

Council of Chief State School Officers
Stanford Working Group

Systemic Reform and Limited English Proficient Students



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Council of Chief State School Officers (CCSSO)

The Council of Chief State School Officers (CCSSO) is a nationwide, nonprofit organization of the public officials who head departments of public education in the states, five U.S. extra-state jurisdictions, the District of Columbia, and the Department of Defense Dependents Schools. It has functioned as an independent national council since 1927 and has maintained a Washington office since 1948. CCSSO seeks its members' consensus on major education issues and expresses their views to civic and professional organizations, to federal agencies, to Congress, and to the public. Through its structure of committees and task forces, the Council responds to a broad range of concerns about education and provides leadership on major education issues.

Because the Council represents the state chief education administrator, it has access to the educational and governmental establishment in each state and to the national influence that accompanies this unique position. CCSSO forms coalitions with many other education organizations and is able to provide leadership for a variety of policy concerns that affect elementary and secondary education. Thus, CCSSO members are able to act cooperatively on matters vital to the education of America's young people.

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Executive Summary

The Council of Chief State School Officers report, *Systemic Reform and LEP Students* is a descriptive analysis of a survey completed by state education agency officials regarding their systemic planning initiatives and limited English proficient students. The survey was completed during the Fall of 1994. It elicited responses from state education agency officials regarding a number of key components of the systemic reform policy framework including: development of content and performance standards, student assessments, professional development, opportunity-to-learn-standards, and state guidance concerning Civil Rights protections. The purpose of the survey was to collect base-line information about state education agency efforts to address needs of LEP students in the context of systemic planning.

At the time of the survey 34 of the 43 responding states were in the process of completing their systemic reform plans. Eight states noted that their state education improvement plan specifically mentioned LEP students. Although the remaining states (25) did not specifically mention LEP students in their improvement plans almost all reported that the planning committees included parents or persons knowledgeable of LEP student needs.

States were also asked a series of questions about content and performance standards. While almost all states (38) noted that content standards developed or in the process of development applied to LEP students, only six states made specific reference to these students in their content standards statements. Many states reported that they were providing professional development opportunities to teachers to support achievement of content standards by LEP students. However, in most instances the descriptions of professional development activities showed no direct link to the content standards.

States with performance standards (18), or those in the process of developing these standards (26) noted that the standards applied to LEP students. Eight states explicitly mentioned LEP students and two had developed ESL performance standards that applied only to LEP students.

Generally, states had not yet aligned their content and performance standards with their student assessment programs. Therefore, it was not surprising that in most states (35) LEP students are exempted from statewide assessments. In most instances the criteria for exemption is based on the number of years LEP students are in the U.S. or in bilingual ESL programs.

A minority of states use the results of English language proficiency tests as the criterion for exemption. In eleven states LEP students may take certain assessments in their native language. However, these assessments are not part of the statewide assessment system and in most states are only given to Spanish speakers. With the exception of two states, the primary language assessments are not linked to the content standards.

When primary language assessments are not available many states modify their English language assessments to accommodate LEP students. The accommodations can occur during the administration process or may involve changes in the assessment instrument. States use a variety of accommodation strategies in an attempt to include LEP students in the English assessments. These strategies include translating tests, oral administration of the assessments, allowing the use of dictionaries, and providing extra time to LEP students taking the assessments.

Only five states require LEP students to take state assessments. In three of these states LEP students may be exempted. Although students are exempted from statewide assessments state and local districts collect data on the English language development of the students. States also collect data on student retention and graduation rates. Few states report achievement data by language category.

Although states had not linked content standards to their professional development activities, they are

supporting professional development approaches (networks, school-based planning groups, university-school collaborative) that hold promise for improving classroom practice over an extended period of time. Most states listed an extensive set of professional development activities that are available to school staff. However, many of these activities were not focused on meeting the statewide learning goals or the specific school-based learning goals. States were asked to identify professional development needs and they provided a listing of these needs including the following: shortage of teachers, lack of teacher knowledge of the second language learning process, and lack of materials.

Only nine states reported having opportunity-to-learn standards. Nonetheless, most states have access elements that might be considered a part of OTL. These standards have been used by the states for many years and they address issues such as procedures for identification, instructional program options, teacher credentialing, parent involvement and program evaluation requirements. Access standards are included in various state publications including handbooks, guidelines, resource guides and advisories. Moreover, during states on-site technical assistance activities these materials are disseminated to LEAs along with information about LEA Civil Rights obligations under Title VI of the Civil Rights Act of 1964.

States viewed two strategies as most important for enhancing the opportunity-to-learn of LEP students: equipping mainstream teachers with knowledge of the second language acquisition process, and strengthening the content knowledge of all teachers that work with LEP students.

Introduction

Systemic reform is an educational improvement strategy that has gained significant support among many respected members of the educational community. Researchers and policymakers have presented this initiative as a strategy for bringing coherence to the often fragmented organizational structure within which states, districts, and local schools structure and provide educational services. But these researchers and educators have emphasized a more important rationale for systemic reform: supporting school site efforts to improve classroom instruction and learning.

When schools, districts, and states pursue a policy of systemic reform, all elements of the educational system work toward the goal of improved teaching and learning—and all elements of the system are interconnected. Key to the success of this strategy is the development of challenging content standards that all students in the system are expected to reach. A set of discipline-based content standards is the force that drives the other important components of the educational system—professional development, student assessments, curriculum, accountability structure, and parent and community involvement.

The federal government's acceptance of this improvement strategy is reflected in three major pieces of legislation passed by Congress in 1994: The Goals 2000: Educate America Act, the School to Work Opportunities Act, and the Improving America's Schools Act (IASA). All three pieces of legislation call for a state vision of school reform that is standards based, require the inclusion of all students, and necessitate that all elements of the system be linked or coordinated. Unlike previous federal education legislation, these three laws were designed to complement one another. Whereas the Goals 2000 legislation is a framework for state and local comprehensive planning, the other two pieces of legislation are the means by which the states' vision can be realized and supported through federal programs.

Anticipating the enactment of federal legislation that enhances the role of the state in school reform, the Council of Chief State School Officers (CCSSO) adopted as its 1993 priority the theme "Systemic Strategies for Improved Student Results." The adoption of this topic as the Council's priority meant that while ongoing Council efforts would continue on their implementation course, another set of activities would be added to the Council's work with the states. A starting point for many Council priority initiatives is to ascertain the level of state policy and programmatic activity in a given area. Thus, in the spring of 1993, staff of CCSSO's State Leadership Project developed a survey of state education agencies (SEAs) that elicited information about state-level reform efforts designed to leverage and support school improvement at the local level.

The purpose of the survey was to collect baseline information about policies and practices that states had set in motion (or were considering) regarding systemic reform planning, and to inform Council staff's technical assistance efforts directed at SEAs. In the survey, we asked a series of questions concerning state activities in several policy areas, including development of content and performance standards, professional development, system of accountability, governance and management, and opportunity-to-learn standards. These educational components have the most direct bearing on teaching and learning. Therefore, improvements in these areas are most likely to result in substantial change of the type needed in schools.

A fundamental principle of systemic reform is the full participation of all students in all aspects of education. Expecting high achievement levels of achievement of all students, including those with special needs, is a demanding task that advocates of systemic reform have asked schools to undertake. This was a departure from previous policy conceptions, in which categories of students were not expected to reach high levels of academic learning and were excluded from the system of accountability for extended periods of time.

The Council was also interested in knowing how state departments of education considered issues of educating special populations in their planning, policy development, and program development processes.

We were particularly interested in the range of issues related to the education of students served under categorical assistance programs. As states attempt to raise standards for *all* students, they are confronted with many questions. How do we get students with diverse skills, needs, and backgrounds to achieve at high levels? What supports will be required to achieve those goals? We needed to document the states' initial reflections concerning these particular challenges as they worked on the development of comprehensive systemic planning. Thus, in collaboration with the Stanford University Working Group, we decided to develop a supplement to the 1993 survey in an attempt to address these questions relative to the population of students with limited English proficiency (LEP).¹

Based on the information gathered through this survey, we plan to assist states to fulfill their own mandates to raise performance of *all* students. Specifically, we developed the following objectives for our survey and the ensuing analysis:

- Identifying barriers to the fulfillment of the goal of raising the performance of all students
- Highlighting state-specific promising practices in support of improved services for LEP students
- Disseminating relevant information to all states

The survey contained a total of 50 items grouped into categories that generally paralleled those contained in the 1993 survey:

- Systemic planning
- Student content and performance standards
- Student assessments
- Opportunity-to-learn standards
- Teacher licensing and professional development
- Funding
- Educational technology
- SEA organization
- Collaboration/integration of services
- Title VI and Equal Education Opportunity Act (EEOA).

Methodology

After extensive review by both Council and Stanford Working Group² staff, we administered the survey as a pilot project in six states—California, Florida, Illinois, Massachusetts, New York, and Washington. We selected these states because they had large to moderate enrollments of LEP students. The pilot instrument was sent to the Study Commissioners in each state, who then pulled together a team of staff members to complete the survey. After we received the completed surveys, we spoke with a representative from each state about the survey instrument and process. Based on these conversations, we revised the instrument and mailed it to every state on August 1, 1994, with a requested return date of August 31, 1994. Pilot states were not asked to complete a revised survey because of the limited number of items that were ultimately changed. As was the case with the pilot instrument, the Deputy Commissioner in each state was asked to assume

responsibility for convening a group of representatives from the various units with knowledge or responsibility for the range of policy areas outlined in the instrument. SEA staff were asked to complete the survey and when appropriate to submit supporting documentation that would assist Council staff in the analysis of responses. A total of 43 states (90-percent response rate) returned a completed survey. However, within each category of questions, states showed great variability regarding the number of completed items and the extent to which specific questions were answered.

We used the database management program Paradox, which can accommodate both forced responses (i.e. yes, no) and more extended narrative responses. We summarized relevant background information contained in supplementary reports submitted by the states and subsequently entered this information into the database. (See part 2 of this report)

Out of a total of 14 groupings of questions contained in the survey, we selected 9 as the basis for descriptive analysis (see Part 2). The remaining categories were excluded because respondents did not provide sufficient information. For each state, we developed a profile that grouped the responses by categories of questions contained in the survey. Each profile was then sent to the state to ensure factual accuracy. In most instances, SEA staff revised the profiles. However, 2 states that had submitted a completed survey to CCSSO did not verify the information contained in the profiles. Therefore, their profiles are included in this report (Part 3) without official review by the SEA staff in those states. We held many conversations with state representatives in an attempt to clarify the information they submitted to the Council staff before we developed the profiles and after the states reviewed/revised the profiles. We revised the chart in Part 1 based on the revised state profiles.

Several caveats are in order with respect to the inferences that can be drawn from the following descriptive analysis. First, we drew observations on the basis of the information reported to CCSSO. It is probable that some states have processes and policies similar to principles of systemic reform, and did not report them. Many responses to a given item were not clear or the respondent did not answer the specific question asked; therefore, we called state personnel or made judgments on the basis of knowledge of the state or supplementary information submitted by the given state. Second, the survey data were collected in 1994 prior to the November elections, which have given rise to changes in SEA governance and structure.³ Therefore, it is important to recognize that changes may be taking place among the policies and practices described in this report.

Organization of the Report

This report organizes survey responses into three sections:

Part 1 is a descriptive summary of responses to a set of items grouped in the following categories: student definition, systemic reform planning, content standards, performance standards, statewide assessments, opportunity-to-learn standards, teacher licensing, professional development, SEA organization, and technical assistance needs.

Part 2 presents in chart format the state-by-state responses to a selected number of forced (yes, no) responses. Not all categories of questions were summarized in the charts. Nor did we include in the charts every item (question) within each category. Responses concerning systemic planning, teacher licensing, and Title VI and EEOA were combined into one chart even though they are discussed separately in Parts 2 and 3.

Part 3 contains profiles of each state with a brief demographic overview intended as additional context for the ensuing information.

Part 1

Descriptive Summary of Responses

In this section, we summarize the states' responses on the following issues: identifying students with limited English proficiency (LEP), systemic reform planning, content standards, performance standards, statewide assessments, opportunity-to-learn standards, teacher licensing, professional development, SEA organization, and technical assistance needs. These are the key elements of a systemic reform strategy.

Definition and Identification of Students with Limited English Proficiency

A crucial step in meeting the needs of language-minority students is identifying students in need of services. This section provides information regarding state definitions of limited English proficiency and state procedures and standards for identifying students with LEP.⁴

State Definitions of Limited English Proficiency

Most states (41 of those responding) have a statewide definition of limited English proficiency. Many states use the definition of limited English proficiency (or slightly modified versions) found in Title VII of IASA⁵ or have adopted the definition (or slightly modified versions) recommended by CCSSO.⁶ Thus, for many states, an LEP student is defined as:

A student whose native language is not English and whose difficulty in speaking, reading, writing, or understanding English is an obstacle to successful learning in a classroom where English is the only language of instruction.

State Procedures for Identifying Students with LEP

Because most state definitions are general in nature, the state procedures for identifying students with LEP, rather than the state definition per se, generally convey more information about which language-minority students are likely to be considered limited in English proficiency.

Twenty-five states provide guidance to districts regarding assessment procedures for identifying students with LEP. In doing so, however, they allow local districts considerable flexibility in choosing assessment methods, assessment instruments (usually from a list of assessments), and cutoff scores for these instruments.

In terms of methods for determining LEP classification, for the 25 states that have assessment requirements, 22 specify English proficiency tests. Eight states (Arizona, Colorado, Florida, Hawaii, Illinois, Michigan, Rhode Island, Texas) specify both English proficiency and achievement tests (a subset of those specify English proficiency tests). Three others (Connecticut, Idaho, Iowa) specify English proficiency tests and below-average performance based on grades or classwork. Some states recommend other procedures such as the use of parent questionnaires (Alaska), oral interviews (Connecticut), use of records and observations (Illinois), previous performance and teacher recommendations (New Jersey), and previous educational background (Rhode Island).

All states that require districts to use English-language proficiency tests give them a menu of assessment instruments from which to choose. The language proficiency tests reported include the Language Assessment Scales (LAS), IDEA Oral Proficiency Test, the Bilingual Syntax Measure, BOLT, BINL, IPT, LAB, MAC, SLEP, OPI, the Woodcock-Munoz, and the Woodcock-Johnson. The states provide very little guidance to districts regarding how to assess academic achievement.⁷

Analysis of survey results show that 12 states (Kentucky, Maryland, Missouri, Montana, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Utah, West Virginia, Wyoming) do not specify a procedure for identifying students with LEP. In addition, the following states did not indicate whether they had requirements regarding LEP student identification: Delaware, Kansas, Nevada, South Dakota, Virginia, Washington, and Wyoming.

For states that require English-language proficiency tests, 10 states (Arizona, California, the District of Columbia, Hawaii, Idaho, Louisiana, New Jersey, New Mexico, New York, Rhode Island) have state-determined cutoff scores on these assessments. Of these states, Arizona, Hawaii, and Rhode Island also have cutoff scores for tests of academic achievement. The survey indicates that a few states have cutoff scores for tests of academic achievement only. They include Florida, Illinois, Michigan, Minnesota, and Texas. Of the states that specify assessment procedures, 8 states (Alabama, Alaska, Indiana, Iowa, Kansas, Maine, Mississippi, and Wisconsin) do not specify specific cutoff scores on English-language proficiency tests or tests of academic achievement.

Most cutoff scores for language proficiency tests are based on publishers' thresholds. For some language proficiency tests and most achievement tests, thresholds are set at a given percentage point, such as below the 40th percentile. For one state, Minnesota, the cutoff is set according to the district average (one third of a standard deviation below the district average) on a nationally normed English reading test or English-language arts achievement test. Since the district average will vary across districts so will the definition of LEP and, as a consequence, the number of students selected for second language support services.

Even in states that do have cutoff scores, districts still have considerable flexibility in that limited English proficiency is defined in part by district standards, as well as by achievement tests or language proficiency tests. For example, although students in Connecticut are classified as LEP with a score at or below the 30th percentile on a standardized English-language proficiency test, the students must be "significantly below" average in classes taught in English as indicated by grades in academic subject areas, or show during an interview that they are not orally proficient in English. Also, flexibility is provided by requiring cutoff scores for one form of assessment, but not another.

Systemic Planning

Comprehensive planning is an important element in systemwide initiatives to improve schools. The purpose of a state plan is to specify the conditions that will enable all children to achieve high educational outcomes. According to recent CCSSO documents, such a strong, comprehensive plan should address the following:

1. A common vision of expected student outcomes.
2. Expectations for the schools and learning environments necessary to achieve student outcomes.
3. Strategies to develop and maintain the schools and environments necessary to achieve the student outcomes.
4. Procedures for evaluation of progress on the plan and continual improvements to the plan.

To ensure that LEP students are served within the context of state reform, states should include overall objectives and strategies in their plans, define them in a specific way for LEP students, and explicitly determine how inclusion will be attained. For example, in an effort to improve writing skills for all students, a state might consider how LEP students could be incorporated into this effort. Moreover, to ensure that the needs of LEP students are fully considered throughout the planning process, states with significant LEP

student populations should involve and consult with people who have expertise and interest in the education of LEP students.

At the time of this survey, 34 of the 43 responding states had state systemic plans (or were developing them).⁸ Of the 16 states indicating that they had completed a systemic plan, 8 explicitly mention LEP students in their plans. The other 8 states with complete systemic plans did not make explicit reference to LEP students. Almost all of these latter group of states—except for New York—have small LEP populations (less than 4 percent).

The eight states that explicitly mention LEP students in their plans include Arizona, Florida, Hawaii, Idaho, Illinois, Kansas, Rhode Island, and Texas. In Arizona not only are LEP students mentioned in the state systemic reform plan, but districts are required to show how LEP students are included in district assessment plans submitted to the state. In Florida, the SEA has put forth its vision for systemic reform in a document entitled “Blueprint 2000.” The document specifically mentions LEP students as part of *all* students. Hawaii’s systemic plan makes specific reference to LEP students. In its document entitled “Restructuring the Curriculum,” the characteristics of the restructured program for LEP students are described. In Texas, the plan includes statewide strategies for improving students’ literacy and communication skills. These strategies give special attention to at-risk students, including LEP students. Curriculum goals for LEP students include providing the appropriate language and content area instruction.

Twenty-five states report to have included parents or persons knowledgeable about LEP students in the plan development. Of those states with completed plans or a development process, seven states do not involve such parties in the plan development. In the latter states, the LEP population is less than 4 percent of the state total. Two states (Maryland and Minnesota) do not provide information regarding the process of plan development.

In Arizona, for example, local educators, SEA staff, business and community leaders with knowledge of LEP student education issues have participated in meetings focused on the development of goal statements, standards, and student assessment issues. In Rhode Island, the Department’s educational specialists, with specific expertise in second-language pedagogy as well as the State Advisory Council for LEP students, are involved in all aspects of systemic planning. Last year, the Department’s coordinator of programs for LEP students chaired an important subcommittee of the Department’s Goals 2000 internal planning committee. The State Advisory Council for LEP students is kept apprised of all planning activities within the Department and are asked to provide their input. In Texas, people knowledgeable about LEP issues have been involved in the planning process, including state board of education members and participants at public hearings.

Student Content Standards

Student content standards describe the subject matter knowledge, proficiencies, and dispositions students should gain from their education. Curriculum frameworks or academic goals are another way to describe content standards. In the context of systemic reform, the state’s role is to develop consensus about what students ought to know (content standards) and subsequently to ensure that the challenging expectations apply to all students, including LEP students.⁹

Content Standards and LEP Students

States were asked to indicate whether they had (or were developing) a set of content standards that applied to LEP students and whether LEP students were mentioned for inclusion with regard to any of the standards. Of the 40 states that have or are developing content standards, 38 reported that all apply to LEP students. Utah is the only state reporting that none of its content standards apply to LEP students.

Six of the 40 states explicitly mention LEP students for inclusion in the content standards—Connecticut, Florida, Louisiana, New Jersey, Rhode Island, and Texas.¹⁰ In Louisiana, for example, curriculum frameworks have been developed specifically for LEP students in the areas of English language arts (K-12), science (K-8), and social studies (4-8). In Montana, the standards for communications arts include English as a second language (ESL). Rhode Island, plans to address the needs of LEP students in all the frameworks, and guidance will be provided in terms of recognizing the developmental nature of second-language acquisition and the length of time required to learn and use academic language. In Texas, the state has a required set of curriculum standards referred to as essential elements. All essential elements apply to LEP students. In addition, essential elements address bilingual education and English-as-a-second-language achievement. There are Spanish essential elements for grades pre-K-12. There are also English essential elements that define the English skills necessary for LEP students to fully participate in core subjects in English.

Content Standards and Professional Development

Local districts and schools can facilitate LEP student progress by providing appropriate supports. For example, professional development programs that provide instructional staff with skills for teaching LEP students can enhance the probability that LEP students will demonstrate adequate progress as defined by the state. (see also the section “Professional Development”).

How states were attempting to integrate teachers of LEP students into the broad-based professional development concerns was an indicator of how well the states were attempting to reach all students. If states are to realize the higher learning expectations envisioned in their systemic reform plans, they must develop policies and programmatic strategies aimed at the development of teachers who, beyond anyone else, are instrumental to the learning process.¹¹ Teachers may need to redesign curriculum, rework their practice, and master new content knowledge to fully address the needs of these students in the classroom (Corcoran, 1995).

Twenty-five states reported that they were providing professional development opportunities to teachers (mainstream and ESL/Bilingual) to support achievement of content standards by LEP students and that these opportunities included bilingual teachers. However, in most instances, the descriptions of professional development activities provided showed no direct link to challenging content standards. Although all were important, most of the topics were related to language development and teaching subject matter to LEP students.¹² For example, professional development opportunities in Alaska are available through the continuing education process, bilingual education conferences, and teacher training programs. They cover a broad set of instructional and program-implementation issues, such as language acquisition, multicultural education, classroom organization, and teaching subject matter to Alaskan children. In Alabama, the state has recently implemented a mini grants program that provides funding for ESL workshops. Many districts in the state have jointly planned and implemented these workshops. As a result, the districts have shared ideas, networked, and used available resources more effectively.

Seven states made specific reference to professional development linked to content standards or higher achievement goals (California, Idaho, Michigan, Ohio, Louisiana, Connecticut, Kentucky). In California, professional development linked to the content standards is implemented through a statewide network of subject-matter projects. The networking opportunities are open to both mainstream and ESL/bilingual teachers. In addition, California has focused some of its professional development activities on the coordination of ESL instruction, primary language instruction, and sheltered content instruction to ensure maximal academic and language development. The Connecticut SEA provides professional development services through summer institutes on teaching and learning and statewide conferences and seminars. The institutes’ classes focus on all areas covered by the “Common Core of Learning” and are taught by teachers. The summer

institutes follow a trainer-of-trainers model, which entails working with teams of school district personnel who are expected to train teachers engaged in educating LEP students. The institutes are held for several days and are followed by a three- to five-day on-site component. Topics covered during the summer of 1994 included second-language learning, development of K-3 Spanish language arts curriculum, and alignment of curriculum to the assessment program. Workshops are also held at the local level at the request of school districts. In Idaho, staff development efforts designed to equip teachers with skills and knowledge relevant to the content standards include both mainstream teachers and ESL/bilingual teachers. Every year, approximately 200 teachers are trained to align content standards with ESL instruction.

Nine states indicated that they were planning to provide such professional development opportunities,¹³ and another five indicated that they were not planning to provide professional development opportunities to teachers to support achievement of the content standards by LEP students: Georgia, Pennsylvania, Tennessee, West Virginia, and Wyoming. Although state staff were not asked why this was the case, the negative response may be a function of the small size of the LEP populations in these states.

Student Performance Standards

Student performance standards refer to the levels of knowledge or proficiency students should attain as a result of their education. The same high performance standards that are established for all students are the ultimate goal for LEP students. LEP students should meet the same benchmark standards as all other students, and their progress toward meeting these standards should be both continuous and substantial. LEP students, however, may take more time to meet these standards. In addition, because LEP students are acquiring English-language skills and knowledge that students who arrive in school speaking English already possess, supplemental content standards in English language arts might be developed. Progress toward meeting these content standards would necessitate the establishment of additional performance standards or measures.

Twenty-one states noted that they had performance standards.¹⁴ Of these states, 18 report that the all performance standards apply to LEP students. Maine reports that some performance standards apply, and Utah reports that no performance standards apply. Twenty-six states report that they are developing performance standards.¹⁵ Of these states, all report that they apply to LEP students. Nine states explicitly mention LEP students for inclusion. They include Florida, Georgia, Illinois, Louisiana, Massachusetts, Maryland, Nevada, Rhode Island, and Texas. Florida and Louisiana indicated having additional performance standards that apply only to LEP students. In both of these states, the additional standards that apply only to LEP students are English language arts standards for English-language learners. Nevada and Utah are planning to develop such standards.

Student Assessments

LEP Student and State Assessments

Inclusion of LEP students in the states and district assessment program¹⁶ is an essential ingredient to leverage and support accountability at the local school level. By incorporating students with LEP into state assessment systems, schools, districts, and SEAs will be able to monitor the progress of these students and adjust programs and policies as necessary. Therefore, many educators and researchers agree that states must develop assessments that are appropriate for LEP students and assessment procedures that are inclusive of LEP students.

In Texas, for example, all LEP students must participate in English, Spanish, or alternative assessments. Spanish versions of the state criterion-referenced tests are available at grades 3 and 4 and are being developed for other grade levels. For students whose primary language is not Spanish or for those Spanish-speaking students served in ESL programs, the language proficiency assessment committee (based on criteria developed by the Texas Education Agency (TEA) provides guidelines regarding appropriate alternative and formative assessment strategies in either the students' primary language or English. There is a time limit for all students exempted from the English versions of the state assessments. The state policy is that until Spanish versions of the state assessment are available, LEP students whose native language is Spanish in state-approved bilingual programs may be exempted for no longer than three consecutive years, after which the students must take the English version at subsequent grade levels. Once Spanish versions of the state assessment are available, these students may receive no more than one exemption from the assessment program. A student who upon entry to the program is a nonreader may receive one additional exemption. For no more than two consecutive years following this exemption, a student is eligible to take the Spanish version of the instrument, based on the decision of the student's language proficiency assessment committee. LEP students whose native language is other than Spanish or a student served in an ESL program may be exempted for no more than three consecutive years.

Only five states require LEP students to take state assessments. In three of these states, however, under certain conditions, LEP students may be exempted. Massachusetts and West Virginia are the only states that report no exemptions for LEP students.

- In Massachusetts, under the Education Reform Act of 1993, "Future assessments are to provide LEP students with opportunities for assessment of their performance in the language which best allows them to demonstrate educational achievement and mastery."
- In West Virginia, LEP students must participate in state Comprehensive Test of Basic Skills (CTBS) testing; but counties may opt to exclude LEP students' scores from county composite scores.
- In Georgia, it is the policy of the state to include LEP students in state assessments unless the school, parents, or guardians agree that it is not in the best interest of the student to participate. The decision to exclude students must be documented and justified. When exclusion involves the graduation assessment, a signature of a parent or guardian is required.
- In Virginia, the law requires that all students pass the Literacy Passport Test to be classified as a ninth grader or above and to earn a standard diploma. However, LEP students who have been in a Virginia public school for less than three years may be classified as ninth graders or above, whether or not they have taken and/or passed the literacy tests and are eligible to participate in activities requiring classification above the eighth grade level. However, if they fail to earn the passport on completing their third year in Virginia schools, they lose their classification/grade status and they are required to pass the Literacy Test in order to graduate with a standard diploma.
- In Arizona, LEP students are not exempt from the state ASAPT, which is performance based and given in reading, writing, and math in grades 3, 8, and 12; but LEP students are exempt from norm-referenced testing in the first three years of bilingual programs.¹⁷

Thirty-six states currently exempt LEP students from the statewide assessments required of their English-speaking peers. Seven states (Alabama, Arizona, Ohio, South Carolina, Washington, Wisconsin, West Virginia), however, indicated that LEP students are exempted from some statewide assessments. For many states that exempt LEP students, 22 based their guidelines on number of years in U.S. schools or in bilingual/ESL programs. In these states, after a given number of years (between one and three), LEP students are required to take state assessments.

In Connecticut, Illinois, and Maryland, LEP students in bilingual/ESL programs are exempt from assessment for three years (or less). In Minnesota, LEP students in English-speaking schools are exempt for up to three years. In Oklahoma, they are exempt for up to three years at the discretion of the local school district, provided certain procedures are followed and the district has on file the following information: verification that the student is receiving special instruction designed to improve his or her English proficiency; a record of notifying the LEP students' parents or legal guardians of the Oklahoma School Testing Program and giving them the option of requesting their child be exempted from participating; permission for the exemption from the parents or legal guardians; and verification that the total number of LEP students exempted does not exceed the number of LEP students reported on the district's Accreditation Application for the current school year.

In many states, the limit for assessment exemption is set at two years or less. In Florida and Idaho, students who have been in a special language program for less than two years are exempt. In Kentucky, Louisiana, Michigan, Pennsylvania, Rhode Island, and Utah students enrolled in U.S. schools less than 2 years are exempt. In New York, students who have received less than two years of English instruction are exempt if there are no assessments in their native language. Finally, in South Dakota, the limit is one year in U.S. schools, after which LEP students are expected to take the state assessments.

In some states, like California, the years accrue for children only while they are schooled in English. Thus, in California, LEP students are exempt from state testing if they have been in U.S. schools for less than 30 months unless they are schooled in non-English languages.

Some states base their assessment decision on the language proficiency level of their LEP students. These states include Colorado, Delaware, District of Columbia, Indiana, Maine, Nevada, New Mexico, and Ohio. Some of these states have set specific criteria. In Indiana, for example, students who score at Levels I-III on standardized tests of English proficiency are excluded from state assessments. In Nevada, students are exempt unless they are at Level III and above on the LAS-oral or at Level II and above on the Language Assessment Scale-Reading and Language Assessment Scale-Writing. In New Mexico, a formal language assessment indicating that the student is LEP or nonproficient is grounds for exclusion.

Other states use language proficiency as a criterion, but leave it up to the local districts to decide which LEP students are proficient enough in English to take the state assessments. Following are some examples of criteria: Colorado—non-English speaking or reading; Delaware—based on results of English proficiency tests administered by districts; Ohio—certified limited English proficient at the district level; Maine—unable to read in English (with justification).

In some states, multiple criteria are used to excuse students from statewide assessments. For example, in Alaska, students are exempt if they are non-English speaking (Level A range of an English proficiency test) or limited English proficient (Level B range of an English proficiency test) or are immigrants who have been in U.S. schools for less than three full school years. In Hawaii, students are excused if they have been in school for less than one year or are achieving below grade level. In Alabama, LEP students are exempt from state assessments required of other students, determined by the following criteria: identification as LEP based on state guidelines; receipt of second-language support services; and judgment that the assessment is inappropriate for the student. In Kansas, guidelines include exempt students with scores at Levels I-II of an English proficiency test or expected assessment results that would not accurately measure content knowledge. In New Jersey, LEP students may be exempted from state assessments. Students must meet both of the following criteria to be exempted from the Grade 11 High School Proficiency Tests, grade 8 Early Warning Test, or any diagnostic or standardized tests in English that have not been designed or normed for nonnative speakers of English: (1) fall below the state-established cutoff scores on the LAB or Maculatis Assessment Program; and (2) have participated in a bilingual, ESL, or English Language Services Program for two

consecutive years or less or have attended school in the United States for three consecutive years or less prior to the administration date of the assessment.

Finally, some states leave the decision entirely up to local school districts. These states include South Carolina, Missouri, Tennessee, and Washington. In Missouri, the state does provide some guidance: Guidelines specify that the Missouri Mastery and Achievement Test (MMAT) should be administered to speakers of other languages only if doing so will provide instructionally useful information. Guidelines also stipulate that tests should not be given if it will cause undue frustration or produce useless or invalid scores.

Data on Exempted Students

Although many states exempt LEP students from the standard state assessments in English, 25 states collect data on exempted LEP students. In many states, the data consist of scores on English proficiency tests. Some states—Alabama, Alaska, Kansas, Kentucky, Florida, Hawaii, Kentucky, New Jersey, South Carolina, and Wisconsin—collect data on grades and coursework. Other states—Connecticut, District of Columbia, Hawaii, New York, Rhode Island, and Texas—collect data on assessments in students’ native languages. Some states, such as Florida and Kansas, collect data on the group as a whole on such variables as retention rates and graduation rates, as well as numbers of LEP students meeting their individual learning goals (Florida).

Ten states report data on exempted students to the local education agency (LEA). In 16 states, the data are reported to the SEA.

Native-Language Assessments

In some cases, states provide assessments in students’ native languages. In general, experts in assessment believe that this practice is appropriate for the group of LEP students who are better able to demonstrate content knowledge in their native language, such as those who are receiving instruction through the medium of their native language, or those who may currently receive English-only instruction but who have been educated in their home country and are thus able to demonstrate content knowledge more ably in their native language. It is best if the native-language assessments parallel content assessments and performance standards in English.

In this survey, 12 states (Alaska, Arizona, Connecticut, Delaware, Hawaii, Illinois, New Jersey, New Mexico, New York, Texas, Utah) and the District of Columbia provide assessments in languages other than English. However, only Alaska, Arizona, New Mexico, New York, Texas, and Utah report that these assessments are aligned with state content standards. In New York, for example, Pupil Evaluation Program Tests are available in various grade levels and subjects in Chinese, French, Haitian Creole, and Spanish. The Regents Competency Tests have been translated into numerous languages, including less common languages such as Albanian, Amharic, Burmese, Cambodian, Hindi, Laotian, Serbo-Croatian, and Thai. In addition, some states, such as California, Colorado, Illinois, and Texas report piloting or planning to develop state-wide assessment programs in languages other than English. The overwhelming majority of respondents (30 states) did not answer this question.

Other Accommodations

Because of the diversity within the LEP student population, no single strategy will succeed in including all LEP students in state-level assessments. States are using a variety of approaches to incorporate LEP students into state assessment systems. In Arizona, for example, LEP students who speak a language other than Spanish (there is a Spanish version of the state assessment) are administered the Arizona Student Assessment Program (ASAP)¹⁸ with accommodations that include simultaneous translations, extended time, or oral administration. In Louisiana, LEP students can use bilingual dictionaries. In addition, the ESL teacher can administer state assessments in a small-group setting, repeating directions when necessary or reading

directions in the students' native language. Michigan allows students to use native-language dictionaries. In Ohio, LEP students are given additional time and under certain conditions can receive an oral administration of the assessment or the use of translators. In South Carolina, there is a special rubric for scoring the writing portion of the exit exam for use with LEP students.

