Language Instruction Education Program Policies and Procedures

School Year: 2022-2023

School Name Midlands Middle College
School Leader: Dr. Laurie Lee

South Carolina Public Charter School District

Chris Neeley, Superintendent

INTRODUCTION

The purpose of this document is to provide the policies and procedures for supports and services in the Multilingual Learner Program (MLP) in the South Carolina Public Charter School District. SCPCSD serves the cultural, linguistic, and academic needs of students who enter our schools with limited English proficiency through our Language Instruction Education Programs (LIEP). The primary focus of these programs is to ensure that English learners attain English proficiency, develop high levels of academic competence in English, and meet the same challenging State academic content and student academic achievement standards that all children are expected to meet.

SCPCSD ensures that all multilingual learners (MLs) adhere to the proficiency standards, identify, or develop and implement English language proficiency assessments, and define annual achievement objectives for increasing and measuring the level of MLs development and attainment of English proficiency. The English language proficiency standards are based on the four domains of speaking, reading, writing, and listening. However, the LEA must assess multilingual learners in the five domains of speaking, reading, writing, listening, and comprehension.

Multilingual learner students are protected by the Civil Rights Act of 1964 from being discriminated against in their education. Title III, Part A of the Elementary and Secondary Education Act (ESEA), as reauthorized under the Every Student Succeeds Act (ESSA), aims to ensure that ML students, which include immigrant children and youth, attain English proficiency and meet the same challenging state academic standards that other students are expected to meet. Multilingual learners are entitled to an equal education regardless of their national origin, English proficiency, or immigration status. MLs and their parents are entitled to equal access to all school and district programs as well as to a quality program to improve their English proficiency.

This document provides the South Carolina Public Charter School District's interpretation of various statutory provisions and does not impose any requirements beyond those included in federal regulations and court interpretations. In addition, it does not create or confer any rights for or on any person. The SCPCSD maintains the role of an authorizer and LEA. Each charter school within the SCPCSD has the autonomy to develop policies and procedures individualized to meet the needs of the school, as long as those policies and procedures are consistent with the school's charter, contract, and SCPCSD policies and procedures. All schools must adhere to State and Federal Laws regarding multilingual learners. The rights of MLs and their parents are guaranteed in the South Carolina Public Charter School District. The Chief Special Programs Officer oversee all matters related to multilingual learners, in addition to each charter school having its own MLP Coordinator.

This is a living document and will be updated on a regular basis as the South Carolina Public Charter School District receives further guidance from the United States Department of Education, Office of Civil Rights, South Carolina Department of Education, and results of court decisions. For the additional guidance on multilingual learners and MLP regulations, please consult the South Carolina Department of Education: https://ed.sc.gov/policy/federal-education-programs/esea-title-iii/ or the U.S. Department of

Education's Office of English Language Acquisition: https://www2.ed.gov/about/offices/list/oela/index.html#:~:text=The%20U.S.%20Department%20of%20Education's,proficiency%20and%20achieve%20academic%20success. SCPCSD policies and procedures were generated from guidance given from the SCDE through their Title III MLP and Immigrant Children and Youth Program Guiding Principals 2022-2023 and the SCDE LEA Title III On-Site Monitoring Report. For questions concerning this document or questions concerning the South Carolina Public Charter School District's MLP, please call (803) 734-8322.

The South Carolina Public Charter School District does not discriminate on the basis of race, color, national origin, sex, disability, age, religion, or immigrant status in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following persons have been designated to handle the nondiscrimination policies. For questions pertaining to Section 504 contact the Director of Federal Programs, questions pertaining to Title IX contact the Director of School Development at 3710 Landmark Drive, Suite 201, Columbia, SC 29204, 803-734-8322.

Assurances

The school has developed, adopted, and implemented policies and procedures that are consistent with all requirements of the Civil Rights Act of 1964, Title III, Part A of the Elementary and Secondary Education Act (ESEA), as reauthorized under the Every Student Succeeds Act (ESSA), South Carolina State Board of Education regulations, and the South Carolina Public Charter School District's policies and procedures including, but not limited to, the following:

- The school has district-approved policies and procedures.
- MLP service providers are on staff or under contract, if required, and are appropriately credentialed according to state mandates.
- School files are kept confidential, locked, up to date, accessible, and organized with appropriate information stored for the required length of time.
- All schools, with or without active MLs in school, annually train staff to support their school's Language Instruction Education Program (LIEP).
- All required fields regarding multilingual learners are coded and updated in PowerSchool as required by the SCDE English Proficiency Codes.
- All required MLs have an Individualized Language Acquisition Plan (ILAP) that meets the needs of the individual student.
- All students new to South Carolina public schools or transferring from an existing South Carolina public school have a SCDE Enrollment Survey on file, and if required, screened for English Proficiency within 30 calendar days of enrollment or 14 calendar days, if during the academic year.
- All process required (i.e., parent notification, ILAPs, waivers, etc.) are completed using the Enrich System.
- All schools have a process established to identify MLs who transfer into their school and locate ML records (i.e., test scores, ILAPs, ES) in the timeline required.
- All schools ensure ML's equal access to special programs/courses (i.e., GATE, CATE, AP) in an equal capacity as their peers.
- All schools have in place an MTSS/RtI process which MLs are granted equal access. MLPs are not an intervention but to gain English language proficiency.

