

# **Guidance for Limited English Proficient (LEP) Student Identification and Assessment**



**Effective September 2008**

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## Table of Contents

<b>Topic and Question #</b>	<b>Page #</b>
Identification of potential LEP students (#1, 2, 3)	3
ELP Standards for Instruction (#4)	4
Test for English Language Proficiency (#5)	4
Other Assessments (#6)	5
Accommodations (#7)	5
Parent notification (#8)	6
Plan of Service for LEP students (#9)	6
Exit from LEP status (#10)	7
Monitoring former LEP students (#11 & 12)	7
Data on LEP students (#13)	7
Immersion, heritage language or bilingual programs (#14)	8
Foreign exchange students (#15)	8
More information (#16)	8
 Appendix	
Definition of LEP student	9
Immigrant students excluded from content assessments	9
LEP student data codes	10
AMAO targets	10
Identification Procedures:	
Pre-Screening (all grades)	11
Entering Kindergarteners	12
Entering 1 <sup>st</sup> Graders	13
Entering 2 <sup>nd</sup> – 12 <sup>th</sup> Graders	14

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**1) Which districts are required to identify LEP students?**

All districts must identify those students who are LEP. Alaska state and federal laws and regulations require that all students meeting the definition who are not proficient in the English language must be identified and served.

**2) When must an LEP student be identified?**

An LEP student must be identified as soon as possible, preferably before the start of the school year, but no later than 30 days after the start of the year. A student who enrolls after the start of the school year should be identified as soon as possible. If an LEP student transfers from another district, LEP records must transfer from the former district with the student. The student does not need to be re-identified by the new district.

**3) How is a potential LEP student identified as LEP?**

Districts must develop a screening process to find potential LEP students, diagnose them to determine their level of English language proficiency, and formally identify those students as LEP who are not proficient in one or more of the four domains of listening, speaking, reading, and writing. A student must meet the definition of an LEP student (see Appendix) in order to be identified as an LEP student. EED recommends the following identification process:

***Pre-screening:*** The pre-screening process must determine if a student has a primary language other than English, a home language other than English, or whether the language(s) used in the home have had an impact on the individual's level of English language proficiency and therefore is potentially limited English proficient. EED recommends that districts use, at a minimum, the Parent Language Questionnaire posted on the EED website (or a similar form). In addition, the Language Observation Checklist Form A may be used at the district's discretion. The forms are available on the EED website at <http://www.eed.state.ak.us/nclb/KeyComponentsNCLB.html> and also may be found within the Plan of Service document at: <http://www.eed.state.ak.us/forms/home.cfm> under the section heading Bilingual/Limited English Proficient students.

If the answer to *question 1 or 2 in Part I* or *question 3 or 4 in Part II of the Parent Language Questionnaire (PLQ)* indicates that a language other than English is either spoken in the home, spoken to the student, or spoken by the student, the student should be assessed for English language proficiency. If the PLQ indicates that English is spoken in the home, but the teacher has an indication that a language other than English has had an impact on the student's English language proficiency, the teacher may administer the Language Observation Checklist, Part A. If the ***Language Observation Checklist Part A (LOC-A)***, as filled out by the student's teacher,

indicates 5 or more “No” answers in Part A or that a student is not fluent in reading, writing, or oral language based on the teacher’s knowledge, then the student should be referred for a formal identification assessment. If the PLQ indicates a need for formal identification assessment, then use of the LOC-A is at the discretion of the district.

***LEP Identification Assessment:*** Districts should use the state approved IDEA English Language Proficiency Test (IPT) 2004 version for determining whether a potential LEP student is in fact identified as an LEP student. It may be sufficient to identify a beginning LEP student by using only an oral assessment if the student scores less than fluent in English (FES) in listening and speaking. However, if a potential LEP student scores fluent in English on the oral assessment, he or she must also be assessed in reading and writing. If a potential LEP student scores proficient on all domains of the identification assessment, then he or she is not classified as an LEP student. *Note: Refer to the Identification Guidance in the Appendix for specific details and a flow chart for the identification process.*

The IPT 2004 identification test materials specific for Alaska may be purchased through Ballard & Tighe at [http://www.eed.state.ak.us/tls/assessment/elp/AK\\_order\\_form2009.pdf](http://www.eed.state.ak.us/tls/assessment/elp/AK_order_form2009.pdf)

Note: At the district’s discretion, a student who enters the district during December or later during a school year must be screened for potential status as an LEP student using the PLQ and other district screening tools, but may be assessed for identification purposes using the annual IPT state assessment during the ELP test window, rather than using the IPT 2004. Remember, if an LEP student transfers from another Alaskan school district, the student’s LEP status, ELP assessment results and other records related to their LEP status should follow the student to the new district.