Disaggregation of Assessment Data by LEP Status

Assessment results, disaggregated by LEP status when possible, provide schools, districts, and states with important information regarding the progress of these students. Further disaggregation by economic status, whenever possible, would help prevent misattribution of potential differences between LEP and non-LEP students that are due to socioeconomic and other factors, rather than English proficiency.

Very few states disaggregate achievement data by LEP status. Florida, Hawaii, Louisiana, Maine, Ohio, and Washington report disaggregating data by LEP status. In Alabama, the data are coded by LEP status but not reported out. In Arizona and Connecticut, LEP student Spanish achievement scores are disaggregated. This practice will most likely change in many states, however, as a result of IASA's requirements, which call for inclusion of all students in the statewide assessment program, and for the disaggregation of assessments results scores by language status.

Opportunity to Learn

In the survey, we defined opportunity to learn as the “circumstance and conditions provided to assure that each student has the quality of personnel, courses, curriculum, materials, technologies, instructional time, working space, financing, procedures for placement, and provisions for special aid necessary to achieve content and student performance standards.” This is a broad conception of the elements that would compose opportunity-to-learn (OTL) standards. Opportunity-to-learn includes both “system delivery standards” and the more difficult-to-measure factors commonly called “standards for practice” (Darling-Hammond, 1994).¹⁹ Many educational reformers and child advocates assert that without these measures (standards), standards-based reform will not be implemented fairly across schools, given the variability that exists between resource-rich and -poor schools along the dimensions listed previously (Oakes, 1994). These researchers assert that the vision of standards-based reform cannot be fulfilled when the infrastructure does not support educators' commitment to student achievement (Darling-Hammond, 1993). Therefore, along with content and performance standards, many advocates contend that state-developed OTL standards, that would be used as a yardstick, are necessary to determine availability of basic resources and as a vehicle for providing adequate resources and instructional improvements processes to the schools.

To improve the educational performance of LEP students, OTL standards must not only consist of the dimensions listed previously, but must consider a set of factors that are unique to this population, such as provision of first- and second-language instruction; availability of trained ESL and bilingual teachers; and instructional materials that are linguistically appropriate to these students.

In our survey, we asked questions regarding OTL standards and LEP students. We elicited comments regarding the inclusion of LEP students, guidance given to LEAs regarding conditions necessary for LEP students to learn, and strategies that state specialists have found useful in promoting opportunities to learn for LEP students.

Nine states indicated they had OTL standards, and five of these noted that the standards apply to LEP students.²⁰ A review of the elements that comprise these standards show that in almost all cases the description are the same as would be commonly understood as “access or input standards.” They generally describe conditions for receiving state funding; procedures for identification and placement; program options; staffing requirements; parent involvement requirements; and program evaluation requirements (Alaska, Louisiana).

In Florida, mostly as a consequence of a consent decree, the SEA and LEAs are required to undertake certain actions to ensure equitable education. In addition to those elements listed previously, districts must monitor the performance of LEP students while in language-support programs and after exiting these programs; and the districts must describe how LEP students will gain access to instructional and noninstructional services that other students receive. Alabama, Maryland, Minnesota, Utah, and Ohio indicated they had OTL standards; but with the exception of Alabama, it is not clear whether the standards apply to LEP students because the states did not indicate so in their responses. However, in all of these states, there are laws, regulations, or other guidelines that describe how LEP students should be served. Also, state leadership is exerted by means of policy statements, written materials (guidebook, handbooks) that are widely disseminated, and technical assistance services (workshops).

Twenty-six states answering this question noted that they had no OTL standards in place. Nonetheless, the “input” elements that might be considered a part of OTL standards have been part of several states requirements for many years. The problems that some educators have with these regulations and guidelines is that even when these factors are present, they have failed as predictors of positive results (Brown, 1994). Thus the presence of these input factors does not ensure that students have been given the opportunity to learn. Most of these states have laws, regulations, or guidance that provide direction to local schools districts regarding how these students should be served.

No differences appeared among states, by size of LEP population, with respect to the key “access” requirements listed previously. States with large concentrations of LEP students, however, had more extensive sets of requirements, were in some cases more prescriptive in their guidance to LEAs, and in some instances used additional dollars to augment services to these students. In California, for example, the legal mandate specifies that LEP students should receive instruction in English-language development, content through the primary language when appropriate, and academic instruction through specifically designed English approaches. Also, districts are advised to provide students with instruction that promotes cross-cultural understanding. In New Mexico, New York, and Texas, additional state funds are made available to districts wanting to implement bilingual programs or provide other specialized service to LEP students. Texas indicated that essential elements for primary-language instruction for grades pre-K-6 and ESL for grades pre-K-12 help provide LEP students the opportunity to learn. In addition, textbooks are provided to help students meet these learning goals. They include bilingual pre-kindergarten and kindergarten systems; Spanish basal readers 1-5; Spanish supplementary readers 1-5; Spanish math 1-5; Spanish science 1-5; Spanish social studies 1-5; and ESL systems, 1-12. States with smaller concentrations of LEP students provided guidance through written materials (handbooks, resource guides) and occasional workshops. Finally, six states did not have OTL standards or any other forms of guidance to LEAs regarding services to LEP students. In all of these states, LEP enrollment is less than 4 percent of overall student enrollment.²¹

Title VI of the Civil Rights Act of 1964 and Equal Education Opportunity Act

An element of opportunity to learn that has not been included in our discussion has to do with school and school district obligations under the Title VI of the Civil Rights Act of 1964.²² This issue is pertinent to the education of LEP students because simply providing access to the school’s English-language academic programs is not a guarantee of equal education opportunities to LEP students. Many of these students cannot benefit from such instruction because they do not understand the language of instruction. To ensure equal access to LEP students, schools must “take affirmative steps to rectify the language deficiency in order to open instructional program to these students” (U.S. Department of Education, Office for Civil Rights, (OCR), May 25th, 1970 Memorandum). That is, schools must design an intervention strategy to ensure effective participation of LEP students in the total education program. Thus, LEP students’ opportunity to learn is denied when schools fail to provide these services. Although schools have flexibility in designing interventions that are most appropriate, many educators, researchers, and policymakers concur that LEP students

must be provided with a sequential and coherent set of experiences that enable them to achieve to high standards while acquiring the second language.

It is the responsibility of both state and federal governments to ensure that local school districts are aware of these civil rights protections and that districts comply by providing and supporting the most appropriate set of instructional services. Although access to ESL courses is insufficient to ensure the academic success of LEP students, access is a necessary requirement toward achieving this goal.

Because in recent years federal civil rights activities have been curtailed, we wanted to ascertain the nature of the states' leadership role in this area. Thirty-seven states indicated that they provided LEAs with guidelines that outlined the district's obligations under Title VI and EEOA. These guidelines are developed or disseminated by the Equity, ESL/Bilingual, Compliance, or Federal Programs unit of the SEA. In most of the states answering this question, the guidelines are a product of collaboration across units of the SEA. In Louisiana, for example, the guidelines are developed by the Bilingual/English for Speakers of Other Languages (ESOL) section, and the office of educational support; in Indiana, guidelines come from Title IV and the Title VII consultants. The pattern varies significantly across the states. In addition to developing and disseminating guidelines, state agencies provide technical assistance to districts on civil rights compliance issues. These activities are similar in the form of delivery but vary across states in terms of scope of topics included in the sessions. Some states focus narrowly on compliance issues; others focus more broadly on issues of teaching and learning. In Kansas, for example, site monitoring includes an ethnography approach that solicits family views on students' needs and also assesses school program capabilities. In Massachusetts, technical assistance is provided by the Office of Curriculum and Instruction and includes topics such as multicultural education and how to review materials for bias or stereotypes. In New Mexico, technical assistance consists of providing information at inservice workshops and conferences, on the phone, through written communications, and during on-site visits. Finally, in Montana, the National Origin program of the Equity Division provides training in second-language learning, teaching content to second-language learners, and appropriate interventions for these students.

Lack of guidelines does not seem to be indicative of a lack of initiative in this area.²³ Four of the nine states that do not have state-developed guidelines, nonetheless, provide other forms of guidance to the LEAs on this issue. For example, Colorado includes the following topics in technical assistance programs: LAU Compliance, Bilingual/ESL program overviews, program staffing, multicultural education, diversity training, and preventing sexual harassment.

Important Strategies for Providing LEP Students an Opportunity to Learn

One of the goals of the project was to identify a set of strategies or practices that states have found important in improving services to LEP students. States were asked to reflect on their experiences in coordinating efforts that target LEP students and to identify those practices they have found most helpful in meeting their policy or program goals.

Eighteen states answered this question. We found no difference in the types of issues viewed as important, based on the size of LEP student population. The most often cited areas of importance in promoting LEP students' opportunity to learn was state guidance regarding the area of curriculum and instruction (10 states). In Connecticut and Rhode Island, for example, SEA officials believed that technical assistance to districts in the areas of ESL instruction, sheltered instruction, integration of students in mainstream activities, and native-language instruction was important. Another theme that appeared often in the states' comments regarding effective strategies was fuller integration between the students language development and content area instruction. This issue was cited as important in Georgia, Illinois, Utah, and Indiana. Indiana respondents noted that thematic organization of the curriculum, semantic mapping, use of trade books, and integrating students experiences into the instructional practice are also important. Five states noted that state

guidance regarding program “inputs” were important. Ohio respondents summarized these key elements as follows:

- Inform all school districts of their obligations to LEP students as specified in Title IV of the Civil Rights Act of 1964, in the 1974 U.S. Supreme Court decision in *Lau vs. Nichols*, and in the Office for Civil Rights publication *The Provision of an Equal Educational Opportunity to Limited English Proficient Students*, 1992.
- Provide written guidelines and materials to school districts to assist them in designing, implementing, and monitoring programs to meet the needs of LEP students.
- Provide training and sharing of successful models through statewide conferences and regional and local workshops.
- Provide guidelines, technical assistance, resource materials, and networking opportunities in response to numerous requests made to the Lau Center for assistance by school districts across the states.

Two other areas of importance most often cited by states were staff development (four states) and outside collaboration and support (three states). Comments regarding professional development focused on both preservice training and inservice training of all teachers with LEP students in their classrooms. Kansas suggested training mainstream teachers to support first-language development and build strong home-school connections. New Mexico recommended the use of paraprofessionals with proficiency in English and the home language, under the direction of an endorsed bilingual teacher. In Utah, the SEA staff found that the use of the native language as a medium of instruction was particularly useful. Many of the other respondents also cited the use of the primary language as useful.

Although not often mentioned by the states, a few other strategies merit attention because they were atypical. For example, Louisiana staff noted that having an 800 phone number allowing parents, teachers, paraprofessionals, and students to communicate concerns to the SEA was important in meeting the needs of language-minority students generally, and LEP students in particular. In Alaska, reporting requirements such as the Bilingual Plan of Service approval process, language assessment reports, and evaluation reports were considered important in providing LEP students with an opportunity to learn.

Teacher Licensing

A teacher’s level of education is not solely a sufficient requirement for promoting high levels of student performance. However, in the context of LEP students, appropriate preservice preparation in second-language development and teaching methodologies is an important indicator of opportunity to learn for LEP students. In the survey, we asked questions about licensing standards that applied to teachers of LEP students, such as ESL and Bilingual certification standards. We were particularly interested in pending changes in the licensing standards that were related to the states systemic reform initiatives. Thirty-two states indicated that they had licensing requirements that applied to teachers of LEP students. The licensing requirements do not differ significantly across these states. In almost all cases, the minimum requirement to teach in a bilingual or ESL classroom is a teaching certificate and bilingual or ESL endorsements.²⁴ Some states reported additional requirements, such as tests of basic skills, subject-matter knowledge, and on-site teaching performance.²⁵ Florida respondents noted that institutions of higher education have begun to include courses leading to ESOL endorsement as part of their program to train elementary school teachers. Not all state respondents described the specific areas of training required for bilingual or ESOL certification. Across states, however, we found similarities in the fields of study generally prescribed at the preservice level. They include coursework in linguistics; culture and society; second-language theory, teaching methods, and materials; and multicultural education.

Eleven states have an alternative route to earning authorization to teach LEP students.²⁶ The practice of allowing noncertified teachers to work with LEP students can help alleviate the teacher shortage problem faced by many districts with a large inflow of LEP students. For example, the teacher shortage in the large urban school districts is about twice that of the national average (Casserly, 1994). All states with alternative routes to certification place certain requirements on teachers working under provisional status. For example, some states require that teachers accumulate a minimum number of university credit hours in specific areas during the period of employment. This is true in California (24 credits), Connecticut, Hawaii, Illinois, and Texas.²⁷ In Colorado, these teachers receive mentoring and must complete an individually designed teacher preparation program during the period of employment. In Massachusetts, a certification review panel provides an alternative route to certification for candidates who appear to meet the requirements through both experience and formal education but have not satisfied all specific certification requirements. Candidates must have at least five years of documented full-time professional experience relevant to the certification standards.

Professional Development

Recent assessment of professional development approaches shows that current practices are often ineffective because they lack coherence and intensity (Corcoran, 1995). If professional development is to result in the improvement of instruction and learning, it must be linked to district and to school goals. Reformers claim that professional development approaches that serve both the individual interest of the teacher (professional networks) and the needs of the schools (school-based) are of greater value to the school system and the students they serve (e.g., Fullan, 1991). These approaches allow teachers to acquire new knowledge, construct new understandings about their practice, test out and refine ideas, and share experiences with their colleagues. Over time these opportunities are believed to result in improved classroom practice.

Using these descriptors as a guidepost for examining state practices in this area, we asked states to indicate whether the state-supported professional development activities were subject-matter based or school based and to briefly describe these activities. Responses show that most states (26 states of 39) support both approaches to staff development. Few states, however, provided examples of the types of discipline-based staff development activities they supported. Respondents also gave few examples of professional development efforts that are designed to help school staff meet specific school-based goals. Notable exceptions were California, Kentucky, Hawaii, Connecticut, and Illinois. In Illinois, professional development opportunities address school-based needs and priorities. Regional and statewide training are subject-matter based. Like Illinois, Kentucky schools design and select professional development activities to meet the needs of the teaching staff. These activities are discipline based, integrated, and focused on research-based instructional strategies that support improvements in student performance. Other states noted that some professional development activities are directed at building teams, whereas other activities are directed at specific disciplines without further elaboration. Hawaii and Connecticut provided examples of how these activities focus on the education of LEP students. State staff noted that subject-matter-based activities include university courses dealing with content-area instruction for LEP students. The school-based activities have addressed topics such as “adjustment needs of immigrant students,” “classroom management,” and “multicultural education.”

We also asked states to identify the main needs of teachers and other school personnel in helping LEP students meet the state standards. Collectively, states identified a long list of staff development and other needs that can be grouped into the following general categories:

- Curriculum and Instruction
- Assessment of LEP students

- Appropriate materials
- Funding
- Coping with cultural diversity
- A shortage of teachers who can effectively teach these children

Not surprisingly, the category in which the most needs were cited was curriculum and instruction—and within this area, the need for teachers to become more familiar with the second-language acquisition process and the need to integrate language and content instruction. Remarkably, few states identified “bilingual education” as a need. Instead, the needs were more broadly defined as providing staff development opportunities to mainstream teachers so that they can help students reach high academic expectations. Thus, training in second-language development, effective instructional practices in both languages, and primary language instruction seemed to be viewed as important as methods for helping children master content knowledge and skills. These responses seem to indicate an emerging recognition at the state and local level that the teaching of content knowledge is critical to the success of LEP students.

There were no major differences by size of LEP population in the types of needs identified by the SEA. Low-incidence states, however, placed emphasis on the need for greater networking among teachers of LEP students who are geographically isolated. Examples of state responses representing the range of answers to this question are as follows:

- California state staff identified the main staff development needs of teachers as (1) understanding assessment procedures for purposes of placement in a bilingual, English-language development or SDAIE setting;²⁸ (2) understanding how ESL instruction, primary language instruction, and SDAIE for content instruction fit together to create a powerful program for English-language acquisition; (3) use of effective methodologies in bilingual, ESL, and SDAIE settings (scaffolding to emphasize learning of complex skills, cooperative learning); and (4) understanding and integrating second-language learners’ cultural background and building schema that draws from their background.
- In Connecticut, the needs listed included qualified staff, special materials, training of mainstream staff in dealing with LEP students, programs for low-incidence populations, special education needs, programs to help the LEP family (both children and parents), and administrative support for LEP students.
- In Texas, the SEA staff noted that school staff need appropriate materials and staff development to deal with students (their educational needs and cultural backgrounds) who are new arrivals and who many times have not had much, if any, formal education in their native country. This may be more apparent for students coming from Central and South America and Mexico than from other countries. Many teachers seem to assume that all LEP students should be treated the same way, to the detriment of the students. The task of trying to help these students pass the Texas Assessment of Academic Skills (TAAS) is difficult when the test is in English and these students are having difficulty with the language and vocabulary.

Finally, states were asked to identify obstacles faced by teachers in serving LEP students. Few states provided answers to this question, and the obstacles listed were similar in content to the “needs” previously identified by the states. Reported obstacles can be summarized as follows:

- Lack or inadequate training of teachers
- Lack of university courses to prepare teachers

- Lack of funding for training and materials
- Limited supply of teachers in the rural areas
- Lack of training in Native American languages (cited by one state)

All these obstacles have been previously cited in reports addressing the needs of LEP students (Lara, 1995; Minicucci and Olsen, 1993; August, Hakuta & Pompa, 1994).

State Education Agency Organization

The systemic reform policy framework posits that at every level of the educational infrastructure, fundamental changes must be realized to support teaching and learning in ways that lead to positive achievement outcome for all students. Systemic change means a shift from categorical organization at the state level to a more functional structure. As of August 1995, 43 states have started the process of restructuring their SEAs (CCSSO, 1995). States generally are reorganizing line and staff relationships by function, student developmental level, or a combination of both approaches. Because the information collected through this survey was intended to serve as baseline data on SEA activities and overall function, we documented how the delivery of services to LEP students is organized at the state level, and what impact, if any, realignment of the agency is likely to have on those units.

Thirty-eight states identified the unit or division of the SEA in which the second-language support unit (or person) was housed. Responses show that this unit is housed in various divisions or offices of the SEA. Fifteen states cited the Curriculum and Instruction division, eight states cited the School Support unit, four states cited the Equity unit, and three states cited the Federal Programs unit. Several states indicated that they had organized along functional lines so that technical assistance related to curriculum and instruction was part of the curriculum unit, while the functions related to monitoring for compliance were housed in another division of the SEA. In California, the Curriculum and Instruction branch is organized by developmental level—elementary, middle, high school, and student performance.²⁹ In Delaware, the Bilingual/ESL Education Specialist, housed in the Curriculum and Instruction unit, is also a member of various cross-cutting teams. A similar collaborative team approach was cited as valuable in Alaska, the District of Columbia, Idaho, Utah, and Wisconsin. Alaska staff noted that “while lead expertise will come from the bilingual consultant, there are plans to raise the level of expertise of LEP students needs among Title I staff.” Wisconsin noted that the establishment of the teams within the agency may better infuse equity into the SEA functions and responsibilities. The Illinois SEA has been reorganized by Centers, with several subdivisions within each Center. The unit responsible for leadership in the area of LEP student education is housed in the Center for Educational Innovation and Reform, which appears to be the organizational unit responsible for curriculum and instructional leadership. In the remaining states, the bilingual/ESL person (or unit) was housed in the Special Programs (four states), National Origin (one state), or Student Development unit (one state).

Technical Assistance Needs

The Improving America’s School Act of 1994 calls for a restructuring of the technical assistance networks supported by the federal government. Consistent with new management and organizational philosophies that have informed state realignment decisions, the regional technical assistance centers will no longer be specialized by categories of students.³⁰ Instead, the new Comprehensive Centers will serve all students (poor, LEP, migrant, homeless, Native American) within their region. Information regarding technical assistance needs of the SEA would be useful not only to the Centers, which will need to work at both the state and

local level, but also to Council staff as they develop design efforts to build state-level capacity. The survey contained a forced-response question that asked states to identify technical assistance needs in four areas:

- Developing the Goals 2000 plan
- Providing LEP students access to content standards
- LEP student assessment
- Teacher preparation and development

There was also an open-ended “other” category included in this item. Responses indicated that all these categories were important to the states. Not surprisingly, the top category of technical assistance need identified by the SEA staff was in the area of assessment. Providing access to the content standards (28 states), working on the development of the Goals 2000 plans (26 states), and working on teacher preparation and development (24 states) were areas of technical assistance need frequently identified by the states.

Endnotes

- ¹ The title of the survey is “State Systemic Education Planning Supplemental Survey: Services to Limited-English-Proficient Students.”
- ² The Stanford Working Group was comprised of a small group of researchers, educators and advocates who with support from the Carnegie Foundation convened a series of meetings focusing on LEP students and federal legislation. The meetings resulted in a set of policy recommendations documented in the following documents: For All Students: Limited English Proficient Students and Goals 2000, and LEP Students and Title 1: A Guidebook for Educators.
- ³ Since November of 1994, 23 new Chief State School Officers have been appointed or elected to administer the state education agencies.
- ⁴ For additional information, please see *Summary of State Practices Concerning the Assessment and Data Collection about Limited English Proficient Students* (CCSSO, 1991) and *Survey of Bilingual Education: SEA Program Survey of LEP Persons and Available Education Services, 1993-94* (Development Associates, 1994).
- ⁵ An individual who (1) was not born in the United States or whose native language is a language other than English and comes from an environment where a language other than English is dominant; or (2) is a Native American or Alaska Native or who is a native resident of the outlying areas and comes from an environment where a language other than English has had a significant impact on such individual’s level of English language proficiency; or (3) is migratory and whose native language is other than English and comes from an environment where a language other than English is dominant; and has sufficient difficulty speaking, reading, writing, or understanding the English language and whose difficulties may deny such individual the opportunity to learn successfully in classrooms where the language of instruction is English or to participate fully in our society.
- ⁶ Definition endorsed by CCSSO: A limited English proficient (LEP) student has a language background other than English, and his or her proficiency in English is such that the probability of the student’s academic success in an English-only classroom is below that of an academically successful peer with an English language background.
- ⁷ This is expected to change given the provisions of Title I of the IASA, which requires the inclusion of LEP students in the state assessment program.
- ⁸ The survey questionnaire asked states whether they had developed or were in the process of developing a “systemic plan” not a Goals 2000 plan which have since become the states’ systemic reform plan in many states. State staff received the LEP supplement at the same time they were preparing to submit their Goals 2000 applications.
- ⁹ Advocates for LEP students (Stanford University Working Group, 1994) have recommended the following strategy to ensure that LEP students concerns are factored into the national, state, and local discussions concerning the development of content standards:
 - Content standards that reflect the best available knowledge about how LEP students learn and how the content can be most effectively taught to them. For example, many LEP students will be acquiring content knowledge and skills in their second language. For this reason, LEP students will benefit from any formulation of “overarching” standards by related disciplines (i.e., critical thinking skills, ability to communicate clearly).

- Supplemental content standards in English language arts that accommodate LEP students' need to acquire English language skills that students who arrive in school speaking English already possess.
- Content and assessment standards that define the native language arts skills and knowledge of LEP students in bilingual education classes.
- Foreign language standards that are developmentally appropriate for and rigorous enough to incorporate competencies demonstrated by native speakers of languages other than English.
- Content standards that incorporate the cultural background and life experiences of linguistically diverse children and reflect the diversity of the United States.

¹⁰ CCSSO's 1995 Baseline Report indicates that 46 states have completed content standards in at least one content area.

¹¹ The term *professional development* was not defined in the LEP Supplement. The question asked is the following: "Is your state providing or planning to provide continuing professional development opportunities to teachers to support achievement of the content standards by LEP students?" The purpose of the question was to elicit general comments regarding the activities that states had begun in this area to ensure that teachers acquire the knowledge of content and the pedagogy to change their practice.

¹² These topics are important to ensure that teachers are prepared to meet the instructional needs of LEP students. However, the question asked for examples of professional development activities that prepared teachers for more challenging academic expectations.

¹³ States in the process of developing these in-service training opportunities are Massachusetts and Colorado.

¹⁴ States were not asked whether they had performance standards for each discipline area. Instead the question asked was more general: "Does the state currently have a set of performance standards?" Therefore, if the response was positive it could mean that the state has performance standards in one discipline area or in all discipline areas. It could also mean that states have performance standards that are general (graduation standards, second language learning) and are not linked to the content standards. As was the case with questions regarding content standards, the objective was to ascertain whether the expectations applied to LEP students.

¹⁵ Note that some states that have performance standards are also developing content standards.

¹⁶ Refer to CCSSO and NCREL "State Student Assessment Programs Database" (June, 1995) for additional information on state assessments. This report also contains some information regarding state policies and practices concerning LEP student assessment.

¹⁷ Since the analysis of survey data in this report the state of Arizona's assessment program has been revamped.

¹⁸ This assessment program is currently under review.

¹⁹ Darling-Hammond (1994) makes a distinction between "standards for delivery system" and "standards for practice." The *standards for delivery system* focus on availability of basic resources such as funding, qualified teachers, educational facilities, and materials to students. The *stan-*

dards for practice consider such factors as school climate, curriculum and assessment, teaching and learning, and professional inquiry and development. These get at the quality of the educational experience students have in the classroom.

- 20 Nine states with OTL standards are Alaska, Alabama, Louisiana, Massachusetts, Maryland, Minnesota, Ohio, Utah, and Florida.
- 21 States in this category were Kentucky, Iowa, Missouri, South Dakota, and Wyoming.
- 22 Title VI of the Civil Rights Act prohibits discrimination on the basis of race, color, or national origin in programs and activities that receive federal financial assistance.
- 23 Some states use the guidelines developed by the Office for Civil Rights in *The Provision of Equal Education Opportunity to Limited English Proficient Students, 1992*.
- 24 At the middle school and high school levels, states require additional specialization in the content areas.
- 25 States requiring prospective teachers to pass a test of English language communications skills (oral and written) are Colorado, Connecticut, Illinois, Massachusetts, Michigan, Minnesota, New Jersey, and New York.
- 26 States with alternative route to licensure are California, Colorado, Connecticut, the District of Columbia, Hawaii, Idaho, Illinois, Massachusetts, Michigan, and New Mexico.
- 27 Other states may have similar course requirements, but they did not describe them.
- 28 SEDAI—Specially Designed Academic Instruction in English.
- 29 Source: 1995 organizational chart for the state of California.
- 30 Special education is the one exception.

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Abbreviations Used in This Report

CCSSO	Council of Chief State School Officers
EEOA	Equal Employment Opportunity Act
ESOL	English for speakers of other languages
IASA	Improving America's Schools Act of 1994
LAS	Language Assessment Scales
LEA	local education agency
LEP	limited English proficiency
MMAT	Missouri Mastery and Achievement Tests
SEA	state education agency
SEDAI	Specially Designed Academic Instruction in English

Glossary of Terms Used in this Report

Student Content Standards describe the **subject matter**, knowledge, proficiencies, and dispositions students should gain from their education.

Student Performance Standards refer to the **levels** of knowledge or proficiency students should manifest as a result of their education.

Student Assessments include those instruments used by states to evaluate student academic performance in a range of content areas.

Opportunity-to-Learn Standards describe the circumstances and conditions provided to assure that each student has the quality of personnel, courses, curriculum, materials, technologies, instructional time, working space, financing, procedures for placement, provisions for special aid, and other services necessary to achieve content and student performance standards. The term is used to indicate these circumstances and conditions in the aggregate. Although states may not have used this term to describe these conditions, the factors included have been part of the requirements of many states.

ESL: English as a Second Language programs acknowledge the linguistic ability differences between the student's native language and English, and incorporate English instructional activities to enhance school language learning.

Bilingual Education programs use the native language as a bridge to the total submersion of the student in English.

Student Outcome Standards describe the knowledge, dispositions, abilities, and behaviors students should gain from their education.

EEOA: Equal Education Opportunity Act 1974 A federal law that prohibits states from denying educational opportunity to an individual on account of his or her race, color, sex or national origin in any program or activity receiving Federal financial assistance.

Title VI of the Civil Rights Act of 1964 prohibits discrimination and segregation on the basis of both race and national origin.

Part 2

State-by-State Charts of Responses to Survey

Limited English Proficient Students Content Standards

STATE	State Currently Has Student Content Standards	Student Content Standards Apply to LEP Students	State Developing Student Content Standards	Student Content Standards in Development Will Apply to LEP Students	Explicit Mention of LEP Students for Inclusion in Student Content Standards*	State Providing or Planning to Provide Professional Development to assist LEP Students in Achieving Student Content Standards
AK	Y	All	Y	All	Y	Y
AL	Y	All	Y	–	N	Y
AZ	Y	All	Y	All	N	PP
CA	Y	All	Y	–	Y	Y
CO	N	N/A	Y	All	N	PP
CT	Y	All	Y	All	Y	Y
DC	Y	All	Y	All	N	Y
DE	N	N/A	Y	–	N	PP
FL	Y	All	Y	All	Y	Y
GA	Y	All	N	N/A	N	N
HI	Y	All	N	N/A	–	Y
IA	N	N/A	N	N/A	–	–
ID	Y	All	N	N/A	N	Y
IL	Y	All	N	N/A	N	Y
IN	Y	All	N	N/A	N	Y
KS	Y	All	N	N/A	N	Y
KY	Y	All	N	N/A	N	Y
LA	Y	All	Y	–	Y	Y
MA	Y	All	Y	All	–	Y
MD	Y	All	Y	All	N	Y
ME	N	N/A	Y	All	N	–
MI	Y	All	Y	All	N	Y
MN	Y	All	Y	Some	N	PP

Key: All = All Standards Apply
Y = Yes

None = No Standards Apply
N = No

Some = Some Standards Apply
– = Data Not Available

PP = Planning to Provide

* For example, some states have standards that apply to all students but do not *explicitly* mention their applicability to specific categories of students.

Note: CCSSO did not receive responses from states not listed.

Source: CCSSO State Systemic Education Planning Supplemental Survey: Services to Limited English Proficient Students, 1994.

Limited English Proficient Students Content Standards

STATE	State Currently Has Student Content Standards	Student Content Standards Apply to LEP Students	State Developing Student Content Standards	Student Content Standards in Development Will Apply to LEP Students	Explicit Mention of LEP Students for Inclusion in Student Content Standards*	State Providing or Planning to Provide Professional Development to assist LEP Students in Achieving Student Content Standards
MO	N	N/A	Y	All	N	PP
MT	N	N/A	Y	Some	-	-
NJ	Y	All	Y	All	Y	Y
NM	Y	All	N	N/A	N	Y
NV	Y	All	N	N/A	N	PP
NY	Y	All	N	N/A	N	Y
OH	Y	All	Y	All	N	Y
OK	Y	All	N	N/A	N	Y
PA	N	N/A	N	N/A	-	N
RI	N	N/A	Y	All	Y	PP
SC	Y	All	Y	All	N	Y
SD	N	N/A	Y	All	N	Y
TN	Y	All	N	N/A	N	N
TX	Y	All	Y	All	Y	Y
UT	Y	None	-	-	N	PP
VA	Y	All	Y	All	N	Y
WA	Y	All	Y	All	-	Y
WI	Y	All	Y	All	N	PP
WV	Y	All	Y	All	N	N
WY	N	N/A	N	N/A	N	N

Key: All = All Standards Apply
Y = Yes

None = No Standards Apply
N = No

Some = Some Standards Apply
- = Data Not Available

PP = Planning to Provide

* For example, some states have standards that apply to all students but do not explicitly mention their applicability to specific categories of students.

Note: CCSSO did not receive responses from states not listed.

Source: CCSSO State Systemic Education Planning Supplemental Survey: Services to Limited English Proficient Students, 1994.

Limited English Proficient Students Student Performance Standards

STATE	State Currently Has Student Performance Standards	Student Performance Standards Apply to LEP Students	State Developing Student Performance Standards	Student Performance Standards in Development Will Apply to LEP Students	Explicit Mention of LEP Students for Inclusion in Student Performance Standards*	State Has Additional Performance Standards Applying <u>ONLY</u> to LEP Students
AK	Y	All	Y	All	N	N
AL	Y	All	Y	All	N	N
AZ	N	N/A	Y	All	N	N
CA	N	N/A	N	N/A	-	N
CO	N	N/A	Y	All	N	N
CT	Y	All	Y	All	N	Y
DC	Y	All	Y	All	N	N
DE	N	N/A	Y	-	N	N
FL	N	N/A	Y	All	Y	Y
GA	Y	All	N	N/A	Y	N
HI	Y	All	-	-	-	-
IA	N	N/A	N	N/A	-	N
ID	Y	All	-	-	N	N
IL	N	N/A	Y	All	Y	N
IN	Y	All	-	-	-	N
KS	Y	-	Y	All	N	N
KY	Y	All	-	-	N	N
LA	Y	All	-	-	Y	Y
MA	N	N/A	Y	All	Y	N
MD	Y	All	Y	All	Y	N
ME	Y	Some	N	N/A	-	N
MI	N	N/A	Y	All	N	N
MN	N	N/A	Y	-	N	N

Key: All = All Standards Apply
Y = Yes

None = No Standards Apply
N = No

Some = Some Standards Apply
- = Data Not Available

PD = Planning to Develop

* For example, some states have standards that apply to all students but do not *explicitly* mention their applicability to specific categories of students. Refer to current or developing standards.

Note: CCSSO did not receive responses from states not included in the chart.

Source: CCSSO State Systemic Education Planning Supplemental Survey: Services to Limited English Proficient Students, 1994.

Limited English Proficient Students Student Performance Standards

STATE	State Currently Has Student Performance Standards	Student Performance Standards Apply to LEP Students	State Developing Student Performance Standards	Student Performance Standards in Development Will Apply to LEP Students	Explicit Mention of LEP Students for Inclusion in Student Performance Standards*	State Has Additional Performance Standards Applying ONLY to LEP Students
MO	N	N/A	Y	All	N	N
MT	N	N/A	-	-	-	-
NJ	Y	All	Y	All	N	N
NM	N	N/A	N	N/A	-	-
NV	N	N/A	Y	All	Y	PD
NY	N	N/A	Y	All	N	N
OH	Y	All	Y	All	N	N
OK	Y	All	Y	All	N	N
PA	N	N/A	N	N/A	-	-
RI	N	N/A	Y	All	Y	N
SC	Y	All	-	-	-	N
SD	N	N/A	-	-	-	-
TN	N	N/A	N	N/A	N	N
TX	Y	All	Y	All	Y	N
UT	Y	None	-	-	N	PD
VA	Y	All	Y	All	N	N
WA	N	N/A	Y	-	-	-
WI	N	N/A	Y	-	N	N
WV	Y	All	Y	All	N	N
WY	N	N/A	N	N/A	N	N

Key: All = All Standards Apply
Y = Yes

None = No Standards Apply
N = No

Some = Some Standards Apply
- = Data Not Available

PD = Planning to Develop

* For example, some states have standards that apply to all students but do not *explicitly* mention their applicability to specific categories of students. Refer to current or developing standards.