Susie W. Lee

_____   _____9/1/2022__
　　　Signature by School Leader　　　　　　　　　　Date

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I.   CONFIDENTIALITY

The South Carolina Public Charter School District safeguards the confidentiality of personally identifiable information at use, collection, storage, retention, disclosure, and destruction stages. In the South Carolina Public Charter School District, along with each individual school's MLP Coordinator, is responsible for maintaining the confidentiality of personally identifiable information. The Family Educational Rights and Privacy Act (FERPA) specifies rights related to educational records. This Act gives the parent or guardian the right to: (1) inspect and review his/her child's educational records; (2) make copies of these records; (3) receive a list of all individuals having access to those records; (4) ask for an explanation of any item in the records; (5) ask for an amendment to any report on the grounds that it is inaccurate, misleading, or violates the child's rights; and (6) receive a hearing on the issue if the school refuses to make the amendment.

A. Access Rights

The South Carolina Public Charter School District complies with requests to access records without unnecessary delay pursuant to South Carolina Board of Education Regulations, and any resolution session pursuant to South Carolina Board of Education Regulations, and in no case more than 45 days.

The South Carolina Public Charter School District presumes that a parent has the authority to inspect and review records relative to that parent's child unless the South Carolina Public Charter School District has been advised that the parent does not have the authority under applicable state law governing such matters as guardianship, separation, and divorce.

Upon request, the South Carolina Public Charter School District provides parents a list of the types and locations of education records collected, maintained, or used by the South Carolina Public Charter School District and each of its schools.

B. Amendment of Records/Hearing Process

Parents have the right to request that their child's education records be changed if something is inaccurate, misleading, or in violation of the student's rights of privacy.

If the school does not agree that the education records should be changed, staff must provide an opportunity for a hearing, following the Family Educational Rights and Privacy Act of 1974, August 1974, 20 U.S.C. 1232g (FERPA) requirements. The hearing officer would be the school's hearing officer, not a special education due process hearing officer (34 CFR § 300.618).

C. Parental Consent Prior to Disclosure of Records

The South Carolina Public Charter School District obtains parental consent before personally identifiable information is disclosed to parties other than officials of participating agencies in accordance as defined by South Carolina Board of Education Regulations, unless the information is contained in education records and the disclosure is authorized without parental consent under FERPA.

The parent's consent must be in writing, signed, and dated and must:

    (1)   Specify the records to be disclosed;
    (2)   State the purpose of the disclosure; and
    (3)   Identify the party or class of parties to whom the disclosure may be made.

D. Transfer of Rights at Age of Majority

The South Carolina Public Charter School District affords rights of privacy to children similar to those afforded to parents, taking into consideration the age of the child and type or severity of disability. The rights of parents regarding education records under FERPA transfer to the child at age 18.

II. IDENTIFICATION

In accordance with Title III, Part A of the Elementary and Secondary Education Act (ESEA), as reauthorized under the Every Student Succeeds Act (ESSA), the South Carolina Public Charter School District assumes responsibility for the coding, identification, placement, and monitoring of every qualified student with limited English proficiency enrolled in any of the schools chartered with the South Carolina Public Charter School District and who reside within the State of South Carolina. The identification process is a two-part process which includes an Enrollment Survey, and if required, an English Proficiency Screener. It is discriminatory to identify students for MLP based on the name, appearance, accent, national origin, or any other surface identifier. The identification process is not to be used to determine legal status or for immigration purposes.

The South Carolina Public Charter School District is a district of choice and is not a district of residence for any child, therefore the South Carolina Public Charter School District is not required to locate, identify, or serve children who are placed by a parent in a private school or home schooled. If the parents of a child who is home schooled or placed in a private school has questions about Language Instruction Education Programs, the parents will need to contact their district of residence

A. Enrollment Survey

The Enrollment Survey (ES) is the first step in a two-part identification process and school personnel will use the survey responses to determine if a student will require the second part of the process which is identification screening for language services. All SCPCSD charter schools are required to use the South Carolina Department of Education ES. Due to the legality of the ES, it is critical that the purpose of the ES is clearly and thoroughly explained to parents prior to completion. Federal law stipulates that parents are provided the information in a language that they understand, and schools must make every attempt to administer the ES in the home language of the parent/guardian via translated copies or translation services. The SCDE has provided translated copies of common languages in South Carolina. Schools which require additional language translations are responsible for translating the state-adopted ES to meet the needs of the languages represented in their local communities.

The ES should <u>not</u> be given in any registration packets for 3K or 4K but conducted once the child is enrolled. If a charter school within the SCPCSD decides to include the ES within an online registration system for K-12th grades, the following must occur:

(1) Captures the exact language of the ES,
(2) Provides the ES in a language that parents understand,
(3) Has a section within the online enrollment process that fully explains the purpose of the ES. The purpose must be explicitly clear and easily understood,
(4) Has parameters in place to ensure that the ES does not populate for students that have been previously enrolled in a South Carolina school,
(5) Captures an electronic signature, and
(6) A copy must be easily accessible for monitoring documentation.

