



# The Laboratory Charter School

## of Communication and Languages

## ELD Program Policy Manual 2024-2025

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# Introduction

## Laboratory Charter School Mission and Vision

Laboratory Charter School is dedicated to meeting the needs of English learner (EL) students and their families. State and federal statutes, as well as Laboratory Charter School's policies and mission, provide the basis and structure of the English Language Development (ELD) Program and the Newcomer EL Program.

## Overview of ELD Program

The ELD Program aims to support ELs in becoming proficient in English, developing intellectually and as citizens, and achieving the expected learning outcomes of the Laboratory Charter School's program, including the PA Core.

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## Goals

Laboratory Charter School's ELD Program aims to support English Learners (ELs) in becoming proficient in English, fostering their intellectual growth, and preparing them for active citizenship. The program provides the resources and strategies needed for ELs to succeed academically, aligning with Pennsylvania Core Standards, and supports their personal development, building confidence and resilience.

Additionally, the program values diversity by creating an inclusive environment that honors ELs' cultural backgrounds and languages. It actively works to counter racism and discrimination, ensuring equity and inclusion across the school community, and helps bridge cultural differences, connecting ELs and their families with broader school resources and support.

The ELD Program also emphasizes collaboration with families and the broader community to enhance the learning experience of ELs. By engaging parents and guardians in the educational process, the program ensures that ELs receive consistent support both at school and at home. The program offers resources and opportunities for families to participate in their children's education, fostering a strong partnership between the school and the community. This collaborative approach not only strengthens the academic and social outcomes for ELs but also enriches the entire school environment by promoting a culture of shared responsibility and mutual support.

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# Legal Responsibilities

## Federal Policies

### 14th Amendment of the U.S. Constitution

Ensures equal protection under the law and prohibits states from denying any person within its jurisdiction the equal protection of the laws.

### Title VI of the Civil Rights Act of 1964

Prohibits discrimination on the grounds of race, color, or national origin by recipients of federal financial assistance. This has been interpreted to require affirmative steps to ensure that English learners can meaningfully participate in educational programs.

### 1974 Lau v. Nichols

Requires schools to take affirmative steps to overcome educational barriers faced by non-English speaking students.

### 1981 Castañeda v. Pickard

Establishes a three-part test to evaluate the adequacy of a district's program for ELs: (1) based on sound educational theory, (2) implemented effectively with sufficient resources and personnel, and (3) evaluated and modified if necessary to ensure language barriers are being overcome.

### 1982 Plyler v. Doe

Holds that states cannot deny free public education to children based on their immigration status.

### Every Student Succeeds Act (ESSA) of 2017

Recognizes the unique needs of ELs and moves accountability for their performance on English language proficiency assessments to Title I.

### Equal Educational Opportunities Act of 1974

Requires schools to take action to overcome language barriers that impede equal participation by students in instructional programs.

# State Policy

## Title 22, Chapter 4, Section 4.26 of the Curriculum Regulations

Requires every local education agency in Pennsylvania to provide an instructional program for ELs that is designed to promote language growth and proficiency, as well as academic achievement.

## Pennsylvania Code, Chapter 4.26

Mandates that school districts must provide a language instruction educational program (LIEP) for ELs to develop English language proficiency and academic achievement.

## Pennsylvania Department of Education Basic Education Circulars (BEC)

Provide detailed interpretations and guidelines for implementing state regulations regarding the education of ELs.

# Local Policies

## Laboratory Charter School Board Policies

Establish local guidelines and procedures for the implementation of the ELD program, ensuring compliance with federal and state laws.

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# Civil Rights Issues

Laboratory Charter School has an obligation to meet the following:

- **Identify and Assess ELs:** Identify and assess ELs in need of language assistance in a timely, valid, and reliable manner, in compliance with Title VI of the Civil Rights Act of 1964 and the Equal Educational Opportunities Act of 1974.
- **Provide a Sound Language Assistance Program:** Ensure the language assistance program is educationally sound and proven successful, adhering to the guidelines established in *Castañeda v. Pickard*.
- **Staff and Support:** Sufficiently staff and support the language assistance programs for ELs, as required by federal and state laws, including Every Student Succeeds Act (ESSA).
- **Ensure Equal Opportunities:** Ensure ELs have equal opportunities to meaningfully participate in all curricular and extracurricular activities, in compliance with ESSA and Title VI of the Civil Rights Act.
- **Avoid Unnecessary Segregation:** Avoid unnecessary segregation of ELs, as mandated by *Lau v. Nichols*.