***Program placement:*** The results of the IPT identification assessment will indicate the level of the student’s proficiency in each domain and will guide the appropriate program placement. The optional Language Observation Checklist Form B (LOC-B) will be useful for students who are enrolled in a dual language (immersion) or transitional program in the student’s home language.

**4) What standards are available to guide instruction for LEP students?**

Alaska’s English Language Proficiency Standards are available to guide teachers in instruction that will assist an LEP student in gaining proficiency in English. These ELP standards are linked to the appropriate Alaska content standards. The Alaska ELP Standards are available on the EED website at <http://www.eed.state.ak.us/standards/>.

**5) What test must be used for the annual assessment in English language proficiency?**

In addition to an initial assessment for identification and program placement, all identified LEP students must be **assessed annually for English language**

**proficiency** in four domains: listening, speaking, reading, and writing. The State's assessment in English language proficiency is the IDEA Proficiency Test (IPT). Information about this test can be found at the Ballard & Tighe Website <http://www.ballard-tighe.com/>.

**Test Administration Window** – The annual ELP assessment must be given anytime during the test window of **February 1 – March 31** of each year. Districts may choose the most appropriate time for test administration, but should plan to administer the test early enough during the test window to test all LEP students and to return the tests for scoring in a timely fashion. Scheduling should also consider make up dates for students absent during portions of the testing.

**Ordering Materials** – Districts will order IPT materials through the online ordering and pre-id system created by Pearson for the IPT Assessment at <http://www.ncsschoolhouse.com/>. User Ids and Passwords are available through Pearson Technical Support at 1-800-553-2159. The SchoolHouse User's Guide for the online ordering program is located on the EED website at <http://www.eed.state.ak.us/tls/assessment/elp.html>. Districts can contact Pearson Technical Support directly at 1-800-553-2159. Additional materials for spring testing can be ordered through SchoolHouse.

**Required Training for Test Administrators** – Training district personnel is available through Ballard & Tighe's online training website <http://www.ballard-tighe.com/>.

**Scoring and Reporting** – All districts in Alaska will submit the completed IPT tests to Pearson for scoring and reporting. (The speaking portion and all kindergarten domains are scored during the test administration) The cost for scoring per student test (grades 1-12) will be \$7.00; kindergarten processing for reporting will be \$4.00 each. Districts will be billed by Pearson for the number of student tests submitted for scoring. Once all scoring has been completed, Pearson will create score reports for each student and for schools and districts. The reports will be provided in PDF format for districts to print and distribute to parents and teachers. The expected timeline for districts to receive scores and reports is mid-May

**6) What other state assessments must an LEP student take?**

All LEP students must be tested on the state mandated academic content assessments in grades 3-10 for reading, writing, mathematics and in grades 4, 8 and 10 for science. The state academic content assessment for reading **may not** be used in place of the annual English language proficiency test. (The only exception applies to LEP students in the first year of attendance at a U.S. school. See the Appendix for Immigrant Students Excluded from State Content Assessments Alaska Regulation.)

**7) What accommodations may be made for LEP students?**

All students identified as limited English proficient must participate in statewide academic **content assessments**. LEP students must be provided reasonable LEP accommodations on state academic assessments, to the extent practicable. LEP

accommodations are allowed for LEP students when testing for academic content knowledge and skills, but **not when testing for English language proficiency**. State approved accommodations for testing LEP students is available in the *Participation Guidelines for Alaska Students in State Assessments*, found at: <http://www.eed.state.ak.us/tls/assessment/elp.html>.

***LEP students with Disabilities*** may use appropriate accommodations when taking the IPT and other statewide assessments. The IEP or 504 team should select appropriate accommodations based on the student's needs, and must provide documentation and the rationale for the accommodations on the IEP or 504 plan. The *Participation Guidelines for Alaska Students in State Assessments* should be referenced for state-approved accommodations at <http://www.eed.state.ak.us/tls/assessment/elp.html>. Because of the close link between assessment and instruction, the IEP or 504 plan must describe how the accommodations for assessment are included in the student's classroom instruction and assessment. Always refer to the test administrator's manual prior to testing; some accommodations may render a test invalid.