Parents of newly enrolled students will be asked to complete an ES if the student has never attended a South Carolina public school and is in 3K, 4K through 12th grade. If the student has previously attended a South Carolina public school, records will be requested to obtain the original ES. If the student ES is not immediately available, the school may use information obtained via PowerSchool in a temporary capacity until records arrive and information is verified. If, after three documented attempts in three different manners, the original ES is not received by the sending South Carolina school district, then can a new ES be administered. Conducting a new ES is a last resort and regardless of when records are received, the school must adhere to designated timelines of screening, identification, and/or placement.

An amendment to the ES is allowable but only used when there has been a true coding mistake for a student. It is not used for removal from an MLP program or based on parental request. This form is used sparingly as federal law stipulates that once identified, all ELS must be served (Lau v. Nichols 1974; Castaneda v. Pickard 1981; Plyler v. Doe 1982; Sec. 1111(b)(1) of ESEA 2001).

The following is the school's process to ensure the usage of SCDE Enrollment Surveys as the first step in the identification process for MLs:

- Describe your school's process for requesting, obtaining, and storing the original SCDE ES for students transferring to your school from a SC public school:

All students at MMC have transferred to our school from another district, home school, or private school generally as either an 11th or 12th grade student. MMC makes every effort to receive the HSL from the student's previous school through the request for records signed by parents as part of the enrollment process. The school Registrar/Administrative Assistant is responsible for sending the request within three days of receiving the enrollment information, receiving records, and inputting all information into PowerSchool. Students transferring into MMC with a Multilingual Learner Program (MLP) or a language other than English listed on their HSL, are referred to the Multilingual Learner Program Coordinator (MLPC) or Principal. If the HSL is not received from the previous school, the MLPC contacts that school via phone to ask for the HSL to be sent. Attempts made will be input into the spreadsheet shared between the Administrative Assistant and the MLPC. If the document is still not received, the coordinator will request via email. If the HSL is not received after the third attempt, a new survey will be completed with the assistance of either the MLPC, School Principal, or the Administrative Assistant. Once the HSL

is received, the information is entered in PowerSchool as required with the hard copy being placed in the student's records.

- Describe your school's process for requesting, obtaining, and storing the original SCDE ES for students in your school who have not attended a public school in South Carolina or require completion of their 1st ES:

Students entering MMC from home schools or attending school in SC for the first time on our campus, are asked to complete the HLS as a part of their enrollment process with the assistance of the MLPC, Principal, or Administrative Assistant. Families are informed of the purposes of the survey and assisted in completing it correctly. If a student has transferred from out of state or another district without the HLS, the Coordinator will contact the previous school to determine if there is documentation that has not been sent and obtain that information. To determine if the sending state is a WIDA Consortium state, the MLPC will ask the previous school, look up the information on the WIDA website, or reach out to the district and state directors. Information obtained on the survey is entered into PowerSchool as required and the hard copy is maintained in the student's record.

B. Screening

Federal guidelines require parents of students with a language other than English indicated on the ES to receive notification of their child's enrollment in a Language Instruction Education Program (LIEP) within the first thirty calendar days of school or within 14 calendar days from later enrollment date [Sec.3113(b)(2)]. This requirement requires students to participate in identification assessment screening to determine their ML status: however, students cannot enter ML status until kindergarten. 3K and 4K students do not participate in identification assessment screening until they reach kindergarten or above, at that time the original ES is used, and a new ES is not administered. Identification of 4K students transitioning to kindergarten must not occur prior to the end of the state's annual English Language Proficiency assessment window. Once this window closes, districts may begin screening students in preparation of the coming year.

South Carolina is a WIDA state and consortium member. If the ES requires the second step in the identification process, the SCPCSD will use state adopted WIDA screeners to determine the English proficiency of our screened students. These identified screening assessments may only be administered by certified personnel that have completed the required WIDA training modules. The training modules and WIDA certification must be completed annually. Each tool is designed to assist educators in identifying students that may benefit from English language support. The LEA will provide training to staff on screeners annually.

Once the screener is conducted within the mandated timelines, the charter school must ensure appropriate coding is completed in PowerSchool on each student.

If a student transfers into a SCPCSD charter school, the school is responsible for requesting and reviewing student records to determine identification/placement status and any services the student may have received. If this approved documentation shows that the student received

services within the past year, place the student in your LIEP program according to their most recent results. If a student transfers into a SCPCSD charter school from a non-WIDA LEA outside of South Carolina, even with documentation of services, you will need to begin the two-part screening process.   If a student exits from a non-WIDA state on an identification/placement screener, the LEA will have to rescreen the student using the appropriate SC WIDA identification assessment as non-WIDA identification/placement assessments are not permissible in South Carolina.

- Describe the school's process to ensure staff who conduct LEP screeners are appropriately certified and WIDA screeners are conducted in person in the timeline required at the beginning of the year (30 days) and during the school year (14 days):

The MLPC is responsible for obtaining and maintaining screening certification annually in accordance with South Carolina regulations. The MLPC is responsible for creating documentation outlining the screening timeline for each student entering the school and adhering to the timeline. In the event timelines are missed due to student absences, refusal to test, or school closures, documentation will be kept outlining each event. Arrangements for students to complete the screeners will be made by contacting the student and/or parents and coordinating with the school's calendar of events. Every effort will be made to screen at a time to not conflict with classroom instruction.

