

HOWARD GARDNER MULTIPLE INTELLIGENCE CHARTER SCHOOL

	Students/Families	SF21-1002
	Language Instruction Educational Program for English Learners Policy	ADOPTED DATE: October 19, 2021 REVIEWED DATE: REVISED DATE: August 18, 2026

HOWARD GARDNER MULTIPLE INTELLIGENCE CHARTER SCHOOL

Board of Trustees Policy

LANGUAGE INSTRUCTION EDUCATIONAL PROGRAM/BILINGUAL PROGRAM POLICY

Purpose:

In accordance with the Board of Trustees' ("Board") philosophy to provide a quality educational program to all students, the Howard Gardner Multiple Intelligence Charter School ("Charter School") shall provide an appropriately planned instructional program for identified students whose dominant language is not English. When the Every Student Succeeds Act (ESSA) was signed on December 10, 2015, reauthorizing the Elementary and Secondary Education Act of 1965 (which was amended by the No Child Left Behind Act of 2001), it changed the terminology to identify such students as English Learners (ELs). English Learners ("ELs") are the students who require Language Instruction Educational Program ("LIEP") service by the Charter School.

The purpose of the program shall be to increase the English language proficiency of ELs so they can attain the state academic standards within the LIEP program setting as well as within the regular classroom environment, to provide equal opportunities for ELs to participate in extra-curricular activities, and to provide the cultural, social and emotional supports for ELs to adapt to this new cultural setting.

Authority

The Board declares it their policy to provide an equal opportunity for all students, including ELs, to achieve their maximum potential through the curriculum, instruction, and programs offered in the Charter School. At no time shall the Charter School, including the Board, permit, condone, encourage or facilitate discrimination against students during the course of recruitment, admissions and enrollment, instruction, counseling and daily interactions with Charter School faculty and staff. Equal Education Opportunity Act, 20 U.S.C.A. § 1703; Title VI, Civil Rights Act of 1964, 42 U.S.C.A. § 2000d, et seq.

Definitions:

ESSA defines an “English learner” as an individual who, among other things, has difficulties in speaking, reading, writing, or understanding the English language to the extent that it may be sufficient to deny the individual the ability to meet challenging state academic standards. The term “English learner,” when used with respect to an individual, means an individual – (A) who is aged 3 through 21; (B) who is enrolled or preparing to enroll in an elementary school or secondary school; (C)(i) who was not born in the United States or whose native language is a language other than English; (ii)(I) who is a Native American or Alaska Native, or a native resident of the outlying areas; and (II) 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 (iii) who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; and (D) whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual – (i) the ability to meet the challenging State academic standards; (ii) the ability to successfully achieve in classrooms where the language of instruction is English; or (iii) the opportunity to participate fully in society. (ESEA Section 8101(20)).

ELs are from diverse linguistic and cultural backgrounds. The Charter School must equip them with the skills to function, compete, and prosper in American society. EL students must develop academic skills along with their general program peers while also learning English. As EL students are in transition from their native language to English, the emphasis must be on developing academic skills that comply with Pennsylvania State Standards.

English language development refers to deliberate, planned, and focused instruction intended to foster the development of social and academic English for English learners in order to make it possible for them to access the general academic program and gain agency as successful, contributing members of their communities. ELD curriculum focuses on language at the word, sentence, and paragraph/discourse levels within the context of academic content and the sociocultural context of the school/classroom

Responsibility:

The Charter School shall adopt an instructional program for each EL student for the purpose of facilitating the student’s achievement of English proficiency and academic standards (“LIEP Program”). 22 Pa. Code. § 4.26. All students who may be ELs must be assessed within the first thirty (30) days of enrollment at the Charter School, or within fourteen (14) days of mid-year transfer. The CEO and the director of the LIEP Program (“LIEP Director”) shall implement and supervise an LIEP Program that meets the legal requirements for LIEP Program compliance under federal and Pennsylvania law, especially:

1. Based on an educational theory recognized as sound by some experts in the field or considered by experts as a legitimate experimental strategy;
2. Reasonably calculated, including provisions for resources and personnel, to implement the theory effectively; and
3. Evaluated and adjusted where needed to ensure language barriers are actually

being overcome.

