

## LAU PLAN

RSU #56 is committed to providing curricular, instructional and other related services to ensure that English Language Learners (ESLs) are able to participate effectively in the schools' educational programs. To accomplish this for students with ESL needs, RSU 56 will implement this Lau Plan, which details procedural requirements and services to be provided to students with English Language Acquisition needs.

The Superintendent is responsible for developing and implementing the school unit's LAU Plan and any necessary administrative procedures. The Superintendent may delegate specific responsibilities to building administrators or others, as he/she deems appropriate.

### **A. Legal Provisions**

The legal provisions for the Lau Plan include federal laws, case law, and Maine statutes.

For example:

- Title III of Federal Elementary and Secondary Act (No Child Left Behind)
  - Holds states and schools accountable for ensuring that children who are limited English proficient attain English proficiency and meet the same academic core standards as all children are expected to meet
  
- Title VI of the Civil Rights Act
  - Prohibits discrimination on the basis of national origin (and other civil rights)
  
- Lau vs Nichols: US Supreme Court decision
  - Providing the same access to curriculum, instruction and materials for students of limited English proficiency as is provided English dominant students is not in effect equitable

### **B. Responsibility for LAU Plan Implementation**

The Superintendent shall appoint a LAU Plan Coordinator. The LAU Plan Coordinator has overall responsibility for implementation of the LAU Plan for RSU 56, including providing support to Language Assessment Teams (LATs); establishing reasonable timelines for the provision of student services; filing all necessary state and federal reports concerning LEP students; and performing periodic program reviews. The LAU Plan Coordinator shall report directly to the Superintendent

### **C. Identification Process**

Limited English proficiency (LEP) is not a disability covered by IDEA or Maine special education regulations. LEP students should not be placed in any special education program unless exceptionality is

well-documented ( including assessment of the student’s native language skills) and appropriate procedures for special education services have been followed, independent of the LEP identification.

**1. Screening**

**a. Home Language Surveys: Incoming Students**

At kindergarten screening and whenever a student seeks to enroll in RSU 56, the student’s parent shall be asked to complete a Home Language Survey.

**b. Other Screening Methods**

In addition to the Home Language Survey, the following methods may be used to identify students who may be in need of LEP services and support:

- Classroom teacher observations and referral;
- Parent referral;
- Student self-referral; and/or
- Review of previous education records.

**c. Responsibility for Reviewing Surveys and Referrals**

The LAU Plan Coordinator/designee is responsible for reviewing Home Language Surveys and any referrals or requests for LEP programs and support. If the determination is made that a student should receive further assessment of the need for services, a Language Assessment Team (LAT) shall be formed.

**d. Language Assessment Team**

When a student is determined to need further assessment, the LAU Plan Coordinator/designee shall assemble a LAT for the student, to be comprised of, the classroom teacher, building administrator, guidance counselor, English Language Learner (ESL) teacher, and the child’s parent(s).

If the student is identified as needing LEP services and support, the LAT has ongoing responsibility for determining appropriate services, monitoring and assessing the student’s progress, and complying with parent notification and involvement requirements.

The LAU Plan Coordinator/designee shall designate a member of the LAT to be the Case Manager. The Case Manager is responsible for coordinating all LAT activities and ensuring that LAU Plan procedures are followed. The Case Manager may delegate specific responsibilities (such as taking minutes of LAT meetings and recordkeeping) to other members of the LAT, but he/she retains overall responsibility for the process. The Case Manager shall consult with the LAU Plan Coordinator as necessary.

**2. Assessment of LEP Status**

The LAT will use WIDA ACCESS (World-Class Instructional Design and Assessment) Access for ESLs to assess LEP status. Additional multi-criteria assessments may also be used such as:

- Student records,
- Interviews of parents/guardians and teachers,
- Other assessments, which may be applicable but must be documented.

**3. LEP Identification**

The LAT will review the multi-criteria assessments to determine the student's level of English language proficiency. Test cut score levels are used in conjunction with the other data collected to determine the individual student's level of English language proficiency.

The following classifications are used:

- a. Entering
- b. Beginning
- c. Developing
- d. Expanding
- e. Bridging
- f. Attained

**D. Placement and Programming**

**PROGRAMS FOR STUDENTS WITH LIMITED ENGLISH PROFICIENCY**

RSU 56 shall provide appropriate programs for students with Limited English Proficiency (LEP) to assist them in attaining English proficiency and meeting state and local academic achievement standards in compliance with applicable federal and state requirements. The School Unit shall also provide for opportunities for parent involvement in their children's education as required by federal law.