Note: CCSSO did not receive responses from states not included in the chart.

Source: CCSSO State Systemic Education Planning Supplemental Survey: Services to Limited English Proficient Students, 1994.

Limited English Proficient Students Student Assessments

State	LEP Students Exempted from State Assessments	Data Collected on Exempted LEP Students	Collected Data on Exempted LEP Students Reported	Assessments Available in Languages other than English	Native Language Assessments Aligned with Content Standards	Plans to Develop Native Language Assessments	State Reports Data on Achievement by LEP Status
AK	Y	Y	Y	Y	–	N	Y
AL	Y	Y	N	N	N	N	N
AZ	Y	Y	Y	Y	–	–	Y
CA	Y	Y	Y	N	N	Y	Y
CO	Y	N	N/A	N	–	Y	N
CT	Y	Y	Y	Y	N	N	Y
DC	Y	Y	Y	Y	N	Y	N
DE	Y	Y	Y	Y	N	–	N
FL	Y	Y	Y	N	–	N	N
GA	N	N	N/A	N	–	N	N
HI	Y	Y	Y	Y	Y	–	Y
IA	–	–	–	–	–	–	N
ID	Y	Y	Y	N	N	N	N
IL	Y	Y	Y	Y	–	N	–
IN	Y	N	N/A	N	–	N	N
KS	Y	Y	Y	N	–	N	N
KY	Y	Y	Y	N	–	N	N
LA	Y	Y	Y	N	–	N	Y
ME	Y	Y	Y	N	–	N	Y
MA	Y	--	--	N	–	Y	N
MD	Y	Y	–	N	–	N	N
MI	Y	N	N/A	N	–	N	N
MN	Y	N	N/A	N	–	N	N

Key: All = All Standards Apply
Y = Yes

None = No Standards Apply
N = No

Some = Some Standards Apply
– = Data Not Available

PP = Planning to Provide

Note: CCSSO did not receive responses from states not listed.

Source: CCSSO State Systemic Education Planning Supplemental Survey: Services to Limited English Proficient Students, 1994.

Limited English Proficient Students Student Assessments

STATE	LEP Students Exempted from State Assessments	Data Collected on Exempted LEP Students	Collected Data on Exempted LEP Students Reported	Assessments Available in Languages other than English	Native Language Assessments Aligned with Content Standards	Plans to Develop Native Language Assessments	State Reports Data on Achievement by LEP Status
MO	Y	N	N/A	N	–	N	N
NJ	Y	Y	Y	Y	–	N	N
NM	Y	N	N/A	Y	Y	–	N
NV	Y	Y	Y	N	–	N	N
NY	Y	N	N/A	Y	Y	–	Y
OH	Y	Y	Y	N	–	N	Y
OK	Y	N	N/A	N	–	N	N
PA	Y	N	–	N	–	N	N
RI	Y	Y	Y	N	–	N	N
SC	Y	Y	N	N	–	N	N
SD	Y	N	N/A	N	N	–	N
TN	Y	N	N/A	N	–	N	N
TX	Y	Y	Y	Y	–	Y	Y
UT	Y	Y	Y	Y	Y	–	N
VA	N	–	–	N	–	N	N
WA	Y	Y	Y	N	–	–	Y
WI	Y	N	N/A	N	–	N	N
WV	N	–	–	N	–	N	N
WY	N	–	–	N	N	N	N

Key: All = All Standards Apply
Y = Yes

None = No Standards Apply
N = No

Some = Some Standards Apply
– = Data Not Available

PP = Planning to Provide

Note: CCSSO did not receive responses from states not listed.

Source: CCSSO State Systemic Education Planning Supplemental Survey: Services to Limited English Proficient Students, 1994.

Limited English Proficient Students Opportunity-to-Learn Standards

STATE	State Currently Has Opportunity-to-Learn Standards	Opportunity-to-Learn Standards Apply to LEP Students	State Has Laws that Describe Conditions Necessary for LEP Students to Learn	State Has Regulations/Rules that Describe Conditions Necessary for LEP Students to Learn	State Has Advisory/Guidance that Describe Conditions Necessary for LEP Students to Learn
AK	Y	All	Y	Y	N
AL	Y	All	N	N	Y
AZ	N	N/A	Y	Y	Y
CA	-	-	-	-	Y
CO	N	N/A	N	N	N
CT	N	N/A	Y	Y	Y
DC	PD	-	-	Y	-
DE	N	-	N	Y	Y
FL	Y	All	Y	Y	Y
GA	N	N/A	N	N	Y
HI	N	N/A	Y	Y	Y
IA	N	N/A	N	N	N
ID	N	N/A	-	-	Y
IL	N	N/A	Y	Y	Y
IN	N	N/A	-	Y	Y
KS	N	N/A	Y	Y	Y
KY	N	N/A	N	N	N
LA	Y	All	Y	Y	Y
MA	Y	-	Y	-	-
MD	Y	All	N	Y	N
ME	N	N/A	N	N	Y
MI	PD	-	Y	-	Y
MN	Y	None	Y	N	Y

Key: All = All Standards Apply
Y = Yes

None = No Standards Apply
N = No

Some = Some Standards Apply
- = Data Not Available

PD = Planning to Develop

Note: CCSSO did not receive responses from states not listed.

Source: CCSSO State Systemic Education Planning Supplemental Survey: Services to Limited English Proficient Students, 1994.

Limited English Proficient Students Opportunity-to-Learn Standards

STATE	State <u>Currently</u> Has Opportunity-to-Learn Standards	Opportunity-to-Learn Standards Apply to LEP Students	State Has Laws that Describe Conditions Necessary for LEP Students to Learn	State Has Regulations/Rules that Describe Conditions Necessary for LEP Students to Learn	State Has Advisory/Guidance that Describe Conditions Necessary for LEP Students to Learn
MO	N	N/A	N	N	N
MT	N	N/A	-	-	Y
NJ	N	N/A	Y	Y	Y
NM	N	N/A	Y	Y	Y
NV	N	N/A	N	N	N
NY	N	N/A	-	-	-
OH	PD	-	N	N	Y
OK	N	N/A	-	-	Y
PA	N	N/A	N	Y	Y
RI	PD	-	Y	Y	Y
SC	N	N/A	N	N	Y
SD	PD	-	-	-	-
TN	PD	-	N	Y	Y
TX	N	N/A	Y	Y	Y
UT	Y	-	-	Y	Y
VA	-	-	Y	-	Y
WA	N	N/A	Y	-	Y
WI	PD	-	Y	Y	Y
WV	N	N/A	N	N	N
WY	N	N/A	N	N	N

Key: All = All Standards Apply
Y = Yes

None = No Standards Apply
N = No

Some = Some Standards Apply
- = Data Not Available

PD = Planning to Develop

Note: CCSSO did not receive responses from states not listed.

Source: CCSSO State Systemic Education Planning Supplemental Survey: Services to Limited English Proficient Students, 1994.

Limited English Proficient Students Systemic Planning, Teacher Licensing, Title VI and EEOA

STATE	Explicit Mention of LEP Students in Systemic Plan	Parents or Persons Knowledgeable about LEP Students Have Been Involved in Planning Process	State Has Teacher Licensing Standards that Apply to Teachers who Teach LEP Students	SEA Provides Guidelines to LEAs on the Issues of District and School Obligations under the EEOA and Title VI of the Civil Rights Act	SEA Provides Technical Assistance to LEAs and Schools to Assist in Compliance with Requirements under Title VI and the EEOA for LEP Students
AK	Y-PIP	Y	N	Y	Y
AL	PIP	N	PD	Y	Y
AZ	Y	Y	Y	N	Y
CA	PIP	Y	-	Y	N
CO	PIP	Y	Y	N	Y
CT	PIP	Y	Y	N	Y
DC	PIP	Y	Y	Y	Y
DE	PIP	N	Y	Y	Y
FL	Y	Y	Y	Y	Y
GA	NP	N/A	Y	N	Y
HI	Y	Y	Y	Y	Y
IA	N	N	Y	Y	Y
ID	Y	Y	Y	Y	Y
IL	Y	Y	Y	Y	Y
IN	N	N	Y	Y	Y
KS	Y	Y	Y	Y	-
KY	N	Y	Y	Y	Y
LA	PIP	Y	Y	Y	Y
MA	PIP	Y	Y	Y	Y
MD	N	-	Y	Y	Y
ME	NP	N/A	Y	Y	Y
MI	N	Y	N	Y	Y
MN	PIP	-	Y	Y	Y

Key: N = No
Y = Yes

PIP = Plan in Process
N/A = Not Applicable

PD = Planning to Develop
- = Data Not Available

NP = No Plan

Note: CCSSO did not receive responses from states not listed.

Source: CCSSO State Systemic Education Planning Supplemental Survey: Services to Limited English Proficient Students, 1994.

Limited English Proficient Students Systemic Planning, Teacher Licensing, Title VI and EEOA

STATE	Explicit Mention of LEP Students in Systemic Plan	Parents or Persons Knowledgeable about LEP Students Have Been Involved in Planning Process	State Has Teacher Licensing Standards that Apply to Teachers who Teach LEP Students	SEA Provides Guidelines to LEAs on the Issues of District and School Obligations under the EEOA and Title VI of the Civil Rights Act	SEA Provides Technical Assistance to LEAs and Schools to Assist in Compliance with Requirements under Title VI and the EEOA for LEP Students
MO	PIP	Y	Y	Y	Y
MT	NP	N/A	Y	Y	Y
NJ	PIP	Y	Y	Y	Y
NM	NP	N/A	Y	Y	Y
NV	NP	N/A	Y	Y	Y
NY	N	Y	Y	Y	Y
OH	PIP	Y	Y	Y	Y
OK	NP	N/A	Y	Y	Y
PA	N	N	N	N	Y
RI	Y	Y	Y	Y	Y
SC	PIP	Y	PD	Y	Y
SD	PIP	Y	PD	Y	Y
TN	NP	N/A	Y	Y	Y
TX	Y	Y	Y	Y	Y
UT	PIP	N	N	Y	Y
VA	NP	N/A	Y	Y	Y
WA	PIP	Y	-	Y	Y
WI	PIP	Y	Y	Y	Y
WV	N	N	N	Y	Y
WY	NP	N/A	N	N	N

Key: N = No
Y = Yes

PIP = Plan in Process
N/A = Not Applicable

PD = Planning to Develop
- = Data Not Available

NP = No Plan

Note: CCSSO did not receive responses from states not listed.

Source: CCSSO State Systemic Education Planning Supplemental Survey: Services to Limited English Proficient Students, 1994.

Part 3

State Profiles

ALASKA

Demographic Overview

1992-93 Public K-12 Enrollment:	120,116
1992-93 Public K-12 LEP Enrollment:	13,489
1992-93 Public K-12 % LEP Enrollment:	11.2%

Source: *Special Issues Analysis Center: Development Associates, Inc., September 1994.**

	Total Children	LEP Children	%LEP Children
Urban	0	0	0.0%
Suburban	47,148	1,219	2.6%
Rural	74,424	3,133	4.2%

Source: *1990 U.S. Census**

Eligible School-Age Population:	119,728
Total Children Living in Poverty:	12,859
% of Total Children Living in Poverty:	10.7%
LEP Children Living in Poverty:	1,333
% of LEP Children Living In Poverty:	31.2%

Source: *1990 U.S. Census**

* Note: The definition of LEP status varies by state and by source. The LEP student poverty status and distribution by urbanicity figures have been calculated based on the school-age population's response to the U.S. Census question "How well do you speak English? Well, Not Well, Not At All." These three categories were combined to form the definition of LEP. Therefore, there may be discrepancies in the data between the two sources above.

LEP Student Definition and Identification

The state of Alaska defines LEP students as: Children of limited English speaking ability who are born in the United States and children not born in the States who have difficulty performing ordinary classroom work in English due to an interference with their English comprehension by a language other than English. For purposes of classification, the state requires that districts use at least three assessment instruments including: first and second language assessment instrument, parent questionnaire, and achievement tests for some language categories. The state does not specify a statewide language assessment instrument (or cut-off point), and allows individual districts options to select instruments for various targeted languages.

Systemic Reform Planning

The state's "Goals 2000" and "Consolidated Systemic Plan" will specifically mention limited En-

glish proficient students. The state's bilingual/bicultural program manager and several teachers are involved in discussions regarding systemic reform. The bilingual/bicultural program manager has also developed, "World Languages Standards" which define student performance standards for students enrolled in bilingual education programs and world (foreign) language studies.

Content Standards

The state has developed and is developing additional content standards, all of which apply to all LEP students, although they are not explicitly mentioned in the standards documents.¹

Performance Standards

The state has and is developing performance standards, and all apply to LEP students. LEP students are not explicitly mentioned in these standards statements, and no additional performance standards apply only to LEP students.

Statewide Student Assessment

Currently two categories of LEP students are exempted from statewide assessments: Those scoring in the level A range of the English language assessment proficiency test (non-English speakers), and those scoring at level B (limited-English speakers). All new immigrant students may be excluded from testing if they have been in US schools for less than three full school years. The state collects data on home language, classroom guidance and progress reports for students that are served in bilingual education programs. These data are reported to the LEA state education agency (SEA) program manager, and summarized for local education agency coordinators of bilingual/bicultural programs. Assessments in Yupik, Inupiaq, Spanish, Russian, Siberian, and Tagalog are used by districts. These teacher made and commercial criterion reference tests measure proficiency in native language and level of dominance. Statewide student achievement data are reported to the SEA bilingual/bicultural program manager. The office of Data Management aggregates these data by LEP status and by ethnicity. Non-English language assessments are linked to the performance standards. However, the state does not publish data on achievement separately for LEP students

Opportunity-to-Learn Standards

Opportunity-to-learn standards will be in place by June 1995 and will explicitly mention LEP students. In addition, the state has laws, funding, regulations, and other forms of guidance that govern provision of services to LEP students. These outline conditions for receiving state funding; procedures for identification and placement; program options; staffing requirements; parent involvement requirements and program evaluation requirements.

State staff noted that procedures such as the Bilingual Plan of Service approval process, language assessment reports and evaluation reports are important in providing LEP students with an opportunity-to-learn.

Title VI and EEOA

Guidance to LEAs regarding their Civil Rights and Equal Employment Opportunity Act (EEOA) obligations are handled by the Equity Project Director who is a member of the School Improvement Team of the Education Program Support (EPS) Division.

Technical Assistance regarding compliance with Civil Rights laws are available to districts in several formats including via telephone, mailings, conferences, and on-site visits.

Teacher Licensing

The state does not have licensing standards for ESL teachers who serve LEP students. However, they do have limited certificate option for teachers of Alaska native languages. All teachers must accrue three semester hours/credit in multicultural education courses and Alaskan Studies to fulfill the renewal of a Type A (standard) certificate.

Professional Development

Related to Content Standards: The state provides continuing development opportunities for teachers to support achievement of standards by LEP students. These development opportunities are available through the continuing education process, bilingual conferences and teacher training programs. They cover a broad set of instructional and program implementation issues such as: language acquisition, multicultural education, classroom organization, teaching subject matter to Alaskan children.

Broader Efforts: State supported professional development activities are both school-based and subject matter based. These activities include continuing education opportunities for individual teachers, opportunities offered through statewide conferences and institutes, and equity training opportunities. Career ladder, course credit opportunities are available at the district level in collaboration with the Alaskan Multifunctional Resource Center (MRC) and /or the University of Alaska extension campuses.

At the local level several barriers to enhanced educational opportunities for LEP students include: lack of teachers' knowledge and awareness of the second language acquisition process; lack of primary language assessment instruments; lack of knowledge regarding effective instructional strategies; and high turnover of staff not familiar with local culture, values, or the native language spoken in the village communities.

State Education Agency

The state specialist with primary responsibility for coordinating efforts concerning the education of LEP students is part of the School Improvement

Team within the Education Program Support Division (EPS). There are plans to broaden the SEA level of expertise of SEA staff working in Title I of IASA programs in response to the new provisions under Title I law.

Technical Assistance Needs

State staff indicated that they can benefit from technical assistance in the following areas: providing LEP students with access to the content standards, assessment of LEP students in both first and second language, teacher professional development, and program evaluation and accountability.

¹ Subjects: Math, Science, Health, English, History, Geography, Foreign Language, Arts, and Computer Science. CCSSO Baselines Report. Revised March, 1995.

ALABAMA

Demographic Overview

1992-93 Public K-12 Enrollment:	714,402
1992-93 Public K-12 LEP Enrollment:	2,332
1992-93 Public K-12 % LEP Enrollment:	0.3%

Source: *Special Issues Analysis Center: Development Associates, Inc., September 1994.**

	Total Children	LEP Children	%LEP Children
Urban	257,221	3,257	1.3%
Suburban	265,646	2,757	1.0%
Rural	297,600	2,623	0.9%

Source: *1990 U.S. Census**

Eligible School-Age Population:	821,958
Total Children Living in Poverty:	195,459
% of Total Children Living in Poverty:	23.8%
LEP Children Living in Poverty:	2,351
% of LEP Children Living In Poverty:	27.1%

Source: *1990 U.S. Census**

* Note: The definition of LEP status varies by state and by source. The LEP student poverty status and distribution by urbanicity figures have been calculated based on the school-age population's response to the U.S. Census question "How well do you speak English? Well, Not Well, Not At All." These three categories were combined to form the definition of LEP. Therefore, there may be discrepancies in the data between the two sources above.

LEP Student Definition and Identification

An LEP student is defined as: "a student whose native language is not English and whose difficulty in speaking, reading, writing, or understanding English is an obstacle to successful learning in a classroom where English is the only language of instruction. To identify the students as LEP, the school system can use one of the 10 English language assessment tests recommended by the state. They are listed in the *State Handbook of Educational Services for Limited English Proficient Students*. Students classified as non-English proficient (NEP) are placed in ESL programs in school systems where special ESL programs have been designed. Those with a LEP or NEP classification are assessed further to determine academic skills (writing/reading). A cut-off score on the language assessment test is not specified at the state level.

Systemic Reform Planning

The state is now in the process of developing a systemic plan. The SEA has collaborated with techni-

cal assistance service providers to school systems concerning the education of LEP students. Specifically, the Multifunctional Resource Centers, Evaluation Assistance Center, and the R-TAC Center have provided materials and expert advice to the SEA and districts.

Content Standards

The state has and is developing content standards, and all apply to LEP students.² Although LEP students are not explicitly mentioned, the same high standards are set for all students, including limited English proficient students.

Performance Standards

The state has and is developing performance standards, and all apply to LEP students. The state has developed policy definitions of achievement standards/levels for assessments in the following subject areas: Geometry (End-of-the Course Test), Algebra 1 (End-of-the Course Test), Fifth Grade Writing Assessment and Seventh Grade Writing

Assessment. For each of these subject areas there are four performance levels. There is no explicit mention of LEP students for inclusion in the standards, and no additional performance standards apply to LEP students.

Student Assessments

Some LEP students are exempted from state assessments required of other students. Deferment on the basis of LEP status is permitted if the student has been identified as LEP according to state guidelines; the student is receiving second language support services; and it has been determined that the assessment is inappropriate for the student. Deferment on the basis of LEP status is permitted on the Basic Competency Test (Grades, 3,6,9), Stanford Achievement Test, and the Basic Skills Exit exam. For every LEP student exempted or deferred from testing the district must have written permission from the parents or guardian. There are no mandated state assessments in a language other than English, nor does the state plan to develop assessments in a language-other-than English.

Districts collect data on language proficiency scores, grades and coursework on students exempted from the local tests. These data are not reported to the SEA. The SEA is currently developing alternative assessments to be used with LEP students that are exempted from taking the state mandated program. LEP students are specifically coded on answer sheets to enable state staff to identify exempted students. State-wide achievement data is not reported by LEP status in this state.

Opportunity-to-Learn Standards

Respondents noted that the state has opportunity-to-learn standards and that they apply to LEP students. However, LEP students are not explicitly mentioned in these standards statements. The state has no laws or regulations that describe conditions necessary for LEP students to learn. There is a policy statement addressing state expectations with respect to the education of LEP students. "LEAs must design programs that enable LEP students to achieve full competence in English and to meet school grade-promotion and graduation requirements." There is also guidance provided to the LEAs in the form of

written materials and through technical assistance workshops.

No particular program of instruction is mandated for LEP students in this state. Individual school districts are expected to provide a type of supplemental, alternative language program that will enable LEP students to be mainstreamed into the regular program.

Title VI and EEOA

Several divisions of the SEA share responsibility for providing guidance to the districts regarding their obligation under Equal Education Opportunity (EEOA) and Title VI of the Civil Rights Act. These SEA units are the Professional Services Division, Race, Sex Equity Compliance Section, Student Instructional Services Division and the Division of Federal Programs. Regional training conferences are conducted annually throughout the state. Presenters from various agencies address the issues of compliance with requirements under the above laws for LEP students. Other services in those areas are provided to individual local education agencies as requested. Materials pertaining to those areas are disseminated to district Superintendents and Title IV coordinators.

Teacher Licensing

Currently, the state does not have licensing or certification requirements that apply to teachers of LEP students. However, the state is piloting an ESL/Bilingual Education program that, if successful, will lead to the development of licensing standards.

Professional Development

Related to Content Standards: Continuing professional development is provided for both mainstream teachers and teachers of LEP students. Trainers of trainers workshops have been conducted in subject areas such as: English, Language Arts, foreign language, mathematics and social studies. Also, the state has recently implemented a mini-grant program that provides funding for conducting ESL workshops. Many districts planned and implemented these workshops jointly, which resulted in sharing ideas, networking and improving use of available resources.

Broader Efforts: The state's professional development activities are both subject matter and school-based. Professional development activities include on-site consultation, mailings, and trainer-of-trainers workshops for K-12 teachers with special emphasis on the states course of study. The state also convened teams of school level staff to examine issues such as cooperative learning and learning styles training.

At the local level needs of the staff included: a) knowledge of how to acquire and interpret the previous academic records of LEP students, b) strategies to improve programs so that LEP students can fulfill all state and LEA requirements at each grade level, especially for graduation, c) effective approaches that will help move students towards English language, and (d) understanding of the various cultures of LEP students.

State staff anticipates an increase in LEP students and consequently a need for more trained teachers.

State Education Agency

Matters related to the education of LEP students are coordinated by the Student Instructional Services office, which is housed in the office of Federal Programs. The state is currently receiving a Title VII Bilingual/ESL grant used to collect data, disseminate materials, provide technical assistance and staff development for teachers and administrators. There are no plans to modify the current organizational structure in a way that will affect the function of the ESL consultant.

Technical Assistance Needs

State staff noted that they could benefit from technical assistance in Developing the Goals 2000 plan, LEP student assessment, and teacher preparation and development.

² Math, Science, Health, English, Social Studies, Foreign Language, Arts, Physical Education, and Vocational Education. Source: CCSSO Baselines Report. Revised March, 1995.

ARIZONA

Demographic Overview

1992-93 Public K-12 Enrollment:	711,899
1992-93 Public K-12 LEP Enrollment:	75,910
1992-93 Public K-12 % LEP Enrollment:	10.7%

Source: *Special Issues Analysis Center: Development Associates, Inc., September 1994.**

	Total Children	LEP Children	%LEP Children
Urban	36,978	6,193	16.7%
Suburban	516,167	37,327	7.2%
Rural	172,247	22,790	13.2%

Source: *1990 U.S. Census**

Eligible School-Age Population:	714,731
Total Children Living in Poverty:	152,330
% of Total Children Living in Poverty:	21.3%
LEP Children Living in Poverty:	33,481
% of LEP Children Living In Poverty:	51.2%

Source: *1990 U.S. Census**

* Note: The definition of LEP status varies by state and by source. The LEP student poverty status and distribution by urbanicity figures have been calculated based on the school-age population's response to the U.S. Census question "How well do you speak English? Well, Not Well, Not At All." These three categories were combined to form the definition of LEP. Therefore, there may be discrepancies in the data between the two sources above.

LEP Student Definition and Identification

Limited English Proficient students are defined as students having a low level of skill in comprehending, speaking, reading or writing the English language because of being from an environment in which another language is spoken. Districts administer state approved language assessment tests, state achievement tests, and district reading/writing measures. English language measures approved by the state are the LAS, IDEA, and BSM. Districts use publishers cut-off point for purposes of classification. Students scoring below the 40th percentile on the state achievement test (ITBS) and scoring below the district standard are classified as LEP.

Systemic Reform Planning

LEP students are explicitly mentioned in the state systemic plan. Additionally, districts are required to show how LEP students are included in District Assessment Plans that are submitted to the state.

Local educators, SEA staff, business, and community leaders with knowledge of LEP student education have participated in meetings that focus on the development of goal statements, standards, and student assessments issues.

Content Standards

The state has and is developing a set of content standards, all of which apply to all students, including LEP students.³ The state has also developed a set of essential skills that all students must master. The standards document does not explicitly mention LEP students.

Performance Standards

Performance Standards are in the process of development and will include LEP students. There is no explicit mention of LEP students for inclusion and no additional performance standards only applying to LEP students in the developing standards.

Statewide Student Assessment

LEP students are exempted from state-required Norm Reference testing in the first 3 years of enrollment in ESL/Bilingual programs. The norm referenced tests are administered in grades 4,7, and 8. The ASAPT state assessment program is performance based and is administered in reading, writing, and math in grades 4, 8, and 12. There is a Spanish version of the ASAPT in the same subject areas. LEP students are not exempted from the ASAPT. Data is not collected on LEP students, since they are not exempted. LEP students who speak a language other than Spanish, are administered the ASPT with accommodations which include simultaneous translations, extended time, some level of oral administration. Results of Spanish achievement data are reported by LEP status in reading, writing, and mathematics.

Opportunity-to-learn

At the present time the state does not have opportunity-to-learn standards. However, there are laws, regulations and other forms of guidance to districts that describe the conditions necessary for LEP students to learn. State rules and regulations contain basic requirements for bilingual/ESL programs including provisions concerning identification of students, criteria for general placement, types of programs, staffing requirements, reporting requirements, assessments in primary and second language.

Title VI and EEOA

The state does not provide guidelines to the districts concerning their Civil Rights obligations. However, the state's Bilingual Education Unit provides technical assistance to the LEAs on these matters. The technical assistance includes recommendations of expert consultants and is provided upon request.

³ English/Language Arts, Math, Science, Social Studies, History, Geography, Economics, Civics, Health, Foreign Language, Arts, and Physical Education. Source: CCSSO Baseline Report, revised March 1995.

Teacher Licensing and Professional Development

ESL and Bilingual endorsements and provisional endorsements are available. Teachers must meet endorsement requirements. There is a performance-based career ladder program in this state.

Professional Development

Related to Content Standards: Staff development activities linked to the content standards will include both ESL/bilingual teachers and mainstream teachers. Some of these teachers have been involved in the training related to scoring of performance based assessments.

An obstacle faced by the districts concerning teacher preparation is that universities do not have the staff to provide the necessary coursework for teachers. Also, teachers may not have the time or resources to take appropriate coursework. SEA staff noted that the need for personnel continues to grow. Professional development activities are school-based.

SEA Organization

The responsibility for policy development (rule making) lies with the Arizona State Board of Education. The Bilingual Unit provides the primary source of technical assistance and program improvement to districts with other assistance from the Indian Education and Vocational Education units.

Technical Assistance Needs

State-based technical assistance needs were not outlined by the state staff.

California

Demographic Overview

1992-93 Public K-12 Enrollment:	5,195,777
1992-93 Public K-12 LEP Enrollment:	1,151,819
1992-93 Public K-12 % LEP Enrollment:	22.2%

Source: *Special Issues Analysis Center: Development Associates, Inc., September 1994.**

	Total Children	LEP Children	%LEP Children
Urban	2,150,971	466,151	21.7%
Suburban	3,155,881	380,896	12.1%
Rural	245,816	21,491	8.7%

Source: *1990 U.S. Census**

Eligible School-Age Population:	5,571,567
Total Children Living in Poverty:	1,022,182
% of Total Children Living in Poverty:	18.3%
LEP Children Living in Poverty:	319,487
% of LEP Children Living In Poverty:	36.7%

Source: *1990 U.S. Census**

* Note: The definition of LEP status varies by state and by source. The LEP student poverty status and distribution by urbanicity figures have been calculated based on the school-age population's response to the U.S. Census question "How well do you speak English? Well, Not Well, Not At All." These three categories were combined to form the definition of LEP. Therefore, there may be discrepancies in the data between the two sources above.

This state completed a pilot survey which has abbreviated questions regarding whether the state has outcome, content and performance standards, and does not ask whether the state publishes data on LEP student achievement separately.

LEP Definition and Identification Standard

There is a statewide definition of LEP. The standard for classifying LEP students includes completion of a home language survey, and assessment of English comprehension, speaking, reading and writing skills using state approved instruments. Districts are required to assess students' proficiency in the primary language. For initial identification, English reading and writing assessments are optional for all students in grades K-2. The state does not specify a cut-off point on the oral language assessment instruments; these are set by the publishers.

Systemic Reform

At the time of the LEP Systemic Planning Survey the state was in the process of developing the Goals 2000 and Title I state plans. Persons knowledgeable about LEP student education are participating in the various committees working on the development of the plans.

Content Standards

The state has curriculum frameworks that have been disseminated for district implementation for several years. However, content standards are under development. When they are ready for implementation, all will apply to all LEP students.⁴ There is explicit mention of LEPS for inclusion in the developing standards.

Performance Standards

The performance standards used in reporting student performance on the statewide assessment in 1993-1994 do not explicitly mention LEP students.

Statewide Student Assessment

LEP students are excluded from the state assessment until they reach an appropriate threshold of English language acquisition. The SEA policy states that LEP students may be excluded from assess-

ments if they have been “enrolled” in a U.S. school for 30 months or less. There are also tested LEP students—these are students that have been enrolled in school in the United States for 30 school months or more (excluding pre-school and kindergarten), and are not receiving their instruction in a language other than English.

The California statewide assessment program (California Learning Assessment System) administered in 1993 and 1994 has a section to be filled out by the district identifying alternative assessments used with LEP students. Statewide district and school level data on student achievement is reported for tested LEP students.

There are currently no assessments in the primary language of the student. However, the state has developed and field tested primary language assessments in Spanish for grade 4.

Opportunity-to-Learn Standards

The state does not have opportunity-to-learn standards. However, advisory documents outline state requirements regarding delivery of educational services to LEP students. These requirements are part of the items included in the SEA coordinated compliance process. The legal mandates specify that LEP students should receive instruction in English language development, content through the primary language when appropriate, and academic instruction through specifically designed English approaches. Districts are advised to provide students with instruction that promotes cross-cultural understanding. Moreover, the legal requirements deal with issues of teacher qualification, staff development, parent notification, resource allocation, and local advisory committees.

Title VI and EEOA

The Gender Equity Office is responsible for providing guidelines to districts regarding districts’ Title VI and EEOA obligations. The SEA provides guidelines to LEAs on district and school obligations under the EEOA and Title VI of the Civil Rights Act.

Teacher Licensing and Certification

The state has two new teaching credentials: the Cross-cultural, Language and Academic Development Certificate (CLAD), and the Bilingual Cross-cultural, Language and Academic Development Certificate. Prospective teachers of LEP students interested in obtaining a CLAD/BCLAD certificate must possess a valid California teaching credential; must meet second language requirement, and must demonstrate knowledge of subject matter in each of the following domains: first and second language development; methodology of bilingual, ESL instruction and specially designed academic instruction delivered in English (SDAIE); and culture and cultural diversity.

There are alternative routes to earning authorization to teach LEP students in California. One option is to take the CLAD/BCLAD examination, the other is through college course work. In the latter case, the prospective LEP teacher will need a total of 24 semester units of course work to meet the state requirement.

Professional Development

Related to the Content Standards: Professional Development linked to the content standards is implemented through a statewide network of subject matter projects. These networking opportunities are open to both mainstream and ESL/bilingual teachers.

State staff identified the main staff development needs of teachers as: a) understanding assessment procedures for purposes of placement in a bilingual, English language development and/or SDAIE setting, b) acquiring expertise in conducting on-going, authentic assessment to determine LEP students’ progress, c) understanding how ESL instruction, primary language instruction and SDAIE for content instruction fit together to create a powerful program for English language acquisition, d) use of effective methodologies in bilingual, ESL, SDAIE settings (scaffolding to emphasize learning of complex skills, cooperative learning), and e) understanding and integrating second language learners’ cultural background and building schema that draws from their background.

Broader Efforts: The State supports staff development through subject matter network projects and summer institutes. These efforts target teachers who work with LEP students, particularly at the elementary level. Some school districts have developed school/district based Language Development Specialist (LDS) training to prepare their teachers to take the LDS examination. The Bilingual Teacher Training Assistance Program (BTTP) provides funding to support 13 BTTP sites in geographical areas with high concentrations of LEP students.

BTTP provides professional development for teachers in methodology and in culture and language to improve their capacity to teach LEP students. Teachers in the program are working toward additional certification that authorizes them to teach in a bilingual classroom or an English-language development setting. During 1992-93, more than 13,000 services were provided statewide training.⁵

The obstacles to education of LEP students include: a tendency to simplify complex issues (e.g., SDAIE instruction alone will meet the LEP students' needs, leaving out the primary language and English lan-

guage development components); anti-immigrant attitudes; shortage of bilingual and English language development teachers; and shortage of bilingual teacher trainers.

SEA Organization

The Bilingual Education Office, the Complaints Management and the Bilingual Compliance Office have primary responsibility for providing guidance and assistance to districts concerning the education of LEP students. Changes in state organization will affect the Bilingual Education Office. The state is moving towards a flatter organizational arrangement to facilitate ownership of LEP issues by others outside of the bilingual office. As an example, the staff noted that Title VII funds provided training to the CA Department of Education Staff.

Technical Assistance

SEA staff noted that they might benefit from technical assistance in developing the Goals 2000 plan, providing LEP access to content standards, LEP student assessment, and teacher preparation and development.

⁴ There are K-12 frameworks in Mathematics, Science, Health, English, Language Arts, and History/Social Science, Foreign Language, Visual and Performing Arts, Physical Education, Computer Science, and School-to-Work Transition.

⁵ A service is defined as a thirty hour methodology course or a ninety hour second language class.