**8) What notification must be provided to parents?**

Parents must be notified within 30 days of the start of the school year that their student has been identified as LEP. If a student enrolled after the start of the school year, the notification must be within two weeks after placement in an LEP program. The notification must include:

- a. the reasons for identification;
- b. the level of English proficiency, how it was assessed, and the status of the child's academic achievement;
- c. the methods of instruction to be used in the English language acquisition program;
- d. how the program will meet the educational strengths and needs of the child;
- e. how the program will help their child learn English and meet academic achievement standards for grade promotion and graduation;
- f. the exit requirements for the program, the expected rate of transition from the program into classrooms not tailored for limited English proficient children, and the expected rate of graduation from secondary school;
- g. in the case of a child with a disability, how the program meets the objectives of the IEP of the child; and
- h. information about their parental rights to withdraw their child from the program, to decline to have their child enrolled in the program or to choose another program or method if available, and information to assist parents in selecting among various programs if more than one is available. (*Title I, Section 1112 (g); Title III, Section 3302*)

**9) What districts must file a Plan of Service for Limited English Proficient students?**

Each school district that enrolls limited English proficient (LEP) students is responsible for taking appropriate steps to develop the students' English-language skills and to provide them meaningful participation in the school district's academic program consistent with applicable state and federal standards. In addition, each

school district with a school that is attended by at least eight LEP students shall file a plan of service. (See Alaska regulation 4 AAC 34.055.) Forms for the Plan of Service may be obtained at <http://www.eed.state.ak.us/forms/Bilingual/05-08-035.doc>. For districts that receive Title III funding, the Plan of Service for LEP students must meet the criteria required under Title III and will be considered as part of the NCLB Consolidated Federal Programs Application.

**10) When may an LEP student be exited from LEP status?**

In order to be exited (removed) from LEP status, an LEP student must have scored at an overall proficient level on the annual assessment of English language proficiency. After meeting the exit criteria, a former LEP student will be in monitoring status for two years.

**11) How does a district monitor former LEP students?**

Former LEP students must be monitored for two years for academic progress. Students in grades 3-10 (those tested in math and reading/language arts for AYP) will be monitored for proficiency in the content Standards Based Assessments. Students in grades K, 1, 2, 11, and 12 will be monitored for academic progress in reading/language arts and math according to local criteria as determined by the district. The district will determine which academic courses and grade reports will be monitored for the two years of monitoring, and the criteria for academic achievement or failure.

**12) How may a former LEP student become re-identified as an LEP student?**

Former LEP students (codes M1 and M2) are those who have attained a score of overall Proficient on the ELP assessment and were exited from LEP status and program services. Former LEP students are not required to take the annual ELP Assessment. The academic progress of these former LEP students should be monitored for two years using the SBA's (for students in grades 3-10) as well as district-determined local criteria. If it is decided that a student is failing to make academic progress during a year of monitoring, the student may, at the district's discretion, be assessed using the annual English Language Proficiency Assessment during the spring test window. Former LEP students (M1 or M2) who retested on the IPT and are less than proficient in the overall score on the IPT may be re-identified as LEP.

**13) What data must be reported on LEP students?**

Districts must indicate all identified LEP students on the state assessments in reading, writing and mathematics. In addition, districts must report the results of identification of LEP students, the native (or home) language of the LEP student, and whether or not former LEP students are meeting academic progress goals for two years after exiting LEP status. The department will track the results of content assessments for those former LEP students in monitoring status in grades 3-10.

Beginning in July 2007, the district will report LEP student data to EED in the NCLB Summer Student Level Data Collection. The ELP test contractor will report to the

district and to EED the ELP test proficiency scores and whether the student has made progress from the previous test. EED will match the student data with the test data in order to count the number of LEP students in the state, to report on their progress to the US Department of Education, and to determine if the Title III districts have met the Alaska Title III Annual Measurable Achievement Objectives (AMAOs). See the Appendix for LEP student data codes and the AMAO information.

**14) Are all students enrolled in a dual language (immersion) program or a Native heritage language program considered LEP students?**

No. An LEP student is one who meets the LEP definition described in the Appendix and has been identified as not proficient in English.

