

The Board of Education recognizes the need to provide equal educational opportunities for all students in the district. Therefore, if the inability to speak and understand the English language excludes a student from effective participation in the educational programs offered by the district, the district shall take appropriate action to rectify the English language deficiency in order to provide the student equal access to its programs.

**Definitions**

*English Learner (EL)* – Any student who:

1. Is age 3–21, and
2. Is enrolled or is preparing to enroll in the district, and
3. Has difficulties speaking, reading, writing or understanding English that may be sufficient to deny the individual the ability to attain proficiency on state assessments, the ability to be successful in a classroom where instruction is in English, or the opportunity to participate fully in society, and
4. Meets one of the following additional requirements:
  - ▶ Was not born in the United States or whose native language is a language other than English, or
  - ▶ Is Native American, an Alaska Native or a native resident of the outlying areas 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, or
  - ▶ Is a migratory individual whose native language is a language other than English and who comes from an environment where a language other than English is dominant.

*Immigrant Student* – A student between the ages of 3 and 21 who was not born in a state of the United States of America and who has not been attending schools in any one state for more than three full academic years.

**Identifying EL Students**

The district will screen for EL students by administering the Language Use Survey (LUS) created by the Missouri Department of Elementary and Secondary Education (DESE) to all enrolling students. The LUS will be administered in a language the parent/guardian understands using translation or interpretation. This survey may be incorporated into district enrollment forms provided to all students.

Students whose LUS indicates a language other than English and possible language barriers will be referred to the superintendent or designee for additional screening using the DESE-adopted screening tool for determining the level of English language proficiency. The screening results will be used to identify students eligible for EL services and assist in a program placement that meets the students' needs. The district will make every effort to complete the screening process within 30 days of the first day of school or, for students who enroll after the first day, within 30 days of the student's enrollment.

The completed LUS and all other screening results will be retained in the student's permanent record.

### **Placement of EL Students**

Students will be placed in a language instruction educational program (LIEP) based on their current level of English proficiency and in accordance with the standards established by DESE. The district's program is designed to increase English proficiency and academic achievement. Students in these programs will be held to the same academic achievement standards established for all students. If the district offers more than one type of LIEP, students will be placed in an LIEP that is in their best educational interest.

Students will transition out of an LIEP only after meeting state-established exit standards.

### **Parental Information**

The district will, through parental involvement and outreach activities, provide parents/guardians of English learners with information about how the parents/guardians can be active participants in helping their students learn English, achieve at high levels in core academic subjects and meet state-established learning standards.

The parents/guardians of each student identified as an EL student will be informed of:

1. The reasons for identifying their student as an English learner in need of placement in the district's LIEP.
2. The student's level of English proficiency in reading, writing, speaking and listening; how that level was assessed; and the status of the student's academic achievement.
3. The method of instruction that will be used in the program the student is or will be participating in and the methods of instruction used in available alternative programs, including how such programs differ in content, instructional goals and the use of English and a native language in instruction.

4. How the program will meet the educational strengths and needs of the student.
5. How the program will help the student learn English and meet age-appropriate academic achievement standards for grade promotion and graduation.
6. The specific exit requirements of the program, including expected rate of transition from such programs into classrooms that are not tailored for EL students.
7. The expected rate of graduation from high school, including four-year and extended-year adjusted cohort graduation rates for the program if Title III funding is used in high schools.
8. If the student has an individualized education program (IEP), how the LIEP will meet the student's IEP objectives.

### ***Parental Rights***

Parents/Guardians will be notified within 30 days after the opening of school enrollment if their student is identified for participation in or is participating in an LIEP. For those students who were not identified as EL prior to the beginning of the school year, but are identified during the school year, such notice shall be provided within two weeks of the student being placed in an LIEP.

Parents/Guardians of EL students have the right to decline the placement of their student in an LIEP, choose an LIEP other than the one recommended by the district (if other programs are offered by the district) or have their student immediately removed from an LIEP upon their request.