Once for student's English proficiency is determined, the LAT will consider the following factors in determining appropriate placement and programming to support the student in acquiring English language proficiency as well as to provide content area support to achieve Learning Results knowledge and skills:

- Chronological age and grade of the student;
- English language proficiency level;
- Previous educational experiences;
- Family history.

Placement and programming decisions are made on a case-by-case basis for each student and might include one or more of the following:

- ESL instruction provided within a mainstream classroom by an ESL teacher or educational technician;
  - Scheduled instruction within an ESL teacher's classroom in either a small group or one-on-one instruction by an ESL teacher or educational technician;
  - Classroom modifications appropriate for the student directed by the LAT and provided by the mainstream classroom teacher.
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- Programs will be provided during regular school hours. Additional time may be provided as appropriate with the parents consent.
  - Students' grade placement will be age appropriate.
  - ESL staff will extend instruction into the classroom providing support for ESL students. Classroom teachers will support ESLs in their achievement of Maine's Learning Results with the support of the ESL teacher.
  - Instructional space for ESL will be provided that is comparable to space for non-ESL students.
  - The LAC will determine the amount of time that the ESL teacher needs to spend with the student based on the age and assessed need(s).
  - Adaptive instructional materials will be provided as appropriate to ESLs.
  - ESL students must participate in state testing in math and in English Language Arts after being in the United States for two years or more. Accommodations for assessments will be provided based on the individual student needs as determined by the LAC.

**E. Evaluation of Student Progress**

**As mandated by the State of Maine, an English Language Learner will be assessed annually with the State's English Language proficiency assessments, WIDA ACCESS for ESLs**

The LAT will evaluate each LEP student's progress and programming at least annually, in the spring (and more often if there are teacher, student and/or parent concerns that warrant a review). The student's language acquisition will be reviewed in conjunction with teacher observations, student work and other relevant factors such as parent observations. The student's teacher for next year will be included in the spring meeting of the LAT.

**F. Reclassification and Exit from LEP Programs**

A reclassification of an LEP student to another proficiency level or out of LEP programming shall be based on WIDA ACCESS testing. Exit from LEP programs may only occur when a LEP student has reached Level 6/Attained on the WIDA ACCESS test.

### **G. Monitoring of Students Exiting LEP Programs**

A student who has attained a Composite Level 6 on the WIDA ACCESS will be monitored by LAU Plan Coordinator for two years. If a student experiences language and/or academic difficulties, the student may be re-assessed in accordance with LAU Plan procedures to ascertain whether he/she is in need of more structured language support.

### **H. Program Evaluation**

The LAU Plan Coordinator is responsible for monitoring and evaluating the overall effectiveness of the LAU Plan. An effective plan is one in which students are achieving proficiency in English and are able to participate meaningfully in RSU 56's programs. The LAU Plan Coordinator will annually perform the following functions:

- Review staff compliance with LAU Plan procedures and requirements;
- Review student data to assess student progress in achieving English proficiency and participation in school programs;
- Obtain feedback and suggestions from staff, parents, and students (if appropriate) concerning LAU Plan procedures and services provided to students;
- Provide a report to the Superintendent regarding the findings of the program evaluation and any recommendations for improvements to LAU Plan procedures or educational programs and services provided to LEP students.

### **I. Parent Notification and Involvement**

To the extent practicable, parent notices and information will be provided in a language the parents can understand. In addition, if practicable, an interpreter will be provided to assist parents in communicating with school staff and at meetings of the LAT to discuss the student's programming and progress in attaining English proficiency.

Parents shall be notified before their child's English proficiency is assessed and shall be provided with the results of such assessments. If the student is identified as in need of LEP services, the parents shall be notified no later than 30 days after the beginning of the school year or within two weeks of the child's placement in the program as required by the No Child Left Behind Act. Parents shall be invited to attend and participate in all LAT meetings pertaining to their child and shall be notified of school activities that are called to the attention of other parents. Parents have the right to refuse LEP services and support for their child. If a parent does not want his/her child to have LEP services or support, he/she is required to sign a letter of refusal that shall be placed in the student's education record.

**J. Recordkeeping**

All records pertaining to a student's LEP status, including screening, assessments, LAT meeting minutes, programming, evaluations, and parent notices and forms shall be included in his/her cumulative folder. Appropriate recordkeeping is the responsibility of the student's Case Manager or guidance counselor (after a student has exited LEP programs and services).

Legal References: Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d  
P.L. 107-110 (No Child Left Behind Act of 2001)  
20-A M.R.S.A. § 15670(18)  
Ch. 127 § 3.02 (Me. Dept. of Ed. Rule)  
Commissioner's Administrative Letter No 24 (December 9, 2003)

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