**15) Should foreign exchange students be identified, assessed and served as LEP students?**

There are different categories of foreign exchange students and visas. Each district should determine if a foreign exchange qualifies and should be identified as an LEP student. If a foreign exchange student is identified as an LEP student, then he or she would be required to participate in the annual ELP assessment. Generally, if a district reports a student for OASIS funding, that student is eligible for all of the rights and privileges as other students and must meet all of the requirements.

**16) Where can I find more information about serving and assessing LEP students?**

More information can be found from the Alaska Department of Education and Early Development's website under the following headings: Assessments (<http://www.eed.state.ak.us/tls/assessment/elp.html>) and No Child Left Behind (<http://www.eed.state.ak.us/nclb/KeyComponentsNCLB.html>). Information is also available from the US Department of Education website, Office of English Language Acquisition at [www.ed.gov](http://www.ed.gov) and from the National Clearinghouse for English Language Acquisition (NCELA) at <http://www.ncele.gwu.edu/>.

## APPENDIX

### **Definition of Limited English Proficient Student [Section 9101 (25 & 30) of NCLB and Alaska Regulation 4 AAC 34.090(2)]**

The term “limited English proficient”, when used with respect to an individual, means an individual –

- A) who is between 3 and 21 years old;
- B) who is enrolled or preparing to enroll in an elementary school or secondary school;
- C) who falls into one or more of the following categories of individuals:
  - (i) an individual not born in the United States or whose native language is a language other than English;
  - (ii) an American Indian, Alaska Native, or a native resident of the outlying areas (Virgin Islands, Guam, American Samoa, or Northern Mariana Islands) who comes from an environment where a language other than English has had a significant impact on the individual’s level of English language proficiency; and
- D) whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual the
  - (i) ability to obtain a proficiency level of proficient or advanced, as described in 4 AAC 06.739, on the state assessments in reading and writing;
  - (ii) ability to successfully achieve in classrooms where the language of instruction is English; or
  - (iii) the opportunity to participate fully in society.

### **Immigrant Students Excluded from State Content Assessments Alaska Regulation 4 AAC 06.805(j)**

- (j) Notwithstanding any provision in this chapter, if a district enrolls a student who qualifies as an LEP pupil under 4 AAC 34.090(2), is new to the United States, and first enrolls in a school in the United States after the previous school year administration of the state standards-based assessment under 4 AAC 06.710(2), the district may
  - (1) excuse the student from participation in the state assessments in reading or writing; and
  - (2) elect not to include the student's performance in any state assessment in the determination of adequate yearly progress under 4 AAC 06.810.

### **Limited English Proficient (LEP) Student Data Codes**

- N = Potential LEP student who was assessed for identification, but not identified as LEP because he or she scored at the proficient level in all domains of speaking, listening, reading and writing.
- L1 = 1<sup>st</sup> year of identification as an LEP student. Student meets definition of LEP and has scored at some point below the proficient level on a state-approved assessment of English language proficiency.
- LP = Student has been identified as LEP in a previous school year and has not yet scored proficient on the state-approved assessment of English language proficiency.
- LT = LEP student who has scored at the proficient level on the state-approved assessment of English language proficiency.
- M1 = First year of monitoring for former LEP student. The student should have had a code of LT the previous school year.
- M2 = Second year of monitoring for a former LEP student. Student should have had a code of M1 the previous school year.
- X = Not identified or considered to be an LEP student.