- **Special Needs Consideration:** Ensure ELs with disabilities are evaluated in a timely manner and their language needs are considered in evaluations and delivery of services, as required by the Individuals with Disabilities Education Act (IDEA).
  - **Monitor Progress:** Monitor and evaluate ELs to ensure their progress in acquiring English proficiency and grade-level core content, following the guidelines established by *Castañeda v. Pickard*.
  - **Evaluate Program Effectiveness:** Evaluate the effectiveness of the school district's language assistance program(s) to ensure ELs acquire English proficiency, as required by federal and state regulations.
  - **Meaningful Communication with Parents:** Ensure meaningful communication with Limited English Proficient (LEP) parents, as mandated by Title VI of the Civil Rights Act of 1964, ESSA, and the Family Educational Rights and Privacy Act (FERPA).
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## ELD Program Model

### 1. Alignment of EL-Specific English-only Instruction Language with Pennsylvania Department of Education (PDE) Approved Program

The EL-Specific English-only Instruction Language program at Laboratory Charter School aligns with the Pennsylvania Department of Education (PDE) approved programs by emphasizing English language acquisition and academic content mastery. PDE requires that English Learners (ELs) receive instruction that promotes proficiency in English while enabling them to meet state academic standards. Although the program does not utilize students' native languages, it is designed to focus intensively on developing English language skills through content instruction, which is consistent with PDE's emphasis on ensuring that ELs have equitable access to the curriculum.

This alignment is supported by federal cases such as **Lau v. Nichols (1974)**, which mandates that schools provide meaningful access to the curriculum for non-English-speaking students, and **Castañeda v. Pickard (1981)**, which sets a three-part standard requiring that EL programs be based on sound educational theory, effectively implemented, and produce results showing that language barriers are being overcome.

In addition, **Title VI of the Civil Rights Act of 1964** prohibits discrimination based on national origin, which includes ensuring that ELs receive appropriate educational services. The EL-Specific English-only Instruction Language program complies with these federal mandates by focusing on English language development within the context of academic instruction.

The PDE recognizes that various models of English language instruction can be effective, including English-only approaches, as long as they are grounded in sound educational theory, implemented effectively, and result in demonstrable progress in English proficiency and academic achievement. The EL-Specific English-only Instruction Language program at Laboratory Charter School aligns with these

requirements by providing targeted English language development (ELD) and content instruction, specifically tailored to ELs. This alignment is further supported by **22 Pa. Code § 4.26**, which requires schools to provide appropriate instruction to ELs that enables them to meet academic standards and gain proficiency in English.

## **2. Thoughtful Design of Laboratory Charter School's EL-Specific English-only Instruction Language Instructional Educational Program (LIEP)**

Laboratory Charter School has designed its EL-Specific English-only Instruction Language Instructional Educational Program (LIEP) thoughtfully to be responsive to the needs of its local EL population. The program's design considers various factors, including students' proficiency levels, prior educational experiences, and the need for flexible and adaptive instructional strategies.

### *a. Differentiation Based on Proficiency Levels:*

The school recognizes that ELs at different proficiency levels require different types of support. For example, ELs at lower proficiency levels may need more direct and explicit English language development instruction. This might include a greater focus on foundational language skills, such as vocabulary development, sentence structure, and basic communication skills.

Conversely, ELs at higher proficiency levels, who have developed a stronger foundation in English, may benefit more from embedded ELD instruction, where language development is integrated into content areas like math, science, and social studies. This approach often involves collaborative teaching models, such as co-planning and co-teaching, where ESL specialists and content teachers work together to deliver instruction that meets both language and academic goals.

### *b. Newcomer Support:*

Laboratory Charter School also addresses the needs of newcomer ELs, particularly those entering at higher grade levels, by potentially offering specialized newcomer programs. These programs might include self-contained, sheltered content classes, where students receive intensive, direct ELD instruction tailored to their specific language and academic needs. This approach allows newcomers to build the necessary language skills before transitioning into other LIEPs or mainstream classes.

### *c. Flexibility and Responsiveness:*

The program is designed to be flexible, allowing for adjustments in instruction, scheduling, and program placement based on ongoing assessment and input from ESL and other teachers. As ELs progress in their English language development, the school ensures that their program or schedule of classes is adjusted to reflect their current needs, rather than being based solely on initial test scores or placement decisions.

This flexibility is crucial because English language acquisition is not a linear process, and ELs may require different types and levels of support at different times. The program's ability to adapt to these changing needs ensures that ELs receive the appropriate level of instruction and support throughout their educational journey. **22 Pa. Code § 11.11** reinforces this by mandating that all students, including ELs, receive education that is tailored to their unique needs, ensuring equitable access to learning opportunities.

#### *d. Comprehensive Data Use:*

Laboratory Charter School collects and uses a variety of data points to make informed decisions about EL placement and instruction. Information gathered at the time of enrollment, such as prior school experiences and grades, is supplemented with additional data collected throughout the school year, allowing for a more comprehensive understanding of each student's language and academic needs. This data-driven approach ensures that the program remains responsive to the individual needs of each EL.

#### **Conclusion:**

Laboratory Charter School's EL-Specific English-only Instruction program aligns with PDE standards by focusing on English proficiency and academic mastery. It is tailored to the diverse needs of EL students, and the program meets federal and Pennsylvania legal requirements, ensuring effective support for ELs.