- Describe the school's process to ensure safe storage and documentation of WIDA screening results for these students:

WIDA screening results and other pertinent information will be kept in a locked file cabinet in the MLPC's office. The MLPC and School Leader will be the only individuals with a key to the file.

C. Parent Notification

The SCPCSD views our parents as partners in education and should be continuously updated on their child's progress towards English proficiency and academic achievement. ESEA Section 1112(g)(1)(A) requires every LEA that, uses funds under either Title I or Title III for services of MLs, to provide a parent with notification that outlines their child's identification as an ML and placement in a LIEP. To ensure that parents can make an informed decision for their child, they must receive information regarding assessment results in a timely manner.

After identification screening has been completed (within first 30 calendar days of school or within 14 calendar days from a later enrollment), SCPCSD charter schools will share information with the parent regarding the student's proficiency level and program options and offer an opportunity to opt-out of MLP services. The parental notification must be in an understandable and uniform format and, to the extent practicable, provided in a language that the parents understand (ESEA Section 1112(g)(1)(B)(2)).

Parents have the option to decline to enroll their child in an LIEP or to choose another program or method of instruction, if more than one program or method is offered by the LEA.

D. Parent Waiver of Service

A parental decision to opt-out of a program for MLs must be knowing and voluntary, void of influence by an LEA (Title VI Civil Rights Act 1964; Equal Education Opportunities Act 1974). An LEA may not make recommendations that parents decline all or some services within a program for MLs for any reason. Upon request of parents, educational stakeholders can discuss waiving services for a child but must include in the discussion the academic benefit of participating in the MLP program and any potential challenges that may be associated with waiving the services.

If parent/guardian decides to decline MLP services after information is provided, the parent/guardian must provide written documentation indicating this decision to the LEA. This written documentation must be provided annually if the student continues to be eligible for services and kept on file. Parental declining of MLP services does not eliminate the LEA from being required to provide the student with equal access and opportunity towards obtaining language proficiency while meeting student academic needs. MLs with a waived status are still eligible for classroom and testing accommodations on state-mandated assessments and can have an Individualized Language Acquisition Plan (ILAP) on file.

Additionally, Section 1111(b)(2)(G) of the ESEA requires that LEAs assess all MLs, including those which parents have declined enrollment, declined services, or removed from MLP services, using an annual ELP assessment. This parental waiver, if chosen by parent/guardian, exempt the ML form receiving direct instructional services and does not except them from the ML assessment mandate. They will continue to participate in state mandated testing until they meet the South Carolina's exit criteria and will be monitored for four years after successfully meeting the exit criteria.

- Describe the school's process to ensure creation, implementation, and documentation of ILAPs eligible MLs whose parents waived or declined services:

MLs will be documented utilizing an in-house documentation system (Google Sheets). This documentation will include information on start date, screening dates, scores, placement, parental decision for accepting or declining service, and other pertinent information. Regardless of the parent decision to accept or decline services, a team meeting will be held to discuss the student's needs and potential accommodations. An ILAP could be developed to meet the student's needs and would be distributed to teachers of the ML. Teachers will document provision of accommodations noted on the ILAP through a generated documentation form. Monitoring will take place through the MTSS process and instruction will be adjusted as needed. All coding in PowerSchool will be adjusted and maintained by the PowerSchool Administrator in conjunction with the MLPC.

E. PowerSchool Coding

Individual charter schools within the SCPCSD are required to enter the appropriate English proficiency codes for MLs and ensure these codes are updated based on the individual data of each student. The LEA must ensure correct process and coding occurs for all students regardless

if they have been enrolled in the LEA, a student transferring into the LEA, or a student returning to the LEA.

To ensure accurate coding is occurring, the LEA will use the most updated SCDE English Proficiency Codes for Multilingual Learners.

The following is the school's process to ensure appropriate English proficiency codes are in PS:

- Describe the school's process to ensure correct English proficiency codes for newly identified MLs, exiting MLs, and transferred MLs are in PowerSchool:

The MLPC will work closely with the school's PowerSchool Administrator to ensure MLs are coded per the SCDE guidelines utilizing the English Proficiency Codes for Multilingual Learners. Codes will be determined by the Home Language Survey received from previous schools as a student transfers in or the one completed by our school if not received. If a student must be screened, the codes will be adjusted to match the results obtained on the screener. This will be prompted by the MLPC.

III. Language Instruction Education Program (LIEP)

SCPCSD understands that LEAs must provide a Language Instruction Education Program (LIEP) which use Title III funds for effective approaches and methodologies (ESEA Section 3115(a)). LEAs must develop and implement LIEPs which increase the English proficiency of MLs by providing an LIEP which meet the needs of MLs and demonstrate success in increasing English proficiency and student academic achievement (ESEA Section 3115(c)(1)). LEAs will use their Title III funds to build its capacity to continue to offer effective language instruction education programs that assist MLs in meeting challenging South Carolina academic standards (ESEA Section 3113(b)(3)(E)).