Parents/Guardians may opt their student out of the district's LIEP by contacting the EL coordinator and attending a meeting with the coordinator or his or her designee, and one or more LIEP instructors to discuss the results of the student's screening assessment and information about the LIEP. Parents/Guardians who decline language instruction will be asked to sign a waiver exempting their student from instruction. Students removed from the district's LIEP will continue to receive language supports in the regular classroom, and the district will continue to monitor the student's progress toward English proficiency. Parents/Guardians may not refuse regular classroom supports and may not opt their students out of statewide assessments to determine English proficiency.

A written copy of these rights, which may be a copy of this policy, will be provided to parents/guardians of EL students and, to the extent practicable, will be provided in a language the parents/guardians understand.

### ***Parental Notification***

Pursuant to federal law, if the district's English language program fails to make progress on annual measurable achievement objectives, the district will notify parents/guardians of students participating in the district's program. Such notice shall be provided within 30 days after the district learns of the failure.

## **EL Coordinator**

The designated EL coordinator shall have the following duties:

1. Provide parents/guardians with notice of and information regarding the LIEP as required by law.
2. Ensure that any student whose LUS indicates a language other than English will be further screened and assessed for English proficiency using the state-provided instruments.
3. Determine the appropriate instructional environment for EL students.
4. Maintain records relating to the LIEP and prepare reports for submission to DESE.
5. Reach out regularly to parents/guardians of EL students, assist them in becoming active participants in their students' learning, and provide information about the district's parent and family involvement and engagement activities.
6. Evaluate the effectiveness of the LIEP and make recommendations for revisions.
7. Coordinate with Assessment, Intervention and Data department on the preparation of reports on immigrant students for submission as required by DESE.

## **LIEP Staff**

Teachers and paraprofessionals working in the district's LIEP will have all required state and federal certifications and other qualifications required by law. In addition, teachers and paraprofessionals providing services to English learners will be comparable in terms of education, experience and effectiveness to teachers and paraprofessionals who are providing services to students who are not English learners.

## **Assessment**

In addition to other required assessments, the district will annually assess the English proficiency of EL students in accordance with state and federal law and the district's assessment policy.

## **Nonpublic Participation**

The district will consult with representatives of nonpublic schools as required by federal law.

\* \* \* \* \*

**Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.**

---

Columbia Public Schools

Date Adopted: 3/3/1997  
Last Revised: 11/12/2018

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

**Federal Reference**

20 U.S.C. § 1703(f)

20 U.S.C. § 6811-7014

34 C.F.R Part 100

42 U.S.C. §§ 2000d-  
2000d-7

FED COURT

FED COURT

FED COURT

**Description**

Federal Statute

English Language Acquisition, Language Enhancement and Academic Achievement Act

Title VI of the Civil Rights Act of 1964

Title VI of the Civil Rights Act of 1964

Castaneda v. Pickard, 648 F.2d 989 (5th Cir.1981)

Lau v. Nichols, 414 U.S. 563 (1974)

Plyler v. Doe, 457 U.S. 202 (1982)

**Policy Reference**

AC

DJFA

**Description**

PROHIBITION AGAINST DISCRIMINATION,  
HARASSMENT AND RETALIATION  
FEDERAL PROGRAMS AND PROJECTS

**Policy Reference**

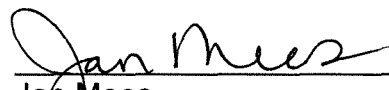
AC

DJFA

**Description**

PROHIBITION AGAINST DISCRIMINATION, HARASSMENT  
AND RETALIATION  
FEDERAL PROGRAMS AND PROJECTS

Portions 2018 (7/18), Missouri School Boards' Association, Registered in U.S. Copyright Office.  
For Office Use Only: [IGBH-C.C93]



Jan Mees  
Board of Education President

ATTESTED:



Tracy L. Davenport  
Board of Education Secretary