### **Laboratory Charter School English Language Development (ELD) Policy**

#### *Purpose*

The purpose of this policy is to ensure that all educators at Laboratory Charter School utilize the Pennsylvania English Language Development Standards (PA ELDS) Framework and the Pennsylvania ELL Differentiation Tool to effectively plan and deliver instruction and assessment for English Learners (ELs). This policy aligns with federal and state mandates, including Title I and Title III requirements, and supports the goal of providing ELs with equitable access to rigorous academic standards.

#### *Policy Statement*

##### **1. Utilization of the Pennsylvania English Language Development Standards (PA ELDS) Framework:**

All teachers at Laboratory Charter School are required to integrate the Pennsylvania English Language Development Standards (PA ELDS) Framework into their instructional planning and assessment processes. The PA ELDS Framework is essential for guiding the development of curriculum and instructional strategies that meet the specific linguistic and academic needs of

ELs. This framework ensures that ELs are provided with the necessary support to achieve English proficiency and succeed in meeting the same rigorous academic standards as their non-EL peers.

The PA ELDS Framework acknowledges that while ELs may require different pathways to learning due to their language development needs, they possess the same cognitive capabilities as their non-EL peers. Teachers must therefore use the PA ELDS to scaffold instruction, differentiate lessons, and employ formative assessments that are tailored to the varying English proficiency levels of their students.

## **2. Implementation of the ELL Differentiation Tool:**

Laboratory Charter School recognizes the importance of differentiating instruction and assessment for ELs to ensure they can access and engage with the curriculum effectively. To this end, all teachers are required to use Pennsylvania's ELL Differentiation Tool as part of their instructional planning. This dynamic, interactive tool connects the PA ELDS Framework with Pennsylvania's Academic and Core Standards and applies them to specific instructional lessons or activities.

The ELL Differentiation Tool assists teachers in modifying content lessons to meet the educational needs of ELs by:

- Helping educators create student profiles that account for each EL's language proficiency level and academic background.
- Analyzing the complexity of language used in instructional materials and adjusting it to be accessible for ELs.
- Providing strategies for scaffolding and supporting ELs at various proficiency levels, enabling them to build on their existing strengths and knowledge.

Teachers can access the ELL Differentiation Tool through the ESL Portal at <http://ell.esportalpa.info/>.

## **3. Professional Development and Resources:**

Laboratory Charter School is committed to supporting its educators in effectively implementing the PA ELDS Framework and using the ELL Differentiation Tool. The Pennsylvania Department of Education offers ongoing professional development, including the LMS Moodle Course titled "What ALL Educators Need to Know - How to Differentiate Instruction and Assessment for ELs." This self-paced online course is designed for classroom/content area teachers, special education teachers, ESL specialists, and administrators, and provides practical strategies for differentiating instruction and assessment for ELs.

Educators are encouraged to participate in this course and explore additional resources available on the ESL Portal <http://ell.esportalpa.info/> and the

Pennsylvania Department of Education's Standards Aligned System (SAS Portal) at [www.pdesas.org](http://www.pdesas.org).

### *Compliance and Monitoring*

To ensure compliance with this policy, the use of the PA ELDS Framework and the ELL Differentiation Tool will be monitored through regular reviews of lesson plans, assessments, and classroom observations. Professional development participation and the implementation of differentiated instructional strategies will be reviewed as part of teacher evaluations.

This policy reinforces Laboratory Charter School's commitment to providing high-quality education for all students, including English Learners, by ensuring that they receive the necessary instructional support to achieve academic success.

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## **English Learner Identification Procedure**

### *Purpose*

The purpose of this procedure is to establish a standardized process for identifying English Learners (ELs) in compliance with Pennsylvania's 22 Pa. Code § 4.26, the PDE Basic Education Circular (BEC) on Educating English Learners, and relevant federal statutes, including Title VI of the Civil Rights Act and the Equal Educational Opportunities Act (EEOA). This procedure ensures that every student whose dominant language is not English is accurately identified and provided with the necessary language instruction educational program (LIEP) to facilitate their achievement of English proficiency and meet academic standards.

### *Overview*

In accordance with 22 Pa. Code § 4.26, every school district is required to provide a program for each student whose dominant language is not English. This program includes planned English language development (ELD) instruction by a qualified ESL/Bilingual Education teacher, as well as adaptations in content instruction and assessments based on students' language proficiency levels.

## **Steps for Identifying English Learners**

### *Step 1: Review the Home Language Survey (HLS)*

- **Action:** Upon enrollment, review the Home Language Survey (HLS) completed by the parent/guardian.
- **Criteria:** If the HLS indicates a language other than English for any question, proceed to Step 2.
- **Note:** Pidgin and creole variations of English are considered languages other than English for identification purposes.