Colorado

Demographic Overview

1992-93 Public K-12 Enrollment:	612,635
1992-93 Public K-12 LEP Enrollment:	24,876
1992-93 Public K-12 % LEP Enrollment:	4.1%

*Source: Special Issues Analysis Center: Development Associates, Inc., September 1994.**

	Total Children	LEP Children	%LEP Children
Urban	277,700	10,027	3.6%
Suburban	240,061	6,255	2.6%
Rural	124,257	3,588	2.9%

*Source: 1990 U.S. Census**

Eligible School-Age Population:	632,498
Total Children Living in Poverty:	92,324
% of Total Children Living in Poverty:	14.6%
LEP Children Living in Poverty:	7,092
% of LEP Children Living In Poverty:	36.3%

*Source: 1990 U.S. Census**

* Note: The definition of LEP status varies by state and by source. The LEP student poverty status and distribution by urbanicity figures have been calculated based on the school-age population's response to the U.S. Census question "How well do you speak English? Well, Not Well, Not At All." These three categories were combined to form the definition of LEP. Therefore, there may be discrepancies in the data between the two sources above.

LEP Definition and Identification

The state defines a LEP student as one whose academic achievement in English is impaired because of an inability to comprehend or speak English adequately due to the influence of a language other than English. LEP classification is determined by administering an English language assessment test and academic achievement tests.⁶ If a student scores below the acceptable proficiency level on the state approved English language proficiency test and below the district mean on an achievement test, the student is classified as LEP.

Systemic Reform Planning

The state is in the process of developing a systemic plan. The process has involved people knowledgeable about LEP education issues including: State personnel (Title IV/National Origin, Title I, Migrant Education, Title V/Indian Education, Title VII/Bilingual Education), public school teachers and administrators, Colorado Association of Bi-

lingual Educators (CABE), Colorado Teachers of English to Speakers of Other Languages (CoTESOL), Associated Directors of Bilingual Education (ADOBE), BUENO Center for Multicultural Education, Mountain States Multifunctional Resource Center, Evaluation Assistance Center/West, higher education, Mountain and Northern Plains States Desegregation Center (DAC), Office for Civil Rights/Region VIII, Colorado Statewide Parent Coalition, Colorado Commission of Indian Affairs, and Latino Education Coalition.

The above groups have participated in formulating essential opportunity-to-learn guidelines for non- and limited English proficient students that meet their language and content area learning needs. The groups are concentrating on those opportunity-to-learn guidelines that are unique to students' English language acquisition/development within a content learning environment. These guidelines will be submitted to the state for inclusion in its model content area standards efforts.

Content Standards

The state is in the process of developing content standards, all of which will apply to LEP students, although they will not be specifically mentioned in these documents.⁷

Performance Standards

Performance standards are in the process of development, and all will apply to all students including LEP students. The documents will not make explicit reference to LEP students. There are no additional performance standards that apply only to LEP students.

Statewide Student Assessments

LEP students are exempted from state assessments required of other students. Between 1986 and 1993, under the Colorado Student Assessment Program, which was based on statewide samples of schools, students who were non-English speaking or non-English reading as well as those receiving more than 50% of their academic instruction from special services were excluded from testing. A new program, based on the state model content standards, will be developed with plans to include LEP students. The state does not collect or report data on the exempted students.

The SEA is considering the development of primary language assessments in Spanish and Vietnamese, the second and third most commonly spoken languages in the state. The timeline for the development of these tests has not been determined. Data on student achievement is published but results for LEP students are not reported separately. The state does not publish data on the achievement of LEP students as a separate category.

Opportunity-to-learn Standards

The state does not have opportunity-to-learn standards. Neither does the state have laws or regulations concerning opportunities to learn. However, the state is currently drafting guidelines describing the conditions necessary for LEP students to successfully learn. Under current legislation, the English language Proficiency Act provides fund-

ing for transitional programs (moving from language programs of any kind to regular classrooms) to improve the English language skills of LEP students in order to enhance educational and career opportunities. The Act states that, “Nothing in this article shall be construed to prohibit use of monies made available under this article by a district for bilingual programs, English-as-a-second language programs, or any other method of achieving the purpose.”

To enhance LEP students’ opportunity-to-learn the SEA collaborates with other state and federal supported programs within the SEA and outside the SEA. Internal collaboration takes place among Title IV/National Origin, Title IV/Race and Sex, Title VII/Bilingual Education, Migrant Education, Chapter 1, Title V/Indian Education, Chapter 2, Special Education, Colorado Preschool Program, and Adult Education. External collaboration takes place with the Office for Civil Rights (OCR), Mountain and Northern Plains’ States Desegregation Assistance Center (DAC), College Assisted Migrant Program (CAMP), United States Department of Agriculture, Associated Directors of Bilingual Education (ADOBE), BUENO Center for Multicultural Education, State Social Services, and Resettlement Centers.

Title VI and EEOA

Regarding district compliance with Civil Rights and EEOA requirements, the state does not have specific guidelines in this area. However, technical assistance is provided by the National Origin Desegregation Project (LAU) and the Educational Equity Programs and Services Unit, both funded under Title IV of the Civil Rights Act of 1964. Additional assistance is provided by the ESEA Title VII/Bilingual Education and Migrant Education programs.

Technical assistance is provided to districts upon request in all matters concerning the education of LEP students. The following assistance areas are by no means exhaustive: LAU compliance with Office for Civil Rights requirements, Interpretations of Title VI Rules and Regulations (National Origin, Race/Gender), Bilingual and ESL program overviews, components, and procedural considerations, Program staffing and development, Peda-

gical issues, Multicultural Education, Diversity, Race Desegregation, Title IX; and Preventing Sexual Harassment.

Results of student performance on the district assessment program are considered in the district basic accreditation process.

Teacher Licensing

The state has both a bilingual education and an ESL teacher endorsement. Both endorsements require a prerequisite endorsement in either Elementary Education or Secondary Education with a subject major. Also the state has an alternative route for licensure or certification which allows qualified candidates to obtain teaching positions in a school or school district which has been granted approval to offer the alternative program. During the year-long employment, teachers in alternative program receive mentoring and complete an individually designed teacher preparation program. A variety of delivery systems are utilized.

Teachers of LEP students are required to take tests of basic skills, liberal arts, content knowledge and professional knowledge. The state has developed new standards for the preparation of all teachers and administrators. Each set of standards make reference to students with special needs.

Professional Development

Related to Content Standards: There will be professional development opportunities linked to the content standards. A professional development model and plan are being developed for standards based education using an inclusive student approach.

Broader Efforts: SEA staff noted that professional development activities are both school-based and subject matter based. Professional development activities include a variety of preservice, inservice and

conference workshop opportunities to assist target groups in acquiring more knowledge about LEP students, assessment practices, and effective teaching approaches for LEP students. In addition, training is provided to enable target groups to progress towards bilingual and/or ESL licensure.

Many onsite workshops and inservices can be applied to SEA/CDE recertification credit. The state conferences and institutes usually provide optional university credit. In addition to providing staff development directly to the LEAs, the SEA also trains other agencies and organizations (e.g., Division of Natural Resources, Colorado Council of Teachers of Math).

Some of the main staff development needs for teachers and others working with LEP students are effective assessment practices, methods or approaches for second language acquisition, and recognizing and dealing with a diverse student population.

Obstacles to the education of these students include: lack of materials, inadequate training, poor attitudes, and the lack of local policies and support for the education of LEP students. Also, there are at times unreasonable demands on teachers to meet all the personal, social, economic, and academic needs of LEP students. These demands cannot be met without district and/or community support.

SEA Organization

The SEA unit with primary responsibility for LEP student education is National Origin Project, Title VI of Civil Rights Act of 1964, and Title VII Bilingual Education. There are no plans to restructure the state education agency.

Technical Assistance

The staff did not respond to the question concerning technical assistance needs.

⁶ English language proficiency tests recommended by the state include: BOLT, BINL, IPT, LAB, MAC, SLEP, OPI, and Woodcock-Munoz.

⁷ Developing discipline standards in Math, Science, Language Arts, History, Geography, Civics, Arts, and Physical Education. Source: CCSSO Baselines Report, revised March 1995.

Connecticut

Demographic Overview

1992-93 Public K-12 Enrollment:	473,055
1992-93 Public K-12 LEP Enrollment:	17,637
1992-93 Public K-12 % LEP Enrollment:	3.7%

Source: *Special Issues Analysis Center: Development Associates, Inc., September 1994.**

	Total Children	LEP Children	%LEP Children
Urban	194,857	21,908	11.2%
Suburban	321,590	6,179	1.9%
Rural	35,150	769	2.2%

Source: *1990 U.S. Census**

Eligible School-Age Population:	543,439
Total Children Living in Poverty:	56,829
% of Total Children Living in Poverty:	10.5%
LEP Children Living in Poverty:	11,206
% of LEP Children Living In Poverty:	39.7%

Source: *1990 U.S. Census**

* Note: The definition of LEP status varies by state and by source. The LEP student poverty status and distribution by urbanicity figures have been calculated based on the school-age population's response to the U.S. Census question "How well do you speak English? Well, Not Well, Not At All." These three categories were combined to form the definition of LEP. Therefore, there may be discrepancies in the data between the two sources above.

LEP Definition and Identification

A LEP student is a student whose dominant language is other than English. A student is classified LEP when they receive a score at or below the 30th percentile on a standardized English language proficiency test; are significantly below the average in classes taught in English as indicated by their grades in academic subject areas; or show during an interview that he/she is not orally proficient in English.

Systemic Reform Planning

The state is in the process of developing a systemic plan. Persons knowledgeable about LEP student education will be involved in the planning process.

Content Standards

The state has and is developing content standards in all subject areas, and all apply to LEP students.⁸ LEP students are explicitly mentioned for inclusion in the standards. LEP students and their needs will be addressed within the curriculum frameworks currently being developed in all subject areas.⁹

Performance Standards

SEA staff indicated that there was a set of performance standards, and all apply to LEP students. These standards are tied to the content standards under development, and those under development will also apply to LEP students. There is no explicit mention of LEPS for inclusion in the standards, but there are additional standards applying only to LEP students.

Statewide Student Assessment

LEP students enrolled for three years or less in an ESL/ bilingual program are exempted from participating in the state's assessment programs (Connecticut Mastery Test and the CAPT Test). However, the state collects the following information on these students: results of language proficiency tests, results of norm-reference tests for Spanish speakers, and demographic data. These data are used by the SEA staff to evaluate bilingual programs. There are no consequences resulting from the evaluation of these programs. The results of the Spanish language assessment in reading and math are published along with results in English for these two subject areas.

The state does not collect or report data on exempted students who are not enrolled in bilingual programs, but does collect and report data for those who are enrolled.

Beyond the assessments conducted in Spanish the state does not plan to develop additional assessments in a language other than English nor does it plan to expand the subject areas in which Spanish language assessments might be available.

Opportunity-to-Learn-Standards

State staff indicated that the state does not have opportunity-to-learn standards. Nonetheless there are laws, regulations, and advisory guidance that describe the conditions necessary for students to learn. The law authorizes bilingual education programs, specifies the major components of the programs, and describes criteria for providing primary language instruction.

Several strategies have been important in this state to enhance educational opportunities for LEP students. These include technical assistance to districts in the areas of ESL instruction, sheltered instruction, integration of students in mainstream activities, access to all services, and native language instruction.

Title VI and EEOA

The bilingual office monitors programs every five years for compliance purposes under the Quality Review Process. This monitoring process includes determining compliance with Civil Rights laws (Title VI and EEOA). This ensures that the state and the federal statutes are being properly implemented.

Teacher Licensing

The state has teacher licensing standards that require prospective teachers to meet standards in the areas of: English basic skills (reading, writing); subject matter knowledge, and on-site teaching performance. A bilingual/ESOL endorsement is required of those teachers working with LEP students. There is an alternative route allowed for those teachers that teach LEP students but are not certified. Uncertified bilingual teachers must meet certain course requirements to teach bilingual classrooms.

Professional Development

Related to Content Standards: The state plans to provide professional development activities linked to the content standards through on-going mechanisms for professional developments, such as the Institute for Teaching and Learning, the State wide training seminars on LEP / Bilingual issues, and workshops held at local school districts on LEP issues.

Broader State Effort: Staff development activities sponsored by the state are both subject matter based and school-based. SEA staff provides these services through summer institutes on teaching and learning and statewide conferences and seminars. The institutes classes focus on all areas covered by the “Common Core of Learning,” and are taught by teachers. The summer institutes process follows a trainer-of-trainers model, which entails working with teams of school district personnel who are expected to train teachers engaged in educating LEP students. The Summer institutes are held for several days and are followed by a three to five day on-site component. During the Summer of 1994, the institutes covered topics such as second language learning, development of K-3 Spanish language arts curriculum, and alignment of curriculum to the assessment program. Workshops are also held at the local level at the request of school districts.

State staff identified the following needs of teachers and other local personnel: qualified staff, special materials, training of mainstream staff in dealing with LEP students, programs for low incidence populations, special education needs, programs to help the LEP family children and parents, and administrative support for LEP students. Finally, the growing number of LEP students across the state are expected to increase the demand for teachers and other personnel in the schools.

SEA Organization

The Bilingual Unit of the SEA is under the Bureau of Curriculum and Instruction. This unit was re-established in 1993. Needs of LEP students in the area of vocational education are handled by the vocational education consultant who works under the Vocational-Technical School System.

Technical Assistance Needs

SEA staff listed technical assistance needs in the following areas: developing Goals 2000 plan, providing LEP access to content standards, LEP student Assessment, and Teacher preparation and development.

⁸ Subjects: Math, Science, Health, English, Language Arts, Social Studies, Foreign Language, Physical Education, School-to-Work Transition, Citizenship, and Interdisciplinary. Source: CCSSO Baselines Report, revised March 1995.

⁹ The state has developed outcome standards which have been outlined in a document titled "Connecticut's Common Core of Learning," and all apply to LEP students. There is no explicit mention of LEPS for inclusion in the standards, and there are no additional outcome standards that apply only to LEP students. Outcome standards are also being further developed.

District of Columbia

Demographic Overview

1992-93 Public K-12 Enrollment:	80,678
1992-93 Public K-12 LEP Enrollment:	4,620
1992-93 Public K-12 % LEP Enrollment:	5.7%

Source: *Special Issues Analysis Center: Development Associates, Inc., September 1994.**

	Total Children	LEP Children	%LEP Children
Urban	87,043	4,749	5.5%
Suburban	0	0	0.0%
Rural	0	0	0.0%

Source: *1990 U.S. Census**

Eligible School-Age Population:	83,784
Total Children Living in Poverty:	21,199
% of Total Children Living in Poverty:	25.3%
LEP Children Living in Poverty:	1,243
% of LEP Children Living In Poverty:	26.8%

Source: *1990 U.S. Census**

* Note: The definition of LEP status varies by state and by source. The LEP student poverty status and distribution by urbanicity figures have been calculated based on the school-age population's response to the U.S. Census question "How well do you speak English? Well, Not Well, Not At All." These three categories were combined to form the definition of LEP. Therefore, there may be discrepancies in the data between the two sources above.

LEP Student Definition and Identification

In the District of Columbia, a Non-English or limited English proficient (NEP/LEP) student is defined as a culturally and linguistically diverse student with a non-English language proficiency that does not allow the student to participate in the general program of the school.

Results of English language assessment measures determine classification of student as non-English speaking or limited English speaking. Those students who score below the test publisher's cut-off point are classified NEP/LEP.

Systemic Reform Planning

The state/district reform efforts began with "Washington DC 2000" goals which were later adjusted to reflect the Goals 2000: Educate America Act. Bringing Educational Services to Students (BESST) consolidates all aspects of the District's education reform agenda. BESST promotes local school collaboration and shared-decision making by encouraging commu-

nity and parental involvement in the governance of the school. Other initiatives implemented include curriculum revision, technology integration, Chapter 1 enhancements, Chapter II grants, early learning years development programs, increased graduation requirements, and extension of the instructional day.

Experts in the field of second language acquisition and bilingual education are involved in the systemic reform efforts.

Content Standards

The state/district has and is developing curriculum frameworks for mathematics, science, and technology, all of which apply to LEP students. Curriculum frameworks for English and language arts will be available in September of 1995. Curriculum frameworks for reading, algebra, geometry, and history are in the research and planning phases. There is no explicit mention of LEP students in the curriculum framework documents. However, the academic expectations embedded in the frameworks apply to all students including LEP students.

Performance Standards

Performance-based assessments in mathematics have been developed; performance standards, proficiency levels and rubrics in mathematics are being developed. All of the performance standards apply to LEP students. The district is participating in a project that will develop performance based science assessments. There is no explicit mention of LEP students in the standards, and no additional performance standards apply only to LEP students.

Statewide Student Assessment

Until LEP students become English proficient as determined by an annual language proficiency review, they are exempt from district wide standardized testing. During the period of exemption, NEP/LEP students' progress is measured by multiple criteria which include: annual English language proficiency review, native language assessment, and teacher developed instruments. Native language assessments are not aligned with content standards. Student achievement data are available and are disseminated to the schools for distribution to parents and teachers. Statewide achievement data are not reported by LEP status.

Opportunity to Learn Standards

The district/state is in the process of developing opportunity to learn standards. Although the standards will not specifically mention LEP students, they will apply to all students. Board of Education policy addresses ESL/Bilingual program access standards governing the education of LEP students.

The Language Minority Affairs office provides technical assistance to schools focused on both school improvement issues and compliance with civil rights obligations. The staff performs the following functions: training workshops; data collection activities; monitoring and reporting; direct student services; financial support through Title VII funding; parent education; assessment and evaluation of all language minority students; program development and implementation; grants development; and school and community support.

Teacher Licensing

The district has teacher licensing requirements for bilingual and ESL certification, bilingual special education, and adult ESL certification. Additionally, there is an alternative route for licensure that provide an opportunity for talented individuals to work with LEP and other students. These programs include: "Teach For America" and the "Bilingual/ESL Retooling Programs." One year permits are granted in areas of critical need such as Bilingual/ESL.

Professional Development

Related to Content Standards: The staff receives training in the following professional development areas that support achievement of the content standards by LEP students: the responsive classroom, Dimensions of Learning, The Urban Learner, Whole Language, Cross-training (bilingual/ESL, special education).

Broader Efforts: Staff reported that staff development activities are both school based and subject matter based. An example of this staff development effort was a collaborative effort between bilingual and special education teachers.

The main needs of both teachers and other school staff in the District of Columbia is knowledge of second language acquisition; training in cultural diversity and sensitivity; training in science, math, instruction; and training in the use of technology. Also, there is a need for intensive on-going meaningful training, retraining, Retooling, and hiring of qualified experienced personnel. Additional time for training, financial resources and a well coordinated plan that outlines a staff development implementation strategy are also needed.

SEA Organization

Washington, D.C. is unique because it has both state and district responsibility. There is a Division of SEA/LEA Operations and Special Programs that serves as the state point of contact. Within that division are included the LEAs for Bilingual/ESL, Special Education, Chapter 1, Vocational/Adult Education, and

Transitory Students Technical Assistance. The way in which the state is structured to address the needs of LEP students and teachers of LEP students may be restructured to promote greater coordination across programs; to strengthen support to local school; and to be more inclusive in the delivery of services across categorical areas—i.e., Special Education, Bilingual/ESL, and Title I.

Technical Assistance Needs

The state staff noted that they could benefit from technical assistance in providing LEP access with access to content standards; LEP student assessment; teacher preparation; and curriculum and instruction.

Delaware

Demographic Overview

1992-93 Public K-12 Enrollment:	104,321
1992-93 Public K-12 LEP Enrollment:	1,701
1992-93 Public K-12 % LEP Enrollment:	1.6%

*Source: Special Issues Analysis Center: Development Associates, Inc., September 1994.**

	Total Children	LEP Children	%LEP Children
Urban	0	0	0.0%
Suburban	77,515	1,684	2.2%
Rural	43,381	1,260	2.9%

*Source: 1990 U.S. Census**

Eligible School-Age Population:	118,964
Total Children Living in Poverty:	13,787
% of Total Children Living in Poverty:	11.6%
LEP Children Living in Poverty:	805
% of LEP Children Living In Poverty:	28.2%

*Source: 1990 U.S. Census**

* Note: The definition of LEP status varies by state and by source. The LEP student poverty status and distribution by urbanicity figures have been calculated based on the school-age population's response to the U.S. Census question "How well do you speak English? Well, Not Well, Not At All." These three categories were combined to form the definition of LEP. Therefore, there may be discrepancies in the data between the two sources above.

LEP Definition and Identification

The state uses the definition provided in the Bilingual Education Act (Title VII of the Elementary and Secondary Education Act, P.L. 100-27).¹⁰

Systemic Reform Planning

The state is in the process of developing a systemic reform plan. LEP education issues are being discussed as a part of the reform. Persons knowledgeable about the education of LEP students or parents of LEP students are involved in the planning process.

Content Standards

The state has drafted content standards in reading/language arts, mathematics, science and social science. These drafts are currently under review statewide and it is anticipated that formal adoption by the State Board of Education will take place in June of 1995. The current drafts of the content standards do not specifically identify LEP students, but the standards do apply to them. However, it is the express

intent of the State Board of Education, that all students be expected to meet the same high standards.

Performance Standards

Performance standards have not yet been developed. They will be developed during the next two years as the Comprehensive Assessment System is developed and field tested. This system is scheduled to be implemented in 1997-98. The assessments will apply to LEP students. Currently, there is no plan to explicitly mention LEP students for inclusion nor to implement additional performance standards that apply only to LEP students in developing standards.

Statewide Student Assessment

LEP students are exempted from all or part of the State Interim Assessments based on the results of English Language Proficiency tests which measure the four modalities of language. Each district develops specific criteria (cut-off point) for LEP student exemption from the state assessment program. For those students exempted, districts collect results of the language profi-

ciency tests. The data is reported to the Bilingual/ESL specialist of the SEA. A norm reference test is available in Spanish. However, this test is not aligned to the state content standards. The state does not report achievement data by LEP category.

Opportunity-to-Learn Standards

The state is in the process of formulating opportunity-to-learn guidelines. The state has no laws or regulations governing a school's actions regarding the education of LEP students. However, Delaware has developed a policy statement on the education of LEP students, and ESL/Bilingual program access standards that guide delivery of educational services to LEP students. This information is contained in "Handbook and Guidelines On the Identification, Assessment and Placement of LEP Students". The Handbook includes information about procedures for identification, placement, and monitoring academic performance of students that have been reclassified.

Title VI and EEOA

Advice to districts regarding their civil rights obligations are coordinated by the Bilingual/ESL specialist and are provided to districts as needed.

Teacher Licensing

The state has ESL and Bilingual Certification programs. The bilingual certification is in the process of revision. There is no alternative route to certify teachers of LEP students.

Professional Development

Related to Content Standards: Staff development linked to the standards will be conducted and will include both mainstream and bilingual teachers.

Broader Efforts: State staff noted that professional development activities are both subject matter based and school-based. Each district plans inservice activities for the year. In addition, there are state-wide inservice and workshop opportunities for all areas including bilingual/ESL teachers. Most of the inservice training has been provided by the state LEP specialist in the area of second language development.

Regarding the needs of local practitioners, SEA staff noted that mainstream teachers need training in second language learning while ESL/Bilingual teachers need to learn how to integrate language instruction with content instruction. The state has been addressing this issue and will continue to do so. The primary obstacle at the local and state level is the lack of resources.

SEA staff anticipates that once the content and performance standards are developed that there will be a need for more certified teachers.

SEA Organization

Issues regarding the education of LEP students are coordinated in the Improvement and Assistance Branch of the SEA. The Education Specialist for Bilingual/ESL programs serves as a member of the SEA's Equity and Special Programs Team. The team ensures equity for special populations (LEP students, IASA, Migrant, Title VII, Adult Education and Family Literacy).

Technical Assistance

Staff noted that they could benefit from assistance in providing strategies for LEP students to meet content standards and with the development of assessments for LEP students.

¹⁰ A student is limited English proficient (LEP) if he/she has sufficient difficulty speaking, reading, writing, or understanding the English language to deny him/her the opportunity-to-learn successfully in English only classrooms or to participate fully in our society due to one or more of the following reasons: a) the student was not born in the United States or whose native language is not English; b) the student comes from an environment where a language other than English is dominant; or (c) the student is American Indian or Alaskan Native and comes from an environment where a language other than English has had a significant impact on his/her level of English language proficiency.

Florida

Demographic Overview

1992-93 Public K-12 Enrollment:	2,071,980
1992-93 Public K-12 LEP Enrollment:	130,131
1992-93 Public K-12 % LEP Enrollment:	6.3%

Source: *Special Issues Analysis Center: Development Associates, Inc., September 1994.**

	Total Children	LEP Children	%LEP Children
Urban	1,621,092	111,199	6.9%
Suburban	329,299	7,255	2.2%
Rural	195,727	5,326	2.7%

Source: *1990 U.S. Census**

Eligible School-Age Population:	2,105,199
Total Children Living in Poverty:	386,942
% of Total Children Living in Poverty:	18.4%
LEP Children Living in Poverty:	39,932
% of LEP Children Living In Poverty:	33.1%

Source: *1990 U.S. Census**

* Note: The definition of LEP status varies by state and by source. The LEP student poverty status and distribution by urbanicity figures have been calculated based on the school-age population's response to the U.S. Census question "How well do you speak English? Well, Not Well, Not At All." These three categories were combined to form the definition of LEP. Therefore, there may be discrepancies in the data between the two sources above.

This state completed a pilot survey which has abbreviated questions regarding whether the state has outcome, content and performance standards, and does not ask whether the state publishes data on LEP student achievement separately.

LEP Student Definition and Identification

The state uses the federal definition of LEP.¹¹ Classification and placement is based on the results of an English language aural/oral proficiency test. In grades 4-12, the student also takes a reading/writing achievement test. If the student scores below the 33rd percentile in either reading or writing, the student is classified as LEP.

Systemic Reform Planning

The SEA has put forth its vision for the education of all children in Florida in a document titled, "Blueprint 2000." The document specifically mentions LEP students as part of "all students." State education agency officials are knowledgeable about the educational needs of LEP children and advocacy groups have been involved in the planning process as members of the curriculum framework writing teams.

Content Standards

Florida is developing and writing Pre-K to 12 Curriculum Frameworks in all subjects areas to address Blueprint 2000 legislation.¹² Staff reported that LEP students will be expected to meet all of the content standards, and they will be explicitly mentioned in the standards documents.

Performance Standards

The state is in the process of developing performance standards. They will all apply to LEP students, and these students will be explicitly mentioned in the documents. Additional standards that will apply only to LEP students will be included among the standards.

Statewide Student Assessment

LEP students may be exempt from state assessments and from standardized, norm reference tests when

they have been in a program designed to meet their needs for less than two years. School districts must report information about LEP students such as progress in learning the English language, progress towards completion of academic requirements, retention rates, graduation rates, drop-out rates, and grade point average. These data are reported to the state. The state develops a yearly report on the progress of LEP students. There are no assessments in languages other than English, nor does the SEA plan to develop these instruments. Results of state-wide achievement tests are not reported by LEP status. Accommodations for LEP students in the administration of the High School Competency Test (HSCT) have been developed.

Opportunity-to-Learn Standards

State staff noted that there were opportunity-to-learn standards that explicitly mention LEP students. The Consent Decree requires that the state and districts undertake certain actions to ensure LEP student access to an equitable education. The decree specifies that districts outline how LEP students are identified and placed in language support programs; how their academic performance is monitored while in special language programs and after they have been mainstreamed; and how they gain access to the whole range of instructional and non-instructional services available to non-LEP students. The staff noted that these access standards are important in the provision of services to LEP students.

Title VI and EEOA

The Office of Multicultural Student Language Education has drafted guidelines which outline a district's responsibility regarding the education of LEP students. These guidelines contain the key elements of the Consent Decree. The SEA also provides technical assistance to LEAs and schools to assist in the compliance of requirements under Title VI and the EEOA for LEP students.

Teacher Licensing

Teachers who are responsible for the English language arts instruction of LEP students must have

an ESOL endorsement. In terms of preparing prospective teachers to work with LEP students, teacher education institutions have begun to include courses leading to the ESOL endorsement as part of their programs to train elementary school teachers.

Professional Development

Related to Content Standards: A Consent Decree which governs the education of LEP students in Florida explicitly delineates training responsibilities for English teachers, basic subject area teachers (Computer Literacy, Mathematics, Science, Social Studies) and all other instructional personnel. Inservice materials have been developed to meet these requirements of the Consent Decree. It is expected that when the content and performance standards are completed, the SEA will support staff development activities aligned to the new standards.

Broader Efforts: Professional development activities are both subject-matter-based and school-based. They are generally organized at the district/school level. State organized inservice is often subject matter based. ESOL inservice is both subject-matter-based and school-based.

Staff identified the following professional development needs: need for timely training, alternative materials that facilitates language learning and content adaptation, and resources to enhance the use of technology in the classroom.

State Education Agency Organization

The Office of Multicultural Student Language Education coordinates services to LEP students in the state. This was the result of a recent reorganization (1992); therefore the SEA does not anticipate changes in the organizational structure.

Technical Assistance

Staff indicated that they need technical assistance in assessment of LEP students and in developing the Goals 2000 State Improvement Plan.

¹¹ A student is limited English proficient (LEP) if he/she has sufficient difficulty speaking, reading, writing, or understanding the English language to deny him/her the opportunity-to-learn successfully in English-only classrooms or to participate fully in our society due to one or more of the following reasons: a) the student was not born in the United States or his/her native language is not English; b) the student comes from an environment where a language other than English is dominant; or (c) the student is American Indian or Alaskan Native and comes from an environment where a language other than English has had a significant impact on his/her level of English language proficiency.

¹² Subjects: Math, English, Language Arts, Science, Health, English, Social Studies, Computer Science, Arts, Foreign Language, and Physical Education. Source: CCSSO *Baselines Report*, revised March 1995.

Georgia

Demographic Overview

1992-93 Public K-12 Enrollment:	1,200,530
1992-93 Public K-12 LEP Enrollment:	9,803
1992-93 Public K-12 % LEP Enrollment:	0.8%

*Source: Special Issues Analysis Center: Development Associates, Inc., September 1994.**

	Total Children	LEP Children	%LEP Children
Urban	187,358	3,389	1.8%
Suburban	645,286	12,516	1.9%
Rural	471,722	6,278	1.3%

*Source: 1990 U.S. Census**

Eligible School-Age Population:	1,300,107
Total Children Living in Poverty:	254,583
% of Total Children Living in Poverty:	19.6%
LEP Children Living in Poverty:	5,077
% of LEP Children Living In Poverty:	22.8%

*Source: 1990 U.S. Census**

* Note: The definition of LEP status varies by state and by source. The LEP student poverty status and distribution by urbanicity figures have been calculated based on the school-age population's response to the U.S. Census question "How well do you speak English? Well, Not Well, Not At All." These three categories were combined to form the definition of LEP. Therefore, there may be discrepancies in the data between the two sources above.

LEP Student Definition and Identification

Georgia defines LEP students as those "whose native language is other than English and who by reason thereof have sufficient difficulty speaking, reading, writing, or understanding the English language to prevent their success in classrooms where the language of instruction is English." Students scoring below the 25th percentile on the LAB (Language Assessment Battery) are entitled to ESOL services without additional assessments.

Systemic Reform Planning

The state has not developed a systemic plan.

Content Standards

The state has a set of content standards, and all apply to LEP students, although LEP students are not explicitly mentioned in the standards documents.¹³ There are no additional standards that apply only to LEP students.

Performance Standards

There are performance standards, and all apply to LEP students: These are the Quality Core Curriculum Standards and the High School Graduation Test. There is no explicit mention of LEP students for inclusion and no additional performance standards that apply only to LEP students in the performance standards.

Statewide Student Assessment

Students are not exempted from state assessments. The policy in this state is that LEP students participate in all assessments unless the school, parents or guardians agree that it is not in the best interest of the student to participate. The decision regarding participation in the testing program is reviewed before each administration period. Furthermore, the decision to exclude students is documented and justified. When the exclusion involves the graduation assessment, the signature of a parent or legal guardian is required. There is no data collected on stu-

dents that are exempted from the testing program. There is no testing in a language other than English, nor does the state plan to develop these assessments. The state publishes student achievement data, but not by LEP status.

Opportunity-to-learn Standards

There are no opportunity-to-learn standards in this state that apply to any category of students. The state does not have laws or regulations that describe conditions necessary for LEP students to learn. However, advisory guidance concerning services to LEP students is provided to the districts receiving state excess cost funding. The guidance outlines student eligibility criteria, class size and instruction. All information is provided in the state guidelines section of the ESOL Resource Guide. Other issues addressed in the ESOL Resource Guide include legal obligations to serve LEP students, administrative considerations, instructional strategies, and cross-cultural considerations.

In responding to the question regarding the kinds of strategies that are important to provide an opportunity-to-learn to LEP students, the staff supports an integrated approach to instruction where all language skills are integrated, and language and content are integrated.

Title VI and EEOA

The state does not provide districts with guidelines concerning their obligations under EEOA and Title VI. The State Schools and Equity Unit have primary responsibility for advising districts concerning civil rights matters.

Teacher Licensing

There is an ESL endorsement requirement for teachers of LEP students. The endorsement requires completion of an approved ESOL program or fifteen (15) quarter hours of ESOL credit in linguistics; culture and society; and ESL methods and materials. It may be added to all teaching certificates and to the service fields of school counselor (provided that a teaching field pre-requisite has been established) and speech and language pathologist. Additionally, ESL teachers must take the Teacher

Certification Tests in the areas of full-field certification. No test exists for the field of ESL.

Professional Development

Related to Content Standards: Staff reported that the state was not planning to provide professional development opportunities that are aligned to the content standards to mainstream and ESL/bilingual teachers. However, they listed an array of professional development opportunities that have been coordinated by the state Title VII consultant. Training and technical assistance are provided to school systems upon request. They include strategies for integrating LEP students into the classroom; “roundtable” discussions for system ESOL coordinators focusing on such topics as working with pre-literate adolescents; alternative assessment; and sheltered immersion. Future topics will include assessing limited English proficient students with special needs.

Broader Efforts: Professional development activities in this state have traditionally been subject matter based but the staff is transitioning toward a more school-based professional development approach. Resources such as the Multi-functional Resource Centers and the Evaluation Center are used for various training sessions. The professional organization Georgia TESOL, also serve as a training forum.

Teacher needs range from basic awareness to cross-cultural skills to integrating language and content. Systems with strong ESOL programs continue to look at issues of assessment, instructional of pre-literate older students, and counseling newcomers. In language assistance programs the practitioners face all of the issues that regular education programs face, including integration with regular education and reform.

Georgia has not historically been an entry point for immigrants to the U.S., so the phenomena of limited English proficient students is a relatively new one. Large school systems have been addressing these issues for about 20 years. However, rural systems are less equipped to deal with LEP instruction. Most systems have mixed language groups, so bilingual instruction is generally not feasible and strong ESOL programs are the option of choice. As

the number of LEP students increase there will be a need for more teachers skilled in working with LEP students.

SEA Organization

The coordinator of services to LEP students is housed in the Division of Student Support Services which is in the Office of Instructional Services. One

coordinator and one Title VII funded consultant provide training and technical assistance on the needs of LEP students. The SEA is in process of a reorganization, but the new structure is not available.