20 U.S.C.A. § 6812.

The LIEP program will come under the direction of the LIEP Director. The LIEP Director will be responsible for the assurance of the implementation of the program and that proper Charter School policies and procedures are being followed. The CEO and the LIEP Director shall ensure that all staff receive training and professional development in instructional strategies and cultural/linguistic needs of EL students, consistent with PDE guidelines. LIEP teaching resource materials shall be made accessible to both ESL and content teachers to support instruction and collaboration.

All teachers instructing within the LIEP Program for ELs shall hold the requisite certification and endorsements required by Pennsylvania law. Teachers in any LIEP for ELs shall be fluent in English and any other language used for instruction, including having written and oral communication skills. 22 Pa. Code §403; 20 U.S.C.A. §6826.

Language Instruction Educational Programs ("LIEPs") - Title III of the ESEA replaces the expectation in the ESEA requires that LIEPs be "effective." A LEA must:

- Use Title III funds for effective approaches and methodologies for teaching ELs (ESEA Section 3115(a));
- Increase the English proficiency of ELs by providing effective language instruction educational programs that meet the needs of ELs and demonstrate success in increasing (A) English language proficiency; and (B) student academic achievement (ESEA Section 3115(c)(1));
- Use Title III funds in ways that build its capacity to continue to offer effective language instruction educational programs that assist English learners in meeting challenging State academic standards (ESEA Section 3113(b)(3)(E)); and in its local plans for a Title III subgrant a description of the effective programs and activities that will be provided, including language instruction educational programs (ESEA Section 3116(b)(1)).

All instruction provided within the LIEP shall align with the Pennsylvania English Language Development Standards (PA ELDS) and PA Core Standards. Each EL student shall receive English language development instruction appropriate to their proficiency level as part of their daily instructional program.

LIEP Program:

The goals of the Charter School's LIEP Program are to assist the EL students in using English, per 20 U.S.C.A. §6812:

1. to communicate in social settings;
2. to achieve academically in all content areas; and
3. in socially and culturally appropriate ways.

The CEO and the LIEP Director shall implement and supervise the LIEP Program, and further ensure that the LIEP Program meets the legal requirements for LIEP program compliance. The CEO and the LIEP Director, in conjunction with appropriate certified LIEP teachers, shall develop and disseminate written procedures regarding the LIEP Program. The procedures shall include, but will not be limited to, the following:

1. Detailed program goals;
2. Student enrollment/transfer procedures (i.e., Home Language Survey);
3. Assessment procedures within 30 days of enrollment/transfer for program entrance, measuring progress in gaining English proficiency, and program exiting;
4. Accommodations for EL students in the general education classroom; 5. Grading policies; and
6. List of resources, including support agencies and interpreters.

20 U.S.C.A. § 6826.

The LIEP Program shall include daily instruction for EL students, supporting the LIEP Program's goals, and will receive curriculum aligned with Pennsylvania standards. 22 Pa. Code. § 4.26. Language instruction shall correspond to each EL student's English proficiency level, which shall include both direct language instruction and adaptation of instruction in all content classes. The exact hours of direct language instruction will be determined based on each EL student's needs. All LIEP instruction shall be part of each EL student's daily schedule and will not interfere with or prohibit each EL student's instruction in all grade level content classes. For elementary-aged students qualifying as an EL, ELD shall be implemented across all subjects during the entire instructional day. Middle and high school students that qualify as EL must be provided with ELD incorporated into every content class, with all teachers sharing responsibility for language development.

