English for Speakers of Other Languages (ESOL)/Bilingual Education Program Guidance 2011-2012

Q1. Why is guidance being issued for State English for Speakers of Other Languages (ESOL) funding?

A1. Guidance is being issued in response to the need for statewide standardization and compliance regarding criteria for:

- ESOL program placement;
- Requirements for teachers and paraprofessionals providing instruction to English language learners (ELLs)/Limited English Proficient (LEP) students; and
- How such requirements may generate State ESOL funding.

The revised guidance should assist both school districts and state auditors in ensuring that state-funded programs for ELLs are in compliance with state and federal mandates.

Q2. What criteria qualify a student for ESOL services?

A2. To qualify as an ELL and be eligible for ESOL services, the following criteria must be met:

Step One: A language other than English must be indicated on the Home Language Survey (sample attached in Appendix A);

Step Two: If the Home Language Survey indicates a history of a language other than English, the student must be assessed for his/her English proficiency using one of the following assessments (for grades Pre-K through 12);

- The Language Assessment Scales (LAS)/LAS LINKS and Pre-LAS;
- The IDEA Proficiency Test (IPT) and Pre-IPT;
- The Language Proficiency Test Series (LPTS);
- The Kansas English Language Proficiency Assessment (KELPA) – state mandated assessment to measure annual growth; and
- The KELPA – P (for placement)

The QIA (Quick Informal Assessment) or CASAS (Comprehensive Adult Student Assessment Systems) are acceptable assessments for adult learners.

Step Three: If one of the state-approved English language proficiency assessments determines that the student is limited in any domain of English proficiency (listening, speaking, reading, writing, or a composite of the four domains), that student must receive ESOL services by a "qualified" teacher. (See Q9, Note 1 for a definition of "qualified"). Students who score "proficient/fluent" on the English language proficiency assessment used by the district to determine eligibility are not eligible for ESOL services and will be recorded in the KIDS system as "not an ESOL eligible student".

Q3. Who should receive the Home Language Survey?

A3. <u>All</u> students new to the district should receive a Home Language Survey.

Q4. Why is the Home Language Survey given?

A4. The answers provided on the Home Language Survey will assist the district in meeting federal requirements that, to the extent practicable, communication with parents is provided in a language they can understand, and that students are properly identified as qualifying for ESOL services (see Q2).

Q5. How do districts indicate a student is an ELL?

A5. Districts enter appropriate codes in the Kansas Individual Data on Students (KIDS) database element on ESOL Program Participation (Field D42).

Q6. What criteria must be met to exit an ELL from receiving ESOL services?

A6. The state criteria to exit a student from an ESOL program and, therefore, from generating State ESOL funding are as follow:

- The KELPA determines that the student scored "fluent" in all language domains: listening, speaking, reading, and writing and "fluent" on the composite for TWO CONSECUTIVE YEARS.
- Student Improvement Team (SIT) recommends that the student be exited from ESOL services (explanation provided on exit form) after one year.

The SIT team recommendation can override the first criterion, allowing flexibility for cases in which a score of "fluent" for two consecutive years on the KELPA is not appropriate for that student. Some students may not meet the exit criteria due to reasons that are NOT a result of limited English proficiency, but that are noted in the student's IEP. The SIT team, with SPED representation, may decide to exit a student <u>after one year</u>, based on what is deemed by all on the team to be in the best interest of the student. This decision must be unanimous and all members of the SIT, with SPED representation, must sign that they agree with the recommendation.

- Also, parents have the right to withdraw their child from an ESOL program at any time by submitting written documentation to that effect. (Schools should provide documented consultation with parents choosing this option, ensuring that they are aware of the benefits of ESOL services before withdrawing their child.) Students withdrawn from ESOL services are not exempt from taking the KELPA.

(A sample exit criteria table is provided in Attachment C.)

Q7. Who takes the KELPA?

A7. <u>All</u> ELLs will take the KELPA in the spring. This includes students who qualify for ESOL services but for whom the district does not receive funding, and those ELLs whose parents have waived ESOL services.

Q8. How do schools get the KELPA?