### **Alaska Title III Annual Measurable Achievement Objectives (AMAO) Targets**

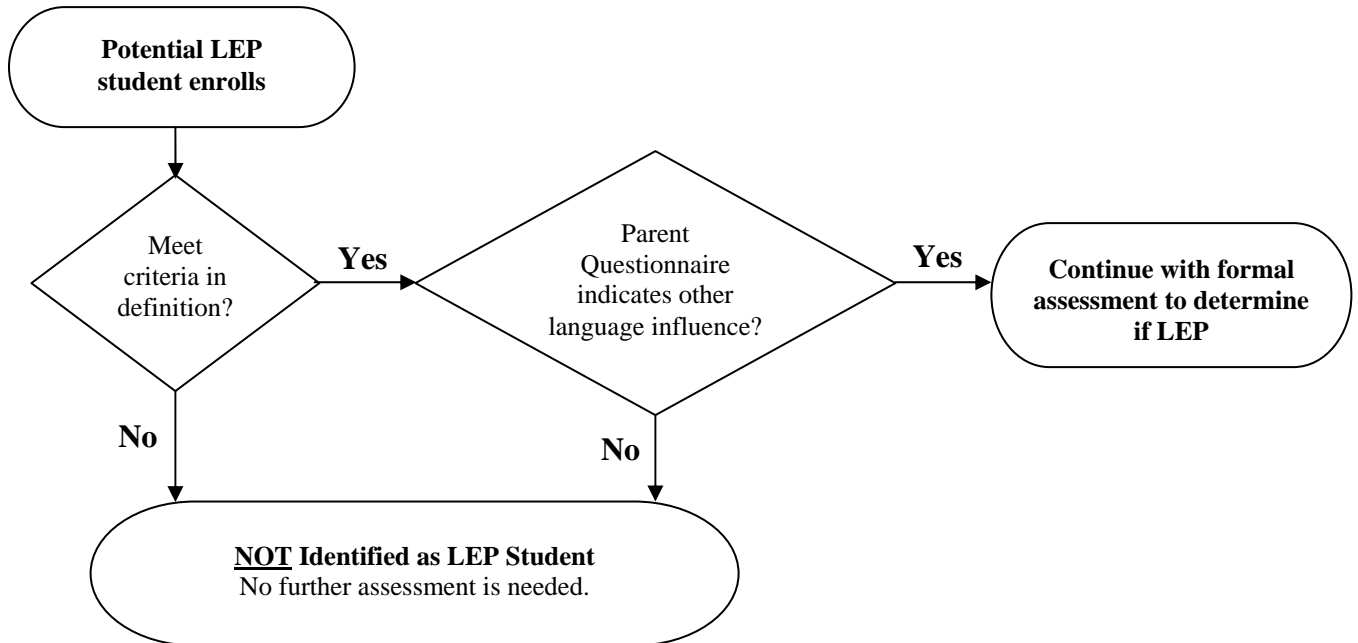
The percent of all LEP students expected to Make Progress and Attain Proficiency per year. (Approximately 15% of LEP students are expected to be new each year, therefore progress cannot be determined in those instances.). (For complete information on the AMAOs, see “Alaska’s Title III AMAOs posted at <http://www.eed.state.ak.us/nclb/KeyComponentsNCLB.html>.)

<b>Year</b>	<b>Making Progress in English</b>	<b>Attaining Proficiency in English</b>	<b>Language Arts Target (AYP)</b>	<b>Math Target (AYP)</b>
2006-2007	35%	18%	71.48%	57.61%
2007-2008	37%	19%	77.18%	66.09%
2008-2009	40%	20%	77.18%	66.09%