ELD programming shall include research-based bilingual or sheltered instruction and shall be provided by appropriately certified staff and in alignment with Pennsylvania English Language Development Standards (PA ELDS). The Charter School CEO or designee must assess and ensure compliance of the Charter Schools ESL staffing levels, caseload assignments, service delivery models and availability of ESL-certified personnel.

While organization of ELL programming is within the Charter School's discretion, the program must be identified by one of six categories:

- a) Mixed Class Bilingual;
- b) EL Bilingual;
- c) EL-Specific Transitional Instruction;
- d) Mixed Classes with Native Language Support;

- e) EL Specific English Only Instruction; or
- f) Mixed Classes with English Only Support.

Regardless of scheduling or resource constraints, the Charter School shall provide: a)

- Adequate numbers of ESL-certified teachers;
- b) Time for ESL and content teachers to collaborate;
- c) Appropriate instructional materials and supports; and
- d) Professional development for staff working with ELs.

All EL students will be placed in appropriate grade level content classes. Each EL student will receive instruction in all content areas, as other students in the class. Each EL student will receive additional supplemental support and instruction from LIEP teachers daily and throughout the school day. EL programming shall focus on measurable language growth and meaningful access to grade-level instruction, rather than a specific number of ESL instructional minutes. An LIEP teacher will assist the classroom teacher in identifying and implementing teaching strategies that will help each EL student achieve academic success in the classroom comparable to their non-EL peers. During the initial period of language acquisition and development, the Charter School may grade the EL student on a pass/fail basis comparable to their non-EL peers if necessary.

The Charter School CEO or designee shall ensure ELs have equitable access to all courses and programs and shall verify that ELs have access to:

- a) Advanced coursework;
- b) Career and technical education programs;
- c) Gifted programs;
- d) Extracurricular activities; and
- e) Graduation pathways.

The WIDA Consortium's English Language Development (ELD) Standards help educators determine students' English language proficiency levels and how to appropriately challenge them in reaching higher levels.

WIDA will also assist teachers by giving Model Performance Indicators, which include:

- a. The language function, or how students will use language to demonstrate proficiency (e.g. Depth of Knowledge, Bloom's Taxonomy),
- b. The grade level content or standards that students will learn or meet, and c. The supports or instructional strategies / scaffold to assist students in accessing the content.

A LIEP teacher will assist the classroom teacher in identifying and implementing teaching strategies that will help each EL student achieve academic success in the classroom comparable to their non-EL peers. During the initial period of language acquisition and development, the Charter School may grade the EL student on a pass/fail basis comparable to their non-EL peers if necessary. ELD is a distinct and separate curriculum aligned to PA ELDS and, generally, should not replace English Language Arts (ELA) instruction. ELD may replace ELA only under limited circumstances when the instruction addresses the same ELA standards being taught to non-EL peers. The Pennsylvania English Language Proficiency Standards shall be incorporated in both LIEP instruction and grade level content classes.

Program Goals and Objectives:

The Charter School has developed the following goals and objectives for the LIEP Program, based on the Pennsylvania English Language Development Standards (PA ELDS) and WIDA proficiency levels:

Goal 1: To use English to communicate in social settings.

Objective: By the end of the school year, EL students will improve and increase their ability to use English to participate in social interactions. This will be evidenced by observation of EL students in cooperative learning activities, playground interactions and personal conversation.

Objective: By the end of the school year, EL students will improve and increase their ability to interact, through and with spoken and written English for personal expression and enjoyment. This will be evidenced by personal writing journals and book choice with reading log.

Goal 2: To use English to achieve academically in all content areas.

Objective: By the end of the school year, EL students will improve and increase their ability to use English to interact in the classroom, evidenced by conversations with LIEP teachers, observations of students in cooperative group settings, and observations of students in social interactions, report cards and test results.

Objective: By the end of the school year, EL students will improve and increase their ability to use English to obtain, construct and provide subject matter information in spoken and written form. This will be evidenced by an increase in standardized testing content area scores, a portfolio of EL student work, and LIEP teachers' observations of the EL students' ability to pose questions and have discussions in content area classes.