Technical Assistance

State staff did not indicate technical assistance needs.

¹³ Subjects: Math, Science, Health, English, Social Studies, Foreign Language, Arts, Physical Education, computer Science, and School-to-Work Transition. Source: CCSSO *Baselines Report*, revised March 1995.

Hawaii

Demographic Overview

1992-93 Public K-12 Enrollment:	176,923
1992-93 Public K-12 LEP Enrollment:	11,172
1992-93 Public K-12 % LEP Enrollment:	6.3%

Source: *Special Issues Analysis Center: Development Associates, Inc., September 1994.**

	Total Children	LEP Children	%LEP Children
Urban	35,632	4,831	13.56%
Suburban	135,710	6,225	8.54%
Rural	12,769	527	4.13%

Source: *SEA 1994-95 Enrollment Data*

Eligible School-Age Population:	201,522
Total Children Living in Poverty:	22,989
% of Total Children Living in Poverty:	11.4%
LEP Children Living in Poverty:	2,279
% of LEP Children Living In Poverty:	19.2%

Source: *1990 U.S. Census**

* Note: The definition of LEP status varies by state and by source. The LEP student poverty status and distribution by urbanicity figures have been calculated based on the school-age population's response to the U.S. Census question "How well do you speak English? Well, Not Well, Not At All." These three categories were combined to form the definition of LEP. Therefore, there may be discrepancies in the data between the two sources above.

Definition of LEP student and Identification

LEP students are defined as those students who have a home language other than English (either first acquired, spoken, or spoken by family members). Students scoring at the 3,4, or 5 level on the LAS or BINL language assessment instrument, and below the 25th percentile in reading or language achievement test are classified as LEP.

Systemic Reform Planning

The state's systemic plan makes specific reference to LEP students. In a document titled "Restructuring the Curriculum," the characteristics of the restructured program for LEP students are described. State and district LEP specialists were involved in formulating the contents of the document.

Content Standards

Content standards apply to LEP students.¹⁴ The state has also developed an ESL curriculum framework.

Performance Standards

All performance standards apply to LEP students, although LEP students will not be explicitly mentioned. Staff noted that LEP students must meet the ESOL program exit standards: demonstrate English language proficiency, receive a grade of C or better in core content area, and receive teacher recommendation.

Statewide Student Assessment

LEP students are exempted from state assessments when they have been in the school system for less than one continuous year or when teachers' observations and the results of an appropriate English language screening test indicate probable functionality at or significantly below the student's grade level.

The state collects the following outcome data on exempted students: results of language proficiency tests (in English and native language); grades in content areas; and scores in reading, language and

math. A computer printout of the outcome data is provided to schools and the district on a monthly basis. The data is also available to the Office of Civil Rights. A yearly report is sent to USDE's Office of Bilingual Education and Minority Languages Affairs.

Assessments for anecdotal evidence only are available in several languages including Ilokano, Samoan, Tagalog, Korean, Chinese, and Vietnamese. Currently only the K-3 reading and math assessments are aligned with the content standards. Future plans include the development of grades 4-6, 7-8, 9-12 reading and math assessments to be aligned with the content standards.

Achievement data is published by language status. The report is sent to schools, districts, and state offices.

Opportunity to Learn Standards

The state has not developed opportunity to learn standards. However, there are laws, regulations, and guidance that describe conditions necessary for LEP to learn. Guidance to the states regarding these matters are contained in the Identification, Assessment and Programming System (IAPS) manual, and the ESL Framework, which are considered important elements in providing opportunity to learn for LEP students. The documents address matters such as qualified personnel, courses for staff development, service options for delivery of curriculum (including instructional time requirements), procedures for student placement, and financial assistance (i.e., Emergency Immigrant Education Act) for newly-arrived immigrant students.

State staff noted that ESL/bilingual instructional strategies and IAPS and ESL Framework are important to enhancing opportunity to learn for LEP students.

Title VI and EEOA

Regarding advice to districts about their civil rights obligations under EEOA and Title VI, the staff reported that guidelines were available and cited the IAPS manual as an example. Technical assistance

regarding these issues are provided by office of the Superintendent, Management, Analysis and Compliance Branch, Office of Instructional Services, and General Education Branch.

Teacher Licensing

The state requires ESL certification with valid teacher credentials of teachers working with LEP students. There is an alternative licensure program for teachers lacking appropriate credentials. It requires a minimum of 12 credits in ESL and multicultural education courses.

Professional Development

Staff noted that continuing professional development is available to mainstream and ESL/bilingual teachers regarding content standards. However, the inservice sessions described were designed to orient school and district staff to the new ESL framework and guidelines.

Professional Development activities are both subject matter and school based. Subject-matter based activities include university courses dealing with content area instruction for LEP students. School based activities include workshops for staff on topics relating to ESL students' adjustment needs, instructional strategies, cultural awareness, and university courses focusing on cultures and classroom management in multicultural settings. University courses are also available to mainstream teachers throughout the year.

State staff reported that practitioners in this state need to build capacity in second language learning processes, acquire knowledge about the cultural characteristics of second language learners, and effective instructional strategies for LEP students. Also, teachers and personnel need to understand how school reform efforts, such as restructuring and decentralization, will affect the education of LEP students.

Obstacles to the education of these students include the voluntary nature of staff development activities designed to improve teacher competencies, and lack of university pre-service courses which focus on the above needs.

SEA Organization

The staff responsible for providing technical assistance and other forms of guidance to districts are housed in the Office of Instructional Services in the General Education Branch. State and district specialists assist the schools to implement appropriate programming for LEP students. Review teams comprised of state and district staff monitor and provide technical assistance to schools as needed regarding compliance and the delivery of quality services.

Technical Assistance

State staff could benefit from technical assistance in developing the Goals 2000 plan; providing LEP students with access to content standards; developing LEP student assessments; and improving teacher preparation and development. Additionally, the state welcomes information and current research findings in the areas of effective instructional strategies for LEP students, school-wide training in support of LEP students, innovative resource allocation methods, and materials development.

¹⁴ Subjects: Math, Science, Health, English, ESL, Social Studies, Foreign Language, Arts, and Physical Education. Source: CCSSO *Baselines Report*, revised March 1995.

Iowa

Demographic Overview

1992-93 Public K-12 Enrollment:	495,342
1992-93 Public K-12 LEP Enrollment:	4,319
1992-93 Public K-12 % LEP Enrollment:	0.9%

Source: *Special Issues Analysis Center: Development Associates, Inc., September 1994.**

	Total Children	LEP Children	%LEP Children
Urban	133,716	2,705	2.0%
Suburban	106,044	1,220	1.2%
Rural	313,054	4,212	1.3%

Source: *1990 U.S. Census**

Eligible School-Age Population:	545,582
Total Children Living in Poverty:	72,852
% of Total Children Living in Poverty:	13.4%
LEP Children Living in Poverty:	2,143
% of LEP Children Living In Poverty:	26.7%

Source: *1990 U.S. Census**

* Note: The definition of LEP status varies by state and by source. The LEP student poverty status and distribution by urbanicity figures have been calculated based on the school-age population's response to the U.S. Census question "How well do you speak English? Well, Not Well, Not At All." These three categories were combined to form the definition of LEP. Therefore, there may be discrepancies in the data between the two sources above.

LEP Student Definition and Identification

This state uses CCSSO's recommended definition of LEP: "Limited English Proficient" refers to a student who has a language background other than English, and the proficiency in English is such that the probability of the student's academic success in an English-only classroom is below that of an academically successful peer with an English language background.

To determine classification students are first identified through a Home Language Survey and are subsequently asked to take a language proficiency test that measures the student's speaking, listening, reading, and writing skills. An assessment of the student's academic skills in relation to their grade level is also conducted. The state does not have a list of approved English proficiency tests, nor does it recommend a specific cut-off score on these tests.

Systemic Reform Planning

The SEA staff did not indicate whether Iowa has a systemic plan or is planning to develop such plan. However, it appears that a planning council convened to examine the educational system and that the council developed a strategic plan delineated in a document titled, "Education is Iowa's Future: The State Plan for Educational Excellence in the 21st Century." The SEA staff cited the following text from this document: "all levels of Iowa's educational system must reflect a commitment to enabling all students to reach their full potential." It further states that "... student participation and academic performance must be examined to determine the progress of all major groups in the student population." However, LEP students as a single category of the student population are not explicitly mentioned in the state plan.

Staff noted that persons knowledgeable about LEP student concerns might have been involved in the planning process, but that these individuals were not specifically sought out when the planning council was organized.

Content Standards

There is no state initiated standards development process in Iowa. Staff noted that Iowa's approach has been to provide support to LEAs as they set locally defined learning expectations for their students.

Performance Standards

Reference to assessment is included in Objective One of Iowa's strategic plan which states, "Each school or school district will develop, through informed dialogue with its community, a clear set of learning expectations for students in their district and standards for student performance." There are no student performance standards currently, and there are no plans to develop such standards.

Statewide Student Assessment

There is no statewide assessment program. The state agency gives flexibility to districts to develop their own assessment systems. Objective Two to the strategic plan states: "All schools and school districts will use a variety of assessment methods to determine student progress on performance standards." Staff did not indicate whether LEP students are exempted from any form of testing at the local or state levels. Nor is there any information available about assessment in non-native languages. The state collects LEP student achievement data in order to meet requirements under Title VII of ESEA. Performance of LEP students in the following areas are collected: mathematics, science, social studies and reading.

Staff noted that the only data published regarding student achievement are included in an annual Condition of Education Report. This information is in the form of aggregated data from the Iowa Test of Basic Skills, Iowa Tests of Educational Development, the National Assessment of Education Progress and the ACT college entrance exam results.

Opportunity-to-Learn Standards

There are no opportunity-to-learn standards in this state that apply to LEP or non-LEP students. There are no laws, rules, or advisory guidance available to districts that describe conditions necessary for LEP students to learn.

Title VI and EEOA

The state provides districts with guidelines concerning the districts' obligations under EEOA and Title VI of the Civil Rights Act. This guidance is provided by the Educational Equity Section, Bureau of School Administration & Accreditation, and Division of Elementary & Secondary Education. Generally the type of assistance given to schools is in the form of workshops, regional and statewide conferences, and response to requests for information. The SEA staff reported that they conduct approximately 50 workshops per year. These efforts focus on instructional strategies and are directed at both mainstream teachers and Bilingual/ESL teachers.

Teacher Licensing Standards

There are teacher licensing standards that apply to teachers who work with LEP students. According to Iowa's administrative code, teachers in an English as a Second Language (ESL) program, must have a valid Iowa teaching license. In addition, all teachers must have a K-12 ESL endorsement if they are teaching ESL classes. Teachers in a transitional bilingual program must have a valid Iowa teaching license with endorsements for the area and level of their teaching assignment. There is no alternate route to licensure or certification in this state.

Professional Development

Related to Content Standards: One of the objectives outlined in the state's strategic plan is focused on staff development. The state's strategic plan asserts, "Iowa educators will be provided time and resources for continuing professional development to include innovative research-based teaching methods to better meet the needs of ALL students."

Broader Efforts: Current staff development opportunities are divided between subject matter based

programs and school-based programs. SEA staff indicated that there is no formally adopted state-wide professional development plan. Staff development programs are planned and carried out by individual school districts often in conjunction with an area education agency.

Several local needs and obstacles were cited by the SEA staff including: (a) time for professional development, joint planning, etc.; (b) greater understanding of inclusion models; (c) fiscal resources; and (d) greater understanding of the school reform movement and teachers' roles in moving from old structures to new possibilities.

Obstacles to the education of LEP students included: (a) lack of support and capacity building resources for effectively engaging in school reform; (b) certification and licensure; and (c) lack of access to technological resources.

SEA Organization

The unit of the SEA responsible for coordinating any activities related to the education of LEP students is housed in the division of Elementary and Secondary Education. The structure has been in place for 10 years. There are no immediate plans to reorganize the SEA. The staff reported that there was one consultant who coordinates and facilitates programs, policy development, and staff development focusing on the needs of LEP students.

Technical Assistance Needs

The following areas of need were cited by the SEA staff: developing the Goals 2000 state improvement plan, providing LEP students with access to the content standards, assessment of LEP students, and teacher preparation and development.

Idaho

Demographic Overview

1992-93 Public K-12 Enrollment:	231,816
1992-93 Public K-12 LEP Enrollment:	4,596
1992-93 Public K-12 % LEP Enrollment:	2.0%

Source: *Special Issues Analysis Center: Development Associates, Inc., September 1994.**

	Total Children	LEP Children	%LEP Children
Urban	26,357	430	1.6%
Suburban	18,443	199	1.1%
Rural	185,296	4,464	2.4%

Source: *1990 U.S. Census**

Eligible School-Age Population:	236,387
Total Children Living in Poverty:	36,078
% of Total Children Living in Poverty:	15.3%
LEP Children Living in Poverty:	1,990
% of LEP Children Living In Poverty:	38.4%

Source: *1990 U.S. Census**

* Note: The definition of LEP status varies by state and by source. The LEP student poverty status and distribution by urbanicity figures have been calculated based on the school-age population's response to the U.S. Census question "How well do you speak English? Well, Not Well, Not At All." These three categories were combined to form the definition of LEP. Therefore, there may be discrepancies in the data between the two sources above.

LEP Student Definition and Identification

The statewide definition of LEP is the following: "a limited English proficient student shall be one who comes from a home language background other than English and meets one or more of the following criteria: a) scores a 3 or lower on the Language Assessment Scales or a 3 or lower on the Woodcock-Munoz or, b) scores below the 40th percentile on the ITBS, and/or c) is not performing at grade level with his/her native English speaking peers.

Systemic Reform Planning

The state has developed a systemic plan that explicitly mentions LEP students. This reference is included in the vision statement of a document titled, "Education Reform in Idaho." The statement defines the notion of "all" as inclusive of students with limited English proficiency. An SEA person who is knowledgeable about LEP students' educational needs served on the systemic reform planning committee.

Content Standards

All content standards apply to all students including LEP students.¹⁵ These students are not explicitly mentioned in the content standards documents. The staff noted that ESL content standards is an area that needs to be addressed.

Performance Standards

The state currently has performance standards. All apply to LEP students. There is no explicit mention of LEP students for inclusion in the standards. Moreover, there are no additional performance standards that apply only to LEP students.

Statewide Student Assessments

LEP students are exempted from statewide assessments for a period of two years while enrolled in a language support program. During the period of exemption the state collects data on LEP students as a group, not by individual students. The data is reported to the Title VII consultant, and the U.S.

Department of Education's Office of Bilingual Education and Minority Languages Affairs. The Chapter 1 program also collects performance data on LEP students served under Chapter 1. There are no assessments in a language other than English available in the state. The state does not plan to develop these. Data on student achievement is published but not by LEP status. However, the state is currently studying the issue of disaggregating student achievement data.

Opportunity-to-Learn

Staff reported that the state did not have opportunity-to-learn standards generally or for LEP students in particular. However the state provides advisory guidance to districts which describe the conditions necessary for LEP students to learn.

In their efforts to enhance opportunity-to-learn for LEP students the state has found several strategies to be important. These include training all mainstream teachers to meet the needs of LEP students; encouraging the use of only certified trained teachers are teaching ESL; developing the student's native language; and developing content standards for ESL.

Title VI and EEOA

Technical assistance concerning the district civil rights obligations is coordinated by Title VII and Title IV consultants. This assistance is provided to the districts through a combination of workshops, monitoring visits, and other efforts as deemed necessary by districts and the state. The state education agency is under a U.S. District Court Consent Decree in which it agrees to implement a statewide Monitoring Plan to ensure equal educational opportunity to LEP students. Under the Consent Decree the state must authorize second language support services and provides supplementary assistance to the districts in developing, implementing and monitoring these services.

The state must file an annual report describing progress of state and local districts in implementing the goal of the plan to provide LEP students with equal educational opportunity.

Teacher Licensing

The state has an ESL and a bilingual education endorsement. The ESL endorsement is given for 20 hours of course work from a combination of study in the areas of foreign language, ESL methods, and multicultural education. However, teachers without these endorsements may teach LEP students.

There is an alternative route to licensure or certification for those teachers interested in teaching LEP students. The "consultant specialist" position allows people who are uniquely qualified to work with LEP students for up to 20 hours per week. It is up to districts to define "uniquely qualified". There are no state promulgated standards that outline skills/knowledge that the consultant specialist must acquire. However, in order to obtain the ESOL endorsement the person needs to meet other state mandated requirements.

Professional Development

Related to the Content Standards: Staff development efforts designed to equip teachers with skills and knowledge relevant to content standards include both mainstream teachers and ESL/bilingual teachers. Every year, approximately 200 teachers are trained to align content standards with ESL instruction. However, the need for this type of staff development are great, and equitable access to the content standards for LEP students is a concern of the state staff.

Broader Efforts: The SEA conducts extensive professional development, some activities are directed towards school building teams, others are directed to groups of teachers in specific disciplines.

SEA staff reported that the main need of local staff is understanding the stages of second language acquisition and strategies that can be used to incorporate language and content instruction. Also, teachers need training and planning time to adequately meet the needs of LEP students in mainstream classrooms. Finally, the staff noted that if the content standards will truly apply to all LEP students that extensive training will be required so that teachers will understand the unique needs of second language learners.

SEA Organization

The state Title VII consultant is housed in the Division of Federal-State Instructional Programs and is responsible for coordinating all state activities focused on the education of LEP students. The consultant reports to the Supervisor for Title I. However, this reporting structure may change since the state is planning to re-organize. It is expected that the change will lead to greater

involvement of all SEA staff in addressing the needs of LEP students.

Technical Assistance

SEA staff reported that they needed technical assistance in the following areas: providing LEP students with access to the content standards; assessment of LEP students; and teacher preparation and development.

¹⁵ Subjects: Math, Science, Health, English, Language Arts, Social Studies, Arts, Physical Education, School-to-Work.
Source: CCSSO Baselines Report, revised March 1995.

Illinois

Demographic Overview

1992-93 Public K-12 Enrollment:	1,833,885
1992-93 Public K-12 LEP Enrollment:	94,471
1992-93 Public K-12 % LEP Enrollment:	5.2%

*Source: Special Issues Analysis Center: Development Associates, Inc., September 1994.**

	Total Children	LEP Children	%LEP Children
Urban	695,208	69,709	10.0%
Suburban	1,109,481	37,491	3.4%
Rural	389,062	4,527	1.2%

*Source: 1990 U.S. Census**

Eligible School-Age Population:	2,179,107
Total Children Living in Poverty:	362,643
% of Total Children Living in Poverty:	16.6%
LEP Children Living in Poverty:	30,241
% of LEP Children Living In Poverty:	27.3%

*Source: 1990 U.S. Census**

* Note: The definition of LEP status varies by state and by source. The LEP student poverty status and distribution by urbanicity figures have been calculated based on the school-age population's response to the U.S. Census question "How well do you speak English? Well, Not Well, Not At All." These three categories were combined to form the definition of LEP. Therefore, there may be discrepancies in the data between the two sources above.

This state completed a pilot survey which has abbreviated questions regarding whether the state has outcome, content and performance standards, and does not ask whether the state publishes data on LEP student achievement separately.

Student Definition and Identification Standard

Students of limited English proficiency means students of non-English background whose aural comprehension, speaking, reading, or writing proficiency in English is below the average English proficiency level of students of the same age and/or grade whose first or home language is English.

Classification is based on results of nationally normed tests in English language proficiency which measure oral skills. Results of reading and writing tests are also considered for students in grades two and above. Students who score below the 50th percentile are classified as LEP and are provided with ESL/bilingual instruction. School districts are encouraged to use other assessment measures such as criterion-referenced tests and other data such as teacher observation, and student records to make decisions about student placement.

Systemic Reform Planning

The "Illinois Public School Accreditation Process" requires that schools include in the School Improvement Plan a series of descriptive elements including an analysis of existing conditions, learning outcomes, standards and expectations, and analysis of student performance by groups of students including those classified as LEP. Schools are accountable for the total student population. Analysis of student performance disaggregated by student categories (such as LEP) is required. LEP students are explicitly mentioned in the systemic plan.

LEP experts have been involved in the development of the state's systemic plan. Rather than "creating" task forces, Illinois State Board of Education (ISBE) has included these individuals in existing groups. The LEP Alternative Assessment Task Force has completed its recommendations and now oversees implementation of these recommendations. There is also a standing statutory bilingual advisory council

that advises the SEA on LEP student matters. Finally, there is an LEP alternative Assessment Task Force that was created to draft recommendations regarding assessment of LEP students.

Content Standards

The state has developed or is in the process of developing content standards.¹⁶ These content standards apply to all students including LEP students although they are not explicitly mentioned for inclusion. Schools are held accountable for student progress toward meeting these goals.

Performance Standards

The state is in the process of developing performance standards, and they will explicitly mention LEP students when completed. The LEP Alternative Assessment Task Force is embracing these standards (performance) as the baseline for the development of performance based assessment for LEP children.

The Draft recommendations from the LEP Alternative Assessment Task Force proposed using the established performance assessments as an accountability measure for LEP children. Standards for English Language Proficiency development are currently being developed. There are no additional standards that apply only to LEP students.

Statewide Student Assessments

Illinois exempts LEP students from state-wide assessments for three years from the time of enrollment in a state approved bilingual program. Assessment alternatives are currently being developed. Data on exempted students are collected and incorporated into the Annual Bilingual Education Evaluation Report. As a result of the Task Force's recommendations, ISBE will (1997) report student English language proficiency growth by district. This is currently not done. Also, the assessment of LEP student performance in content areas is part of the local assessment mandated as part of the Illinois accreditation process. This assessment is designed to allow students to demonstrate their competence in the subjects. Thus, assessment in the student's native language is appropriate if the student is taught in that language. ISBE is developing

exemplar performance based assessments for use at the local level. These assessments will include tasks in which students can demonstrate mastery of content in their native language. There are plans to develop native language assessments.

Opportunity-to-Learn Standards

There are no Opportunity-to-Learn Standards in this state. However, state law requires minimum program standards. This law contains provisions for student classification; type of instructional services to be provided to these students; length of time in program; student evaluation; and mainstreaming into the general program. The state also provides guidance to the districts concerning the education of LEP students in the form of Handbooks and special advisories, and has regulations/rules that describe conditions for LEP students to learn.

Staff noted that in order to provide LEP students the necessary opportunities to learn the state provides technical assistance, professional development, and program funding. Technical assistance is provided by the Bilingual Section to all currently funded programs, as well as districts considering creating new programs. These efforts focus on issues such as program models, personnel needs, assessment, and budget expenditures. Professional development is available to all funded programs through the Illinois Resource Center which provides training in all areas related to LEP services. The state also approves and oversees program funding to all districts serving LEP students.

Title VI and EEOA

The state has developed guidance for the district concerning their Title VI and EEOA obligations. Technical assistance is provided to districts on this matter.

Teacher Licensing

There have been no recent changes in the teacher licensing and professional development standards. In order to teach LEP students, teachers must have an ESL or Bilingual Education Certificate. Individuals seeking state certification must successfully pass a test of basic skills and a test of subject matter com-

petence. Currently bilingual teachers must successfully demonstrate proficiency in English or non-English language (whichever language was not the medium of instruction used to obtain their degree) in a test situation.

There is an alternative route to licensure in Illinois. Individuals with at least a bachelors degree from the U.S. or another country or teaching credentials from another state or country are eligible to apply for a Transitional Bilingual Type 29 Certificate. This certificate is a six year certificate which allows the individual to work in a bilingual K-12 setting with LEP students. Within that time they are expected to complete coursework that will allow them to obtain an Illinois teaching certificate and bilingual endorsement.

Professional Development

Related to Content Standards: Professional Development activities are provided by intermediate service centers and focus on meeting the school improvement goals of the Illinois Public School Accreditation Process.

Broader Efforts: In Illinois, professional development activities are both subject matter based and school-based. Professional development is available to the districts by state funded resource centers. The services provided by these centers are tailored to the needs of the individual schools.

SEA staff identified two areas of need at the local level: staff development and additional resources.

Staff development is needed for both ESOL/bilingual teachers and mainstream teachers. ESOL/Bilingual teachers have specific knowledge on how to work with LEP students (i.e. language acquisition theory, techniques). They need additional professional development in several areas such as teaching strategies, collaboration with mainstream teachers. Mainstream teachers need to enhance their skills—working with LEP students, second language acquisition theory.

In situations in which there is a high degree of language and cultural diversity the challenges are greater. School systems need to assess their capacity to deliver effective services to these students in ways that capitalize on the students' strengths. Funding is another critical area of need. Districts serving LEP students receive only a portion of their total expenditures which limits the amount, and type of service they can offer LEP students.

SEA Organization

The Bilingual Education unit is now part of the Center for Educational Leadership dealing with innovation, reform and re-engineering. This arrangement has been in place since 1992 and the SEA does not expect any changes in the near future.

Technical Assistance

SEA staff noted that they might benefit from technical assistance in the areas of developing the Goals 2000 plan, assessment of LEP students, and teacher professional development.

¹⁶ Subjects: Math, Science, Health, English, Language Arts, Social Studies, Foreign Language, Arts, Physical Education, and School-to-Work Transition. Source: CCSSO *Baselines Report*, revised March 1995.

Indiana

Demographic Overview

1992-93 Public K-12 Enrollment:	959,876
1992-93 Public K-12 LEP Enrollment:	5,017
1992-93 Public K-12 % LEP Enrollment:	0.5%

*Source: Special Issues Analysis Center: Development Associates, Inc., September 1994.**

	Total Children	LEP Children	%LEP Children
Urban	317,845	5,531	1.7%
Suburban	476,040	8,549	1.8%
Rural	328,420	6,727	2.0%

*Source: 1990 U.S. Census**

Eligible School-Age Population:	1,108,653
Total Children Living in Poverty:	148,854
% of Total Children Living in Poverty:	13.4%
LEP Children Living in Poverty:	4,021
% of LEP Children Living In Poverty:	19.6%

*Source: 1990 U.S. Census**

* Note: The definition of LEP status varies by state and by source. The LEP student poverty status and distribution by urbanicity figures have been calculated based on the school-age population's response to the U.S. Census question "How well do you speak English? Well, Not Well, Not At All." These three categories were combined to form the definition of LEP. Therefore, there may be discrepancies in the data between the two sources above.

LEP student Definition and Identification

Indiana has a two step process that is used for identifying LEP students. All students enrolled in Indiana schools must complete a Home Language Survey to determine the first language the child learned to speak or if a language other than English is spoken in the home. Those students who have responses that indicate a language other than English are to be assessed for language proficiency using oral and written instruments.

When no formal assessment instruments are available to purchase tests, these students may be assessed informally.¹⁷ The SEA provides LEAs with a teacher administered assessment procedure which contains a rubric for determining placement. Large districts use the LAS or the Woodcock Munoz test for purposes of assessment. No specific cut-off score is set at the state level. The LAS and Woodcock Munoz have established scores for LEP levels 1-5 and Fluent English Proficient status.

Systemic Reform Planning

The state has not developed a systemic plan. However, the Division of Language Minority and Migrant Programs has worked with respective consultants within the Department of Education to make sure that the needs of LEP students are incorporated into reform initiatives. There is a Department Coordination team consisting of consultants from all program areas and Language Minority consultants. Joint planning and coordination helps to incorporate LEP needs and concerns into all program areas.

Content Standards

There are content standards in this state, and all apply to the general student population and to LEP students.¹⁸ There is no specific mention of LEP students in the documents.

Performance Standards

The state has performance standards that all apply to

LEP students, although specific mention is not made in the documents. There are no additional performance standards that apply only to LEP students.

Statewide Student Assessment

LEP students are exempted from statewide tests if they are classified as Level 1, 2, or 3 LEP on a standardized test of language proficiency. No data is collected on exempted students. There are no assessments in languages other than English nor does the state plan to develop these assessments. Achievement data is published but not by language status.

Opportunity-to-learn Standards

Indiana does not have opportunity-to-learn standards that apply to the general population or LEP students. However, there are regulations and rules that describe the conditions necessary for LEP students to learn. These are in the form of performance based accreditation legal standards for accommodating the needs of LEP students within the mainstream classrooms. Moreover, the SEA Language Minority and Migrant office has published a series of Handbooks and Resource Manuals that provide districts with guidance regarding a broad range of instructional issues. There are Resource Manuals on non-biased assessment of language minority students, assessment of language proficiency, adapting content areas to LEP students, funding sources, procedures for developing program capacity, empowering LEP students, transitioning LEP students, and procedures for identification of LEP students. The information provided to school districts in the manuals is an attempt by the SEA to enhance opportunity-to-learn for LEP students.

The SEA staff cited several factors that are important to enhance LEP students' opportunities to learn such as meaningful instruction via thematic organization of curriculum; language experiences that are real and meaningful; semantic mapping strategies for content area studies; use of trade books; cooperative learning; peer tutoring; and context based activities to supplement instruction.

Also, in districts where large concentrations of single language groups are enrolled, bilingual instruction is effective for developing reading and content area

skills. Most of the schools in Indiana however, have multiple language groups.

Title VI and EEOA

Concerning the state's leadership role in advising districts of their obligation under EEOA and Title VI of the Civil Rights Act, there are guidelines designed to accomplish these specific objectives. The guidelines were developed by the Division of Language Minority and Migrant Programs and address federal legal requirements and state policies bearing on the education of LEP students. The SEA provides technical assistance to LEAs to assist in the compliance of requirements under Title VI and the EEOA for LEP students.

Teacher Licensing and Professional Development

The state has teacher licensing standards that apply to teachers of LEP students. Bilingual/bicultural teacher licensing is available through an endorsement licensing program that is added to a standard teaching license after completion. English as a Second Language teacher certification is also available as an all grade minor area of licensure.

Due to the lack of state funds to support programs for LEP students and bilingual or ESL programs, the teacher licensing is not required for working with LEP students. Districts that have locally funded programs do encourage staff to secure licensing in ESL or bilingual education.

This state does not have an alternative route to licensure or certification to teach LEP students.

Staff Development

Related to Content Standards: Opportunities for professional development are available upon request through the Indiana Department of Education, Division of Language Minority and Migrant Programs. All school corporations have the opportunity for individualized staff development opportunities based upon identified needs. The Division also provides regional training opportunities each school year based upon identified needs of the districts. Local Universities also offer professional develop-

ment and certification programs for ESL and bilingual teacher certification.

Broader Efforts: Staff development activities are both subject matter based and school-based. Each school is involved in the development of school improvement initiatives through the Performance Based Accreditation program. Most of the professional development opportunities address school-based needs and priorities. Regional and statewide training provided are subject matter based and is provided upon request by the districts.

SEA staff noted that local practitioners need increased opportunities for staff development and funding to purchase materials. Staff does not anticipate any changes in the need of teachers and other local personnel in this state.

SEA Organization

The Language Minority and Migrant Education Unit of the SEA is housed in the Division of Community Relations and Special Programs. There are no plans at this time to restructure the SEA in a manner that will effect the operations of this unit.

Technical Assistance Needs

With the new Title I Law, we are seeking assistance in the design of flexible yet meaningful assessment methods that will allow for fair and meaningful evaluation of LEP students.

¹⁷ State legislature does not provide funds for testing of LEP students *or* instruction of LEP students.

¹⁸ Math, Language Arts, Science, Social Studies, Fine Arts, and Foreign Language. Source: CCSSO *Baselines Report*, revised March 1995.

Kansas

Demographic Overview

1992-93 Public K-12 Enrollment:	451,536
1992-93 Public K-12 LEP Enrollment:	6,900
1992-93 Public K-12 % LEP Enrollment:	1.5%

*Source: Special Issues Analysis Center: Development Associates, Inc., September 1994.**

	Total Children	LEP Children	%LEP Children
Urban	112,047	3,559	3.2%
Suburban	149,729	1,802	1.2%
Rural	235,274	4,479	1.9%

*Source: 1990 U.S. Census**

Eligible School-Age Population:	490,462
Total Children Living in Poverty:	65,881
% of Total Children Living in Poverty:	13.4%
LEP Children Living in Poverty:	2,802
% of LEP Children Living In Poverty:	29.2%

*Source: 1990 U.S. Census**

* Note: The definition of LEP status varies by state and by source. The LEP student poverty status and distribution by urbanicity figures have been calculated based on the school-age population's response to the U.S. Census question "How well do you speak English? Well, Not Well, Not At All." These three categories were combined to form the definition of LEP. Therefore, there may be discrepancies in the data between the two sources above.

LEP Student Definition and Identification

Kansas uses two definitions for LEP students: one included in the Kansas Bilingual Education Act, and another outlined in the Handbook for Implementing Kansas State Bilingual Education Guidelines: Assessing Students and Evaluating Programs. The Act defines LEP students as "pupils who because of their inability to speak, read, write and or understand the English language are excluded from effective participation in the educational programs offered by a school district. The Handbook defines a student with limited English proficiency as, "...a student with a language background other than English such that the probability of the students' academic success in an English-only classroom is below that of an academically successful peer with English-language background." This latter definition was recommended by CCSSO in its 1992 publication, "Assessment and Monitoring of Students with limited English proficiency." The state does not recommend a cut-off point on the English language assessment instruments used by the districts.

Systemic Reform Planning

The state has a systemic reform plan that explicitly mentions LEP students. The state's accreditation system calls for *all students* to achieve the state's student performance outcomes. The definition of "all" includes LEP students. Also, the improvement plan, which all state accredited schools must complete, provides opportunities for schools to designate LEP students as a focus population for their schools improvement efforts.

Members of professional organizations (KATESOL, KABE) have contributed to the development of the systemic plan as participants in various planning groups.

Content Standards

State staff reported that the state has a set of content standards in communication (writing, speaking, and listening), mathematics, science, and social studies. All content standards apply to LEP students. LEP students are not explicitly mentioned in the standards statements.

Performance Standards

The state has developed a set of performance standards which apply to school performance on state assessment in mathematics, reading and writing. Others will be developed for state science and social studies tests in the future. When completed all of the performance standards will apply to all of the students, including LEP students. No additional performance standards will be developed that apply **only** to LEP students.

Student Assessment

LEP students may be exempted from statewide assessments. Students who are at level one or two of a 5 level English proficiency scale are automatically exempted from state assessments. A team including certified ESL or Bilingual teachers determine whether other LEP students should take the test. Districts are advised to offer the test to students only if the results could reasonably be expected to reflect more than the student's development in English proficiency. This does not exempt districts from setting and measuring goals for LEP students.

There is no assessment in a language other than English and no plans to develop native language assessments. Discussions are currently taking place concerning measuring acquisition of content knowledge and testing of LEP students.