### *Step 2: Conduct a Family Interview*

- **Action:** Conduct a family interview to gather additional information about the student's language background. An interpreter should be used if necessary.
- **Personnel:** The interview must be conducted by district-trained enrollment personnel, not by the parent/guardian.
- **Documentation:** Record the details of the interview, including the student's date of birth, country of origin, and prior educational experiences.
- **Review:** The family interview must be reviewed by an ESL professional to determine if the student is potentially an EL.

### *Step 3: Review Academic Records*

- **Action:** Conduct a review of the student's academic records from previous schools, if available.
- **Criteria:** Look for compelling evidence of sufficient English proficiency, such as standardized test scores, passing grades in core content classes conducted in English, and work samples.
- **Outcome:** If academic records provide compelling evidence of English proficiency, no further action is required. If not, proceed to Step 4.

### *Step 4: Conduct English Language Proficiency Screening*

- **Action:** Screen the student for English language proficiency using the appropriate screener based on the student's grade level (e.g., WIDA Screener, K MODEL).
- **Documentation:** Record the screening scores, including proficiency levels in listening, speaking, reading, and writing.
- **Criteria:** If the student's scores meet the criteria for identification as an EL, proceed to Step 5.

### *Step 5: Determine Limited or Interrupted Formal Education (LIFE) Status*

- **Action:** Assess whether the student has limited or interrupted formal education (LIFE) based on specific criteria, including years of schooling and literacy skills.
- **Outcome:** If the student is identified as having LIFE, this must be documented in the student's record.

### *Step 6: Identify the Appropriate Language Instruction Educational Program (LIEP)*

- **Action:** Based on the student's English language proficiency and any LIFE status, determine the most appropriate LIEP.
- **Collaboration:** If the student has an Individualized Education Program (IEP), EL and Special Education personnel must collaborate on the decision.
- **Documentation:** Document the program placement decision.

### *Step 7: Notify Parents and Provide Program Description*

- **Action:** Inform the parents of the identification results, program placement, and provide a detailed description of the LIEP.
- **Rights:** Explain the parents' right to refuse specialized LIEP services.
- **Outcome:** If the parent accepts the placement, proceed with the recommended program. If the parent refuses, follow PDE guidance on parental right to refuse services.

### *Step 8: Finalize Identification and Placement*

- **Action:** If the parent accepts or refuses the placement, document the decision and notify the receiving school of the student's identification and placement.
- **Documentation:** Initiate an active service record in the district's Student Information System (SIS), including any LIFE status and Title III services, if applicable.

### *Step 9: Schedule the Student*

- **Action:** Schedule the student based on the program placement and English language proficiency.
- **Responsibility:** Ensure that all teachers working with the EL, including general education teachers, have access to the student's English language proficiency information.

### *Special Considerations for Students with Disabilities*

- **Action:** If the student has an IEP or is suspected of having a disability, Special Education and ESL staff must collaborate throughout the identification process.
- **Screening:** If necessary, the screening should be completed with appropriate accommodations.
- **Documentation:** All relevant information and accommodations must be documented.

## **Explanation of the Home Language Survey**

The Home Language Survey (HLS) is a vital tool required by federal regulations and Pennsylvania state law to identify students who may need English language support services. The survey gathers essential information about the languages spoken by the student and their family at home. This information helps the school determine whether a student's dominant language is not English and if they may require additional support to succeed in an English-speaking academic environment.

## **Federal and State Legal Requirements**

### **Federal Regulations:**

The Home Language Survey is mandated under **Title VI of the Civil Rights Act of 1964** and the **Equal Educational Opportunities Act (EEOA) of 1974**. These federal laws require schools to take affirmative steps to ensure that students with limited English proficiency can meaningfully participate in educational programs. The HLS is

the first step in identifying students who may need English language development (ELD) services to meet these legal requirements.

### **Pennsylvania School Legal Codes:**

In Pennsylvania, the requirement to conduct a Home Language Survey is codified in **22 Pa. Code § 4.26**. This regulation mandates that every school district provide a program for each student whose dominant language is not English, ensuring they can achieve English proficiency and meet the state's academic standards. The HLS is an integral part of this identification process.

### **Importance of Accurate Completion**

Completion of the HLS is a mandatory step during the enrollment process and must be filled out by a parent or guardian. The survey typically asks about the languages the student speaks, hears, or uses in various settings, such as at home or with family members. Accurate and thorough responses are crucial for the school to assess the student's language needs correctly.

### **Follow-Up and Confidentiality**

Based on the HLS responses, the school may conduct further assessments to evaluate the student's English language proficiency and determine eligibility for ELD services. The information collected through the HLS is kept confidential and is used solely for the purpose of identifying and supporting students who may benefit from language assistance programs.

By completing the HLS, parents and guardians play a critical role in ensuring that their child receives the necessary support to thrive in an English-speaking academic environment, in compliance with both federal regulations and Pennsylvania state law.

### **Compliance with Legal Requirements**

This procedure is designed to ensure compliance with 22 Pa. Code § 4.26, the PDE BEC on Educating English Learners, and relevant federal laws, including the Civil Rights Act and the EEOA. The identification process must be completed within the prescribed timelines: within 30 days for students enrolling at the start of the school year, or within 14 days for students enrolling after the school year begins.