# Identification Procedures for Limited English Proficient Students

Updated Guidance as of September 12, 2006

## Pre-Screening for Identification of Potential LEP Students (all grades)

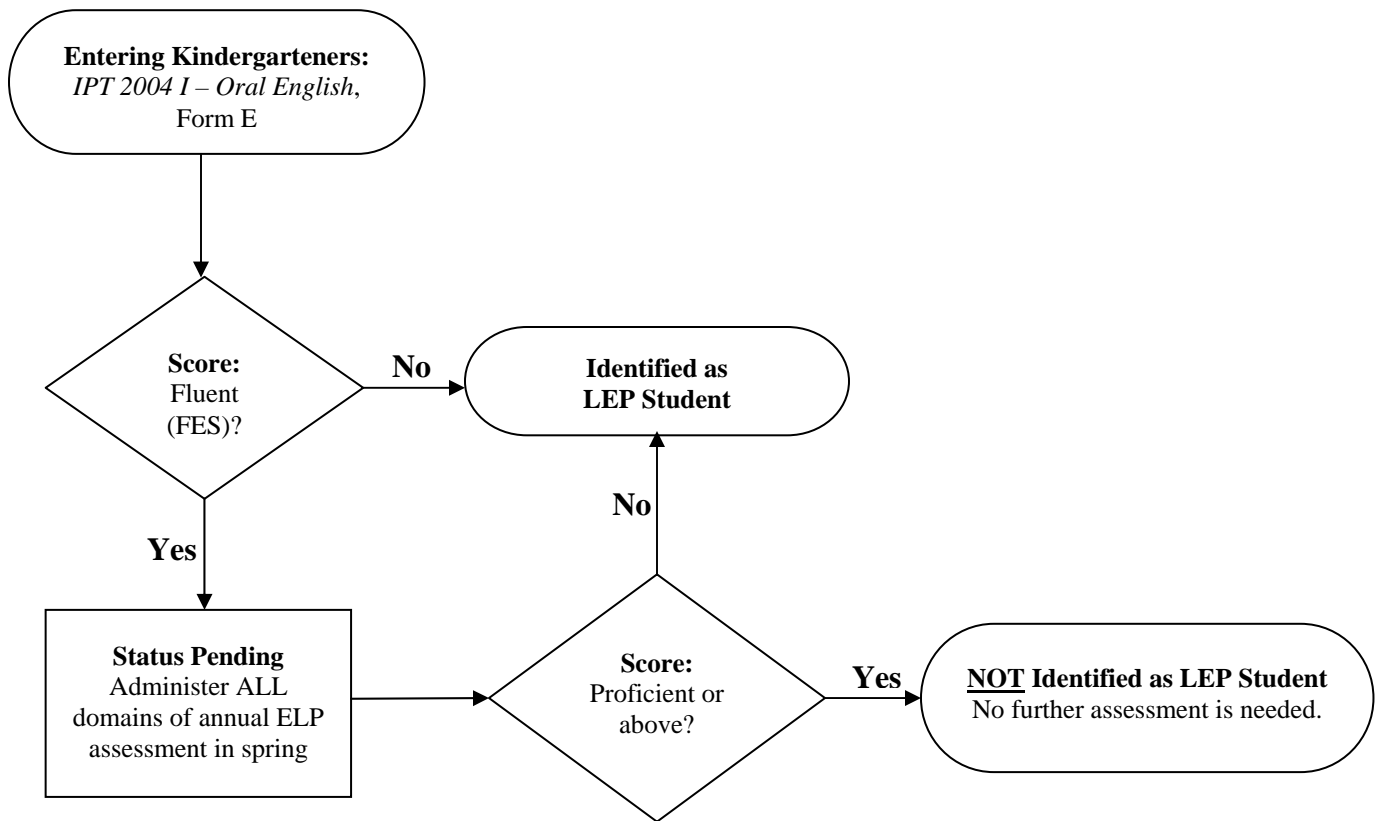


Upon enrollment, districts follow their pre-screening process to identify potential LEP students – those that meet the definition stated in 4 AAC 34.090(2) – usually by requesting parents to complete the Parent Language Questionnaire (Home Language Survey) and perhaps having teachers complete the optional Language Observation Checklist (LOC A). These forms are available on the EED website at <http://www.eed.state.ak.us/nclb/KeyComponentsNCLB.html>.

Only students who have been found in the pre-screening process to have a language influence that limits their English language proficiency **and** who meet the other criteria in the definition of an LEP student should take the *IPT 2004* to formally determine if their ability to speak, listen, read and write English is not sufficient to achieve in English speaking classrooms.

See the following pages for specific grade-level guidance for using the *IPT 2004* assessment.