Data on exempted students is collected in reading, mathematics, and science. Further data on the number of LEP students meeting their individual English -language goal is also collected. However, not all districts collect and report this information to the SEA. The state reports the data collected on student achievement to the USDE Office of Bilingual Education and Minority Languages Affairs (OBEMLA).

Opportunity-to-Learn

The state does not have opportunity-to-learn standards. However, staff noted that they will be addressed as part of the Goals 2000 state improvement plan. The standards will not mention LEP students explicitly.

There are laws, regulations, and advisory guidance in this state that describe the conditions necessary for LEP students to learn. Specifically, the Kansas Bilingual Education Act specifies that districts participating in the state funded program must use qualified staff who are certified and endorsed teachers or para-professionals who have a training plan on file with the district.

Additional rules specify that LEP students must receive an acceptable program of ESL/Bilingual education with use of the child's primary language where possible. In addition state regulations specify that the goals of these programs should be to enhance learning of English, and to give LEP students access to the curriculum (content learning). The school accreditation process makes clear that the needs of all students must be met.

The state staff identified several strategies that are important to provide opportunities for LEP students to learn. They were as follows: a) systemic identification and assessment of students, b) avoiding the placement of students in separate pull-out classes with only para-professionals, c) use of vocational, music, and art programs by staff who can modify instruction to accommodate LEP students; d) training mainstream teachers to support first language development and build strong home-school connections and e) effective use of para-professional staff.

Title VI and EEOA

Staff noted that Kansas has guidelines that delineate the districts' civil rights and EEOA responsibilities as they relate to LEP students. Additionally, site monitoring includes an ethnography process that solicits family views on students needs and also assesses program capabilities. Teachers have been trained in community outreach and parent involvement techniques and site-based councils include bilingual parents. These councils are a legal requirement for every Kansas school building.

Teacher Licensing Standards

There are licensing and professional development standards in this state that apply to teachers who

teach LEP students. An ESOL program must consist of a course of study that allows students to demonstrate: knowledge of general and applied linguistics; knowledge of the process of second language acquisition; knowledge of current ESL methods and techniques; knowledge of specialized techniques and ability to evaluate teaching materials, procedures, and curricula; knowledge of the principles of language assessment, and proficiency in English.

A teacher seeking bilingual credentials must have a valid teaching certificate and must have taken a course of study that allows the students to demonstrate knowledge in the following general categories: history of the U.S.; linguistics; teaching methods in bilingual settings, history of bilingual and multicultural education; use of English-as-a-second language in all subject matter content and fields of specialization.

Professional Development

Related to the Content Standards: According to the state staff, professional development linked to the content standards has been provided to the local staff. The staff noted that Title VII of ESEA and Title IV grants have supported in-service training focused on integration of language and content learning. Other training has focused on concerns related to assessment of LEP students in mainstream classroom settings; multicultural awareness; awareness of second language acquisition theory; and ESOL teaching methods. In-service training sessions were conducted by SEA staff, as well as personnel from the University of Kansas and Kansas State University. Participants included ESOL, Bilingual, and mainstream classroom teachers, para-professionals, and LEA administrators. Two way

television has been used on occasion to deliver these training opportunities to more isolated areas.

Broader Efforts: The staff indicated that SEA-supported staff development efforts are school-based. Kansas has a staff development delivery framework to which all schools must conform. This system requires that districts and their schools identify high priority training needs and subsequently prepare a long-range staff development plan to address those needs. Districts provide the SEAs with updates indicating the high priority areas targeted, the specific outcomes achieved, and the level of implementation of the particular staff development effort.

The main needs of teachers and other local personnel in this state are: information about the use of para-professionals, and staff development focusing on language acquisition and effective ESOL teaching methods.

SEA Organization

Although the ESOL/Bilingual office is primarily responsible for coordinating services concerning the needs of LEP students, the staff indicated that at least six areas of the SEA address the needs of LEP students. They included the areas of Bilingual Education, Equal Education Opportunities, Parent as Teachers, Technical Education, Even Start, and Adult Basic Education. The ESOL/Bilingual unit of the SEA is housed in the Division of Learning Services. The organizational structure has been in place since 1991. There are no immediate plans in this state to change the organizational structure.

Technical Assistance Needs

Staff did not have any technical assistance needs.

Kentucky

Demographic Overview

1992-93 Public K-12 Enrollment:	687,158
1992-93 Public K-12 LEP Enrollment:	1,658
1992-93 Public K-12 % LEP Enrollment:	0.2%

Source: *Special Issues Analysis Center: Development Associates, Inc., September 1994.**

	Total Children	LEP Children	%LEP Children
Urban	17,356	244	1.4%
Suburban	312,818	3,593	1.1%
Rural	411,778	3,849	0.9%

Source: *1990 U.S. Census**

Eligible School-Age Population:	737,193
Total Children Living in Poverty:	178,585
% of Total Children Living in Poverty:	24.2%
LEP Children Living in Poverty:	2,093
% of LEP Children Living In Poverty:	26.8%

Source: *1990 U.S. Census**

* Note: The definition of LEP status varies by state and by source. The LEP student poverty status and distribution by urbanicity figures have been calculated based on the school-age population's response to the U.S. Census question "How well do you speak English? Well, Not Well, Not At All." These three categories were combined to form the definition of LEP. Therefore, there may be discrepancies in the data between the two sources above.

LEP Student Definition and Identification

Kentucky uses the federal definition for identifying LEP students.¹⁹ Local schools may develop additional criteria for purposes of classification. There is no state guidance concerning types of instruments to use for determining level of English language proficiency, or the reference point below which students are classified as LEP.

Systemic Reform Planning

Since 1990 this state has been implementing a systemic school reform program to improve the academic performance of all students, the result of a comprehensive examination and restructuring of the educational system. The state legislature enacted the Kentucky Education Reform Act

which resulted in the development of a systemic plan. The state's systemic reform plan makes no specific reference to LEP students. However, staff reported that representatives from the Parent Advisory Committee for Migrant Education have been

involved in the implementation of the systemic reform plan as advisors. It can be assumed that LEP students are included in the state's reference to "all" students.

Content Standards

The staff indicated that the state has a set of academic expectations, and all apply to all students including LEP students.²⁰ There is no explicit mention of LEP students for inclusion in the standards.

Student Performance Standards

The state has a set of performance standards, and all of them apply to all students, including LEP students. The outcome standards are outlined in a document titled "Kentucky's Learning Goals and Academic Expectations." The document outlines what students in this state should know and be able to do as they exit the public school system. These expectations are listed as cross-cutting personal and academic skills expected of all students. There is no explicit mention of LEP students in either of the

outcome or performance standards, and there are no additional outcome or performance standards that apply only to LEP students.

Statewide Student Assessment

LEP students are exempted from the statewide assessment program if they have been in the school system for less than two years. However, these students can only be exempted from testing once. Data is collected on exempted students—language proficiency scores, grades, records of coursework, and content proficiency. Schools also collect and maintain continuous progress data. Federal survey data is reported to the Office of Bilingual Education and Minority Languages Affairs. Other data is maintained at the school or district level.

There are no assessments in a language other than English, nor are there plans in this state to develop these. LEP student data represents one part of the aggregate data reported at the school, district and state level. Data can be disaggregated at the state level. However, the data is not reported by LEP status.

Opportunity-to-Learn Standards

There are no opportunity-to-learn standards in this state. Nor does the state have laws, regulations, or advisory guidance that describe conditions for LEP students to learn. However staff noted that the Kentucky Reform Act established learning goals and academic expectations for all students. In addition, a framework to support students, families and schools was established including multi-age, multi-ability primary programs; school-based decision-making; professional development; family resource and youth service centers; an assessment and accountability system to measure school success; a curriculum framework; extended school services; technology; preschool; and regional service centers. Finally, a new school finance system was implemented. Staff indicated that all of these strands are critical to the success and creation of the opportunity for LEP students to learn.

Title VI and EEOA

The Multicultural Opportunities Branch of the Professional Development Division is responsible for

developing and disseminating guidelines on districts EEOA and civil rights responsibilities. There is a Title IV unit that provides technical assistance to the districts in a number of areas including ESL. However, in the documents provided by the SEA which describe the services of this unit, there was no specific references to technical assistance regarding services to LEP students. The document contained a reference to multicultural education.

Teacher Licensing Standards

Teachers of LEP students must meet certain licensing and certification standards including endorsement in ESL. Standards that teachers must meet are as follows: a regular elementary classroom teaching certificate (for elementary level teaching; a secondary teaching certificate with specialization in either English or any foreign language to the extent of a teaching major, (for secondary level); and a teaching minor or an area of concentration.

In addition to the above those seeking ESL endorsement must complete: a minimum of 12 credits in linguistics, applied linguistics, methods and ESL instruction, 30 hours of field experience, culture and society, 6 hours credit of foreign language, and proficiency in English as defined by Guidelines for Preparation of Teachers of English to Speakers of Other Languages in the US. There is no alternative route for licensure or certification for teachers working with LEP students.

Professional Development

Professional Development activities in this state are both school-based and subject matter based. SEA staff indicated that “with school-based decision-making, schools become the focal point for professional development. Schools design and select professional development activities to meet the needs of their faculty. Activities may be subject-matter oriented, discipline based, integrated, focused on research-based instructional strategies and a variety of other areas relative to improving student performance and implementation of the Kentucky Education Reform Act.”

State education agency staff noted that local personnel needs include developing an understanding

of language acquisition and its implications for student performance, instructional practice, and assessment strategies.

A local level obstacle cited by the state staff is the lack of qualified personnel to teach/facilitate instruction in urbanized areas or to teach in rural areas.

SEA Organization

The functions related to policy development, technical assistance, program improvement and professional development are in the Instructional Strategies Branch within the Division of Professional Development.

Title VI and EEOA functions are also within the Division of Professional Development as part of the Multicultural Opportunities Branch. In addition, Migrant Education is in the Division of Program Resources. There are no plans in this state to reorganize the SEA.

Technical Assistance

SEA staff indicated that they could benefit from assistance with providing LEP access to content standards; assessment of LEP students; and teacher preparation and development.

¹⁹ A student is limited English proficient (LEP) if he/she has sufficient difficulty speaking, reading, writing, or understanding the English language to deny him/her the opportunity-to-learn successfully in English only classrooms or to participate fully in our society due to one or more of the following reasons: a) the student was not born in the United States or whose native language is not English; b) the student comes from an environment where a language other than English is dominant; or (c) the student is American Indian or Alaskan Native and comes from an environment where a language other than English has had a significant impact on his/her level of English language proficiency.

²⁰ The state has content guidelines and curriculum frameworks in: Math, Arts, Humanities, Science, Reading, Social Studies, Vocational Education, Writing, and Practical Living.

Louisiana

Demographic Overview

1992-93 Public K-12 Enrollment:	767,457
1992-93 Public K-12 LEP Enrollment:	5,878
1992-93 Public K-12 % LEP Enrollment:	0.8%

Source: *Special Issues Analysis Center: Development Associates, Inc., September 1994.**

	Total Children	LEP Children	%LEP Children
Urban	367,639	8,096	2.2%
Suburban	286,999	5,310	1.9%
Rural	286,906	4,443	1.5%

Source: *1990 U.S. Census**

Eligible School-Age Population:	928,772
Total Children Living in Poverty:	289,445
% of Total Children Living in Poverty:	31.2%
LEP Children Living in Poverty:	6,118
% of LEP Children Living In Poverty:	34.8%

Source: *1990 U.S. Census**

* Note: The definition of LEP status varies by state and by source. The LEP student poverty status and distribution by urbanicity figures have been calculated based on the school-age population's response to the U.S. Census question "How well do you speak English? Well, Not Well, Not At All." These three categories were combined to form the definition of LEP. Therefore, there may be discrepancies in the data between the two sources above.

LEP Student Definition and Identification

The state has two definitions of LEP students: a technical definition and a layman's definition. The technical definition states that LEP students are: (a) individuals who were not born in the United States or whose native language is a language other than English; (b) individuals who come from environments where a language other than English is dominant, as further defined by the U.S. Secretary of Education by regulations; (c) individuals who are American Indian and Alaskan natives and who come from environments where a language other than English has had a significant impact on their level of English language proficiency, and (d) who, by reason thereof, have sufficient difficulty speaking, reading, writing, or understanding the English language to deny such individuals the opportunity-to-learn successfully in classrooms where the language of instruction is English or to participate fully in our society.

The layman's definition of a LEP student is a language minority student whose English aural com-

prehension, speaking, reading, or writing proficiency is below the average English proficiency level of English-speaking students of the same age and/or grade.

The process of classification involves identification of language minority students through a home language survey and subsequent administration of a language proficiency test (LAS or IPT). A student who scores below the fluent level on either the LAS or the IPT is classified limited English proficient.

Systemic Reform Planning

The state is in the process of developing a systemic plan. The state plan will make explicit reference to LEP students. Persons knowledgeable about LEP student education have been involved in the systemic planning process. Specifically, the Bilingual Education/ESOL Section of the Louisiana Department of Education provides information about the state's national origin population to the planning teams, and the SEA Title VII Director has been actively involved in systemic reform efforts.

Content Standards

The state has developed content standards in mathematics which all apply to LEP students, and is in the process of developing standards for English language arts. There is elicited mention of LEP students for inclusion in the content standards. The state bilingual Education/ESOL Section has given assistance in the mathematics pilot testing project and the development of standards in English language arts. Curriculum frameworks have been developed specifically for LEP students in the areas of English language arts (K-12), science (K-8) and social studies (4-8). The state has provided numerous workshops on the use of the curriculum frameworks.

Performance Standards

All performance standards apply to all students including LEP students. However, some latitude is allowed at the elementary grades. Specifically, LEP students cannot be failed because of their lack of English proficiency and “end of the year” grades are weighted more heavily than “beginning-the-year” grades. LEP students are explicitly mentioned for inclusion in the standards set for the Louisiana Educational Assessment Program (LEAP), the Graduation Exit Exam, the math standards, and the English language arts standards. LEP students are expected to achieve at the same high academic levels as their English-speaking counterparts. Moreover, there are additional standards that only apply to LEP students. These are outlined in the *English Language Arts Curriculum Guide for Limited English Proficient Students (K-12)* specifically with LEP students attaining proficiency in English.

The state’s performance standards also apply to LEP students. These students have been explicitly mentioned in the performance standards developed for English Language Arts, Science (K-8), and Social Studies (4-8). Performance standards are outlined according to students English proficiency level.

Statewide Student Assessment

LEP students are exempted from taking the Louisiana Educational Assessment Program (LEAP) test if enrolled in the school system for less than two

years. However, they must eventually take the LEAP test which is administered in grades 3, 5, and 7 and the Graduation Exit Exam (GEE) in grades 10 and 11. Modifications in test administration are permitted for LEP students. Students can use a bilingual dictionary, an ESL teacher can administer the test in a small group setting, and repeated directions may be provided to LEP students. There are no assessments in a non-English language; however, the possibility of developing such assessments instruments are being explored.

Student achievement data are reported by LEP status for language arts, and math in grades 3,5, and 7. At the high school level statewide assessments are administered at grades 10 and 11 in science, social studies, language arts, written composition and math. High school students must pass all portions of the Graduation Exit Exam in order to graduate from high school. The Bilingual/ESOL Section along with the district ESL/Bilingual Education coordinators review the Graduation Exit Exam for cultural bias on a bi-annual basis. The Bureau of Pupil Accountability uses this review data in modifying the test before it is administered.

Opportunity-to-Learn

State staff reported that Louisiana has opportunity-to-learn standards that apply to and explicitly mention LEP students. These standards are in the form of curriculum guides, state-adopted texts, placement procedures, testing, and funding sources. The state has laws, regulations, and advisory guidance that describe conditions necessary for LEP students to learn. The SEA staff has developed a Handbook on the education of LEP students which provides policy guidance to districts concerning acceptable instructional programs, services to LEP students in mainstream classes, exiting procedures, monitoring LEP students academic performance in the mainstream class, grading policies, pupil/teacher ratio, parental involvement, and school-parent communications.

Also, SEA staff cited state laws prohibiting the denial of a public school education to any student on the basis of “race, creed, color, or national origin,” and laws affirming the preservation of Louisiana’s diverse cultures.

Several factors were cited by the SEA staff as important in enhancing LEP students' opportunities-to-learn. Of great importance is state agency guidance concerning selecting instructional materials to be used in ESL and bilingual education classrooms, developing grant proposals, providing districts with information about community based programs, developing student distance learning courses for ESL, and structuring and implementing effective ESL and bilingual education programs. Additionally, staff noted that having an 800 phone number that allows parents, teachers, paraprofessionals, and students to communicate concerns to the SEA has been important in meeting the needs of language minority students generally, and LEP students in particular.

Finally, the staff noted that "free of charge" consultants from the Bilingual Education Multifunctional Resource Centers and the Desegregation Centers has enabled the SEA and the districts to meet the needs of particular schools.

Title VI and EEOA

The state has developed guidelines regarding district EEOA and Civil Rights obligations with respect to services to LEP students, including children without documentation. These guidelines are provided to the district by the State Superintendent of Education, the Bilingual/ESOL Section, and the office of Educational Support, which handles gender equity, race desegregation and EEOA issues. These units provide technical assistance in the form of workshops, material development, and dissemination of publications, policy guides, and handbooks.

Teacher Licensing Standards

In Louisiana teachers of LEP students must meet the professional standards required of all teachers. In addition, they must have an ESL endorsement which requires a total of 12 hours of study in ESL methods, curriculum design for multicultural classroom, linguistics, language acquisition, and understanding of diverse cultures. Moreover, teachers can also receive bilingual specialist certification upon

taking coursework in their native or certified second language. This coursework includes methods for teaching math, science, social studies, and language arts in the native language. There is no alternative route to certification in this state. Changes designed to improve teacher education will affect teachers of LEP students. For example, most universities are now integrating some form of "multicultural education" into their teacher education programs.

Staff Development

Related to the Content Standards: Training sessions offered by the Bilingual Education/ESOL Section include the following topics: ESL strategies for the content area teacher; whole language instruction; portfolio assessment; culture and social interaction; bilingual instruction in the content areas; multimedia in the ESL/Bilingual classroom; hands-on math and science; special education and the ESL teacher, gifted and Talented LEP students; and social studies for the LEP students.

Also, the Bilingual Education/ESOL Section of the SEA has conducted staff development meetings for the Migrant Education and Early Childhood personnel of the SEA and local school districts.

Broader Efforts: Staff development activities are both school-based and subject matter based, and are directed at both mainstream teachers with LEP students and ESL/Bilingual teachers. Activities directed at teachers in specific disciplines have covered topics in language arts, science, social studies, math, and creative arts. School-based activities have been directed toward administrators and have focused on program design, grant writing, and curriculum and instruction issues.

At the local level, several obstacles to the education of LEP students were cited including lack of funding, lack of support for immigrant students, lack of space in existing facilities, and lack of sufficient bilingual teachers and aides.

SEA staff anticipated changes in the need for bilingual guidance counselors noting that the present staff rarely understands students' cultures or languages.

SEA Organization

Since 1985 the Bilingual Education/ESOL Section has been housed within the Office of Academic Programs. There are no plans in the immediate future to change this arrangement. This section includes three professional staff and one clerical staff.

SEA Technical Assistance

The SEA staff noted that they could use assistance in developing the Goals 2000 State Improvement Plan.

Maine

Demographic Overview

1992-93 Public K-12 Enrollment:	207,779
1992-93 Public K-12 LEP Enrollment:	1,713
1992-93 Public K-12 % LEP Enrollment:	0.8%

Source: *Special Issues Analysis Center: Development Associates, Inc., September 1994.**

	Total Children	LEP Children	%LEP Children
Urban	20,525	601	2.9%
Suburban	27,483	244	0.9%
Rural	186,887	1,978	1.1%

Source: *1990 U.S. Census**

Eligible School-Age Population:	232,516
Total Children Living in Poverty:	31,005
% of Total Children Living in Poverty:	13.3%
LEP Children Living in Poverty:	533
% of LEP Children Living In Poverty:	18.9%

Source: *1990 U.S. Census**

* Note: The definition of LEP status varies by state and by source. The LEP student poverty status and distribution by urbanicity figures have been calculated based on the school-age population's response to the U.S. Census question "How well do you speak English? Well, Not Well, Not At All." These three categories were combined to form the definition of LEP. Therefore, there may be discrepancies in the data between the two sources above.

LEP Student Definition and Identification

The state uses the same definition used in IASA Title VII legislation.²¹ For purposes of classification, the SEA recommends that LEAs use multiple criteria for assessment including a standardized English language proficiency test such as the LAS test and pre-LAS for early childhood. Students who test at the "limited English proficient" level on this instrument may be administered other assessment instruments including standardized and informal tests in English.

The state does not recommend a specific cut-off point on the English language proficiency tests used by the districts, but it does recommend the use of multiple assessment measures.

Systemic Reform Planning

There is no systemic plan in this state, although language minority students will be included in the states' IASA consolidated plan and in statewide MEA testing (grades 4,8,11).

Content Standards

Content standards are in the process of development in this state.²² The state has developed a "Common Core of Learning" document which is a statement of the knowledge, skills, and attitudes all Maine students are expected to have when they graduate from high school. Districts are building their curriculums based in part on this document. There is no explicit mention of LEP students although there are several references to cultural diversity. The expectations regarding achievement also apply to LEP students. Staff did not indicate whether and how the professional development activities are tied to the content standards.

Performance Standards

The state has a set of performance standards some of which apply to LEP students. Standards that do not apply to LEP students have not yet been identified. There are no additional performance standards that apply only to LEP students.

Statewide Student Assessment

LEP students who are not able to read English language text are exempted from statewide assessments. This is determined at the local level. No threshold measure for exclusion has been suggested. However, state exclusion policy states that this option "... should only be regarded as the most extreme modification of the assessment. Since it is the legislation's intent to include as many students as possible..." Local schools are required to identify each student excluded and the reason for exclusion on a case-by-case basis. Modification in test administration, such as reading the test directions in the student's native language, is permitted for LEP students.

Data on exempted LEP students are collected by district based on all areas tested. Data relating to subject specific portions of the MEA are not collected at the state level for exempted students.²³ The data on participating LEP students are reported to local superintendents, state legislature, OBEMLA, civil rights groups, other interested agencies and individuals. Data on exempted LEP students are not reported.

There are no assessments in a language other than English or plans to develop these assessments. The state reports (publishes) MEA test results by language status (English-only, bilingual-fully proficient, bilingual LEP). Local practitioners determine whether a LEP student can be administered the MEA test in a given subject area.

Opportunity-to-Learn

The state does not have opportunity-to-learn standards, laws, or regulations that describe the conditions necessary for LEP students to learn. However, the SEA provides local districts with guidance on this issue. For example, a policy memorandum (March, 1993) from the Commissioner of Education to the local Superintendents of Schools delineates districts' responsibilities regarding LEP students. The text states, "Language minority students who are limited English proficient are entitled to full participation in educational systems that are recipients of public funds. Educational services

should include, as a minimum: English language communication skills (usually English as a second language and/or bilingual education) and content area academic skills to prepare them to benefit from an education conducted in an all-English standard curriculum classroom. Inadequate language and academic skills development instruction, as well as premature exiting from specially designed language support programs, may result in academic failure for those students not ready for English-only content studies."

SEA staff noted that to enhance LEP students opportunity-to-learn it was important to maintain the support of Title VII of IASA, Title IV of the Civil Rights Act. These federal services provide for SEA based staff development benefitting LEP youth.

Title VI and EEOA

The office of Federal Projects for Language Minority Students is responsible for advising local school districts of their obligations concerning the civil rights and EEOA rights of LEP students. Assistance is provided to the districts in several areas including; grant proposal writing, staff development, ESL curriculum development, and advocacy.

Licensing and Professional Development Standards

There are licensing and professional development standards that apply to teachers who teach LEP students. A teacher seeking a bilingual certificate must possess a professional teaching certificate and must have 24 hours of instruction in the following areas: linguistics, second language learning, methods of teaching in bilingual classrooms, assessment, multicultural education, curriculum development, language learning, and non-English target language. There are also other professional requirements including a practicum and additional professional development course work. Teachers interested in an ESOL endorsement must also possess a teaching certificate and have completed coursework in each of five cluster areas for a total of 15 credits: ESL methods and materials, linguistics/language acquisition, culture studies, curriculum development, and assessment and testing.

Maine does not have an alternative route for licensure or certification to teach LEP students.

In terms of state supported professional development activities, staff noted that these activities are both subject matter based and school-based. Examples of activities coordinated at the state level include ESL conferences, Wahamaki education conference, ESL institute (tied to ESL endorsement), and Superintendents Leadership Council.

SEA staff identified the following as the main needs of local personnel in helping LEP students meet the state standards: access to content for those students in isolated geographic areas; funding to provide additional training to local staff; and University course offerings in areas of additional staff development.

SEA organization

Staff responsible for coordinating state-wide activities focused on the education of LEP students are housed in the Administrative Services Unit of the SEA. The current SEA structure has been in place for two years. There are no plans to change this structure.

Technical Assistance Needs

Staff noted that they could benefit from additional technical assistance in the development of the Goals 2000 State Improvement Plan, and in providing LEP students with access to the standards.

²¹ A student is limited English proficient (LEP) if he/she has sufficient difficulty speaking, reading, writing, or understanding the English language to deny him/her the opportunity-to-learn successfully in English only classrooms or to participate fully in our society due to one or more of the following reasons: a) the student was not born in the United States or whose native language is not English; b) the student comes from an environment where a language other than English is dominant; or the student is American Indian or Alaskan Native and comes from an environment where a language other than English has had a significant impact on his/her level of English language proficiency.

²² The state has begun development of content standards in math, science, Health, English/Language Arts, Social Studies, Foreign Language, Arts, School to work, and ESL. Source: CCSSO *Baselines Report*, revised March 1995.

²³ The test is administered in Language Arts, Reading, Math, Humanities, Social Studies, and Science.

Maryland

Demographic Overview

1992-93 Public K-12 Enrollment:	735,698
1992-93 Public K-12 LEP Enrollment:	12,076
1992-93 Public K-12 % LEP Enrollment:	1.6%

Source: *Special Issues Analysis Center: Development Associates, Inc., September 1994.**

	Total Children	LEP Children	%LEP Children
Urban	132,560	2,718	2.1%
Suburban	649,708	19,488	3.0%
Rural	62,809	1,294	2.1%

Source: *1990 U.S. Census**

Eligible School-Age Population:	829,738
Total Children Living in Poverty:	93,698
% of Total Children Living in Poverty:	11.3%
LEP Children Living in Poverty:	4,199
% of LEP Children Living In Poverty:	18.2%

Source: *1990 U.S. Census**

* Note: The definition of LEP status varies by state and by source. The LEP student poverty status and distribution by urbanicity figures have been calculated based on the school-age population's response to the U.S. Census question "How well do you speak English? Well, Not Well, Not At All." These three categories were combined to form the definition of LEP. Therefore, there may be discrepancies in the data between the two sources above.

LEP Student Definition and Identification

Maryland uses the IASA definition of LEP students.²⁴ For purposes of classification, LEP student (or their families) complete a home language survey and are assessed to determine English language proficiency. Assessment tools are chosen or developed by individual local school systems. The LAS by CTBS McGraw-Hill is a commonly used assessment instrument, in addition to locally developed assessments. The state does not recommend specific instruments. There is no statewide test for LEP students.

Systemic Reform Planning

The Maryland School Performance Program provides a framework for individual schools to make school improvement decisions designed to increase student learning. School improvement teams in each school examine state and local data on student participation and achievement to develop school improvement plans. As schools are given autonomy to

make strategic decisions to improve student performance, they are held accountable for meeting state standards of student performance. Each school's results in meeting the standards are reported annually in the school performance reports. There is no specific reference to LEP students in the state Systemic Reform Plan.

Content Standards

The state has developed and is developing goals, subgoals, and competencies in Mathematics, Science, English Language Arts, Social Studies, and other content areas. State curricular frameworks are required by regulation to be matched by local school system curricula. Maryland Learning Outcomes in Reading, Writing, Language Usage, Science, Social Studies, Mathematics for grades 1-8 are part of the Maryland School Performance Program school reform initiative. All content standards will apply to LEP students and will not make explicit reference to these students.

Performance Standards

The state has and is developing performance standards in grades 1-8, and all apply to LEP students. Standards for the Maryland Functional Tests were set in 1990 for grades 9-10, and 11-12. Standards for the Maryland State Performance Assessment Program were set in 1993 and 1994 and they apply to LEP students. There is no explicit mention of LEP students for inclusion in the performance standards, and there are no additional performance standards that apply only to LEP students.

Statewide Student Assessment

LEP students in grades 3, 5, and 8 enrolled in either transitional bilingual education or ESOL program for fewer than 3 years were exempted from taking the statewide test for one time only.

Data is collected at the county level on the aggregate number of LEP students that take the Maryland Functional Test. There are no assessments in the native language at the state level or plans to develop these assessments. The state publishes data on student achievement, but not by LEP category.

Opportunity-to-Learn Standards

In 1994, the Maryland legislature enacted House Joint Resolution 17, which establishes Opportunity-to-Learn standards for all public schools. Maryland is currently identifying the opportunity-to-learn strategies through the Goals 2000 panel's Opportunity-to-learn subcommittee. Each Maryland school is assessing opportunity-to-learn strategies already in place and those that need to be established. This information will be used to form a state plan for Maryland's Schools for Success/Goals 2000. As of the winter of 1994, the state did not have laws, advisory, or policy statements that describe the necessary conditions for LEP students to learn. However, the state has recently provided funding and drafted regulations that mandate ESL services to LEP students. The new regulations will permit bilingual education services.

Title VI and EEOA

The Equity, Assurance, and Compliance Branch of the SEA and the Division of Instruction are responsible for providing guidelines to the school's district regarding their obligations under Equal Education Opportunity (EEOA) and Title VI of the Civil Rights Act. These units also provide technical assistance on a range of issues including: developing, implementing, and evaluating programs for language minority students; policy development; training for administrators, teachers (ESOL and mainstream); and identification of resource materials for educators.

Teacher Licensing Standards

Teachers of LEP students must meet certain certification requirements including a teaching certificate from an approved higher education institution, a bachelor's degree, 21 credit hours of course work in specialized program area (linguistics, bilingualism, and cross-cultural studies), and 33 semester hours in a planned program of professional education that include a practicum. There is no bilingual education certification in the state at this time. Maryland is studying the feasibility of certifying bilingual teachers. Local school systems may apply for provisional certification for specific teachers of LEP students.

Staff Development

Related to the Content Standards: Staff development opportunities are tailored to the specific needs of teachers as defined by the schools' improvement teams and they include mainstream and ESL/Bilingual teachers. In 1993, Maryland provided a five-day summer institute for teachers on the Eastern Shore. This workshop focused on best practices and instructional techniques for teaching social studies to LEP students. The workshop was offered to ESOL and mainstream teachers. In 1994, there were several regional sessions responding to the needs of local school systems in the state. Additionally, local school systems use state and local funds and Title VII grant monies to conduct professional develop-

ment and support of student outcomes. Sessions are offered on multicultural issues and linguistic studies for local mainstream teachers.

Broader Efforts: Staff development in this state is both subject matter based or school-based. Staff development is provided based on requests for accountability. The main emphasis is in providing staff development to administrators and school improvement leadership teams and teachers in low performing schools. At the request of local districts, the SEA staff provides assistance to mainstream teachers on a number of topics including multicultural education and language acquisition.

The main needs of teachers at the local level are additional materials and resources as well as time to plan how to implement new strategies to help LEP students acquire English language skills and meet state standards. Many of the local school systems have itinerant teachers and are exploring alternatives to this service model.

SEA Organization

Maryland has one specialist in Foreign and Second Language Learning who devotes 80% of the time to coordinating activities related to the education of LEP students. The specialist works in the Language Development Section of the Division of Instruction and Staff Development. There are no plans to change the organizational structure at this time.

Technical Assistance

Maryland will benefit from on-going technical assistance activities in developing and implementing Schools for Success/Goals 2000 plan, assessment of LEP students, and teacher preparation and development. These may include training future teachers in language acquisition theories, cultural differences and providing accessible content area instruction for language minority students.

²⁴ A student is limited English proficient (LEP) if he/she has sufficient difficulty speaking, reading, writing, or understanding the English language to deny him/her the opportunity-to-learn successfully in English only classrooms or to participate fully in our society due to one or more of the following reasons: a) the student was not born in the United States or whose native language is not English; b) the student comes from an environment where a language other than English is dominant; or the student is American Indian or Alaskan Native and comes from an environment where a language other than English has had a significant impact on his/her level of English language proficiency.

Massachusetts

Demographic Overview

1992-93 Public K-12 Enrollment:	861,468
1992-93 Public K-12 LEP Enrollment:	41,580
1992-93 Public K-12 % LEP Enrollment:	4.8%

Source: *Special Issues Analysis Center: Development Associates, Inc., September 1994.**

	Total Children	LEP Children	%LEP Children
Urban	278,329	34,630	12.4%
Suburban	659,116	19,906	3.0%
Rural	43,466	452	1.0%

Source: *1990 U.S. Census**

Eligible School-Age Population:	974,482
Total Children Living in Poverty:	125,047
% of Total Children Living in Poverty:	12.8%
LEP Children Living in Poverty:	22,581
% of LEP Children Living In Poverty:	41.7%

Source: *1990 U.S. Census**

* Note: The definition of LEP status varies by state and by source. The LEP student poverty status and distribution by urbanicity figures have been calculated based on the school-age population's response to the U.S. Census question "How well do you speak English? Well, Not Well, Not At All." These three categories were combined to form the definition of LEP. Therefore, there may be discrepancies in the data between the two sources above.

This state completed a pilot survey which has abbreviated questions regarding whether the state has outcome, content and performance standards, and does not ask whether the state publishes data on LEP student achievement separately.

LEP Student Definition and Identification

The State Bilingual Education law (Chapter 71A) uses the following definition for students of "limited-English-speaking ability": (a) children who were not born in the United States whose native tongue is a language other than English and who are incapable of performing ordinary classwork in English; and (b) children who were born in the United States of non-English speaking parents and who are incapable of performing ordinary classwork in English.

Classifications procedure includes administration of a home language survey and assessment of students' English language proficiency using acceptable procedures and instruments. There are no specific instruments recommended by the state. However, state rules require that the language proficiency instrument be administered by a qualified and certified bilingual or English as a second language instructor. Assessment instruments and procedures should evaluate English listening/

understanding, speaking, reading and writing skills. Additionally, student achievement should be comparable to English-language students of the same age and grade level. There is no specific cut-off point recommended by the SEA on the English language assessment instruments.

Systemic Reform Planning

Massachusetts is in the process of developing a systemic plan and there will be explicit mention of LEP students. Staff reported that the plan will address implementation of Chapter 71A, the Massachusetts Transitional Bilingual Education law. The systemic plan will address how the department will provide technical assistance to school districts to support the education of LEP students. Districts will be evaluated based on improvement towards common high goals. The state director of Bilingual Education will work with the systemic planning committees and will develop objectives and activities for the plan based on a state and local needs assessment.