By nature, MLP services are not intervention services but are considered direct instructional services for MLs students. MLs have the same benefit of all students and the LEA's Multi-Tiered System of Supports (MTSS) are interventions available to them. SCPCSD considers MLP services and accommodations with the same importance as special education IEP services.

Some MLs may also be eligible for an IEP or a 504 plan. In that case, the MLP teacher is expected to collaborate with the special education teacher or 504 coordinators to discuss accommodations together to determine what is in the best interest of the ML to access the academic content. Each program will decide the accommodations allowable, and some accommodations available to one program may not be available to the other, and vice versa. In this case, the ML student should receive all the accommodations for each program.

- Describe your school's process on training and ongoing support of school staff on Title III requirements and implementing your school's Language Instruction Education Program (LIEP):

MMC staff are trained at the beginning of the school year to ensure understanding of Title III, MTSS and MLs. Ongoing training will take place throughout the school year during the regularly scheduled staff professional development sessions. These training sessions will cover topics necessary for teaching and supporting MLs. Topics may also be determined by teacher/staff needs identified throughout the year.

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A. Placement

Decisions regarding placement of eligible MLs must be made considering the services and supports needed to ensure MLs are developing social and academic language proficiency and that they effectively participate in all academic and special programs within the LEA. South Carolina is a WIDA adopted state and WIDA Performance Definitions serve as the basis for identification, placement, and supports for MLs in the SCPCSD.

MLs are considered similar as any other students eligible for any program that will assist them to reach the standards of performance asked of all students in SCPCSD. Within a core content class, students may need language development and other types of support that must be included in everyday classroom instruction. When supporting MLs, this may require accommodations to the instructional activities, tasks, assessments. As MLs attain fluency in English, a reduction of accommodations will be needed.

The SCPCSD acknowledges that the individual needs of each ML must be considered when designing supports and/or services to increase their English proficiency. A continuum of supports and/or services will be available to meet these individual needs. LEAs will consult the current SCDE Title III MLP and Immigrant Children and Youth Program Guiding Principals 2022-2023 , WIDA recommendations, and the individual needs of the ML when determining placement decisions. It is important to note that when implementing the provision of language support services, it may involve separating MLs from other students during at least part of the school day. If this separation is required to meet the individual needs of the ML, this will not be implemented unnecessarily for purposes other than to receive the support program required for the individual student. Additionally, MLs will be afforded services located in similar facilities to those in which non-MLs receive services.

Students in the SCPCSD are enrolled based on age and not prior grade placement, as aligned with SCDE guidance. All MLs must be placed age appropriately in all courses and grade levels until ninth grade. Once in high school, grade placement is not determined by age but by high school transcripts.

B. Services

Title III mandates that MLs develop high levels of academic attainment in English and meet the challenging state academic content as all children are expected to meet. The English proficiency level of the student determines the MLP services which should be provided to MLs in the least restrictive age-appropriate environment. It is the LEA's responsibility to ensure the currently serviced MLs begin receiving supports the first day of school. At the beginning of the academic

school year, all newly identified MLs must begin receiving MLP services/instruction with thirty calendar days. If a student enters a charter school in the SCPCSD after the initial 30 days of school, they must be identified, placed, and receiving services within 14 calendar days of enrollment.

Core language instruction is mandated through the federal judicial system and is monitored by the Office of Civil Rights. The SCPCSD understands that identified MLs have differing needs based on their success in learning academic English. To meet the core language instructional needs of every ML in the SCPCSD, each charter school will maintain appropriate teacher to student ratios outlined by the SCDE.

The SCPCSD aligns our frequency of MLP services guidance with the SCDE parameters. Since there are no State Board Regulations related to minimum service hours for MLs, nor does the SCDE have a formula for specific required hours of services, the SCPCSD acknowledges that MLP programming must meet the needs of its ML student population.

Staff who implement MLP services must hold a SCDE teaching certification in any teaching areas at the appropriate grade level(s) (i.e., Early Childhood, Elementary, PK-12). MLP add-on certification is highly encouraged but not mandated by the SCDE. Paraprofessionals may be a critical support for MLs but are not given any direct responsibilities for teaching and/or supervising students.

The SCPCSD ensures the program delivery service model is implemented and designed to meet the local needs of the LEA. Each program of service for MLs does have (1) provision of evidence-based English language acquisition services, and (2) provision of effective participation of MLs in all district academic and special programs.   Models of program deliver of service for MLs are Pull-Out, MLP Class Period, Push-In, Co-Teaching, Consultative, ESL Newcomer Program, Sheltered Content-Based Instruction, Dual Language Immersion, Monitored (M1-M4), and/or Waived. The SCDE has suggestions to these models of program delivery which are considered when meeting the needs of individual MLs.

- Describe how the school will document and collect the provision of language acquisition services and accommodations for MLs:

Services and accommodations will be tracked using shared spreadsheets and Google forms by the MLPC. Classroom teachers will document the use of accommodations within the class on the provided spreadsheet. This will ensure the spreadsheet is kept current. Service times and methods will also be documented on the same spreadsheet to allow ease of access of information. Teachers will be trained on the documentation forms as students enter their classroom to ensure understanding of the accommodations needed, best practices for instructing MLs and completing the required documentation. Monitoring will take place at least every 9 weeks.