A8. Schools will mark the appropriate code in field D84 of the KIDS TEST submission. CETE will send pre-slugged KELPAs to the school for administration during the KELPA window in the spring.

Q9. What criteria must be met for the teacher's contact hours with the ELL to generate State ESOL funding?

A9. **Step One:** The student has been identified as an ELL (See Q2).

Step Two: The student is receiving ESOL services by a qualified teacher in the district who:

- Holds a Kansas ESOL endorsement; or
- Has a Kansas ESOL waiver; or
- Has a Kansas ESOL provisional license; or
- Has a "Teacher/District ESOL Endorsement Plan of Study" on file at the district office on the official September 20 count day; or
- Has passed the ESOL PRAXIS and has applied to the Kansas State Department of Education (KSDE) Teacher Education and Licensure (TEAL) for endorsement before the official September 20 count day.

NOTE 1: Under Kansas state statute 72-9501 (f) a "qualified teacher" means a person employed by a school district for its bilingual education program who is:

- A teacher qualified to instruct limited English proficient pupils as determined by standards established by the Kansas State Board of Education (KSBE) and who is so certified and endorsed by the KSBE; or
- A paraprofessional qualified to assist certified teachers in the instruction of limited English proficient pupils as determined by standards established by the KSBE and who is so approved by the KSBE.

NOTE 2: Teachers assigned to teach the subject ESOL (not content classroom teachers with ELLs in their classes) who are not yet fully ESOL endorsed must hold a waiver or provisional ESOL endorsement or have passed the ESOL PRAXIS and applied to TEAL for endorsement.

NOTE 3: Content teachers who serve ELLs in their classes must either hold an ESOL endorsement, have an ESOL Endorsement Plan of Study on file at the district office, or have passed the ESOL PRAXIS and applied to TEAL for endorsement.

Q10. What must be included in the "Teacher/District ESOL Endorsement Plan of Study"?

A10. The Teacher/District ESOL Endorsement Plan of Study (sample attached in Appendix B) must consist of the following:

- The teacher has signed an agreement with the district that s/he will complete ALL ESOL endorsement coursework and obtain Kansas ESOL endorsement within five years of the first day of the first class that ESOL endorsement coursework began. This is referred to as the "Teacher/District ESOL Endorsement Plan of Study" (sample attached in Appendix B).
- Coursework is being completed at one of the nine Kansas universities that have approved ESOL endorsement programs, which include: Emporia State University, Fort Hays State University, Kansas University, Kansas State University, McPherson College, MidAmerica Nazarene University, Newman University, Pittsburg State University, and Wichita

State University OR an out-of-state institution of higher education with an ESOL program that is approved by that state's accrediting/approval authorities (questions regarding out-of-state ESOL Endorsement programs should be directed to Teacher Education and Licensure [TEAL] at KSDE). The university's "Plan of Study" must be attached to the "Teacher/District ESOL Endorsement Plan of Study" and coursework from the two "plans" must match.

- The Plan of Study will follow the teacher. If a teacher obtains employment in a district different from the one in which the Plan of Study was started, the Plan will still be valid in the new district as long as timelines of annual progress and completion within five years are maintained. The plan should be on file at the new district by the September 20 count date in order for the district to receive funding for that teacher's contact time.
- Coursework must be leading toward an ESOL endorsement, which includes coursework that addresses: cultural diversity; linguistics/language acquisition; assessment of ELLs; methods/materials for ELLs; literacy development; and an ESOL practicum.
- The teacher must make ANNUAL progress toward completion:
    - Teachers must complete at least one course each 12-month period and must complete all coursework; receive a passing score 138 on the PRAXIS; and apply for/receive the ESOL endorsement from TEAL at KSDE within five years from the date they first began an ESOL endorsement program.
    - Teachers who have completed coursework but have not yet taken the PRAXIS will have up to one year after the completion of their last course to take the exam. The PRAXIS must be taken within five years of taking the first course toward endorsement.
    - If the endorsement is not yet in the teacher/district's possession on the official September 20 count date, a record that the teacher has APPLIED for Kansas ESOL endorsement must be on record at the district office. Teachers' hours will count for funding if an application has been submitted, but not yet approved (i.e., teacher has not yet received PRAXIS scores) only once. Beyond this one-time allowance of being counted for funding while not yet approved, hours will only count if the teacher has <u>passed</u> the PRAXIS and <u>received</u> the endorsement.