Goal 3: To use English in socially and culturally appropriate ways.

Objective: By the end of the school year, EL students will improve and increase their ability to use the appropriate language variety, register, and genre according to the audience, purpose and setting. This will be evidenced by EL student academic presentations, observations of EL students' social conversations with peers, and conversations with LIEP teachers.

Objective: By the end of the school year, EL students will improve and increase their ability to use nonverbal communication appropriate to audience, purpose and setting. This will be evidenced by observations of EL students by LIEP teachers.

The success of the LIEP program will be measured by EL student progress on the annual WIDA ACCESS for ELLs assessment, including growth within proficiency levels, advancement to higher levels, and program exit when criteria are met. Success will also be measured by growth in academic performance on standardized content assessments, review of reclassification rates and monitoring outcomes for EL students, graduation and course-completion data, and consideration of teacher and parent feedback, student portfolios, and narratives. Monitoring shall include ongoing review of: overall proficiency growth; growth by grade band; growth by school; long-term EL populations; and reclassification outcomes.

The LIEP Director will oversee this review annually to ensure the program is effective in overcoming language barriers. 22 Pa. Code § 403 and 20 U.S.C. § 6841. As a component of the Charter School's efforts to deliver effective ELL programming, the Charter School will conduct and document annual evaluations of their LIEPs and report results through the English Learner Reporting System (ELRS). The Charter School's effectiveness evaluations must focus on student outcomes. Should the assessment of effectiveness indicate that the program is ineffective, the Charter School must assess and make appropriate changes to its ELL programming.

Attendance policies will be the same for EL students as for English-speaking students.

The Student Handbook will clearly state the Charter School's policy and expectations regarding the LIEP Program.

Enrollment of EL Students:

EL students and families shall be provided translation and interpretation services to the extent needed to assist with the enrollment process. All students seeking first time enrollment in the Charter School shall be given a Home Language Survey in accordance with requirements of the U.S. Department of Education's Office for Civil Rights. Enrollment of a student may not be delayed in order to administer the Home Language Survey. The completed survey shall be filed in each student's permanent record folder through graduation. 22 Pa. Code § 11.11(e).

Based on the Home Language Survey responses, each student shall be assessed for potential placement in an LIEP Program within 30 days of school or within 14 days of enrollment if a student enrolls after the first day of school.

Identification & Placement of EL Students:

Entry Criteria

Upon enrollment, the Charter School will screen students for ELL/LIEP eligibility. For students enrolling prior to the start of the school year, the Charter School must complete the English Learner Identification Procedure within 30 calendar days of the start of the school year. When students enroll during the school year, the identification process must be completed within

fourteen (14) calendar days of the student's enrollment.

The Charter School will use the WIDA-ACCESS Placement Test (W-APT) to assess newly enrolled students for placement in the LIEP program. The W-APT results will be one indicator for placement in the LIEP program. Additional criteria for placement in the LIEP program include: educational and cultural backgrounds, interviews with families, and native language literacy. Other indicators shall include current or previous grades, performance on state assessments, and Charter School-based formative or summative assessments. This LIEP-Program eligibility criterion is aligned with requirements established by the Pennsylvania Department of Education.

Student placement in the LIEP Program and designated instruction time (WIDA levels of English language proficiency:

1. Entering;
2. Beginning;
3. Developing;
4. Expanding;
5. Bridging; and
6. Reaching.

The Charter School will comply with program guidelines and will be based upon the instructional need of each LIEP student. Instructional placement will be age and grade appropriate.

Parents may request an EL student to be excused from the LIEP Program if the instruction conflicts with the family's religious beliefs, or for any reason and must be made clear to the EL's Parents. 22 Pa. Code § 4.4(d)(3). Parents also have the right to refuse some or all LIEP/Title III services, consistent with PDE guidance. 22 Pa. Code § 4.4(d)(3). However, while Parents may refuse services, students identified as ELs shall still participate in required English proficiency assessments.