C. Exiting and Monitoring of ELs

For an ML to be exited from an MLP program he/she must demonstrate English proficiency on a valid and reliable ELP assessment. To exit from MLP services, a student must demonstrate

proficiency on the South Carolina ACCESS assessment tool. SCPCSD adheres to the exit criteria outlined in the South Carolina Department of Education Title III MLP and Immigrant Children and Youth Program Guiding Principals 2022-2023 **.**

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

After MLs reach English proficiency, they are considered exited from the MLP program. Under Title III of the ESEA, as amended by ESSA [Section 3121(a)], LEAs must report on the number and percentage of former MLs meeting state standards for four years. The four-year post-exit monitoring period allows SCPCSD to ensure that the exited student is progressing as academically expected. In addition to the four-year monitoring of academic progress, the LEA will also report state assessment scores for the SCDE for four years.

To comply with the four-year monitoring mandate of exited ML, the SCPCSD ensure documentation is on file for each exited student regarding their academic progress and monitoring steps. If the LEA finds that an exited ML is not progressing as expected and there is evidence of a persistent language need, the student should be rescreened to determine if additional services are required. If the exited student is found to need additional services, the LEA will document the reasons why along with the parent/guardian consent for reentry.

D. E-Learning or Distance Learning

The United States Department of Education indicate that MLP teachers must continue to provide the instruction identified as needed for English language proficiency regardless of the instruction model (i.e., virtual, face to face, distance learning, etc.). SCPCSD will provide the appropriate identified MLP services and implement those services and supports for students who receive instruction in a brick-and-mortar setting, virtual setting, and/or hybrid setting. MLs who require a self-contained or pull-out MLP instruction will receive these models regardless of instructional model chosen or implemented by the LEA. Similarly, MLs who receive MLP instruction in the general education classroom (with a content teacher and MLP teacher) are ensured the appropriate supports and accommodations are provided if the instructional model is in a virtual setting. The SCPCSD will work collaboratively with parents to creatively meet the individual needs of each ML and consider practices which are not typical for face-to-face instruction (i.e., digital platforms, virtual instruction, virtual correspondence).

- Describe how the school will implement supports, accommodations, and/or services for MLs in a virtual setting (if applicable):

In the event the school is closed, and students move to a fully virtual instructional model, instruction will continue as scheduled via Google Meet or other virtual meeting platforms. Additional services needed will also be provided through a virtual meeting as prescribed to ensure continuity. All accommodations and services will be followed to the extent possible through the virtual setting. If adjustments will be required, this will be discussed with the student, parents and teachers to ensure everyone understands how to proceed.

IV. Individualized Language Acquisition Plan (ILAP)

SCDE requires that every ML student with an English Proficiency of a 1-6, whether served or waived, must have an Individual Language Acquisition Plan (ILAP). This plan will address the accommodations the student will receive in the regular education class to be successful. The ILAP is a binding document which must be developed with the collaboration of education stakeholders (i.e., general education teacher, MLP teacher, parent, etc.) and signed off by the MLP teacher, as well as teachers who are academically vested in the child's education.

ILAPs are a legally binding document similar in importance to an IEP or a 504 plan. The Supreme Court (Lau v Nichols in 1974) and the Equal Education Opportunity Act of 1974 provide for MLs to receive a meaningful and equal education. Since ILAPs are required for all MLs until they enter M1-M4 of monitoring, accommodations may not necessarily be required for each ML. If accommodations are not required for an ML to be successful in the general education setting, then documentation stating "no accommodations needed" must be provided in the ILAP.

The curriculum should be accommodated to give MLs work on a level they can comprehend. SCPCSD interprets accommodations as being minor changes in the presentation of material or assessments like reading aloud, allowing more time, allowing the use of a dictionary, etc. Accommodations traditionally do not alter the actual assignment, assessment or what the ML is being asked to demonstrate.

- Describe how the school will monitor the effectiveness of current ILAPs, adjust/revise ILAPs, and support staff to implement to increase English language proficiency for ELs:

Progress monitoring will take place to ensure students are learning and growing at the rate specified by their ILAP. Instruction, services and accommodations will be adjusted accordingly. A student's ILAP will be reviewed at least annually by a team consisting of the student, parent, general education teachers, and the MLPC. The SPED Coordinator/teacher may also be involved in this process to assist in determining appropriate accommodations and monitoring of those. These monitoring meetings will be scheduled at a time conducive to both the parent and the school. Data utilized in the monitoring meeting may consist of classroom progress, curriculum-based assessments, achievement scores, test scores, student input, parent input, and teacher input.

V. Academic Monitoring & Reclassification

Students enrolled in MLP and those that have declined services, are working towards the goal of English proficiency and content knowledge. These students must be assessed regularly to determine progress and effectiveness of the MLP programming. The MLP teacher and the classroom teachers should work collaboratively regarding a student's academic progress.