### **Conclusion**

By following this standardized identification procedure, Laboratory Charter School ensures that all students whose dominant language is not English are accurately identified as English Learners (ELs) and are provided with the appropriate support and instruction to succeed academically and achieve English language proficiency.



## WIDA Screener

The WIDA Screener is the designated assessment tool used to determine the English language proficiency of students whose dominant language is not English. This screener evaluates students' abilities in listening, speaking, reading, and writing. The results from the WIDA Screener help identify students who qualify for ELD services and guide the development of individualized instructional plans.

### Components of the WIDA Screener

- **Listening:** Assesses the ability to understand spoken English in various contexts.
- **Speaking:** Evaluates the ability to speak English in both formal and informal situations.
- **Reading:** Measures the ability to read and comprehend written English.
- **Writing:** Tests the ability to write in English for different purposes and audiences.

### Administration of the WIDA Screener

- **Initial Identification:** The WIDA Screener is administered to all students whose Home Language Survey indicates a language other than English is spoken at home, as required by Title VI of the Civil Rights Act and the Equal Educational Opportunities Act of 1974.
- **Annual Assessment:** For students identified as ELs, the WIDA ACCESS for ELLs® is administered annually to measure progress in English language proficiency, in compliance with ESSA.
- **Scoring and Interpretation:** The WIDA Screener provides scores that are used to determine the student's level of English language proficiency, which ranges from Level 1 (Entering) to Level 6 (Reaching).

### Benefits of the WIDA Screener

- **Standardization:** Provides a standardized measure of English language proficiency that is used across multiple states.
- **Comprehensive:** Assesses all four language domains (listening, speaking, reading, and writing), providing a complete picture of a student's English language abilities.
- **Guidance for Instruction:** Helps educators design appropriate instructional strategies and interventions to support ELs in their language development and academic achievement.

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## WIDA ACCESS for ELLs®

### Purpose of WIDA ACCESS for ELLs®

The WIDA ACCESS for ELLs® is a secure large-scale English language proficiency assessment administered annually to Kindergarten through 12th grade students who have been identified as English learners (ELs). It is designed to measure English learners' social and

academic proficiency in English, encompassing the four language domains of Listening, Speaking, Reading, and Writing. (ESSA, Title VI of the Civil Rights Act, Equal Educational Opportunities Act of 1974)

## **Significance of WIDA ACCESS for ELLs®**

### **Federal and State Compliance**

The WIDA ACCESS for ELLs® is used to meet federal requirements under Every Student Succeeds Act (ESSA) and state requirements, ensuring that schools are held accountable for the English language development and academic progress of English learners. (ESSA, Pennsylvania Code, Chapter 4.26)

### **Instructional Planning and Student Support**

The results from the WIDA ACCESS for ELLs® provide valuable data that educators use to make informed decisions about student placement, instructional planning, and the need for additional support services. It helps identify areas where students need improvement and supports the development of targeted interventions. (ESSA, Pennsylvania Code, Chapter 4.26)

### **Data-Driven Decision Making**

The assessment data from the WIDA ACCESS for ELLs® supports data-driven decision-making at the classroom, school, and district levels. It helps in monitoring student progress over time, evaluating the effectiveness of language instruction educational programs (LIEPs), and making necessary adjustments to improve student outcomes. (ESSA, Pennsylvania Code, Chapter 4.26)

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## **Eligibility**

### **Parent Notification and Identification and Placement of ELs**

#### **Notification Requirements**

Within 30 days of the start of the school year (or within 15 days of enrollment if not identified prior to the beginning of school), schools must notify parents of English Learners who are participating in ELD programs of the following:

- The reason for identification of the child as an EL.
- The child's level of English language proficiency, how the level was assessed, and the status of the child's academic achievement.

- Methods of instruction used in the program in which the child is, or will be, participating, and the methods of instruction used in other available programs, including how the programs differ.
- How the program will meet the educational strengths and needs of the child and help the child achieve English language proficiency, and meet academic standards.
- Exit requirements for the program, expected rate of transition to a classroom not tailored for ELs, and expected rate of high school graduation.
- In the case of a child with a disability, how the program meets the annual goals in the child's individualized education program (IEP).
- Information regarding parents' right to withdraw the child from a program upon their request, and to decline enrollment or choose another program or method of instruction, if available. (ESEA 1112(e)(3)(A))

## **Identification and Placement Procedures**

The district shall establish procedures for identifying and assessing the needs of students whose dominant language is not English. To identify which students are potential English learners, the Home Language Survey shall be completed for each student upon enrollment in the district, and shall be maintained as part of the student's education records. ELs shall be appropriately placed in accordance with the LIEP within the first thirty (30) days of the school year, or within fourteen (14) days of enrollment.

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## **Program Access**

ELs shall have equitable access to and be encouraged to participate in all academic and extracurricular activities available to district students.

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## **Assessment**

The district shall annually administer required assessments to ELs to measure students' English language proficiency and progress in reading, writing, speaking, and listening/understanding. Assessment results shall be maintained in the student's education records. Parents/Guardians may not opt students out of English language proficiency assessments. ELs shall participate in all annual state or locally required assessments, with accommodations where applicable, and meet established academic standards and graduation requirements, in accordance with law, regulations, and Board policy.

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# Reclassification, Monitoring, and Redesignation of English Learners

## Reclassification (Exiting) - includes results from ACCESS for ELLs and two teacher inventories

Once ELs attain English proficiency as defined in the state reclassification procedure, they must be reclassified as former ELs (FELs). An EL must demonstrate the ability to access challenging academic content and interact with other students and teachers both academically and socially in an English language setting to be considered for reclassification. Evidence of this ability is demonstrated by the student on the annual English language proficiency assessment, ACCESS for ELLs®, and gathered by teachers utilizing standardized language use inventories.

Two language use inventories must be completed. An ESL teacher must complete one of the inventories when possible. The other inventory may be completed by a single content teacher or a team of content teachers. In cases where an ESL teacher cannot complete an inventory (e.g., students whose parents have refused services and who are not seen by an ESL teacher or ELs in higher proficiency levels who do not work with an ESL teacher regularly), both inventories may be completed by content teachers or teams of teachers.

The language use inventories must be completed prior to the release of ACCESS scores each year for students who, based on teacher input and previous ACCESS scores, are likely to reach the threshold. Once ACCESS scores are released, the points are added to the points from the rubrics to determine if students are eligible to be reclassified.

Districts must develop local plans for how to:

- Select content teachers who will complete the inventories.
- Manage the decision-making/reporting process using this procedure and these criteria.
- Train staff to use the rubrics and evaluate the students' language use.
- Hold teachers accountable for completing the inventories.
- Select students for whom inventories will be completed in anticipation of qualifying ACCESS scores.

If the reclassification score is equal to or greater than the cutoff, the student should be reclassified. If there is compelling evidence to suggest that a student should remain identified as an EL despite exceeding the cutoff, and this evidence is documented along with the ACCESS for ELLs® score report and language use inventory forms, the EL status may be retained.

### State-Defined Threshold for Reclassification of English Learners (ELs)

#### *1. Overview of the Reclassification Process*

The reclassification of English Learners (ELs) is a critical decision that determines when a student is ready to exit the Language Instruction Educational Program (LIEP) and transition to a mainstream educational environment. This decision is based on a combination of the student's performance on the ACCESS for ELLs® assessment and the results from a language use

inventory. These two components are used to generate a composite score, which is then evaluated against a state-defined threshold to determine reclassification eligibility.

## *2. ACCESS for ELLs® Assessment*

The ACCESS for ELLs® is a standardized assessment that measures an EL's proficiency in the four key language domains: listening, speaking, reading, and writing. This assessment provides an overall composite proficiency level score, which reflects the student's ability to use English effectively in both social and academic settings. The score is a quantitative measure of the student's language skills and plays a crucial role in the reclassification process.

## *3. Language Use Inventory*

In addition to the ACCESS for ELLs® score, a language use inventory is conducted to gather qualitative data about the student's language abilities across various contexts. This inventory typically involves input from teachers, parents, and other relevant stakeholders who observe the student's language use in different environments, such as the classroom, home, and community. The inventory assesses the student's functional use of English, including their ability to participate in academic discussions, comprehend instructional material, and communicate effectively with peers and teachers. This qualitative assessment complements the standardized testing data by providing a broader perspective on the student's language proficiency.

## *4. Combining Scores to Determine Reclassification Eligibility*

When the ACCESS for ELLs® score and the results from the language use inventory are combined, they produce a single composite score. This composite score is then compared against a state-defined threshold. The state-defined threshold represents the minimum proficiency level required for a student to function successfully in an English-only academic environment without the need for continued language support. If the student's composite score meets or exceeds this threshold, they are eligible for reclassification.

## *5. Reclassification and Post-Exit Monitoring*

Reclassification signifies that the student has achieved sufficient English proficiency and can be exited from the LIEP. After reclassification, the student will be monitored for a specified period to ensure they continue to succeed academically without additional language support. This monitoring phase is essential to confirm that the student can thrive in the mainstream classroom setting.

## *6. Calibration of the State-Defined Threshold*

The state-defined threshold is carefully calibrated to ensure that students are reclassified only when they have demonstrated the necessary language skills to succeed in a mainstream educational environment. This careful calibration prevents premature exits from language support services, which could jeopardize the student's academic progress. Conversely, it ensures that students who are ready to transition out of EL services can do so without unnecessary delays, allowing them to fully integrate into the general education curriculum and continue their academic journey successfully.

## **Differentiated Reclassification Process for English Learners with Disabilities**

Laboratory Charter School recognizes the importance of providing equitable opportunities for all students, including English Learners (ELs) with disabilities, to achieve academic success and language proficiency. In compliance with Pennsylvania state regulations, specifically **22 Pa. Code § 4.26**, and federal requirements under **Title VI of the Civil Rights Act of 1964** and the **Equal Educational Opportunities Act (EEOA) of 1974**, the school has established a differentiated reclassification process for ELs with disabilities who do not meet the standard reclassification criteria based on the ACCESS for ELLs® assessment.

The policy acknowledges the state-required differentiated reclassification process for ELs with disabilities who have not met the standard criteria. An EL with a disability may be considered for reclassification if the student has an Individualized Education Program (IEP) and has been continuously enrolled in a Language Instruction Educational Program (LIEP) for at least four years. Additionally, the student's overall composite proficiency level score on the ACCESS for ELLs® must not have increased by more than 10% between any two years or in total over the three most recent testing cycles. Furthermore, the school must have documented evidence that the student has received appropriate language support, including English Language Development (ELD) instruction, throughout their enrollment in the LIEP.

The reclassification process requires a school-based team to recommend reclassification. This team must include at least one expert in the student's English language acquisition, one expert in the student's special education goals and services, one expert in general education content achievement, a family member (with interpreters or cultural liaisons as necessary), and any related service providers working with the student. The team must consider various forms of evidence, such as standardized assessments, classroom observations, language samples, student work portfolios, teacher input, and family feedback, to determine if the student should be reclassified.

For students unable to complete all four domains of the ACCESS test due to their disability, the state has provided a method for calculating an overall composite proficiency level using fewer than all four domains. The Overall Composite Proficiency Level (OCPL) Calculation Tool may be used to ensure that the reclassification process remains fair and accurate. The decision to reclassify an EL with a disability must be thoroughly documented, including the evidence analyzed, the student's current ACCESS scores, and the team's responses to critical questions regarding the adequacy of ELD instruction, the student's ability to communicate in English, progress toward meeting PA Core Standards, and the impact of the disability on ACCESS scores.

This policy ensures that Laboratory Charter School adheres to the legal requirements outlined in both state and federal regulations, providing a fair and equitable reclassification process for ELs with disabilities, and supporting their continued academic growth and success.

## **Monitoring**

Districts must actively monitor the progress of former ELs for a period of two years after reclassification and report former ELs to the state for an additional two years (total of four years of monitoring status). During the active monitoring period (first two years), districts must ensure that former ELs do not struggle academically due to persistent language barriers. This includes tracking student progress in all core academic classes and soliciting feedback from core academic teachers periodically throughout the school year.

During the additional monitoring period (third and fourth years), districts are required to report former ELs to the state but are not required to actively monitor their progress and academic achievement.

## **Redesignation**

If it is determined during the active monitoring phase that a former EL is struggling academically due to persistent language barriers, the district must have plans to redesignate that former EL as an active EL and re-enroll him/her in the LIEP. The district must demonstrate that the former EL is struggling due to persistent language acquisition needs and not academic needs requiring other supports or interventions.

Former ELs who have been redesignated as active ELs must meet the state-required criteria to be reclassified as former ELs again. The monitoring process starts over from year 1 upon the second reclassification.

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# **Staff Qualifications and Professional Development**

## **Requirements for ELD Staff**

Certified employees and appropriate support staff, when necessary, shall provide the LIEP. The district shall ensure that all teachers providing ELD instruction hold the appropriate certification and can demonstrate academic language proficiency both in English and in the language used for instruction in their classroom.

## **Non-ESL Staff Responsibilities**

Non-ESL staff shall incorporate ELD into all classes for ELs, as well as provide support, modifications, and accommodations for curricular content to enable ELs to achieve academic standards.

## **Professional Development Plan**

The district shall provide appropriate training in ELD for all professional staff as part of the Professional Development Plan.

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## **Special Education and Gifted Education Services**

### **Eligibility for Special Education Services**

ELs may be eligible for special education services when they have been identified as a student with a disability and it is determined that the disability is not solely due to lack of instruction or proficiency in the English language.

### **Eligibility for Gifted Education Services**

ELs may be eligible for gifted education services, when identified in accordance with law, regulations, and Board policy. The district shall ensure that assessment of a student for gifted education services screens for intervening factors, such as English language proficiency, that may be masking gifted abilities.

### **Continued ELD Instruction for Students with Special Needs**

Students participating in ELD instruction who are eligible for special education services shall continue receiving ELD instruction, in accordance with their Individualized Education Program (IEP) or Gifted Individualized Education Plan (GIEP), at the appropriate proficiency and developmental level.

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## **Parent/Family Engagement and Communication**

### **Communication Requirements**

Communications with parents/guardians shall be in the mode and language of communication preferred by the parents/guardians.



## **Parent Notification Process**

Within thirty (30) days of the beginning of each school year, or within fourteen (14) days of enrollment during the school year, the district shall notify parents/guardians of students identified as ELs about the process for identifying their children as EL, the results of that process, and the recommended program placement. The district shall also provide parents/guardians with detailed information regarding the LIEP, the benefits of ELD instruction for their children, and an explanation of the program's effectiveness.

## **Regular Progress Updates**

Parents/Guardians shall be regularly apprised of their child's progress, including achievement of academic standards and assessment results.

## **Encouraging Parental Involvement**

The district shall maintain an effective means of outreach to encourage parental involvement in the education of their children.

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# **Parental Right to Opt Out of ELD Programs and Services**

## **Opt-Out Procedures**

Parents/Guardians of ELs have the right to refuse specialized programs and services that may be part of the LIEP for their child. A parent's/guardian's decision to refuse programs or services must be informed and voluntary; the district shall not influence a parent's/guardian's decision in any way, or make any program or placement determinations without parental notification and an opportunity to opt the student out of programs and services.

## **Documentation and Notification Requirements**

The district shall make a parental waiver form available for parents/guardians to opt their EL child out of ELD programs and services. The district shall document all notifications made to parents/guardians regarding assessment and recommended placements and programs for ELs, and whether or not a parental waiver form is received. When a waiver form is not received from the parent/guardian, the district shall proceed with the recommended placement.

# Annual Assessment and Support for Opted-Out Students

ELs who have a parental waiver for ELD programs and services shall be assessed on English language proficiency annually, and shall be provided with supports and accommodations to participate in general curricular and extracurricular programs, in order to meet academic standards and graduation requirements. Parents/Guardians of ELs who have opted out of ELD programs and services shall be notified of their child's progress, including achievement of academic standards and assessment results, and shall be provided with the opportunity and a form to opt their child back into ELD programs and services.

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## Glossary of Terms

### **AMS**

WIDA Assessment Management System

### **BEC**

Basic Education Circular

### **DRC**

Data Recognition Company

### **EL**

English Learner

### **ELD**

English Language Development

### **ELDS**

English Language Development Standards

### **ELRS**

English Learner Reporting System

## **ESEA**

Elementary and Secondary Education Act

## **ESL**

English as a Second Language

## **ESSA**

Every Student Succeeds Act

## **FERPA**

Family Educational Rights and Privacy Act

## **IDEA**

Individuals with Disabilities Education Act

## **L1**

First/Native Language

## **L2**

Additional Language

## **LEA**

Local Education Agency

## **LIEP**

Language Instruction Educational Program

## **PD**

Professional Development

## **PDE**

Pennsylvania Department of Education

## **PHLOTE**

Primary Home Language Other Than English

## **PIMS**

Pennsylvania Information Management System

## **Pull-out**

Component where ELs receive stand-alone ELD instruction.

## **Push-in**

Component where ELs receive ELD instruction within the general education classroom.

## **Reclassification**

Determining that an EL has met English proficiency criteria.

## **Redesignating**

Placing a monitored EL back to active EL status if needed.

## **Sheltered Instruction**

Language-rich, comprehensible content instruction.

## **SIOP**

Sheltered Instruction Observation Protocol

## **SIS**

Student Information System

For more information on these policies and procedures, please refer to the full 2024-2025 ELD Program Policy Manual.

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# **WIDA ACCESS for ELLs®**

## **Purpose of WIDA ACCESS for ELLs®**

The WIDA ACCESS for ELLs® is a secure large-scale English language proficiency assessment administered annually to Kindergarten through 12th grade students who have been identified as English learners (ELs). It is designed to measure English learners' social and academic proficiency in English, encompassing the four language domains of Listening, Speaking, Reading, and Writing. This assessment is crucial for ensuring compliance with federal and state mandates, including Every Student Succeeds Act (ESSA), Title VI of the Civil Rights Act, and the Equal Educational Opportunities Act of 1974.

## **Significance of WIDA ACCESS for ELLs®**

### **Federal and State Compliance**

The WIDA ACCESS for ELLs® is used to meet federal requirements under Every Student Succeeds Act (ESSA) and state requirements. This ensures that schools are held accountable for the English language development and academic progress of English learners. It aligns with Pennsylvania Code, Chapter 4.26, which mandates that school districts provide a language instruction educational program (LIEP) for ELs.

### **Instructional Planning and Student Support**

The results from the WIDA ACCESS for ELLs® provide valuable data that educators use to make informed decisions about student placement, instructional planning, and the need for additional support services. It helps identify areas where students need improvement and supports the development of targeted interventions, aligning with the guidelines set forth by the Pennsylvania Department of Education.

### **Data-Driven Decision Making**

The assessment data from the WIDA ACCESS for ELLs® supports data-driven decision-making at the classroom, school, and district levels. It helps in monitoring student progress over time, evaluating the effectiveness of language instruction educational programs (LIEPs), and making necessary adjustments to improve student outcomes. This is in compliance with both federal and state regulations, ensuring that all students receive a fair and appropriate education.