All EL students shall have access to and should be encouraged to participate in all Charter School educational programs, opportunities, and extracurricular activities available. Equal Education Opportunity Act, 20 U.S.C.A. § 1703; Title VI, Civil Rights Act of 1964, 42 U.S.C.A. § 2000d, et seq.

Required Exit Criteria (see Reclassification Guidance):

The Charter School must employ uniform procedures in accordance with state requirements for reclassifying ELs and FELs when they attain proficiency. To be considered for reclassification, 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 in order to be considered for reclassification.

Evidence of this ability is demonstrated by the student on the annual English language proficiency

assessment, ACCESS, and gathered by teachers using standardized language use inventories.

Grade Level	ACCESS Score	Required W-APT Scores*
K	<i>Cut-off score flexibility not allowable for Kindergarteners</i>	
1-5	4.6-4.9	5.0 in each domain
6-8	4.7-4.9	5.0 in each domain
9-12	4.8-4.9	5.0 in each domain

In accordance with Pennsylvania Department of Education (PDE) guidance, English Learners (ELs) shall be considered for reclassification (exit from the LIEP program) when the following conditions are met:

1) The student achieves a minimum overall composite score of 4.5 on the annual WIDA ACCESS for ELLs assessment.

2) Reclassification decisions include input from at least two teachers through completion of PDE-approved language inventory forms. At least one (1) LIEP teacher recommendation for reclassification (exit) and one content teacher. In the absence of an LIEP teacher, two (2) recommendations for reclassification (exit) from two (2) different content teachers will be accepted.

- a. The Charter School CEO or designee must develop a plan/procedure for: identification of content-area teachers who shall complete student inventories; oversee the decision-making and reporting process using the established procedures and criteria; the provision of training for staff on using the rubrics to evaluate students' language use; and identifying students for whom inventories will be completed based on anticipated qualifying ACCESS scores.
- b. At least one language inventory shall be from the ESL teacher (if assigned) and one from a content-area teacher.

i. Alternatives :

1. For Students that 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 teacher; or
2. If only one teacher can accurately complete the inventory (e.g. elementary classes in which the classroom teacher is ESL certified and provides both content and language instruction and there is no other teacher or administrator who can accurately complete the inventory), one inventory may be completed, and the single score is multiplied by two. The two inventories do not need to agree.

3. The language use inventories shall 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 (4.5 Overall Composite Proficiency Level). Once ACCESS scores are released, points from the rubrics are used to determine if students are eligible to be reclassified.
- c. For ELs with disabilities, the IEP team shall be consulted in the decision-making process.
- d. Evidence of English proficiency across all language domains, classroom performance, and teacher input shall be reviewed to determine eligibility for exit.

Monitoring of Former English Learners (FELs)

Once an English Learner (EL) exits the Language Instruction Educational Program (LIEP), the student becomes a Former English Learner (FEL). FELs shall be actively monitored for two years and then reported for an additional two years, for a total of four years after exit from services.

The Charter School shall maintain records of the progress of FELs during the two years of active monitoring and continue reporting FELs for two additional years, in accordance with PDE's Reclassification and Monitoring Guidance. The Charter School shall continue annual English proficiency testing using ACCESS for FELs. Monitoring shall begin immediately following exit from the program. For students who exit at the end of a school year, monitoring will begin the following school year.

The progress of each FEL shall be reviewed at regular intervals through collaborative input between ESL and content teachers. Evidence of academic progress may include:

- Report card grades
- Local or predictive assessment results
- State standardized test scores
- Classroom work samples
- Writing samples

During the two-year active monitoring period, any FEL who encounters academic difficulty determined to be related to English language proficiency may be re-designated and returned to the LIEP. Re-designation shall only occur after collaboration between ESL and content teachers has confirmed that effective and appropriate core curriculum instruction, including differentiation and interventions, has been implemented.