The monitoring of classroom performance includes measures of English-language proficiency and curricular achievement. An ML's achievement is compared to the academic successes of native English-speaking peers. The LEA should use classroom performance or available achievement test scores to create, implement, review, and adjust a student's academic program as needed to ensure the ML is working toward English proficiency.

A. Data Collection for Monitoring Student Success

SCPCSD monitors students who are in the MLP program and those who have exited the program. Comprehensive and comparable data on all students are needed to evaluate the success of students in obtaining an effective and appropriate education. LEAs collect/maintain data on current and former MLs as part of a system that includes all students. This data allows for LEAs to make comparisons between MLs and their native English-speaking peers in core content classes. The LEA will establish a process to effectively conduct monitoring to meet the needs of their MLs. The following are of types of documentation, but not limited to, which LEAs should maintain on MLs for their individual student profiles: assessment information, academic information, entry date into US schools, entry date into LEA, years of schooling in the home language, interrupted education timelines, vision/hearing screenings, physical impairments, classroom observations, enrollment history, and/or education evaluations.

- Describe the school's process of documenting and monitoring MLs who have achieved "proficient" scores on annual proficiency tests:

Students who have achieved "proficient" scores will be monitored for four years as required by the state of SC. All MMC staff will be notified of this "proficient" status and will monitor the student's continued progress within the different class subjects. Any concerns about the student's language proficiency in the varying subject areas will be monitored and discussed through the MTSS process. Data will be collected from the general education teachers through curriculum-based assessments, classroom progress, and achievement assessments. Any concerns will be immediately addressed by the MLPC and the individual teacher. If more support is required, a team will come together to discuss the level of support and the most appropriate way to provide that to the student. Students and parents will be involved in these conversations. It is the responsibility of the MLPC to alert the PowerSchool Administrator if coding changes throughout this process and to ensure it has been done correctly. Students achieving "proficient" will take the ACCESS every Spring for 4 years after being classified as "proficient".

B. Reclassifying Students Not Eligible in K5 1st Semester Screener Administration

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If a student is determined to be not eligible for language services based on the first semester identification screener in 5K, before the LEA can reclassify this student, there must be evidence of a language need. These students are placed as an M1 and will be monitored for four years. If

there is adequate supporting evidence of a language concern, the LEA must obtain written parental documentation before rescreening again. This written documentation must demonstrate that the parent/guardian understands if their child does not obtain a non-qualifying score on the identification screener, they will be reclassified as an ML and placed into the MLP program. Reclassification as an ML means the student will be unable to exit the MLP program until they have successfully me the exit criteria.

If parent/guardian agrees to reclassification and all other avenues (i.e., MTSS) have occurred, the following questions must be answered and excluded before identification screening for reclassification can occur:

1. Is the student receiving instruction of enough quality to make the accepted levels of academic progress?
2. How does the student's progress in all domains compare with their non-ML peers?
3. Has the student undergone the MTSS process? Is the data from the process valid and reliable?
4. Are classroom accommodations being made in the classroom? Have they been documented?
5. Is grading appropriate to the students' English proficiency?
6. Are there any factors beyond the classroom such as health, family circumstances, education history, and/or trauma impacting the student's academic progress?

C. Reclassifying Students within the 4-Year Monitoring Period

The four-year monitoring period (M1-M4) is intended to ensure that a student can meet the state's academic standards and meaningfully participate in instruction as compared to their non-ML peers. If through the monitoring process an exited ML is not progressing academically as expected, the LEA must consider their process for reclassification. The ML committee team, which must consist of content teachers, MLP teacher(s), and the student's parent/guardian, must convene a meeting to discuss reclassification which includes using data and evidence gathered through the monitoring process.

The decision to reclassify the student must be based on academic performance and must be directly attributed to the student's English language development. During this multilingual education team meeting, the following must be considered:

1. Is there a language need?
2. Is the student receiving instruction of enough quality to make the accepted levels of academic progress?
3. How does the student's progress compare with their non-ML peers?
4. Has the student undergone the MTSS/RtI process? Is the data from the process valid and reliable?
5. Are there any factors beyond the classroom such as health, family circumstances, education history, and/or trauma impacting the student's academic progress?

At the end of the meeting discussion which covers all areas outlined, reclassification is determined to be the best solution, the identification screener must be re-administered to the student. This identification screener will serve as a valid, reliable, and grade appropriate ELP assessment for reclassification. If the ELP assessment qualifies the student for MLP services, the LEA will reclassify the student and the student will be unable to exit the MLP program until they have successfully met the exit criteria.

VII. Grades & Retention for EL Students

A. Grading

Traditional LEA grading procedures may not be appropriate for MLs due to their lack of English proficiency. For MLs to progress, teachers must maintain high expectations for student learning despite an ML's lack of English proficiency. Any teacher instructing an ML student must accommodate lessons and assignments based on the individual student's English proficiency level.

An ML may not be assigned a failing grade in a content area or be retained at grade level based on a lack of English language proficiency. The SCPCSD understands the key to appropriate grading of MLs is suitable accommodations. When grading MLs, assignments and assessments must be adapted to their proficiency level as they work towards academic achievement. MLP teachers and general education teachers must provide students with appropriate accommodations for instruction and assessment based on both the ELP standards and the ML's level of English proficiency. This will also require teachers of MLs to scaffold instruction to meet the needs of students.