Q11. What criteria must be met for the <u>paraprofessional's</u> contact hours with the ELL to generate State ESOL funding?

A11. A paraprofessional who is providing services to an ELL must be under the direct supervision of an ESOL endorsed teacher or a teacher on a Plan of Study by the official September 20 count day.

The paraprofessional may not be assigned to the building principal or other administrative personnel.

The guidelines for counting FTEs of paraprofessionals working with ELLs under direct supervision include:

- The supervising teacher must not supervise more than five paraprofessionals per year.
- Paraprofessionals must not be:
  - Solely responsible for ESOL instructional or related service;
  - Responsible for selecting, programming, or prescribing educational activities or materials for ELLs without the supervision and guidance of the supervising teacher;
  - Solely responsible for preparing lesson plans or initiating original concept instruction; or
  - Used as substitute ESOL teachers, unless they hold the appropriate Kansas licensure.
- The supervising teacher meeting the criteria under Q9 Step 2 and the paraprofessional must work in close and frequent proximity. In cases where the paraprofessional is not assigned to the same classroom as the teacher, the supervising teacher and paraprofessional must be in close proximity to one another and frequent and productive meetings between the two individuals must occur. "Close proximity" is defined as being in an adjoining or adjacent building or structure. "Frequent and productive" means that the paraprofessional and the teacher are meeting at least once per week to review: lesson plans, instructional strategies, evaluation techniques, and weekly student progress/challenges. Documentation that such meetings are occurring, including brief details about the instruction provided and student progress/challenges must be kept on file and state auditors may verify that such frequent and productive meetings are occurring. (See Appendix D for sample documentation forms.)

Q12. How does the local educational agency (LEA) complete an application for State ESOL funding?

A12. LEAs apply for Kansas State ESOL funds as part of the Local Consolidated Plan (LCP) Application process. The LCP Application asks for a count of contact hours and provides a formula for computing estimated funding. Actual funding is determined from data entered into the KIDS database by all Kansas LEAs and through the audit conducted by state auditors.

Q13. How does the LEA count the Full Time Equivalent (FTE) for its ELLs?

A13. Kansas State ESOL funding provisions require districts to compute FTE enrollment in programs of ESOL education and multiply the computed enrollment by 0.395.

Q14. How are ESOL student contact hours computed?

A14. Student contact hours equal the actual number of hours that the district's ELLs receive specialized English language instruction. For example, if the district has five ELLs who each receive two hours a day of specialized English language instruction, the district should claim a total of 10 student contact hours. In a district that mainstreams ELLs, those students should be counted as follows:

- **Full Day:** A student who spends the full school day in a classroom in which the instructor is ESOL endorsed or working toward an ESOL endorsement, and classroom course content is modified for the ELLs, counts as one FTE (6 contact hours).
- **Pull-out or Other Program Model:** A student who is pulled out from the regular classroom to receive ESOL instruction will count for that portion of the day that s/he receives specialized ESOL instruction from qualified personnel.
- **Paraprofessional:** A student who has the support of a qualified paraprofessional, under the direct supervision (see Q11 for definition of "direct supervision") of ESOL certified personnel, will count for the actual time that the paraprofessional provides specialized ESOL instructional support.

Note: LEAs may not count both para time and teacher time for students receiving English support.

Q15. How is State ESOL funding determined?

A15. The following formula provides the basis of how the LEA determines its ESOL funding:

1 Student Contact Hours		2 Full-Time Equivalent (FTE) (Round to nearest 0.1)		3 ESOL Weighted Amount		4 Weighted FTE (Round to nearest 0.1)		5 General State Aid Per Pupil Amount		6 Total Estimated State ESOL Funding
	/ 6=		X	0.395*	=		X	$3780*	=	

*Subject to change.

Q16. What are the allowable activities for State ESOL funding?

A16. State ESOL funds may be utilized for teacher or paraprofessional salaries and benefits, instructional materials and supplies for ELLs, and professional development related to improving instruction for ELLs.