In years three and four, FELs shall remain in monitoring status and must be reported to PDE; however, active monitoring is not required during this period.

- Standardized test scores
- Classroom work samples
- Writing samples

During the four -year monitoring period, any student encountering academic difficulty that is

determined to be because of English language proficiency skills may be re designated and returned to an LIEP/Bilingual education program. However, such re designation should only occur after collaboration between the LIEP teacher and content teachers has ensured that effective and appropriate core curriculum instruction, including differentiation and interventions has been implemented. Content and LIEP teacher input is critical in determining whether re-designation is the appropriate support to enable the former EL to succeed.

Notifications to Parent(s)/Guardian(s) of ELs:

Title I requires that every LEA that uses funds under either Title I or Title III for services to ELs must provide a parent with notification that outlines their child's identification as an EL and placement options and, subsequently, identify the selected placement option in an LIEP. (ESEA Section 1112(e)(3)).

Initial notification should include:

- 1) Detailed description of the LIEP as outlined in the BEC, including a description of its intended benefits for children and an explanation of its effectiveness (this description should include information on screening, identification, and placement of ELs)
- 2) Description of the EL identification process and the reason that their child was identified as an EL
- 3) Their child's current English proficiency level and a description of what that means
- 4) Information explaining their right to refuse enrollment of their child in the LIEP

Annual notification should include:

- 1) Notification of their child's continued participation in the LIEP
- 2) Description of the LIEP including its intended benefits for their children and an explanation of its effectiveness
- 3) Notification of their right to refuse services as outlined in the BEC 4) Description of any Title III supplemental services being offered (if applicable) 5) Notification of their right to refuse Title III supplemental services (if applicable)

The initial notification must be provided no later than 30 calendar days after the beginning of the school year or within the first two weeks of placement in an LIEP for students who enroll after the start of the school year. (ESEA Section 1112(e)(3)(A), 1112(e)(3)(B)). The notice and information provided must be in an understandable and uniform format and, to the extent practicable, provided in a language that the parents can understand. (ESEA Section 1112(e)(4)).

Assessment of LIEP Students:

In accordance with Pennsylvania academic standards and Charter School academic standards, the Charter School will monitor the progress of EL students and will provide appropriate accommodations within the content areas to ensure achievement of the academic standards and curricular goals. 22 Pa. Code § 403; 20 U.S.C.A. § 6842. The LIEP Director will oversee the review, both annual and periodic, of EL students.

Pennsylvania's assessments shall be administered to all EL students annually to measure

progress and determine each EL student's English language proficiency for each language domain (Reading, Writing, Speaking and Listening/Understanding). Each designated LIEP teacher will complete the annual grading and evaluation process for EL students (English, Reading and Language Arts). Other considerations will include EL student portfolios and teacher narratives regarding observations of each EL student. Students with immigrant status who have lived in the United States for less than one year are exempt from participating in the PSSA and local assessments.

Throughout the course of the year, individual student progress will be evaluated on a continuous basis with each LIEP teacher and the classroom teacher. Each teacher will modify EL students' learning plans to ensure academic success for each EL student.

A standardized form will be kept in each EL student's permanent record folder through graduation. The form shall identify the date, level, and English proficiency score upon entering the LIEP Program; report(s) of progress toward LIEP Program goals; and academic standardized test scores. A narrative from the designated LIEP teacher, regarding each EL student's progress toward satisfying the LIEP Program objectives, will also be part of the data collection and review process.

An EL student may not be retained in a grade level based solely on his/her lack of

English language proficiency. Before an EL student is retained in a grade, the LIEP Director must demonstrate that all appropriate modifications were made to instruction and assessment in order to allow the EL student's meaningful access to the grade level content curriculum as well as to promote LIEP instruction.