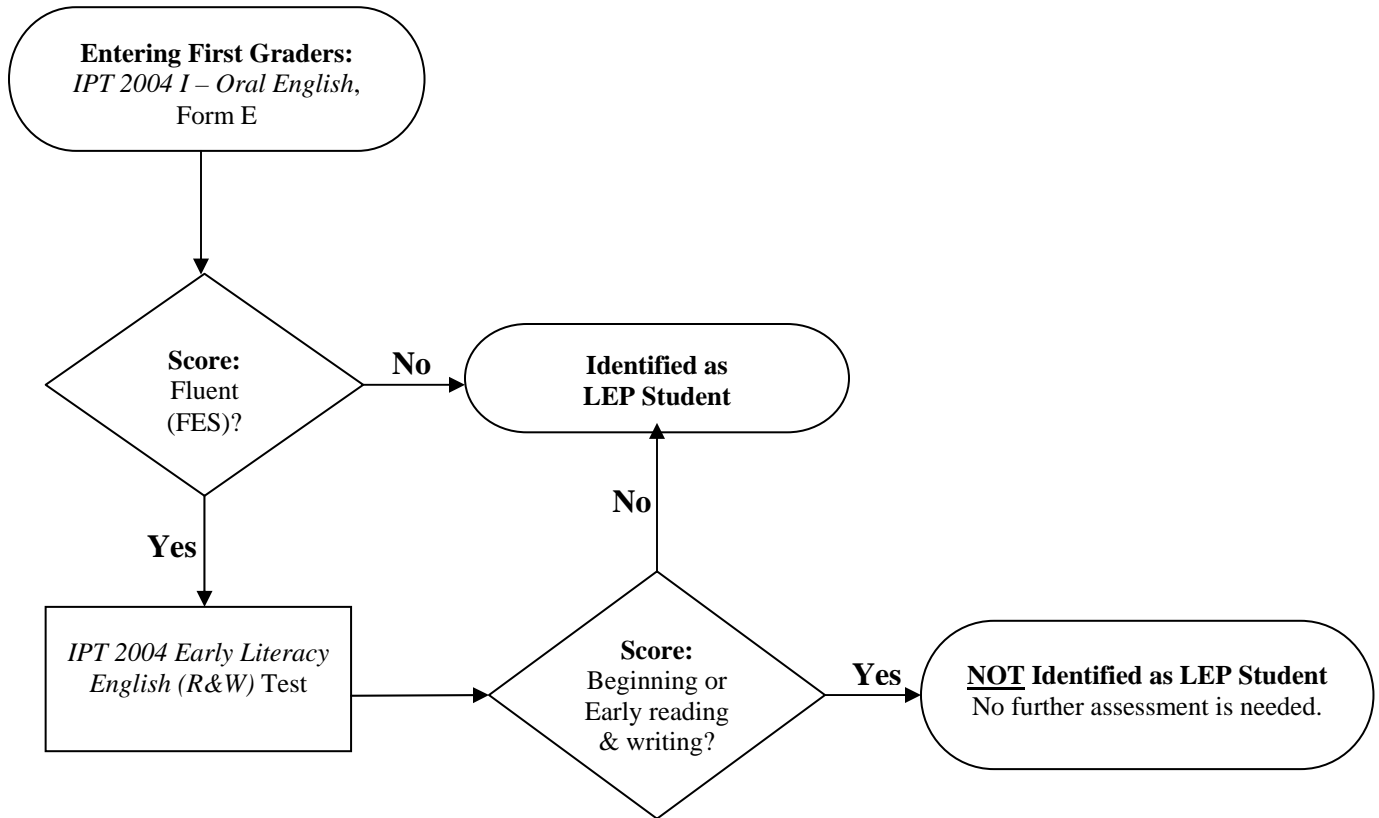
## Entering Kindergarteners



Use *IPT 2004 I - Oral English, Form E* as identification tool for listening and speaking.

- If student scores non-English speaking (NES) or limited English speaking (LES), then student is **identified as an LEP student** and receives appropriate services. Student must take all domains of annual ELP assessment in the spring.
- If a student scores fluent English speaking (FES) on the oral test, then the student's **LEP status is pending** further assessment. Student may be watched by teacher for progress during the year and may receive services. **To complete the identification determination**, administer all domains of the annual ELP assessment in spring.
  - If student scores proficient on all domains of the spring annual ELP assessment, student is **NOT identified as LEP**.
  - If a student scores less than proficient on any domain of the spring annual ELP assessment, student is **identified as LEP**.