Q17. Is carryover allowed for State ESOL funding?

A17. No. Carryover is not allowed for State ESOL funds. All funds must be expended by June 30 of each year.

APPENDIX A: SAMPLE HOME LANGUAGE SURVEY

Upon enrollment, every student or parent/guardian must be given a Home Language Survey. This survey will be used to determine which students should be assessed for English proficiency. Knowledge of, or exposure to another language does not, in and of itself, qualify a student for ESOL services. If a language other than English is indicated in any of questions 1-4, the student will be assessed to determine eligibility for English for Speakers of Other Languages (ESOL) services. The assessments approved by Kansas State Department of Education include: The Language Assessment Scales (LAS)/LAS LINKS/Pre-LAS, the IDEA Proficiency Test (IPT)/Pre-IPT, the Language Proficiency Test Series (LPTS), and the Kansas English Language Proficiency Assessment (KELPA)/KELPA-P. If a student scores below proficient/fluent in any of the language domains: listening, speaking, reading, or writing, s/he is eligible for ESOL services. Please complete one form for each child.

Student Information:

Name	Grade
Address	Date of Birth
Date first enrolled in a school in the U.S.	Phone Number

Student Language Information:

1. What language did your child first learn to speak/use?
   English _____ Spanish _____ Other (please specify) _____

2. What language does your child speak/use at home? Do not include language learned in a class or through television or other such programming.
   English _____ Spanish _____ Other (please specify) _____

3. What language do you speak/use with your child?
   English _____ Spanish _____ Other (please specify) _____

4. What language do the adults regularly present or living in the home speak/use while in presence of the child?
   English _____ Spanish _____ Other (please specify) _____

Parent/Guardian Information:

Which language do you prefer? English ___Spanish ___ Other (specify)_____
(Please specify "written" or "spoken". To the extent practicable, communication from the school will be provided in this language.)

Migrant Education Program Information:

The Migrant Education Program (MEP) is authorized by Title I Part C of the Elementary and Secondary Education Act of 1965 (ESEA). The MEP provides formula grants to local education agencies to establish or improve education programs for children who may qualify for the Migrant Program. Please help us determine your child's eligibility for the Migrant Program by responding to the following questions.

Has your family moved in the last 36 months to seek or obtain agriculture or fishing related work?
Yes _____No _____

If yes, was the move from one school district to another? Yes _____ No _____

For the School: If the answer to either of the previous two questions is Yes, please contact Mike Toole at mike.toole@ksidr.org or 620-353-8114 and provide him a copy of this survey.

Signature of Parent or Guardian Date

APPENDIX B: SAMPLE TEACHER/DISTRICT ESOL ENDORSEMENT PLAN OF STUDY

USD Name and Number: _____

Teacher name: _____ SS #_____
(Last) (First) (M.I.)

Address:_____

E-mail address: _____ Phone:_____

School of Employment:_____ Position:_____

Circle Current Degree: None Associate's Bachelor's Master's Specialist Ph.D/Ed.D.

Current KS License Endorsement Areas: _____

Date on which ESOL Endorsement coursework began: _____

Target date to obtain ESOL Endorsement: _____
(No more than five years from the date coursework began.)

(Proposed) College or University of Study: _____

Expected teaching position and district upon obtaining endorsement: _____

Plan of Study (attach official copy from university & transcripts confirming completion of class)

List coursework to be completed each year. (Teachers must take at least one course per year in order to meet the annual progress requirements. Teachers must pass the ESOL PRAXIS within one year of last course and within five years of the date coursework began.)				Institution	Estimated Date of Completion	Actual Date of Completion	**Office Use Only** Verification of Completion Received
Course Number	Course Title	Credit Hours	Grade				
PRAXIS II	Test code 0361	N/A		N/A			

_____ _____
Applicant's Signature Date

_____ _____ ___Approved ___Disapproved
Director/Coordinator's Signature Date

APPENDIX C: EXIT CRITERIA FOR ENGLISH FOR SPEAKERS OF OTHER LANGUAGES (ESOL) PROGRAM

Grades K-12: To exit a student from ESOL services (and from generating State ESOL funding), box 1**,** 2 or 3 must be checked. If only box 2 is checked, this form must be signed by all members of the Student Improvement Team (SIT), including representation from SPED, with an explanation of why the student is recommended for exit before meeting the criterion in box 1.

