholders

The results of the ELPA Dynamic Screener and ELPA21 are shared with:

- Students - The ESOL teachers discuss individual ELPA21 results with the students.
- Administrators - The ESOL teachers discuss individual ELPA21 results with building administrators.
- Parents or guardians - The school district sends home individual ELPA21 results.
- Classroom/content area teachers serving EL students - The ESOL teacher discuss individual ELPA21 results with teachers. Based on these results, the ESOL teacher makes recommendations regarding student placement, accommodations, and instructional strategies that would benefit the learner.

- School Board - The Director of Student Services presents a yearly update. This update includes ELPA21 and Iowa Assessment results along with staffing recommendations.

C. Appropriate training to interpret results to staff

Upon receiving the results of the ELPA21 Dynamic Screener and ELPA21, the ESOL teacher will participate in training to interpret ELPA21 Dynamic Screener and ELPA21 results and how data can be used to guide instruction. Such training will occur either through Heartland AEA or in agreement with an outside consultant. This training will also be provided to administrators and staff serving EL students by the ESOL teachers or by AEA consultants as well.

D. Utilization of assessment results to guide instruction and programming.

ELPA21 results will be used by the district to guide the following:

- Core instruction accommodations, modifications and recommendations for classroom teachers to allow EL students access to the core instruction.
- LIEP instruction such as service models, instructional time, and curriculum placing as well as pacing of students.
- Future programming needs that will accommodate our growing and changing EL student demographic.

EL students may have grasped the content or concept of a lesson, but may be unable to articulate this newly acquired information using the English language and/or conventional testing methods.

Teachers must design assessments that focus on content understanding, and not on the English language learner’s ability to use the English language. To accomplish this goal, teachers may design alternative forms of assessment that allow the student to demonstrate his/her knowledge in a manner that deemphasizes the role of English language use.

E. General education assessments (differentiation)

Teachers must differentiate assessments according to the language proficiency level of the student. For example, with content area questions, a teacher would not deduct or penalize an EL student for lack of mastery of written conventions.

An EL student could also be allowed to demonstrate knowledge by using pictures, by making use of translators and/or English Language teachers to provide language assistance, or use his/her native language to respond to test questions. Additional assessment strategies are found in *Instructional and Assessment Strategies of English Language Learners (Appendix F)*.

F. ISASP accommodations

The ESOL teacher will work with the general education teachers to determine which accommodations may be needed by the EL student. The following link is a good resource: <https://www.heartlandaea.org/instructional-services/cia/ell/assessment-of-els>

VII. LIEP EXIT CRITERIA

- A. LIEP Exit Criteria** In order for exiting to occur, a student must achieve the required score for proficiency (4 or 5) on the ELPA21 subtests of reading, writing, listening, and speaking.
- B. LIEP Exit Procedures**
1. EL students identified as meeting the exit criteria of the LIEP will be allowed to exit during the window of time from May 31st to Oct. 1st, which is the student count date.
 2. When students are fully exited from LIEP, a *Program Exit Letter* (Appendix G) is sent home to parents or guardians and the exit form is placed into the student's cumulative folder.
 3. SRI changes entered by designated staff person so student is coded to "exited" status, so the student does not continue to generate unwarranted funding
 4. Begin required two-year minimum monitoring period.
- C. Aging out** Additionally, students who reach the age of 21 years will be exited from the program at the end of the school year.

VIII. MONITORING PROCEDURES AFTER STUDENTS EXIT PROGRAM

- A. Monitoring procedures in place after students exit the program**
1. During the two-year minimum period after exiting the LIEP, the student's performance is monitored to ensure that he/she is continuing to be successful without ESOL program support. All students in the NCSD are monitored yearly using data from the Iowa State Assessment of Student Performance (ISASP), district assessments, and classroom assessments.
- If there is a concern with a specific EL student who has been exited, the teacher brings the student's name and supporting data to the building student problem solving team (BAT). The building teams are multidisciplinary teams and include an ESOL teacher when there is a specific concern regarding an EL student. If the data indicates a need and criteria are met, the student may re-enter the LIEP.
2. Melissa Kanost, ESOL teacher, will be responsible for monitoring the performance of the students who have been exited..
 3. The team review will determine whether a student requires:
 - Continued monitoring,
 - Re-entry into the ESOL program due to language needs, or
 - Completion status after two years of successful performance

4. Exited ELs who are showing a lack of academic progress or success shall be given the same support as other non-ELs with the building's intervention system.

B. LIEP re-entry procedure

1. Students will re-enter the LIEP, if data indicates they are not adequately sustaining proficiency status in any of the areas of speaking, listening, writing and reading and the ELPA21 Dynamic Screener is re-administered to determine re-enrollment in the LIEP. Consider using the following resource by the Iowa DE for help with this decision: <https://educateiowa.gov/sites/files/ed/documents/Re-entryFAQsforELs.pdf>
2. If a student is re-entered into a program, the parents or guardians must again be notified using *EL Program Placement* (Appendix D) form.

IX. LIEP EVALUATION

A. LIEP evaluation in place

Ongoing evaluation of the language instruction educational program (LIEP) is essential, providing valuable information for decision making, which will be used to determine programming needs and future services. Students exited from LIEP will be monitored for three years.

1. The Director of Student Services, Eric Neessen, is responsible for facilitating a team-based process for LIEP evaluation.
2. The LIEP team also considers and responds to district data when planning EL instruction in Core classes and in English language development.
3. The LIEP evaluation will also consider the impact on future programming and EL services that include: professional development, staffing, curricular needs, and overall adjustments to the LIEP.
4. The Title III assurances will also be maintained.

The district has used a self study guide to evaluate and improve the district's EL instructional services, but the Iowa Dept. of Education is currently developing a new guide that we will use when it is completed.

APPENDIX

- A.* Home Language Survey – Iowa
- B.* Districtwide Screening Data
- C.* Determination of Student Eligibility for Program Placement
- D.* EL Program Placement
- E.* Request for Change in Program Participation
- F.* Instructional and Assessment Strategies of English Language Learners
- G.* Program Exit Letter
- H.* Explanation of Consequences for not Participating in English Learner Program
- I.* Recommended Services per ELPA21 Score
- J.* Staff Responsibilities
- K.* Teacher / Student Ratios
- L.* Private Schools
- M.* Glossary
- N.* Additional References and Acknowledgement