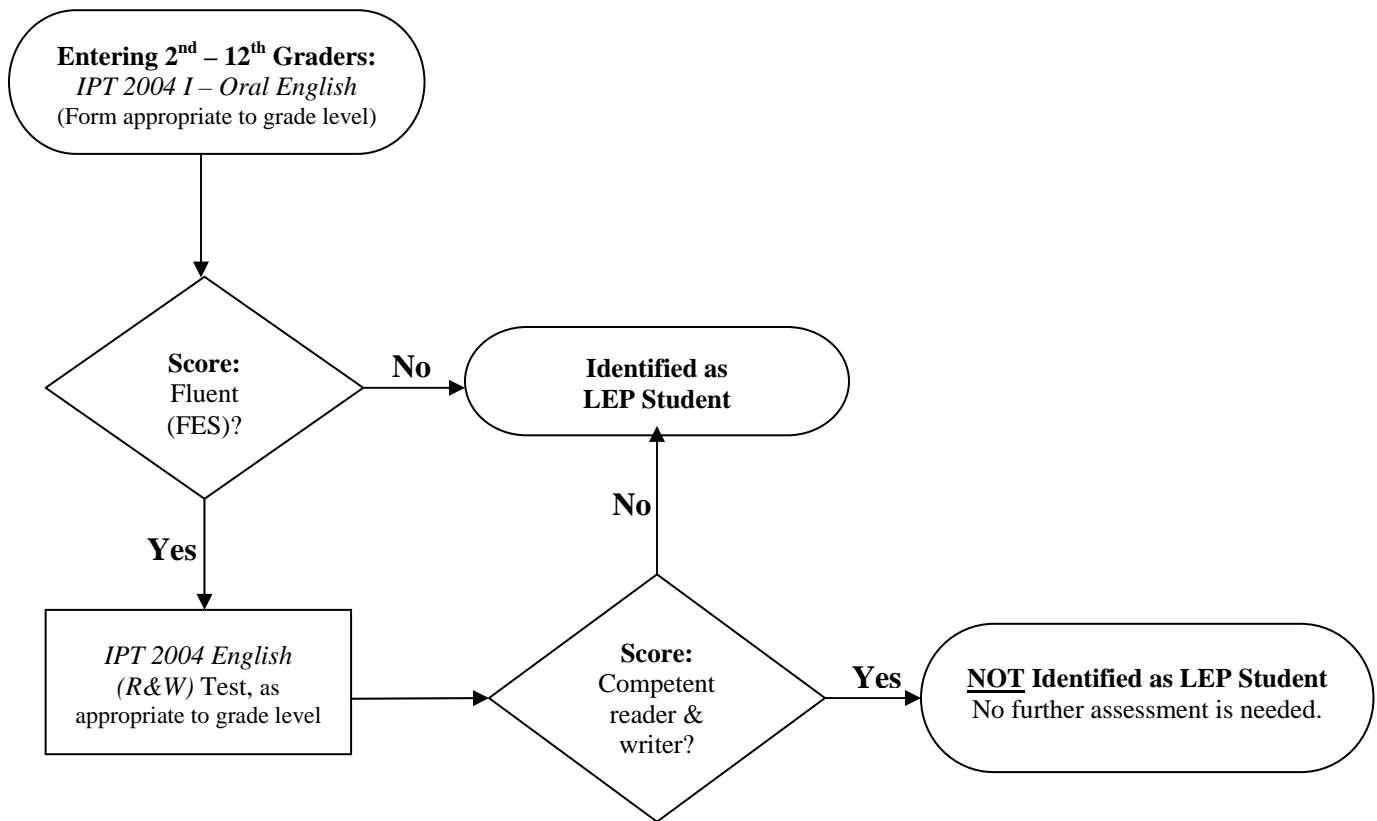
## Entering First Graders



Use *IPT 2004 I - Oral English, Form E* as identification tool for listening and speaking.

- If student scores non-English speaking (NES) or limited English speaking (LES), then student is **identified as an LEP student** and receives appropriate services. Student must take all domains of annual ELP assessment in the spring.
- If an entering 1<sup>st</sup> grade student scores fluent English speaking (FES) on the oral test, then administer the *IPT 2004 Early Literacy English (R&W)* test.
  - If a student scores at the pre-reading and/or pre-writing levels, the student is **identified as an LEP student** and receives appropriate services. Student must take all domains of annual ELP assessment in the spring.
  - If a student scores at the beginning or early reading **and** beginning or early writing levels, then the student is **not identified as LEP** and no further ELP assessment is needed.

## Entering 2<sup>nd</sup> – 12<sup>th</sup> Graders



Use *IPT 2004 I - Oral English* (form appropriate to grade level) as identification tool for listening and speaking.

- If student scores non-English speaking (NES) or limited English speaking (LES), then student is **identified as an LEP student** and receives appropriate services. Student must take all domains of annual ELP assessment in the spring.
- If student scores fluent English speaking (FES) on the oral test, then administer the *IPT 2004 English (R&W)* test at the appropriate grade level.
  - If a student scores non-English or limited English reader and/or writer, the student is **identified as an LEP student** and receives appropriate services. Student must take all domains of annual ELP assessment in the spring.
  - If a student scores at the competent reader **and** competent writer levels, then the student is **not identified as LEP** and no further ELP assessment is needed.