The only state approved English language proficiency assessment used for exiting a student is the Kansas English Language Proficiency Assessment (KELPA).

District Name and USD Number			Date
Student Name			Student Grade
☐ 1. The KELPA determines that the student scored "fluent" in all language domains: listening, speaking, reading, and writing and "fluent" on the composite for TWO CONSECUTIVE YEARS.	☐ 2. Student Improvement Team (SIT) recommends that the student be exited from ESOL services (explanation provided below) after one year.*		☐ 3. Parent requests that the student not receive ESOL services. Parent was counseled about their decision and informed that their student is required to take the KELPA even if not receiving ESOL services.

KELPA Scores

Year		
Listening		
Speaking		
Reading		
Writing		
Composite		

KELPA Scores

Year		
Listening		
Speaking		
Reading		
Writing		
Composite		

KELPA Scores

Year		
Listening		
Speaking		
Reading		
Writing		
Composite		

*Please provide an explanation of the SIT decision, signed by all members, to exit the student before s/he met the criterion in box 1. The SIT should consist of: classroom teacher, ESOL teacher, ESOL administrator (if applicable), SPED representative, and school principal. ELLs who also receive SPED services should be given the opportunity to demonstrate their progress in English proficiency. If there are special circumstances that would prevent a student from taking part in the KELPA, please provide an explanation below and include in the IEP.

Signed by:

_____(classroom teacher); _____(ESOL teacher);

_____(ESOL admin); _____(SPED) _____ (principal)

APPENDIX D: SAMPLE TEACHER/PARA MEETING DOCUMENTATION FORM 1

USD	School	ESOL Endorsed Teacher's Signature	
Para's signature:		Date:	Time:
Student's name:			
Key discussion items:			
Para's signature:		Date:	Time:
Student's name:			
Key discussion items:			
Para's signature:		Date:	Time:
Student's name:			
Key discussion items:			
Para's signature:		Date:	Time:
Student's name:			
Key discussion items:			
Para's signature:		Date:	Time:
Student's name:			
Key discussion items:			

APPENDIX D: SAMPLE TEACHER/PARA MEETING DOCUMENTATION FORM 2

USD:	**School:**	**For the week of:**
ESOL Endorsed Teacher signature:		
Para signature:		
Date and time (to include number of minutes):		

Student:
Discussion:

Student:
Discussion:

Student:
Discussion:

Student:
Discussion:

Student:
Discussion:

APPENDIX D: SAMPLE TEACHER/PARA MEETING DOCUMENTATION FORM 3

USD:	**School:**
Student:	

For the week of:	**Date and time (to include minutes):**
Discussion:	
Teacher signature:	**Para signature:**

For the week of:	**Date and time (to include minutes):**
Discussion:	
Teacher signature:	**Para signature:**

For the week of:	**Date and time (to include minutes):**
Discussion:	
Teacher signature:	**Para signature:**

For the week of:	**Date and time (to include minutes):**
Discussion:	
Teacher signature:	**Para signature:**

For the week of:	**Date and time (to include minutes):**
Discussion:	

Teacher signature: **Para signature:**

APPENDIX D: SAMPLE TEACHER/PARA MEETING DOCUMENTATION FORM 4

USD: **School:** **ESOL Endorsed Teacher Signature:**

Para's signature: **Date:** **Time:**

Student's name:

Key discussion items:

USD: **School:** **ESOL Endorsed Teacher Signature:**

Para's signature: **Date:** **Time:**

Student's name:

Key discussion items:

USD: **School:** **ESOL Endorsed Teacher Signature:**

Para's signature: **Date:** **Time:**

Student's name:

Key discussion items:

USD: **School:** **ESOL Endorsed Teacher Signature:**

Para's signature: **Date:** **Time:**

Student's name:

Key discussion items:

USD: **School:** **ESOL Endorsed Teacher Signature:**

Para's signature: **Date:** **Time:**

Student's signature:

Key discussion items: