

Minnesota Standardized English Learner Procedures

English Language Development Program Entrance and Continuing English Learner Eligibility

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Overview

This section of the Minnesota Standardized English Learner Procedures is written to assist all district staff in understanding and implementing entrance and continuing eligibility procedures for English Learners. This document outlines the steps a district must take upon the identification of an English learner. For further information about the identification of a student, please see the manuals on Identification, Overview, Minnesota Language Survey, and the Screener.

Initial Entrance and Placement

Only a student who has a completed Minnesota Language Survey (MNLS), participated in the grade-appropriate English language screening assessment, and has been identified as an English learner can be enrolled in an English language educational program. If a student has not participated in a screener or does not have a completed MNLS, the student must not be placed into an English Language Development (ELD) program. Instead, the district must have the parent or guardian complete the MNLS to determine if a student should be screened for English language proficiency. Please see the Minnesota Standardized English Learner Procedures, Minnesota Language Survey for additional information.

Staff qualifications

Initial placement of an identified English learner (EL) into a Language Instruction Educational Program (LIEP) should be made by EL staff.

Materials/Resources

- Valid English language assessment (see below) in the four domains.
- Information on additional services for which the student qualifies (see identification manual)
- Student's educational transcripts and records (if applicable or available)

Timeframe for entrance process

A district must begin the process of placement once a student has been identified as an English learner. Time frame is an example. Please see the example below:

1. District staff assess the language ability of each student identified as an English learner (August). Assessment should occur upon enrollment.
2. Student is enrolled in the appropriate level of the district's LIEP (September) and begins receiving instruction on September 7, 201X.
3. Minnesota Automated Reporting Student System (MARSS); MARSS Coordinator enters "EL START DATE" element in MARSS in September. In this case, 201X0907 is entered into the students MARSS file. The MARSS Coordinator should ensure that all data elements are entered prior to October 1st.
4. District and charter schools (hereafter referred to as districts) sends via mail parent notification of student enrollment in the LIEP within 30 calendar days. (September, 201X).

English Learner Placement

After initial identification as an English learner (through use of the Minnesota Language Survey and the English Language Development (ELD) assessment results [see identification guide]), and determining any additional services the student is eligible for, the student must be placed in a Language Instruction Educational Program (LIEP). The student is only considered enrolled in a Language Instruction Educational Program if the student receives instruction from a teacher who has a license or a variance in ESL.

ELD Instruction model

All districts in the state of Minnesota are required under Minnesota Statutes, section 124D.61 to have a written Plan of Service which describes the district's English language development (ELD) programming by proficiency level. Within the plan, districts must include the amount and the scope of service that a student is eligible to receive, align the program with grade-level and ELD standards, and include programming that recognizes the cultural and linguistic assets of their ELs. District programming should avoid segregating EL students during large portions of the school day; all students must participate as much as possible in classes with their peers (both ELs and non-ELs). Additionally, students should be placed upon their academic ability and age not their language ability. Using the Minnesota Standardized English Learner Procedures as guidance, districts should include specific information in the Plan of Service regarding identification, entrance and exiting of ELs.

Placement assessment

English language and classroom teachers will need to identify and address specific student language abilities and needs with regard to classroom and LIEP placement. The WIDA Screener (online and paper) is intended to determine English learner eligibility and provide a preliminary proficiency level for students. Teacher judgment and additional assessment are needed to ensure proper student placement in the LIEP. Minnesota Comprehensive Assessments (MCAs) and Measure of Academic Proficiency (MAP) can be used for classroom placement, they must not be used for English language program level determination. Only assessments measuring students' English language ability should be given for placement purposes.

Initial Placement Parental Notification

Minnesota Statutes, section 124D.61 requires that parents and guardians are notified within 10 calendar days of enrollment of an EL in an LIEP. When districts initially enroll an EL in an LIEP, they should utilize the English learner program placement letter located on the TransACT.com website. To register for the website, contact TransACT.com. Note: TransACT ESSA documents are provided free of charge to all Minnesota districts. All TransACT documents can be reproduced on district letterhead.