EL Students with Disabilities

All EL students shall be eligible for special education services. All procedures for the screening, evaluation, IEP, and the provision of services and/or instruction for EL students must be in compliance with governing state and federal laws and regulations. However, the Charter School, as LEA, must ensure that their program is effective before referring the child for evaluation. The questions should be asked to determine if a Student should be evaluated for IDEA disability or a Section 504 Plan:

- Is LIEP instruction sufficient in quantity and quality?
- Is the core LIEP instructional program effective and aligned to the proficiency level of the student, and the English Language Proficiency Standards?
- Is planned instruction in the content areas delivered according to the English language proficiency level of the student and the English Language Proficiency Standards, and are appropriate LIEP-related adaptations/modifications are provided by content teachers?
- Collaboration exists between the LIEP and content teachers?
 - Instruction and home-school communication is culturally responsive?

A current practice with many LEAs is to hire a bilingual psychologist to implement an IQ test of a student. The problem arises when the results are used as the only criteria to make

identification and placement decisions without having a complete profile of the child, e.g.:

- Has the student received any instruction in the native language? • What is the student's dominant language?
- How many years of instruction has the student had in English? • How is the student progressing in LIEP instruction? How is the student progressing in comparison to other ELs (like peers)...not compared to native speakers of English.
- Was a translator/interpreter used during assessment? If yes, was the test developed for the use of a translator/interpreter?
- Was the student born in the US?
- Was the student transient? What amount of time were they in school (in and outside the US)?
- What is the level of acculturation?
- Has the assessor acknowledged the impact of cultural and linguistic diversity on assessment performance? e.g., increased processing time, cultural bias, gaps in vocabulary and prior knowledge, false cognates, etc.

The IEP team for an EL student shall include either the LIEP Director or an appropriately certified LIEP teacher, or at a minimum, the IEP team shall receive input from either the LIEP Director or the appropriate LIEP teacher when appropriate. In Pennsylvania, the LIEP Program Specialist (PK-12) is the add-on certificate for teachers who provide Language Instruction Educational Program instruction. The LIEP teacher has the training, expertise, and experience to:

- Analyze and interpret English language proficiency assessment results of Focusing on English language proficiency levels and Calculating language proficiency growth using the scaled scores;
- Identify the student's language strengths and needs;
- Provide essential guidance related to the process of second language acquisition, communication with families, cultural responsiveness, and reduction of language barriers;
- Provide information concerning the ecology of the student (e.g., first language literacy, cultural and educational background, length of time in the U.S., interrupted education, mobility, acculturation stages, socio economic status).

The IEP team for an EL student shall consider the need for LIEP instruction as it addresses the EL student's needs related to the provision of a Free and Appropriate Public Education. In determining an EL student's needs, the IEP team shall consider both special education services and LIEP instruction simultaneously. Special education services do not replace LIEP instruction. LEAs must not identify or determine that ELs are students with disabilities because of their limited English learner status.

For special education students, the term LIEP Program refers to:

- planned instruction by a qualified LIEP Education teacher;
- adaptations/modifications in the delivery of content instruction by all teachers, based on the student's English language proficiency levels and the Pennsylvania English Language Development Standards (PA ELDS) for ELs, as well as the

Pennsylvania Core Standards. LEAs must ensure that their program is sufficient in quantity and quality before referring the student for an evaluation, demonstrating evidence that:

- LIEP instruction is daily, rigorous, and research-based; the core LIEP instructional program is aligned to the English language proficiency levels of the student, and the PA English Language Development Standards;
- grade-level planned instruction in the content areas is delivered according to the English language proficiency levels of the student and the PA English Language Development Standards, and appropriate adaptations/modifications are provided by content teachers to allow meaningful access to core curriculum;
- collaboration is ongoing between the LIEP and content teachers; • instruction and home-school communication are culturally and linguistically responsive.

ELs with IEPs may receive both LIEP instruction and special education services simultaneously. The IEP must be developed by the IEP Team, which should include the LIEP teacher as a member, or at a minimum, information provided by the LIEP teacher to the IEP team.

EL students receiving special education services must submit to Pennsylvania's annual assessments. Each EL student may participate in assessments through the use of one or more state-approved accommodations appropriate to his/her disability. The IEP team may make decisions regarding assessment accommodations for EL students with disabilities, considering the following:

1. Accommodations must not invalidate the results of the assessment;
2. Accommodations may be used for the entire assessment or only for part/parts of the assessment;
3. Determinations of any accommodation must be:
 - Based on a student's disability;
 - Made by the student's entire IEP team;
 - Properly documented in the student's IEP; and
 - Properly coded on the assessment.

Exit of ELs with IEPs:

Monitoring of the EL status is required for four years after a student exits a language instruction educational program and appropriate records of student progress must be maintained. ESSA Section 3121(a)(5). Monitoring may include any or all of the following:

- Periodic review of grades
- Local assessments
- Required state assessments
- Teacher observation

- Teachers may implement appropriate interventions to assist students who are not meeting benchmarks in core content areas.
- Monitoring is not an extension of the language instruction educational program. Students who are monitored cannot be counted as ELs in any state or federal data collection systems for the purpose of acquiring state or federal funding.
- For accountability purposes, an LEA must report on the academic achievement of an EL for each year of the four years after such student has achieved English language proficiency and no longer receives LIEP services. These data must include results on content assessments for reading/language arts, mathematics, and science.

Communications with EL Parents/Guardians

Communications with EL parents and/or guardians must be in the parents' /guardians' preferred language and mode of communication. The Charter School will provide interpretation services (written and/or oral, depending on the preferred mode of communication). 20 U.S.C.A. § 7012.

The Elementary and Secondary Education Act ("ESEA") does not define the term "families." Families may include relatives involved in the social, emotional, and academic support of the student and expand beyond parents and guardians to include siblings, grandparents, aunts, uncles, cousins and others. As such, States, LEAs, and schools looking to involve and support families should be responsive to their students' diverse family structures. For an EL or immigrant student, extended family members may have a powerful impact on the student's academic success. In many cultures, grandparents in particular play a pivotal role in guiding and shaping household values. Providing outreach to those relatives, including through information about school programs and student progress, as well as opportunities for meaningful involvement, such as participation in school functions like family literacy nights and other such events, can have a positive impact on student learning. It is also important to consider the family situation of foster youth, unaccompanied children, and others whose "family" network may extend beyond biological relatives.

Requirements for pre-service and in-service professional development for teachers

The ESSA made several important changes pertaining to preparation and professional development for teachers of ELs. First, instead of describing these programs and activities as "high-quality," as under NCLB, the statute has strengthened these provisions by clarifying that such programs and activities supported by Title III funds must be "effective."

LEAs must use Title III funds to provide effective professional development for teachers and principals of ELs that is:

- Designed to improve the instruction and assessment of ELs;
- Designed to enhance the ability of teachers and principals to understand and implement curricula, assessment measures and practices, and instructional strategies for ELs;
- Effective in increasing children's English language proficiency or substantially increasing

the subject matter knowledge, teaching knowledge, and teaching skills of teachers of ELs; and

- Of sufficient intensity and duration to have a positive and lasting impact on the teachers' performance in the classroom. This does not include one-day or short term events, unless as part of a teacher's comprehensive professional development plan that is based on a needs assessment. (ESEA Section 3115(c)(2)).

Second, the use of Title III State-level funds for professional development was previously limited to assisting personnel in meeting certification and licensing requirements for teaching ELs. States may now also provide professional development to improve teaching skills to meet the diverse needs of ELs, including how to implement effective programs and curricula to teach ELs. (ESEA Section 3111(b)(2)(B)). The professional development provided by either the State or an LEA need not be limited to teachers who teach exclusively ELs, but may be provided to all teachers who have ELs in their classrooms, to enable them to teach those ELs more effectively.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.