Content Standards

The state is developing content standards, and all will apply to LEP students.²⁵ There is explicit mention of LEP students for inclusion in the content standards. Language minority educators are actively recruited to serve on the various Curriculum Framework Development Committees. State staff noted that issues of access and equity are addressed in the curriculum frameworks for all students including LEP students.

Performance Standards

Performance standards for the future assessment program are in the process of being developed, and all will apply to LEP students. Results of the past assessment programs were reported according to four proficiency levels. While “passing” or “acceptable” level was defined, the Board of Education set a goal that all students perform at the highest two levels. There are no specific performance standards that apply **only** to LEP students. There is explicit mention of LEP students for inclusion in the performance standards.

Statewide Student Assessment

In the past, LEP students were exempted from statewide assessments. The policy states that LEP students in transitional bilingual education programs for fewer than three years were exempted from taking the tests. However, under the Education Reform Act of 1993, “...future assessment programs will have to provide LEP students opportunities for assessment of their performance in the language which best allows them to demonstrate educational achievement and mastery.”

Language proficiency scores of LEP students in the TBE program are reported annually to the Department of Education by local districts. These scores are based on local assessment, not the statewide assessments administered by the State Department of Education. There are no statewide assessments in non-English languages.

Opportunity-to-Learn Standards

The state reported that it has opportunity-to-learn standards that explicitly mention LEP students. These

are in the form of the state’s Foundation Budget Program to state and local districts which provides additional funding for LEP students, and in the provisions of the Transitional Bilingual Education law. The law stipulates that districts with 20 or more LEP students in a particular language group must provide Transitional Bilingual Education. The state also provides districts with guidelines on a broad set of curriculum and instruction issues that bear on the education of LEP students. For example, guidance is provided concerning procedures for identification, placement, instructional services to LEP students in language support programs and mainstreaming to the general education classroom. The state has also provided guidance to districts concerning appropriate services to low-incidence LEP students and types of instructional models most appropriate for LEP students at different grade clusters.

Staff reported that Transitional Bilingual Education and Two-Way Developmental Bilingual programs are effective strategies for enhancing LEP students’ opportunity-to-learn.

Title VI and EEOA

The SEA provides guidelines to districts concerning the districts’ obligations under Title IV of the Civil Rights Act and the Equal Education Opportunity Act (EEOA). Staff noted that guidelines are currently being developed in the area of “Sexual Harassment.” The guidelines are disseminated by the Instruction and Curriculum unit of the SEA which is also responsible for providing technical assistance to the districts in this area. Staff reported that the technical assistance activities cover topics such as: race awareness, multicultural education, and review of instructional materials for bias or stereotypes.

Districts are monitored for compliance with Chapter 71A. Correction plans are requested for any deficiencies found. Technical assistance concerning the development of these plans are provided on request.

Teacher Licensing Standards

Teachers of LEP students must meet certain teacher certification standards. New regulations, effective October 1994, require that all candidates applying

for initial teacher certification possess a B.A. in the liberal arts and sciences. ESL teachers must demonstrate competence in the following areas: the theory and practice of ESL instruction; foundations of ESL including its philosophy and history; and ESL methods. In addition, the 1993 Education Reform law requires that candidates for Teacher Certification successfully pass tests in communication and literacy and in the subject matter for the certification sought. These tests have not been developed.

There is an alternative route for certification to teach LEP students. A Certification Review Panel provides an alternative route to certification for candidates who appear to meet the requirements through both experience and formal education but have not satisfied all specific certification requirements. Candidates must have at least five years of documented full-time professional experience relevant to the standards.

Professional Development

Related to the Content Standards: The content standards development committees and Statewide Advisory Council view professional development for all educators as paramount to the successful implementation of truly inclusive standards. Staff development opportunities linked to the content standards will be implemented in the Summer of 1995. During the summer of 1995, five day institutes will be conducted at five different sites across the state. Each participating district will send 10-15 persons covering a range of roles in the district. About 90 individuals will be trained. Districts are urged to include bilingual educators in the local teams. The institutes will introduce districts to the common themes of the Curriculum Frameworks and participants will be expected to assume a leading role in the restructuring of their districts to meet the challenge of the

Education Reform Act of 1993. Local Bilingual education educators will be actively recruited.

Broader Efforts In Massachusetts professional development is both subject matter and school-based. The content standards being developed under the Reform Act are designed for all students. There are no differentiated expectations for LEP students. As districts restructure, it is expected that all teachers will learn and work together. Bilingual and ESL teachers should be included in all appropriate professional development activities. The SEA monitors the implementation of district and school level improvement plans.

There is a shortage of teachers who are fluent in both English and the child's first language, strong in content, and effective practitioners of current teaching strategies.

SEA Organization

Two units coordinate services to LEP students. The Instruction and Curriculum unit provides technical assistance to schools using a team approach. Teams address a broad range of students needs including those of LEP students. Program Quality Assurance Services monitors program serving LEP students for compliance with State and Federal Regulations. The SEA reorganized in 1993, and there are no plans to change the current organizational structure.

Technical Assistance Needs

SEA staff identified the following as additional technical assistance needs: development of the Goals 2000 State Improvement Plan; development of school improvement plans, providing LEP students with access to the content standards; assessment of LEP students; and teacher preparation and development.

²⁵ The content standards are being developed as part of the curriculum frameworks in arts, health, history, social studies, English, foreign language, math, science and technology. Source: Massachusetts SEA.

Michigan

Demographic Overview

1992-93 Public K-12 Enrollment:	1,567,000
1992-93 Public K-12 LEP Enrollment:	37,272
1992-93 Public K-12 % LEP Enrollment:	2.4%

Source: *Special Issues Analysis Center: Development Associates, Inc., September 1994.**

	Total Children	LEP Children	%LEP Children
Urban	590,239	13,381	2.3%
Suburban	1,004,495	13,587	1.4%
Rural	271,726	2,944	1.1%

Source: *1990 U.S. Census**

Eligible School-Age Population:	1,837,835
Total Children Living in Poverty:	322,152
% of Total Children Living in Poverty:	17.5%
LEP Children Living in Poverty:	8,540
% of LEP Children Living In Poverty:	28.9%

Source: *1990 U.S. Census**

* Note: The definition of LEP status varies by state and by source. The LEP student poverty status and distribution by urbanicity figures have been calculated based on the school-age population's response to the U.S. Census question "How well do you speak English? Well, Not Well, Not At All." These three categories were combined to form the definition of LEP. Therefore, there may be discrepancies in the data between the two sources above.

LEP Student Definition and Identification

The state defines an LEP student as a student who comes from a home or environment where a language other than English is spoken and (1) for grades K-2 is referred by school personnel, community members, parents and (2) for grades 3-12 scores below the 40 percentile on an English reading test or sub-test approved by the Department or on a test of oral English language proficiency approved by the Department.

Systemic Reform Planning

There is a systemic plan. *The K-12 Program Standards of Quality (1991)* specifically addresses program and curriculum issues dealing with students of limited English proficiency. This policy will be used as a resource as each curriculum framework project develops delivery system standards. LEP students are included but not explicitly mentioned. Persons knowledgeable about the education of LEP students were involved in the planning pro-

cess and included staff from the Bias Review Committee and Content Standards Development Committee. The Bias Review Committee included educators from the field who examined materials for possible bias. The Content Standards Development Committee included persons knowledgeable about LEP issues, especially in the language arts area. SEA staff took the initiative in forming the Bias Review Committee.

Student Content Standards

The state currently has and is constructing student content standards.²⁶ All will apply to LEP students. However, LEP students are not explicitly mentioned for inclusion in regard to these standards.

Performance Standards

The state is developing student performance standards. All will apply to LEP students. However, LEP students are not explicitly mentioned for inclusion in the performance standards. There are no additional performance standards for LEP students.

²⁶ The state has completed development of standards in Mathematics, Science, and Foreign Language. They have begun development of multicultural education standards. Source: *CCSSO Baselines Report*, revised March, 1995.

Statewide Student Assessment

LEP students can be excluded from state assessments if the student is non-English speaking and has been enrolled in U.S. schools for less than two years. The State allows the use of native language dictionaries for LEP students taking 11th grade proficiency tests. No data are collected for students exempted from state assessments. Assessments will not be available in non-English native languages, however, native language/English dictionaries have been recommended. Although the state published data on student achievement, data on LEP student achievement is not reported out as a separate category.

Opportunity-to-learn Standards

Michigan is developing delivering system strategies to ensure that all students have the opportunity to attain the content standards.

Bilingual instruction is required by state law. School districts with an enrollment of 20 or more children of limited English speaking ability in a given language classification in grades K-12 must establish and operate a bilingual instructional program for these children.

The State Board has specific responsibilities outlined in the Bilingual Education Act that include advising and assisting school districts in complying with the law, reviewing and evaluating textbook and instructional materials, compiling data relative to the theory and practice of bilingual instruction, encouraging experimentation and innovation in bilingual education, recommending curricular development and testing mechanisms, and preparing an annual report on bilingual instructional programs. Finally, the Board of a school district operating a bilingual instructional program must establish an advisory committee to assist them in evaluating and planning the bilingual instructional program.

Title VI and EEOA

The SEA provides guidelines to local education agencies on district and school obligations under the EEOA and Title VI of the Civil Rights Act, entitled “Guidelines for Providing Integrated Education Within School Districts.” The Race and Sex Equity Unit in the Office of Enrichment and Community Services is responsible for providing these guidelines.

The Bilingual Education Office and the Office of Equity provide technical assistance to LEAs and schools to help them comply with the above legal requirements. Technical assistance is provided based on the Lau Decision and Lau remedies.

Teacher Licensing and Professional Development

There are no teacher licensing standards that apply to ESL teachers who teach LEP students. However, there are teacher licensing standards that apply to bilingual instructors. To be a qualified bilingual instructor, teachers must be proficient in both the oral and written skills of the language for which they are endorsed. The state has an alternate route to certification that applies to any field of teaching where properly certificated teachers are not available.

In addition, the State Board, in cooperation with intermediate school districts and local school districts is required to develop and administer a program of in-service training for bilingual programs.

The State Board has promulgated rules governing the endorsement of teachers as qualified bilingual instructors in the public schools in the state. The teachers must be proficient in both oral and written skills of the languages for which the teachers are endorsed.

Professional Development

Professional development and teacher training guidelines are being developed by each curriculum framework project. In addition, state funds are provided to local schools for professional development related to helping students achieve standards in core curricular areas.

State Education Agency Organization

LEP student needs are addressed through programs for migrant, bilingual and Chapter 1 students.

Technical Assistance Needs

SEA staff indicated that additional technical assistance is desirable in providing LEP students with access to the content standards.

Minnesota

Demographic Overview

1992-93 Public K-12 Enrollment:	786,413
1992-93 Public K-12 LEP Enrollment:	17,979
1992-93 Public K-12 % LEP Enrollment:	2.3%

Source: *Special Issues Analysis Center: Development Associates, Inc., September 1994.**

	Total Children	LEP Children	%LEP Children
Urban	138,046	9,118	6.6%
Suburban	439,576	6,018	1.4%
Rural	285,644	3,228	1.1%

Source: *1990 U.S. Census**

Eligible School-Age Population:	863,632
Total Children Living in Poverty:	103,958
% of Total Children Living in Poverty:	12.0%
LEP Children Living in Poverty:	7,812
% of LEP Children Living In Poverty:	42.8%

Source: *1990 U.S. Census**

* Note: The definition of LEP status varies by state and by source. The LEP student poverty status and distribution by urbanicity figures have been calculated based on the school-age population's response to the U.S. Census question "How well do you speak English? Well, Not Well, Not At All." These three categories were combined to form the definition of LEP. Therefore, there may be discrepancies in the data between the two sources above.

LEP Student Definition and Identification

The state standard is defined by the Education for Limited English Proficient Act. It states that a pupil of limited English proficiency means "a pupil in any of the grades K-12 who (1) as declared by a parent or guardian first learned a language other than English, comes from a home where the language usually spoken is other than English, or usually speaks a language other than English, and (2) has a score on a nationally normed English reading, or (3) English language arts achievement test that is significantly below the average district score for pupils the same age (defined as one-third of a standard deviation below the average score for pupils the same age).

Systemic Reform Planning

The state is in the process of developing a plan.

Student Content Standards

The state currently has a set of student content standards.²⁷ All apply to LEP students. The state is also developing additional content standards, some of which will apply to LEP students. LEP students are not explicitly mentioned for inclusion in the content standards, but they expected to meet the graduation standards.

Student Outcome and Performance Standards

The state has and is developing graduation (outcome) standards. It has three components: Comprehensive Goals, Basic Requirements, and Required Profile of Learning. All of these standards apply to all students, including LEP students. To qualify for a high school diploma, the student must have demonstrated both the Basic Requirements and the Re-

quired Profile of Learning.²⁸ There are no additional outcome standards that apply to LEP students, and there is no explicit mention of LEP students for inclusion in the outcome standards.

Basic Requirements:

- The requirements will be gradually phased in as follows: Students graduating in 2000 and beyond must demonstrate basic competency in the skills of reading and mathematics.
- Students graduating in 2001 and beyond must also demonstrate basic competency in the skills of writing and basic knowledge of fundamental concepts from Science.
- Students graduating in 2002 and beyond must also demonstrate basic knowledge of fundamental concepts from Government, physical health and safety, and Geography.

Required Profile of Learning:

Students graduating in 2002 and beyond must also have demonstrated record of academic work, with achievement scored against a high standard in the following elements: Understand what they read, hear and see; write and speak effectively; develop artistic pursuits; know how and when to use math; gather and use information, understand the world through science; understand interactions between people, their world and their cultures; make informed decisions; know how to manage household business; and learn another language.²⁹

Performance Standards

The state is developing a set of student performance standards that are more closely tied to the content standards. LEP students are not specifically mentioned for inclusion in any of these standards. There are no additional performance standards that apply only to LEP students.

Student Assessment

LEP students are temporarily exempted from testing if they have been enrolled for fewer than three years in a school in which the primary language of

instruction is English. A school district will establish a policy and related procedures for determining whether individual students whose first language is not English will take tests of Basic Requirements under standard test conditions, with language accommodations, or are temporarily exempted. Data are not collected on LEP students exempted from state assessments. Assessments are not available in languages other than English. Data is not reported by language status, and there are no plans to develop native language assessments.

Opportunity-to-learn Standards

The state does not have opportunity-to-learn standards that apply only to LEP students. The “Minnesota Education for Limited English Proficient Students Act (1980)”, outlines for Minnesota schools the initiatives found in the federal legislation and United States Supreme Court decisions (Brown vs. the Board of Education, Lau vs. Nichols). It also defines the term “pupil of limited English proficiency” and other relevant terms, as well as outlines rights of parents of LEP students and district responsibilities for communicating with them. The Act provides state aid for school districts to implement appropriate services to enable LEP students to take full advantage of equal educational opportunities. School districts in Minnesota are reimbursed for part of the salaries of licensed bilingual/ESL teachers and for part of the cost for educational materials and equipment used in programs for LEP students.

The state has an administrative manual entitled, *Guidelines for Serving Students with Limited English Proficiency*, that provides information to LEAs and schools on legal rights and responsibilities, funding sources, program staff, entrance and exit procedures, instructional program, assessment and evaluation, factors that influence school success, and parents and community.

Title VI and EEOA

All districts requesting funds for LEP services are sent *Guidelines for Serving Students with Limited English Proficiency*. The Office of State and Federal Programs is responsible for providing these guidelines and technical assistance. Technical as-

sistance consists of providing information at inservice workshops and conferences, on the phone, through written information, and during site visits. Other state staff activities in this area include following up with complaints concerning the education of LEP students.

Teacher Licensing Standards

ESL and Bilingual Education teachers must be appropriately licensed. Teachers licensed in any of the programs can teach in grades (K-12). Teachers of Bilingual/Bicultural Education must hold a baccalaureate degree, a Minnesota teaching licensure, read and write in English and another language and complete a bilingual bicultural education teacher preparation program consisting of 24 quarter hours or the equivalent.

ESL teachers must hold a baccalaureate degree, complete a minimum of two years of college-level work or four years of high school level work, and complete a professional education preparation program consisting of 24 quarter hours. The student teaching component must consist of one academic quarter at both elementary and secondary education levels, and complete an ESL teacher preparation program consisting of a minimum of 36 quarter hours.

Under special circumstances the state issues provisional licenses when fully licensed persons are not available. The current licensing programs are under review. New licensing requirements will be effective July 1996. State tests for teacher licensing apply to teachers of LEP students.

Professional Development

Related to Content Standards: The state is planning to provide professional development opportunities to support the achievement of LEP students, but there are no details regarding these efforts at this point.

State Education Agency Organization

The SEA has two professionals on staff that work specifically with the needs of LEP students. They are located in the Office of State and Federal Programs, Office of Special Education, and Office of Community Collaboration.

Technical Assistance Needs

The state could benefit from technical assistance in the following areas: developing the Goals 2000 State Improvement Plan, providing LEP students with access to the content standards; LEP student assessment; and teacher preparation and development.

²⁷ Content standards have been completed in Mathematics, Science Health and Physical Safety, Reading, Writing, Geography, and Government. Source: Minnesota SEA.

²⁸ The Comprehensive Goals statement is as follows: Minnesota's high school graduates will be purposeful thinkers, effective communicators, self-directed learners, productive group participants, and responsible citizens.

²⁹ The "learn another language" goal is optional.

Missouri

Demographic Overview

1992-93 Public K-12 Enrollment:	840,409
1992-93 Public K-12 LEP Enrollment:	3,804
1992-93 Public K-12 % LEP Enrollment:	0.5%

*Source: Special Issues Analysis Center: Development Associates, Inc., September 1994.**

	Total Children	LEP Children	%LEP Children
Urban	175,621	3,336	1.9%
Suburban	483,578	5,561	1.1%
Rural	339,853	4,240	1.2%

*Source: 1990 U.S. Census**

Eligible School-Age Population:	984,972
Total Children Living in Poverty:	167,264
% of Total Children Living in Poverty:	17.0%
LEP Children Living in Poverty:	3,262
% of LEP Children Living In Poverty:	25.0%

*Source: 1990 U.S. Census**

* Note: The definition of LEP status varies by state and by source. The LEP student poverty status and distribution by urbanicity figures have been calculated based on the school-age population's response to the U.S. Census question "How well do you speak English? Well, Not Well, Not At All." These three categories were combined to form the definition of LEP. Therefore, there may be discrepancies in the data between the two sources above.

LEP Student Definition and Identification

The only state standard is a requirement under the Missouri School Improvement Program (used for school accreditation) that each school "systematically identify and assess the educational needs of students whose native or home language is other than English." Missouri uses the following definition for general purposes: a language minority student whose reading, writing, speaking and listening proficiency in English is below that of students of the same age or grade whose primary language is English.

Systemic Reform Planning

The state is in the process of developing a plan. Numerous teachers and school administrators who are knowledgeable of the needs of LEP students have been involved in the planning process, but no specific advocacy groups or parents. This planning group has been involved in drafting the performance and content standards. The SEA solicited nominations for various committees performing the work and selected members who were representative of the educational needs of children in the State.

Content Standards

The state is developing student content standards.³⁰ All will apply to LEP students. However, LEP students are not explicitly mentioned for inclusion.

Performance Standards

The state is also in the process of developing student performance standards. All will apply to LEP students. However, LEP students are not explicitly mentioned for inclusion in the standards. No additional performance standards will apply to LEP students.

Statewide Student Assessments

The Missouri Mastery and Achievement Tests (MMAT) are designed to measure student mastery of key skills in the areas of reading/English/language arts, math, science, and social studies/civics.

Regarding LEP students exemption from statewide assessments, guidelines from the state are as follows: The MMAT should be administered to speakers of other languages if doing so will provide instructionally useful information. Speakers of other

languages who receive a modified administration should be identified as such on their test answer sheet. This designation will result in the exclusion of these students' scores from building or district averages. Educators may choose to modify the administration procedures on the MMAT for students whose first language is not English if doing so will improve the quality of the instructional information obtained. Educators may decide not to administer the MMAT at all to some students whose first language is not English if doing so would result in undue frustration for these students or in useless, invalid scores. Students who are from a second language/bilingual background, but who have attained a level of English reading, writing, and oral proficiency near that of native speakers should be given the MMAT and should not be identified as LEP on the answer sheet. Documentation for decisions regarding testing procedures should be included in the students' permanent files.

No data on LEP students exempted from state assessments are collected. The state does not have assessments in a language other than English and it is not planning to develop such assessments.

Opportunity-to-learn Standards

The state currently does not have opportunity-to-learn standards. Nor does it have state laws, regulations or other advisory/guidance that describe the conditions necessary for LEP students to learn. However, the state has accreditation standards for schools and provides technical assistance on instructional practices and programs beneficial to LEP students. The state encourages schools with 20 or more LEP students to be taught by ESL certified teachers.

Title VI and EEOA

The SEA provides guidelines to local education agencies regarding district and school obligations under Title VI and EEOA. They use *The Provision of an Equal Education Opportunity to Limited English Proficient Students*, prepared by the U.S. Department of Education Office of Civil Rights, December 1992. In addition, through publications, workshops, and individual technical assistance and collaboration, the SEA provides assistance to LEAs and schools to help them com-

ply with requirements under Title VI and the EEOA.

The Special Federal Programs Section and the Civil Rights Technical Assistance Unit provide assistance.

Teacher Licensing and Professional Development

The state has teacher licensing standards that apply to teachers of LEP students. Certification requirements for teachers of English to Speakers of Other Languages include:

- A valid Missouri teacher's certificate;
- Professional requirements including, psychology and education of the exceptional child, basic reading techniques for secondary teachers; and
- Professional requirements for ESOL including, linguistics and English linguistics, language and culture or sociolinguistics, second language acquisition, methods of teaching second language students, material for teaching English to speakers of other languages and the assessment of speakers of other languages, ESOL Practicum, elective coursework (such as English language, reading, composition, early childhood education, bilingual education or advanced second language methods).

Professional Development

Related to Content Standards: All LEAs are required to set aside 1 percent of their state school aid for professional development — any amount may be used for both bilingual/ESL and mainstream teachers. In addition, the state has allocated \$100,000 of state funds for staff development. Approximately \$25,000 of the Title VII technical assistance grant is used for bilingual/ESL staff development.

State Education Agency Organization

The SEA's current structure is based on funding streams and program purpose. One operating section provides

technical assistance, training, coordination and grant management services for LEAs serving LEP\language minority students. Another section provides technical assistance to LEAs in compliance with the Lau regulations and other Civil Rights issues.

Technical Assistance Needs

SEA staff could benefit from technical assistance in providing access to content standards and with assessment of LEP Students.

³⁰ The state is developing Content standards in Mathematics, Science, Health, English/Language Arts, Social Studies, Arts, Physical Education and School to Work Transition. Source: CCSSO *Baselines Report*, revised March 1995.

Montana

Demographic Overview

1992-93 Public K-12 Enrollment:	159,760
1992-93 Public K-12 LEP Enrollment:	7,341
1992-93 Public K-12 % LEP Enrollment:	4.6%

Source: *Special Issues Analysis Center: Development Associates, Inc., September 1994.**

	Total Children	LEP Children	%LEP Children
Urban	31,895	245	0.8%
Suburban	7,648	126	1.6%
Rural	129,523	1,929	1.5%

Source: *1990 U.S. Census**

Eligible School-Age Population:	169,561
Total Children Living in Poverty:	32,948
% of Total Children Living in Poverty:	19.4%
LEP Children Living in Poverty:	775
% of LEP Children Living In Poverty:	41.4%

Source: *1990 U.S. Census**

* Note: The definition of LEP status varies by state and by source. The LEP student poverty status and distribution by urbanicity figures have been calculated based on the school-age population's response to the U.S. Census question "How well do you speak English? Well, Not Well, Not At All." These three categories were combined to form the definition of LEP. Therefore, there may be discrepancies in the data between the two sources above.

LEP Student Definition and Identification Standard

Montana uses the definition in Title VII to define limited English proficient students.³¹ Methods used to identify LEP students (in descending order of frequency) are teacher/tutor observation and referral; parent interview/consultation; oral language assessment; a student's cumulative record; standardized achievement test; grades; home language survey; and language proficiency test. Identification most commonly is based on a combination of these methods. The state has approved five tests for purposes of assessing the academic knowledge of LEP students including the CTBS, ITBS, and the CAT.

Systemic Reform Planning

A state panel which includes a former LEA Title VII director is beginning to develop Montana's plan.

Student Content Standards

In 1987, model learner goals for all content areas were developed as part of a revision of state accreditation standards. The learner outcomes for communications arts include English-as-a-Second Language. Some of these developing content standards will apply to LEP students.³²

Performance Standards

The state does not currently have a set of student performance standards.

Statewide Student Assessments

Schools are required to submit the results of standardized testing at grades 4,8, and 11. The state does not publish data on LEP student achievement separately.

Opportunity-to-Learn Standards

The state currently has no opportunity-to-learn standards that apply to students in the migrant program, many of which are LEP students. Moreover, the state education agency has developed guidance (suggestions) regarding services to LEP students which address the following issues: access to a positive school environment; enrollment; placement in specially designed programs; types of programs; teacher preparation; classroom management; assessment, and support services.

The Migrant Program has developed five opportunity-to-learn standards each of which is comprised of several components. The five standards are as follows: Equitable Educational Opportunities; Management, Coordination and Collaboration, High Expectations and Positive Attitudes; Creative, Optimal Learning Environment; and Structures to Support Success.

Title VI and EEOA

The SEA provides guidelines to local education agencies on EEOA and Title VI issues. The National Origin program of the Equity Division provides guidelines. This Unit provides technical assistance and training in second language learning, language acquisition, content area learning and

appropriate methodology, program design, and assessment.

Teacher Licensing and Professional Development

The state has teacher licensing and professional development standards that apply to teachers of LEP students.

Professional Development

Related to Content Standards: Funds are available through Title VII and other Federal programs to provide professional development. Courses include whole language, second language methodology and cooperative learning.

State Education Agency Organization

Bilingual Education, National Origin, and Migrant Education are part of the Equity Unit.

SEA Technical Assistance

The SEA staff indicated they could benefit from technical assistance in developing the Goals 2000 State Improvement Plan, providing LEP students with access to content standards, assessment of LEP students, and teacher professional development.

¹ A student is limited English proficient (LEP) if he/she has sufficient difficulty speaking, reading, writing, or understanding the English language to deny him/her the opportunity-to-learn successfully in English only classrooms or to participate fully in our society due to one or more of the following reasons: a) the student was not born in the United States or whose native language is not English; b) the student comes from an environment where a language other than English is dominant; or (c) the student is American Indian or Alaskan Native and comes from an environment where a language other than English has had a significant impact on his/her level of English language proficiency.

³² The state is developing student outcome standards. There may be an additional standard for LEP students that addresses English language proficiency.

Nevada

Demographic Overview

1992-93 Public K-12 Enrollment:	222,846
1992-93 Public K-12 LEP Enrollment:	11,970
1992-93 Public K-12 % LEP Enrollment:	5.4%

*Source: Special Issues Analysis Center: Development Associates, Inc., September 1994.**

	Total Children	LEP Children	%LEP Children
Urban	0	0	0.0%
Suburban	174,314	9,091	5.2%
Rural	41,688	1,271	3.0%

*Source: 1990 U.S. Census**

Eligible School-Age Population:	210,608
Total Children Living in Poverty:	27,286
% of Total Children Living in Poverty:	13.0%
LEP Children Living in Poverty:	2,631
% of LEP Children Living In Poverty:	25.8%

*Source: 1990 U.S. Census**

* Note: The definition of LEP status varies by state and by source. The LEP student poverty status and distribution by urbanicity figures have been calculated based on the school-age population's response to the U.S. Census question "How well do you speak English? Well, Not Well, Not At All." These three categories were combined to form the definition of LEP. Therefore, there may be discrepancies in the data between the two sources above.

LEP Student Definition and Identification

Nevada uses the CCSSO definition of limited English proficiency: A limited English proficient student has a language background other than English, and his/her proficiency in English is such that the probability of the student's academic success in an English-only classroom is below that of an academically successful peer with an English language background.

Systemic Reform Planning

Currently, there is no systemic plan. However, the Department is drafting a Goals 2000 plan.

Student Content Standards

All state content standards apply to LEP students.³³ However, LEP students are not explicitly mentioned for inclusion in these standards.

Performance Standards

The state is developing student performance standards. All will apply to LEP students. There is explicit mention of LEP students for inclusion in the performance standards, and the state is planning to develop additional standards that will apply only to LEP students.

Statewide Assessment

LEP students are exempt from state assessment, the Nevada Proficiency Exam, unless they are at Level III or above on the LAS-Oral, and at Level II or above on the LAS-R and LAS-W. SEA staff, however, are working with the developer of LAS to revise requisite LAS levels. They are in the process of determining what levels or scale scores students should obtain before taking the CTBS in English, which is the State's standardized test. Assessments are not available in languages other than English.

The state collects information on numbers, grade level, school, and district for LEP students who are exempt from taking the state assessment. Student outcome data is reported to the Planning, Research, and Evaluative Services Branch of the SEA. Data on LEP student achievement is not reported as a separate category.

Opportunity-to-Learn Standards

Currently, the state has no opportunity-to-learn standards. Moreover, there are no laws, rules, or regulations specifically governing the education of LEP students. The Department is developing regulations regarding these issues as it pertains to LEP students.

Title VI and EEOA

The SEA provides guidelines to LEAs on district and school obligations under the EEOA and Title IV in a publication entitled "The Provision of an Equal Education Opportunity to LEP Students." The Federal and Related Programs Branch provides assistance to LEAs and schools to help them imple-

ment these guidelines through regional and state workshops, conferences, and staff development.

Teacher Licensing and Professional Development

There are two endorsements for teachers who work with LEP students, a TESOL endorsement and a bilingual endorsement. These will take effect in September of 1996.

State Education Agency Organization

A consultant in the Federal and Related Program Branch is responsible for second language programs. This branch is in the Instructional, Research and Evaluative Services Section.

Technical Assistance Needs

SEA staff could benefit from technical assistance in developing the Goals 2000 State Improvement Plan, providing LEP access to content standards, assessment of LEP students, and teacher preparation and development.

³³ Content Standards are ready for implementation in the following disciplines: Mathematics, Science, Health, English/Language Arts, Social Studies, Foreign Language, Arts, Physical Education, Computer Science, and School to Work transition. Source: CCSSO *Baselines Report*, revised March 1995.

New Jersey

Demographic Overview

1992-93 Public K-12 Enrollment:	1,130,560
1992-93 Public K-12 LEP Enrollment:	46,573
1992-93 Public K-12 % LEP Enrollment:	4.1%

Source: *Special Issues Analysis Center: Development Associates, Inc., September 1994.**

	Total Children	LEP Children	%LEP Children
Urban	179,845	28,190	15.7%
Suburban	1,097,919	46,105	4.2%
Rural	0	0	0.0%

Source: *1990 U.S. Census**

Eligible School-Age Population:	1,321,080
Total Children Living in Poverty:	149,831
% of Total Children Living in Poverty:	11.3%
LEP Children Living in Poverty:	21,371
% of LEP Children Living In Poverty:	26.4%

Source: *1990 U.S. Census**

* Note: The definition of LEP status varies by state and by source. The LEP student poverty status and distribution by urbanicity figures have been calculated based on the school-age population's response to the U.S. Census question "How well do you speak English? Well, Not Well, Not At All." These three categories were combined to form the definition of LEP. Therefore, there may be discrepancies in the data between the two sources above.

LEP Student Definition and Identification

The definition of limited English proficiency is contained in the state law and in the New Jersey Administrative Code. The state law's definition is as follows: children whose primary language is other than English and who have difficulty performing ordinary call work in English. The administrative code further defines it as: "Pupils whose native language is other than English and who have sufficient difficulty in speaking, reading, writing or understanding the English language as measured by and English language proficiency test, so as to be denied the opportunity-to-learn successfully in the classroom where the language of instruction is English."

For purposes of classification, districts administer either the Language Assessment Battery (LAB) or the Maculatitis (MAC) Assessment program. These are the two instruments for which the state established norms in 1989. The cut off scores are based on raw test scores, implementation period (fall or

spring), grade level and level of test. Secondary factors considered in the identification and placement process include: level of English, previous performance of the student (when applicable), performance on standardized tests in English, and participation from teaching staff.

Systemic Reform Planning

"The Strategic Plan for Systemic Improvement of Education in New Jersey" is being completed. The plan addresses the needs of all students. The draft specifically mentions "it is essential that, as we set demanding standards and linked assessments, we find ways to make them accessible and meaningful for all students, including those whose native language is not English, students with disabilities and students with learning deficits." All plan activities will benefit LEP students.

Staff from the Division of Student Services and the Office of Bilingual Education and Equity Issues have been involved in the planning process.

Content Standards

The department has and is developing content standards, and all apply to LEP students. The standards are in draft form and are undergoing public review and comment.³⁴ Panels have been organized that include content area experts and representatives of private industry. One panel was established for each of the following disciplines for which content standards are being developed: Mathematics, Science, English, World Languages, Art, Career Education, Comprehensive Health and Physical Education, and Social Studies. There is no explicit mention of LEP students.

Performance Standards

State staff indicated that there is a set of outcome and performance standards developed and being developed in conjunction with the content standards. They all apply to LEP students, but LEP students are not explicitly mentioned. No additional standards apply only to LEP students.

Student Assessments

LEP students may be exempted from state-wide assessments. Students who meet both of the following criteria receive an exemption for the grade 11 High School Proficiency Tests, grade 8 Early Warning Test and/or any diagnostic or standardized test in English which has not been designed or normed for non-native speakers of English:

- 1) Fall below the state-established cutoff score on the Language Assessment Battery or the Maculatis Assessment Program (based on the most recent score earned on the test); AND
- 2a) Have participated in a Bilingual, English as a Second Language (ESL), or English Language Services program for two consecutive years or less prior to the date on which the test(s) in question is to be administered; OR
- 2b) Have attended school in the United States for three consecutive years or less prior to the date on which the test(s) in question is to be administered.

The state education agency collects data on LEP student achievement in the following areas: reading, mathematics and writing. In addition, districts report data on the student's level of proficiency as described by an NCE score on the LAB or MAC test. Districts may use commercial tests in the native language to assess the basic skills' areas of reading, writing, and mathematics. Examples of tests being used and reported by districts are: Aprenda, SABE/2, and the Portuguese Translation of the CTBS tests. These data are reported by the local districts to the Office of Bilingual Education and Equity Issues. Data on student achievement is not published by LEP status.