The parent notification letter must be sent home in a language accessible to the parent and guardian. The parent notification informs the parents that the student has been enrolled in an LIEP. Additionally, the letter

informs the parents that they have the right to visit the program, to request a conference to understand the program and to withdraw the child. The district should include additional information about the description of the purpose, method and content of the program. Minnesota Department of Education recommends that all letters are sent home in English as well as the preferred language of communication as indicated by the parent.

Parental Rights

A parent or guardian has the right at any time to withdraw the student from the LIEP by providing written notice of this intent to the school principal or to the district superintendent. The parent or guardian may re-enroll the child in the LIEP upon request.

Annual Assessment

Under both federal and state law, all students enrolled in K-12 grades and identified as English Learners must participate in the annual English language proficiency assessment, ACCESS 2.0. All students who have been identified as English Learners, regardless of whether or not they are enrolled in an LIEP, must participate in the ACCESS 2.0 assessment. This assessment usually takes place in February and March. For additional information on this assessment, please see the statewide testing page on the Minnesota Department of Education's website. For specific questions email mde.testing@state.mn.us.

If parents choose to opt-out of ACCESS for ELLs testing, the appropriate forms must be completed. See <http://education.state.mn.us/MDE/fam/tests/> for additional information. If a student does not participate in the ACCESS for ELLs, the student cannot be considered to have met the proficiency requirement for exiting the EL identification. A student must remain identified as an English learner until the student has met the exit requirement. For additional information on exiting, please refer to the Minnesota Standardized EL Procedures, Exit.

Initial ACCESS score results for ELs are typically available in May on the Minnesota Department of Education's website under secure reports or secure reports Section/site. The results of the ACCESS 2.0 assessment guide the EL team to determine if a student continues to be EL eligible. See continuing eligibility for additional information.

After a student is placed in the Language Instruction Education Program (LIEP), districts must annually identify students who continue to be eligible for English language instruction. Each spring, districts must evaluate every EL's WIDA ACCESS 2.0 scores to determine continuing program eligibility.

MARSS Data Elements

This section of the Minnesota Standardized English Learner Procedures is written to assist all district staff in understanding and utilizing the data elements of the Minnesota Automated Reporting Student System (MARSS); home primary language, EL indicator, and EL start date. Accuracy within MARSS is critical. The Minnesota

Department of Education uses the English learner identification marker as the basis of allotment of Minnesota State EL funding and federal Title III funding to the Local Education Agency (LEA).

There are three different MARSS elements concerning English Learners:

1. Home Primary Language
2. EL Indicator
3. EL Start Date

MARSS data elements should be revised, if needed, during the fall and at the end of the year. The MARSS Coordinator must ensure that all data elements are entered for the October 1 enrollment count.

Please see the table below. Different data elements are entered for each of the EL procedures (Identification, Entrance and Exit). The EL start date discussed below is used in the Entrance procedure. It is the only data element that is revised during the entrance of an EL into a LIEP. For additional information on entering the data elements, see the MARSS manual.

English Learner Procedures and MARSS

Required MARSS Elements	Identification	Entrance	Exit
Home Primary Language	YES	Already in student's MARSS record	Already in student's MARSS record
EL Indicator	YES	Already in student's MARSS record	NO
EL Start date	Leave blank	Enter first day in a language instruction educational program.	Leave Blank

EL start date

The EL start date indicates that a student is enrolled and receiving instruction in an LIEP. The EL start date is the first day an EL attends the language instruction educational program. Only eligible ELs receiving instruction in an LIEP will generate funding. The EL start date denotes a student is receiving ELD instruction. This is an annual requirement. If a student is identified as an English learner but is not receiving ELD instruction due to parent refusal, this data element is left blank.

For example, if the student started school on September 5th, 2017 but did not receive ELD instruction until September 12th, the start date should be entered as: 20170912.

Continuing EL Eligibility

After a student is placed in the LIEP, districts must annually identify students who continue to be eligible for English language instruction. An EL continues to be eligible for instruction in an LIEP if the student does not have a proficient score on the ACCESS test (see below), or if the district deems the student eligible by using additional criteria (see below).

Evaluating students' ACCESS scores

Districts should wait until all ACCESS scores are available before beginning the continuing eligibility process. Any district or school staff member with permission to view preliminary ACCESS scores may analyze the data to determine if the student has met criteria for continuing eligibility. However, additional criteria (see below) must be collected and evaluated by EL staff with assistance from the content teacher and other stakeholders.

Districts should first examine students' composite scores on ACCESS. If a student's overall composite score is not at least 4.5 on ACCESS, the student does not meet the definition of English language proficient and is, therefore, automatically eligible for continuing ELD instruction and must be enrolled in the LIEP in the following school year.

There are three outcomes:

1. A student has at least two individual domain scores (listening, speaking, reading, or writing) that are below 3.5. The student is automatically eligible for ELD instruction and must be enrolled in ELD instruction in the following school year.
2. A student has all of the domains equal to or greater than 3.5 and has a composite score of 4.5 or higher. The student is considered to be proficient, is no longer eligible for enrollment in the LIEP, and must not be enrolled in ELD instruction in the following school year.
3. A student has at least three out of four domain scores equal to or greater than 3.5 and a composite score of 4.5 or higher. In this case, additional criteria must be used to determine continuing eligibility. If the student continues to be eligible for participation in the LIEP, in the following year the student must be enrolled in the LIEP and continue to receive ELD instruction.

For additional information about the use and application of additional criteria, refer to the exit procedure.

Continuing Eligibility Parent Notification

Title I of ESEA as amended by ESSA requires that parents and guardians of ELs are annually notified within 30 calendar days of enrollment of an EL in an LIEP. When an EL continues in an LIEP, the district must utilize the English learner program placement letter located on the TransACT.com website. TransACT ESSA documents are provided free of charge to all Minnesota districts. All TransACT documents can be reproduced on district letterhead.

The parent notification letter must be sent home in a language accessible to the parent and guardian. The parent notification informs the parents that the student has been enrolled in an LIEP. Additionally, the letter informs the parents that they have the right to visit the program, to request a conference to understand the program and to withdraw the child. The district should include additional information about the description of the purpose, method and content of the program. Minnesota Department of Education recommends that all letters are sent home in English as well as the preferred language of communication as indicated by the parent.

Frequently Asked Questions

If a student has a composite score below 4.5 but all of the domains are above 3.5, can they be considered proficient?

No. A student must have a composite score equal to or above 4.5 to be considered proficient. A student with a composite score below 4.5 must be enrolled in a LIEP during the upcoming school year.

When should a student be considered proficient?

If a student has met the composite score of at least 4.5 with ALL four domain scores (listening, speaking, reading, and writing) at least 3.5, the student is considered proficient and must be exited from EL services and reclassified in MARSS at the beginning of the following school year. If a student has a composite of 4.5 with three of the four domains at least 3.5, then additional criteria should be used on the fourth domain to determine whether or not the student is proficient.

When should a district examine additional criteria?

If a student has met the composite score of at least 4.5 but one domain is below 3.5, the school or district must use additional criteria to determine whether a student should be exited from EL services or retained for additional instruction.

Must a district use additional criteria provided by the state for proficient students with the fourth domain below 3.5?

Yes. The district must use the Minnesota standardized additional criteria.

If a student is not proficient as determined by the EL team utilizing additional criteria, how many years can the student continue to be identified?

The student must continue to receive EL programming until the student has met the Minnesota standardized proficiency score of a composite of 4.5 with three of the four domains at least 3.5. If the EL team has the additional criteria for the fourth domain, and determined that the student is proficient, the student no longer qualifies for EL programming.

If a student who participated in ACCESS testing does not receive a valid score, can the student be exited from the LIEP?

No.