Students grades nine through twelve will be allowed to earn credits towards graduation. MLs are given grades on work done with accommodations following these guidelines: (1) MLs must receive accommodations of content work as needed; (2) Student grades are based on accommodated work that must be aligned to his/her English proficiency level; and (3) MLs must not fail based on their lack of English language proficiency. Teachers of MLs must provide appropriate classroom accommodations to support instruction and assessment based on both the ELP standards and their English proficiency.

If teacher demonstrate the provision of all accommodations and other academic supports (i.e., MTSS/RtI) and the student has not pass with those supports, then the grade that student earned is valid and stands.

B. Retention

SCPCSD understands there are adverse effects of student retention and retaining MLs will not facilitate English language acquisition. A student may not be retained at grade level based on a lack of English language proficiency. Other alternatives to retention must be considered by the LEA before retention conversations take place. Prior to suggesting retention for MLs, LEAs must examine, discuss, and document the following:

(1) Has the student been enrolled in the LEA for more than one full academic year?
(2) Are classroom accommodations being made and implemented in the classroom? Have they been consistent and documented?
(3) Is the student receiving the proper amount of support?
(4) Does the teacher modify grading appropriate to the student's English proficiency?
(5) Has there been a discussion with the MLP teacher and MLP coordinator to establish ways in which to support the student?

After the LEA has examined, discussed, and documented the considerations, if evidence does not support a strong instructional program the student is not retained. The determination to retain MLs must involve multiple data points and is not a decision to be taken lightly. Every effort is made to assist the ML in achieving academic content to progress to the next grade level. The LEA must keep a record of this process. When an ML is being considered for retention in the SCPCSD, the MLP Coordinator will notify the Chief of Special Programs Offcer as soon as possible to ensure appropriate policies and procedures are followed.

VI. Translation & Interpretation Services

The SCPCSD acknowledges the need for effective communication between the schools and ML parents. For some parents/guardians this can only occur with translation or interpreter services. Funds under Title III can be utilized for translation and interpretation services that support the specific parent outreach and training activities found in Title III, section 3115(c)(3)(A), (d)(6), or (e)(A) but not those required by the Office for Civil Rights under Title VI of the Civil Rights Act (Lau) or other federal programs, including IDEA and Title I of the ESEA. Title I translation or interpretation cannot be paid with Title III funds due to Supplement, Not Supplant [Sec. 3115(g)].

VII.   MLs with Disabilities, Gifted/Talented, Long-Term MLs and Limited/Interrupted Education

A. MLs with Disabilities

The Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act of 1973 (Section 504) address the rights of students with disabilities in school and other educational settings. If an ML is suspected of having a disability, referral and placement must occur in a timely manner. Educators who are knowledgeable about student language acquisition must be involved in the process. A student being classified as an ML is not a basis for testing for a disability. LEAs must determine identification in accordance with the IDEA, Section 504 of the Rehabilitation Act, SCDE's Office of Special Education Services, and SCPCSD processes for Special Education and Section 504. In doing so, LEAs are required to provide all notices and consent to parents in the parent's native language unless the language is not written, or it is not feasible to do so. In those cases, the LEA can use interpreter services to relay the information to ensure parent understanding.

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

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

If an ML is found eligible under the IDEA or Section 504 and declines disability-related services, the LEA remains obligated to provide appropriate language assistance services. If the parent/guardian opt out of specific MLP and services but consent to the provision of disability-related services, the LEA remains obligated to provide such services as required in the IEP or Section 504 plan and conduct ELP monitoring and/or provide language assistance as appropriate. When an ML is suspected of having a disability, through school or parent referral, the MLP Coordinator will notify the Chief of Special Programs Officer as soon as possible to ensure appropriate policies and procedures are followed.

B. Gifted and Talented Education (GATE) Programs

In the SCPCSD, MLs are provided equal access and opportunities to Advanced Placement (AP) courses, International Baccalaureate (IB) courses, and Gifted and Talented programs like their peers. LEAs work to identify MLs who can participate in these types of programs and work to ensure their admission policies and practices are not inadvertently limiting ML access to and participation in these programs. To ensure access and equity of MLs into GATE programs, LEAs consider multiple assessment tools and methods, input from various sources on the ML's abilities, understand the nuisances of different cultures, and recognize the talents that come from diverse populations.

C. Long-Term MLs (LTEL)

LTELs are MLs that have not yet attained English proficiency within five years of initial classification. These are MLs that have:

(1) been enrolled in US schools (therefore an MLP) for five or more years which may include PK;
(2) not reached WIDA proficiency (4.4 or higher); and
(3) not shown fluency on other standardized testing metrics.

ESEA Section 3121(a)(6) requires that LEAs report annually on the number and percentage of MLs not meeting English language proficiency within five years of initial classification and

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

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

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

These students will require additional support as they work to achieve English proficiency and mastery of academic content. LEAs will adjust/improve their individual programs to meet the needs of this group by acclimating the student to the U.S. school system, addressing the social and emotional needs of the student, and providing focused academic skill instruction to bridge knowledge gaps.