

- Provide targeted interventions to address any academic deficits the student may have incurred as a result of prior limited English proficiency.
- Ensure the student is meaningfully participating in the standard instructional program in a manner comparable to native English speaking peers and other former English learners.
- Re-administer the WIDA Screener or Kindergarten W-APT to determine if the student meets the Indiana criteria for EL eligibility.
- Maintain local documentation of all supporting sources of data, evidence of interventions implemented, evidence of the student’s eligibility for reentry after re-administration of the WIDA Screener or Kindergarten W-APT, and secured parent/guardian consent.

This process may also be implemented to reevaluate the English proficiency of students who were identified as fluent upon enrollment through the W-APT of WIDA Screener.

A student who is formally reentered in the English learner program should be provided with an Individual Learning Plan (ILP), appropriate instructional and assessment accommodations, and access to an effective English language development program. The student’s updated language proficiency level, as identified by the re-administration of the WIDA Screener or Kindergarten W-APT, will be reported on the DOE Language Minority (LM) data collection. The student will be assessed annually with the state English language proficiency assessment until again meeting the Indiana exit criteria. Upon achieving a score of proficient, the student will again be formally reclassified as fluent and will enter a two-year rigorous monitoring period.

Chapter 6

Engaging English Learner Families

Strengthening School and Family Partnerships

Family engagement is a key element of successful English Learner programming. Families who speak a language other than English may be reluctant to come to school events if they aren't sure an interpreter will be present. They may feel unable to help their child with homework in English, or afraid that sharing their opinions in educational decisions will undermine the authority of the school. Each family and each local context brings different assets and unique needs, which makes effective two-way communication in an appropriate language challenging, but essential.

Federal law requires that schools and districts effectively communicate with all parents and guardians, regardless of the percentage of students that speak a language other than English (ESEA, Sec. 3122 (c)). *Title I* of the *ESEA*, as amended by *ESSA*, now also requires LEAs to conduct effective outreach to parents of ELs, including regular parent meetings (Sec. 1112(e)(3)(c)).

Effective communication with national origin-minority parents is also a requirement of Title VI of the Civil Rights Act of 1964. According to the Office for Civil Rights May 25, 1970 memorandum, "school districts have the responsibility to adequately notify national origin-minority group parents of school activities which are called to the attention of other parents. Such notice in order to be adequate may have to be provided in a language other than English."

Schools must be aware that the English proficiency level of a student is not always indicative of a parent's language skills. For example, if a fluent English proficient *student* has *parents* with limited English proficiency, then the school must take steps to effectively communicate with the parents in accordance with state and federal law.

Note: *Due to the supplement not supplant provision of Title III (ESEA, Sec. 3115(g)), translation and interpretation services must be paid from state and local funds (e.g. general funds, NESP).*

Parent Notification Requirements

The Elementary and Secondary Education Act, as amended by the ESSA, requires that parents of English learner be provided with official notification of their child's EL status each year [Sec.1117, (3)]. Notification must be sent no later than 30 calendar days after the beginning of the school year for all English learners newly identified or previously identified through the LEA. For students enrolling after the beginning of the school year, LEAs must provide the parental notifications within two weeks of a child being placed in a program.

Note: *All parents of English learners must be notified annually of the students' placement or continued participation in a language instruction program—not just newly enrolled students.*

The following required components of the annual parent notification are outlined in the ESEA, as amended by the ESSA, [Sec. 1117, (3)]. The IDOE Parent Notification letter can be found in Appendix A. A locally-created form may be used, as long as all of the following required components are included:

1. Reasons for the identification of the child as an English learner and need for placement or continued participation in a language instruction educational program
2. The child's level of English proficiency, how the level was assessed, and the status of the child's academic achievement
3. The methods of instruction used in the program in which their child is placed and the methods of instruction used in other available programs, including how other available programs differ in content, instructional goals, and the use of English and native language in instruction
4. How the program will meet the educational strengths and needs of their child
5. How the program will specifically help their child learn English and meet age-appropriate academic achievement standards for grade promotion and graduation
6. The specific exit requirements for the program and the expected rate of graduation from high school
7. For English learners with disabilities, how the program placement and services coordinate with the IEP
8. Information regarding parent rights, explicitly including the following:
 - The parents' right to have their child immediately removed from the EL program upon their request
 - The parents' right to decline to enroll their child in the EL program or to choose another program or method of instruction, if available
 - Assisting parents in selecting among various programs and methods of instruction, if more than one program or method is offered by the local education agency.

The IDOE recommends that schools share Individual Learning Plans (ILPs) with students and parents annually, as well.

Parent Right of Refusal

Parents have the right to refuse EL services for their child. Before making this decision which so seriously impacts a child, the parent should be informed of the benefits of EL services and of the potential difficulties that often accompany the lack of EL services. This information must be provided to the parent in a language they understand using a review of the placement or annual English language proficiency assessment results, (translated or interpreted, as needed). If, after reviewing the information, the parent decides to waive EL services, the school corporation must keep written documentation of the decision with the parent's signature and date the decision was made. Parents have the right to opt back into EL services at any time and must still be notified annually of their student's English proficiency level according to the requirements above.

Schools districts with a low incidence of English learners may decide to only provide specified EL staff at certain buildings and may request that English learners attend those buildings to receive direct services. However, if a parent chooses not to participate in this model but wishes to receive services at the school in which the student would normally attend, the school district must develop an alternate plan to provide services for this student with designated EL staff. EL students have the right to receive EL services at the elementary or secondary school which they would normally attend.

When a parent declines participation in the English learner program, the district retains a responsibility to ensure that the student has an equal opportunity to have his or her English language and academic needs met. Districts can meet this obligation in various ways (e.g. adequate training to classroom teachers on second language acquisition; monitoring the educational progress of the student). Students not served by district programs are still required to complete state required assessments and are counted in the district's progress towards meeting academic and graduation outcomes.

Federal regulations require the annual assessment of English learners until they demonstrate proficiency in English. Parents who refuse direct language development services for their child must be aware that:

- The student will still be tested annually with the state English language proficiency assessment until reaching English proficiency
- The student will have an Individual Learning Plan (ILP) and will receive appropriate adaptations to classroom instruction and assessments based on the student's language level in order to ensure student's meaningful participation and learning in academic subject areas
- The student will receive appropriate testing accommodations for English learners on all state standardized tests (e.g. ISTEP+, ECAs, IREAD-3, etc.).