In addition the Department of Education has coordinated the development of alternative assessments in the native language. The alternative assessments are used as part of the state's high school graduation requirement. Among the languages developed are: Arabic, Chinese, Japanese, Korean, Gujarati, Haitian Creole, Spanish, Portuguese, Polish, Vietnamese and Hindi.

Data on student achievement is not published by LEP status. There are no plans to develop additional non-English language assessment instruments.

Opportunity-to-Learn Standards

There are no opportunity-to-learn standards in this state. However, the state has promulgated laws and regulations that require the delivery of services to LEP students, and advisory guidance describing conditions necessary for LEP students to learn. The school districts are required to demonstrate the implementation of standards as part of the monitoring process. Regarding limited English proficient students, the New Jersey Code (N.J. A. C. 6:31-1.4) specifies that English language services must be provided with sufficient courses and relevant opportunities to enable pupils to fulfill all requirements for graduation of secondary schools. An ESL program must be provided whenever there are 10 or more LEP pupils within a school or district; whenever there are 20 or more pupils of limited English proficiency in any other language classification a program of bilingual education must be established. Other program services available to LEP students

include (but are not limited to) compensatory education, vocational education, and special education.

In addition, in the “Guide to Bilingual Education” handbook, the state provides guidance concerning various aspects of the bilingual program delivery system including: identification placement and exiting, parental involvement and notification; description of various program models; supplemental services; program implementation and evaluation; and guidelines for submission of program plans to the SEA.

Teacher Licensing and Professional Development

There are licensing standards that apply to teachers of LEP students. There is certification of Bilingual/bicultural education and teaching English as a second language. The candidate for standard certification must possess a standard New Jersey instructional certificate appropriate to the subject or grade level to be taught; pass a state test of English communication skills and complete college coursework or district-based formal training in topics such as the historical and cultural background of limited English proficient students.

New Jersey does not have an alternative route for licensure or certification to teach LEP students. Tests administered by the state for teacher licensing apply to teachers of LEP students.

Professional Development

Related to Content Standards: Professional development activities are coordinated regionally in many areas that are specific to the education of LEP students such as Teaching Language in the Content Areas and Multicultural Education Strategies for Classroom Teachers. In addition, some workshops have been held in the areas of alternative assessment strategies for LEP students, assessing needs of the school districts, and teaching LEP students

in mainstream classes. These have been facilitated by the Office of Bilingual Education and Equity Issues and federally supported technical assistance centers.

Broader Effort: Professional development in this state is neither school-based nor subject matter based. Professional development in this state is conducted by the school district, three regional training sites and the Office of Bilingual Education and Equity Issues. The regional staff development activities include effective reading and writing instruction, cooperative learning, assessment of LEP students, whole language instruction, and classroom evaluation and management. Additional technical assistance sessions are conducted annually to aid school districts in the development of bilingual education programs.

According to the state staff, the essential needs of local districts are additional classroom space, funding, certified bilingual teachers for languages including Macedonian, Hindi, Polish.

SEA Organization

The Department of Education recently re-organized. The Office of Bilingual Education and Equity Issues is responsible for policy development and organizing training related to LEP students throughout the state. This office includes four bureaus: Bilingual Education, Gender Equity, Equal Education Opportunity, and the Holocaust Education Commission. The new plan will allow the department to streamline operations and bring the technical assistance and training initiatives close to the field.

Technical Assistance

Staff in this state could benefit from additional technical assistance in providing LEP students access to content standards and with assessment of LEP students.

³⁴ Content Standards are under development in the following subject areas: Mathematics, Science, Health, English/Language Arts, Social Studies, Foreign Language, Arts, and Physical Education. Source: CCSSO Baselines Report, revised March 1995.

New Mexico

Demographic Overview

1992-93 Public K-12 Enrollment:	283,145
1992-93 Public K-12 LEP Enrollment:	83,771
1992-93 Public K-12 % LEP Enrollment:	29.6%

*Source: Special Issues Analysis Center: Development Associates, Inc., September 1994.**

	Total Children	LEP Children	%LEP Children
Urban	121,230	8,972	7.4%
Suburban	38,771	7,534	19.4%
Rural	178,985	19,635	11.0%

*Source: 1990 U.S. Census**

Eligible School-Age Population:	333,616
Total Children Living in Poverty:	90,640
% of Total Children Living in Poverty:	27.2%
LEP Children Living in Poverty:	17,988
% of LEP Children Living In Poverty:	50.5%

*Source: 1990 U.S. Census**

* Note: The definition of LEP status varies by state and by source. The LEP student poverty status and distribution by urbanicity figures have been calculated based on the school-age population's response to the U.S. Census question "How well do you speak English? Well, Not Well, Not At All." These three categories were combined to form the definition of LEP. Therefore, there may be discrepancies in the data between the two sources above.

LEP Student Definition and Identification

Students with a home language other than English who perform below the 40th percentile on the Language subtest of the ITBS have been identified as LEP in past years. These standards changed in 1994-1995 as a result of citations issued by the U.S. Office for Civil Rights. Students with a home language other than English will be identified as LEP when their performance in understanding, speaking, reading, and/or writing the English language is below the publisher's threshold for English proficiency on proficiency tests such as the LAS, ITBS, BSM, and the Woodcock-Munoz Language Survey.

Systemic Reform Planning

Currently there is no systemic plan. However, the SEA along with other agencies, sponsored a retreat on systemic reform for all stakeholders to develop a vision for comprehensive systemic

change and to work toward achieving the national education goals.

Student Content Standards

The state currently has content standards.³⁵ They are entitled New Mexico Standards for Excellence. These Standards include, for example, knowledge, understanding and application of the structure and use of the English language as well as other languages; and knowledge, understanding and practical application of technology, science, mathematics, social studies, the humanities, and practical arts and their interconnections through the modes of reading, writing, observing, speaking, listening, movement, and the arts. They all apply to LEP students. However, LEP students are not explicitly mentioned for inclusion in these standards.

Performance Standards

The state does not have nor is it developing student performance standards.

Student Assessments

LEP students are exempt from state assessments. However, to be exempt, they must have a current formal language assessment that indicates that they are LEP or non-proficient in English. The school district is responsible for assessment if the student is exempt from state-wide testing. However, no data is collected for students exempt from state assessments. The High School Competency Exam is aligned with state content standards and is available in Spanish. The state publishes data on student achievement, but data is not disaggregated by LEP status, except for Title VII purposes.

Opportunity-to-learn Standards

The state does not have opportunity-to-learn standards. However, in the accreditation process, information is collected on the adequacy of personnel, curriculum, materials, instructional time and space. In addition, New Mexico uses an equalization formula to more equitably distribute resources.

The state has a law, the Bilingual Multicultural Education Act. State guidelines (1979) for bilingual education programs are keyed to the state Bilingual Education Act and include provisions related to program definition, students to be served, teaching personnel, program design and evaluation. In addition, Native American languages and cultures are addressed as well as the state approval process for all programs. Guidelines for Compliance with State and Federal Law for bilingual education were developed in 1994-1995. This ensured that districts understand their obligations to identify and serve LEP students. It also guides the implementation of bilingual programs to meet state and federal laws. The state provides a manual for districts to assist them in identifying and serving LEP students.

School districts are not required to provide bilingual programs but additional state funds are available for districts that do provide such programs. *Guidelines for Compliance with State and Federal Law* for bilingual education were developed in 1994-1995. This ensures districts understand their obli-

gation to identify and serve LEP students. It also guides the implementation of bilingual programs to meet state and federal laws.

A state bilingual advisory committee provides the SEA and Board of Education with guidance on issues in the field. State staff noted that the following strategies have been effective in providing LEP students opportunities to learn:

- Identification of a student's proficiency level in English;
- Design program to meet their needs for English language development. Bilingual education is a funded model under the Bilingual Multicultural Education Act of 1973 and;
- Teachers with preparation, ESL, and bilingual education credentials. (The state has alternative staffing patterns that allow self contained instruction team teaching with non-endorsed personnel, and use of paraprofessionals with proficiency in English and the home language under the direction of an endorsed bilingual teacher).

Title VI and the EEOA

The SEA provides guidelines to local districts on district and school obligations under Title VI and the Equal Education Opportunity Act.

Through a coordinated effort between Bilingual Education, Indian Education, Special Education, and Vocational Education, the SEA provides technical assistance. The Bilingual Multicultural Education Unit ensures compliance with state and Title VII laws. The SEA is also in the process of creating a desegregation position with federal funds to be housed in the Vocational Education Division to coordinate all Civil Rights issues.

In cooperation with the Office of Civil Rights, the SEA is developing procedures for the identification and assessment of LEP students. In addition, the SEA has designed a self-appraisal checklist for districts on compliance matters and has included a statement in the accreditation manual advising districts of their responsibility to identify LEP students. OCR will be providing

state-wide training on the obligations of LEAs to serve LEP students.

Teacher Licensing and Professional Development

The state has teacher licensing standards that apply to teachers who teach LEP students. There is a bilingual education endorsement which is issued based on 24 semester hours of credit and includes competencies in the native language, culture, English language development, instructional methodology, and assessment. Competencies also include knowledge about students' home cultures and community/parent involvement strategies.

An ESL endorsement is issued based on 24 semester hours of credit which includes demonstrated proficiency in spoken and written English, knowledge of the process of oral and written language acquisition, understanding of the effects on language learning of social-cultural variables in instructional situations, knowledge of the role of ESL, understanding of the integrated nature of cognitive and affective language development, knowledge of another language and culture, understanding of the principles of second language assessment, ability to use core curriculum to develop ESL learning activities, knowledge of the principles and methods of teaching oral and written languages to speakers of other languages, and an understanding of the factors that contribute to the lifestyles of various people and which determine their uniqueness and interrelationships in a pluralistic society.

The state has an alternative licensure which may apply to teachers in any field.

State tests for teacher licensing apply to teachers who teach LEP students.

In 1994 the New Mexico legislature appropriated funds for improving the Spanish language proficiency exam required for a bilingual endorsement to a teacher's elementary or secondary teaching license.

The state provides technical assistance to everyone on the importance of and implementation strategies for the Competency Frameworks. To the extent that LEP teachers participate, they receive staff development. In the future, an educational plan for student success will call for identification of specific needs of children, including LEP students, and justification of the district's ability to meet those needs. If the ability of teachers is such that technical assistance in specific areas is needed, the Department will provide training on that basis.

Professional Development

LEAs are encouraged to provide professional development to all teachers. There are numerous special projects that provide professional development opportunities to teachers, e.g. Hispanic Cultural Foundation, and Project LEAD. The State Board of Education has funded model programs in professional development to school districts. Many of the programs address bilingual education teachers' needs.

State Education Agency Organization

The Bilingual Multicultural Unit provides technical assistance and approves programs in 63 of the 88 districts in the state. The Unit also provides reports to the State Board of Education on language minority education issues and accreditation. The State and Federal bilingual units merged in 1991 and the unit manager reports directly to the Associate Superintendent for Instruction. Previously, the state bilingual program was part of the Elementary and Secondary Education unit and Title VII was a separate unit that reported to the Associate Superintendent.

Technical Assistance Needs

The staff could benefit from technical assistance in the development of the Goals 2000 State Improvement Plan, providing LEP students with access to the content standards, and with the assessment of LEP students.

³⁵ Content Standards in the following disciplines are in the process of being refined: Mathematics, Science, Health, English/Language Arts, ESL, Social Studies, Arts, Physical Education, School to Work, and Citizenship. Source: CCSSO *Baselines Report*, revised March 1995.

New York

Demographic Overview

1992-93 Public K-12 Enrollment:	2,637,745
1992-93 Public K-12 LEP Enrollment:	173,347
1992-93 Public K-12 % LEP Enrollment:	6.6%

Source: *Special Issues Analysis Center: Development Associates, Inc., September 1994.**

	Total Children	LEP Children	%LEP Children
Urban	1,469,596	216,499	14.7%
Suburban	1,351,455	42,151	3.1%
Rural	333,474	6,285	1.9%

Source: *1990 U.S. Census**

Eligible School-Age Population:	3,115,908
Total Children Living in Poverty:	587,943
% of Total Children Living in Poverty:	18.9%
LEP Children Living in Poverty:	106,262
% of LEP Children Living In Poverty:	40.4%

Source: *1990 U.S. Census**

* Note: The definition of LEP status varies by state and by source. The LEP student poverty status and distribution by urbanicity figures have been calculated based on the school-age population's response to the U.S. Census question "How well do you speak English? Well, Not Well, Not At All." These three categories were combined to form the definition of LEP. Therefore, there may be discrepancies in the data between the two sources above.

This state completed a pilot survey which has abbreviated questions regarding whether the state has outcome, content and performance standards, and does not ask whether the state publishes data on LEP student achievement separately.

LEP Student Definition and Identification

In New York, pupils with limited English proficiency are those pupils who by reason of foreign birth or ancestry, speak a language other than English, and for the 1990-91 school year or thereafter, score at or below the 40th percentile, or its equivalent, as determined by the Commissioner, on an English language assessment instrument approved by the Commissioner.

Systemic Reform Planning

New York state has a comprehensive plan for improving public education, entitled, *A New Compact for Learning*. The Compact defines the roles and responsibilities of key constituent groups, including the State, students, parents, teachers, support staff, principals, superintendents, school boards, school districts, the community, higher education, cultural institutions, and the business community. The Compact rests on core principles: all children can learn, focus on results, aim for mastery, provide the means, provide authority with accountability, and reward

success and remedy failure. Strategic Objectives include: 1) All children will come to school ready to learn; 2) All children will read, write, compute, and use the thinking skills they need to continue learning by the time they are in the fourth grade or its equivalent; 3) At least 90 percent of all young people will earn a high school diploma by age 21; 4) All high school graduates will be prepared for college, work, or both; 5) All high school graduates will demonstrate proficiency in English and another language; in mathematics, the natural sciences, and technology; in history and other social sciences; and in the arts and other humanities; 6) All students will acquire the skills and knowledge needed for employment and effective citizenship; 7) All students will demonstrate commitment to the core values of our democratic society and knowledge of the history and culture of the major groups which comprise American society and the world; and 8) Students of both genders and all socioeconomic and racial/ethnic backgrounds will show similar achievement on State assessment measures.

A committee of practitioners was formed for the planning process. Selection was based on personal invitation and letters of recommendation. Members were confirmed and appointed by the Commissioner of Education. Selected NY State Education Department staff worked in collaboration with the committee.

While the Compact does not explicitly mention any student groups, it does stress improving results for all children. (There is no explicit mention of LEP students in the systemic plan.) Policies and plans developed for services to specific student populations are viewed in the context of this statewide initiative.

The Regents Policy Paper and Proposed Action Plan for Bilingual Education prevails as the statewide document for bilingual education, consistent with the Compact. It states these goals:

- All students in New York State become proficient in English, and to the extent possible, in another language, and that all students understand and respect their own and other cultures;
- Educational access, equity, and excellence be promoted for language minority and limited proficient students so that they become proficient in English and remain proficient in their first language;
- Programs for language minority and limited English proficient students be staffed by qualified professionals;
- Parents and guardians of language minority and limited English proficient students be actively encouraged to participate in their children's education;
- The needs of language minority and limited English proficient students be considered in the development of all State Education Department initiatives, and that appropriate measures be taken to address these needs.

Student Content Standards

The state has student content standards and/or is developing standards, and all apply to all LEP students, but they are not explicitly mentioned for in-

clusion or exclusion in regard to any of these standards.³⁶

Through a Curriculum Assessment Council and Committees, NY State has begun to define broad learning goals and standards: what students should know, understand and be able to do as a consequence of their education. Seven Curriculum Committees are developing content and performance standards within and across subjects, based on the Regents' Goals for Elementary, Middle, and Secondary School Students. Local districts are also establishing their own goals and standards, which should be consistent with the State's and extend beyond them. This work will help schools clarify, with their communities, their aims for all students.

Performance Standards

The State is developing a set of student performance standards, and all apply to all LEP students, but they do not explicitly mention LEP students for inclusion or exclusion in regard to any of these outcomes. There are no additional standards that apply only to LEP students.

Statewide Student Assessment

The State has guidelines regarding LEP student inclusion in and exemption from state assessments required of other students. Pupils whose native language is other than English who will not have received two full school years (20 months) of English language instruction at the time of testing may be exempted from taking the Pupil Evaluation Program tests, if the test is not available in their native language.

Assessments are available from the grades 3 and 6 Pupil Evaluation Program Tests in math and Pupil Program Evaluation Tests in grade 4 science and grades 6 and 8 social studies in Chinese, French, Haitian Creole, and Spanish.

Regents Competency Tests are available in Science, Global Studies and US History and Government are available in Chinese, French, Haitian Creole, Korean, Spanish, and Vietnamese; the Native Language Writing Test and Regents Competency Test in Mathematics are offered in Albanian, Amharic, Arabic, Burmese, Cambodian, Chinese, Farsi, French, Ger-

man, Greek, Haitian Creole, Hebrew, Hindi, Italian, Japanese, Korean, Laotian, Malayan, Polish, Portuguese, Rumanian, Russian, Serbo-Croatian, Spanish, Tagalog, Thai, Turkish, Urdu, and Vietnamese; and the Sequential Mathematics Course I is available in Spanish. These native language assessments are aligned with content standards.

Pupils whose native language is other than English are eligible to demonstrate reading and writing skills in their native language only if their first entry into a school where the predominant language is English was after grade 8. In the areas of reading and writing, the pupils must demonstrate reading comprehension and writing skills in their native language at a level comparable to the requirements of the competency tests in reading and writing; and demonstrate growth in English proficiency on a Department-approved examination designed to measure English as a second language. In the areas of mathematics, science, global studies, and United States history and government, the pupils may take an assessment in their native language and must demonstrate skills at a level comparable to the requirements of the competency test in each area.

Data on LEP students' achievement is reported (published) for Regents Competency Tests in Science, Global Studies, US History/Government, and Native Language Proficiency Exams and Regents (Sequential Math I).

There are no data collected for LEP students who are exempted from these state assessments.

Opportunity-to-Learn Standards

The State does not have opportunity-to-learn standards that explicitly mention LEP students and that apply only to LEP students. Although New York State does not have opportunity-to-learn standards, Part 154 of the Regulations of the Commissioner of Education prescribes requirements for districts relative to the education of pupils with limited English proficiency. Guidelines are in the areas of board of education policy, screening, identification and assessment, placement in instructional programs, instructional programming, evaluation, testing requirements, parental involvement and program management.

Section 6 of the State Legislative Proposal of the Board of Regents for 1994 would ensure that all students whose primary language is other than English and are in need of programs of bilingual education or English as a second language have equal access to such programs through the establishment of an entitlement for students with limited English proficiency. If students whose language and cultures are different are to meet the new raised standards of academic excellence, they must have access to the services they need on an equitable basis without regard to which particular school district they attend.

The New York State Board of Regents has proposed the following bills to provide funds specifically for LEP students: (1) an amendment to Education Law which would require all LEP students to be provided with bilingual or ESL; (2) an amendment to education law which would provide supplemental assistance to school districts that serve students who are recent immigrants from the 19 English speaking nations and territories of the Caribbean and Western Alliance region; (3) an amendment to Education law which would provide impact aid to school district for services to students from other nations or territories of the US in which a language other than English is the official or primary language; and (4) legislation which would enact an omnibus limited English proficient student finance act to provide funding to support educational programs for limited English proficient students.

Title VI and EEOA

Part 154 of the Regulations of the Commissioner of Education is the medium through which the concepts of equal educational opportunity and equal access for LEP students are addressed. Program guidelines and technical assistance from Department staff enable school districts to develop and implement appropriate programs and services for LEP students. Examples of equity issues in programs of Bilingual Education and Free-standing ESL programs monitored by department staff include: provision of certified Bilingual Education and ESL teachers, implementation of an appropriate evaluation design, and communication with parents of LEP students in the home language.

Teacher Licensing Standards

The state regulations for bilingual and TESOL have been changed to reflect outcomes needed for teachers to be effective in these two certification areas. Also, TESOL teachers are required to pass a new Liberal Arts and Science test, the assessment of teaching skills written and performance examinations.

Changes have been made in licensing standards that require changes in teacher education pertaining to teaching LEP students. For teachers of the common branch subjects in elementary grades the program will include: methods and materials of teaching English as a second language; cultural perspectives; theory and practice of bilingual/ multicultural education; methods of teaching core subject areas in the native language; native language arts; evaluation in bilingual education; and linguistics. The program will provide a college-supervised field experience in bilingual education.

There are specific requirements pertaining to teachers of occupational subjects, children with handicapping conditions, reading, English, languages other than English, math, sciences, social studies, and special subjects. The program will include methods and materials of teaching English as a second language; cultural perspectives; theory and practice of bilingual/ multicultural education; methods of teaching the subject area in the native language; and native language arts. The program will provide a college-supervised field experience in bilingual education.

For pupil personnel service professionals, administrative and supervisory personnel, and school media specialists, the program includes cultural perspectives, theory and practice of bilingual/ multicultural education, and methods of providing services in the native language. The program provides appropriate college-supervised field experience in the certificate area in a bilingual context.

All candidates must also submit evidence of having achieved a satisfactory level of oral and written proficiency in English and in the target language of instruction on the NY State Teacher Certification Examinations.

To obtain a certificate to teach English to speakers of other languages in the pre-kindergarten, elementary and secondary grades (PreK–12) a candidate must complete an approved program registered by the Department specifically for service as a teacher of English to speakers of other languages in PreK–12; and evidence of English language proficiency through achievement of satisfactory level of performance in oral and written English on the NY State Teacher Certification Examinations.

Professional Development

Related to Content Standards: The State provides continuing professional development opportunities to support achievement of student outcomes by LEP students. Funds are provided to school districts' Boards of Cooperative Educational Services and the State Education Department to support a statewide system of staff development that is focused on improving students' learning, progress and achievements. This staff development, however, is not specific to LEP students.

Broader Effort: In helping LEP students meet state standards, state staff feel that teachers need training and access to higher education programs leading to certification in the areas of English as a second language and bilingual education.

State Education Agency Organization

The Department's Office of Elementary, Middle, Secondary and Continuing Education has re-established the Office of Bilingual Education and the position of Coordinator of Bilingual Education. The office is staffed by six professional and two support staff to address all programs and policies related to LEP students in the state.

Technical Assistance Needs

State staff could benefit from technical assistance in developing the Goals 2000 State Improvement Plan and in providing LEP students with access to the content standards.

³⁶ Content Standards have been developed and are being reviewed in the following disciplines Mathematics, Science, Health, English/Language Arts, ESL, Foreign Language, and Arts. Source: CCSSO *Baselines Report*, revised March 1995.

Ohio

Demographic Overview

1992-93 Public K-12 Enrollment:	1,841,989
1992-93 Public K-12 LEP Enrollment:	10,304
1992-93 Public K-12 % LEP Enrollment:	0.6%

Source: *Special Issues Analysis Center: Development Associates, Inc., September 1994.**

	Total Children	LEP Children	%LEP Children
Urban	10,995	11,870	2.3 5
Suburban	1,192,340	17,039	1.4%
Rural	448,442	10,626	2.4%

Source: **1990 U.S. Census***

Eligible School-Age Population:	2,116,850
Total Children Living in Poverty:	355,686
% of Total Children Living in Poverty:	16.8%
LEP Children Living in Poverty:	10,878
% of LEP Children Living In Poverty:	27.9%

Source: **1990 U.S. Census***

* Note: The definition of LEP status varies by state and by source. The LEP student poverty status and distribution by urbanicity figures have been calculated based on the school-age population's response to the U.S. Census question "How well do you speak English? Well, Not Well, Not At All." These three categories were combined to form the definition of LEP. Therefore, there may be discrepancies in the data between the two sources above.

LEP Student Definition and Identification Standard

This state uses the federal government's Title VII definition of LEP. Classification procedures include administration of a home language survey, assessment of English language oral-aural, reading and writing skills, and assessment of content knowledge using primary language instruments whenever possible. Through its publication *Guide to Processes and Instruments for Assessing Limited English Proficient Students*, the state provides descriptions of frequently used tests for assessing LEP students as well as information on the strengths and limitations of the tests. However, the state does not have a list of approved English language proficiency tests, nor does it recommend a specific cut-off score on these instruments. This decision is made at the local level.

Systemic Reform Planning

The state is in the process of developing a Systemic Reform Plan that focuses on performance-driven education undergirded by a single core principle—

the belief that all children can learn. As stated in the publication *Removing the Barriers: Unleashing Ohio's Learning Power*, "realizing a performance-driven system of education will require a transformation of the nature of schooling in Ohio, such that schools will be judged not by the eloquence of their policies, but by the quality of the results they produce."

SEA staff noted that some persons knowledgeable of LEP student education have been involved in a forum sponsored by the SEA on statewide educational reform. Specifically, a school community team represented Bellefontaine City Schools, which developed one of the first English as a Second Language programs for Japanese students ten years ago. In addition to the program for students, a friendship center, funded by the Ohio Department of Education literacy grants, serves as an advocacy program for LEP families.

Performance Standards

The State Board of Education has developed learning outcomes for the fourth, sixth, ninth, and twelfth

grades in the areas of reading, writing, citizenship, mathematics and science. The learning outcomes apply to all students including LEP students. These learner outcome statements are included in a document titled K-12 Learner Standards. Performance standards have been established and are being further developed in each of the indicated areas and are measured through statewide proficiency tests. All apply to LEP students. The ninth-grade and twelfth-grade proficiency tests in reading, writing, citizenship and mathematics have been in effect since 1990-1991. The test in science will be added in 1995-1996. The fourth-grade proficiency tests began to be administered in 1994-1995, and the sixth-grade proficiency tests will begin in 1995-1996.

There are no performance standards that specifically apply *only* to LEP students. There is no explicit mention of LEP students for inclusion in the performance standards.

Content Standards

The state has and is developing model curricula in the areas of mathematics, language arts, science and social studies. All apply to LEP students. In addition, the state is in the process of developing model curricula in foreign language, health, physical education. The model curricula apply to all students including LEP students. There is no explicit mention of LEP students in the model curricula.

Statewide Student Assessment

A waiver *from a particular test administration* (not the same as an exemption from the tests) may be granted to a student certified as LEP. The tests are administered in October and March every year beginning in the ninth grade. Once a student passes a section of the test, he/she does not have to retake that section of the test. A waiver is requested in writing by a district superintendent with the parents' written permission for any LEP student who did not take the required proficiency test at either the October or March test administration period. A waiver is granted by the state Superintendent of Public Instruction. Waivers also may be requested for LEP students from a particular administration of the fourth-grade and sixth-grade statewide proficiency tests.

Unless an LEP student has an identified learning disability, he/she is required to pass all sections of the ninth-grade proficiency test in order to receive a high school diploma.

As indicated previously, the statewide proficiency tests are performance measures of the learning outcomes established for grades four, six, nine and twelve in the areas of reading, writing, mathematics, citizenship, and science.

The state does not collect or report data on students exempted from the proficiency test.

There are no statewide proficiency assessments in languages other than English. However, there are accommodations allowed for LEP students. Students may use English translation dictionaries when taking any of the proficiency tests and may be granted additional time on the day of the administration to complete each test.

In addition, a student may request an oral administration of the ninth-grade proficiency test if he/she meets all of the following criteria:

- has completed the high school curriculum, except for courses taken in the current semester;
- has taken, but has not yet passed the reading, mathematics, and/or citizenship test; and
- has maintained an average grade of 2.5 on 4.0 scale (or the equivalent) in high school level courses in the same subject area as the test; or speaks a native language other than English.

Finally, students whose native language is not English may request the assistance of a translator to assist with the oral administration of the mathematics or citizenship test and/or may use English translation dictionaries for any of the three tests. There are no plans to develop native language assessments.

Student achievement data is published in this state for the general student population and for LEP students. In its annual statewide survey of LEP students, the Ohio Lau Center requests districts to report on the number of LEP students who score

below state norms in the areas of English reading, mathematics, science, and social studies.

Opportunity-to-Learn Standards

Opportunity-to-learn standards have been incorporated into the state's current draft of Pre-Kindergarten through Grade 12 Standards for Ohio Schools. As stated in the current draft document, the standards set the direction for the future of education in Ohio by ...ensuring that the conditions are right and that appropriate opportunities are provided for learning to occur. (Refer to the section on Outcome and Performance Standards for specific references to LEP students in the current draft standards.)

Currently, there are no state laws and regulations concerning the delivery of services provided by districts to LEP students. However, the State Department of Education, through its Lau Resource Center, has developed and disseminated a number of publications/resource manuals that focus on topics relevant to the education of LEP students including: assessment of LEP students, bilingual program development, parent and involvement, ESL instruction, effective schooling for language minority students, guidelines for LEP student entry and exit to bilingual programs.

In addition, the Lau Center provides guidelines and conditions necessary for LEP students to learn through its newsletter, "Ohio Bilingual-Multicultural Update," which is published quarterly.

Several additional strategies were identified by the SEA staff as important to provide LEP students an opportunity-to-learn. They are as follows:

- Inform all school districts of their obligations to LEP students as specified in Title IV of the Civil Rights Act of 1964, in the 1974 U.S. Supreme Court decision in *Lau vs. Nichols*, and in the Office for Civil Rights publication. *The Provision of An Equal Educational Opportunity to Limited English Proficient Students*.
- Provide written guidelines and materials to school districts to assist them in designing, implementing and monitoring programs to meet the needs of LEP students.

- Provide training and sharing of successful models via statewide conferences, regional and local workshops.
- Provide guidelines, technical assistance, resource materials, and networking opportunities in response to numerous requests made to the Lau Center for assistance by school districts across the states.

Title VI and EEOA

The state (Lau Resource Center) has developed guidelines that describe the districts obligations under Title VI of the Civil Right Act and the Equal Education Opportunity Act. Brochures developed by the Center outline these responsibilities: "Lau Resource Center", "Strategies for Developing language Programs for National Origin Minority Students", and "Guide to Processes and Instruments for Assessing Limited English Proficient Students."

In addition, the Ohio Lau Resource Center disseminates to school districts the document "The Provision of an Equal Education Opportunity to Limited English Proficient Students", published by the U.S. Department of Education, Office for Civil Rights.

The Lau Resource Center has primary responsibility for disseminating information to the districts on these matters and for providing technical assistance to the districts. The Lau Resource Center informs school districts of their requirements under Title VI and EEOA for LEP students by disseminating the written information, and by inviting representatives of the Office for Civil Rights to annual planning meetings for school districts serving LEP students and to annual statewide conferences. Also, the Center provides technical assistance and training to school districts on designing and implementing LEP programs that comply with the requirements of Title VI and EEOA.

Teacher Licensing and Professional Development

Teachers of LEP students in this state must meet specific licensing standards. Ohio provides for validation of a standard teaching certificate, which is valid for teaching other grade levels, teaching a particular

group of students such as the gifted, or teaching students having particular needs such as non-English speaking students. Two of the validations that can be issued are Teaching English to Speakers of Other Languages (TESOL) and Bilingual Education.

The State does not prescribe specific courses for the validation; rather, it reviews and approves university or college programs that meet a number of requirements including, a minimum of 20 hours of course work, and field-based experiences based on knowledge derived from research about teaching, learning, school improvement, and current best practices.

Currently, there are three Ohio universities with state approved validation programs in bilingual education and nine Universities/colleges with approved programs in TESOL. Teachers assigned to formally designated English as a second language (ESL) or bilingual education classrooms in a school district should have their appropriate validations. There is no alternative route for licensure to teach LEP students.

The state is currently proposing changes in its preservice teacher education standards. New teachers will need to demonstrate that:

- They know about the process of second language acquisition and about strategies to support the learning of students whose first language is not English.
- They understand how students' learning is influenced by individual experiences, talents and prior learning, as well as language, culture, family and community values.
- They have a well-grounded framework for understanding cultural and community diversity and know how to learn about and incorporate students' experiences, cultures, and community resources into instruction.

The proposed standards also include the following performance indicators: a) use teaching approaches that are sensitive to the multiple experiences of learners and that address different learning and performance modes, and b) make appropriate provisions (in terms of time and circumstances for work, tasks assigned, communication, and response modes) for

individual students who have particular learning differences or needs.

Professional Development

Related to the Content Standards: Training is currently being provided on mathematics and language arts curriculum models. Training will be provided on science, social studies, health and physical education, and foreign language when they are ready for implementation.

Broader Efforts: The above subject specific professional development is complemented by other inservice that will be provided through the Lau Resource Center for English as a Second Language, Bilingual and Multicultural Education, a section of the Student Development Division of the Ohio Department of Education.

Inservice activities will take place at statewide conferences sponsored or cosponsored by the Lau Resource Center such as the Annual Lau Center Conference, The Cleveland City Schools Annual Bilingual Multicultural Education Conference, Annual Ohio TESOL conferences, and The University of Findlay Annual Multicultural Summer Institute. In addition, local and regional workshops will be provided by the Lau Center throughout the year focusing on topics identified by individual school districts. The Lau Resource Center will coordinate training with the eight regional training centers that have been established to support the implementation of curriculum models that address the special needs of LEP students.

Furthermore three universities with state approved teacher training programs (for credit) in bilingual education and nine universities/colleges with state approved teacher training in programs in Teaching English to Speakers of Other Languages (TESOL). Once the new outcome standards are in place, the programs will provide training on them in appropriate courses.

Ohio provides professional development opportunities through statewide conferences, regional and local workshops, and summer institutes. Sessions in these inservice events focus on subject-matter related topics as well as on school-based issues such as the effective schools process.

Additionally, as part of its restructuring plan, the Ohio Department of Education has established eight regional Professional Development Centers that provide ongoing training opportunities with three areas of focus: (1) support for schools working on school improvement plans, (2) ongoing professional development for educators to implement Ohio's curriculum models, and (3) assistance to schools that are moving toward site-based management.

Over 300 schools have received state funded venture capital grants in the last two years to design and implement school improvement models through professional development plans.

The staff identified the following as the main needs of local practitioners:

- School staff (administrators and planning teams) need the information, knowledge and skills to design, implement and monitor district-wide programs for LEP students.
- School districts need specialized teachers and support staff (including school counselors) who have training in bilingual education and/or teaching English as a second language (ESL) in order to provide effective supplemental educational services to LEP students.
- All teachers need the knowledge and skills to effectively assess and instruct LEP students in diverse learning proposed learning outcomes.

In addition, the numbers of LEP students in Ohio continue to increase. More teachers will be needed with appropriate training for effectively meeting the special needs of LEP students. School districts and individual teachers will need more resources to meet this challenge.

State Education Agency Organization

The Lau Resource Center for English as a Second Language, Bilingual and Multicultural Education provides technical assistance, training opportunities and resources to school districts serving national origin minority/limited English proficient (NOM/LEP) students. The Lau Resource Center is a section of the Student Development Division. The Center has provided technical assistance, training, and resources to school districts serving LEP students since 1976. There are no immediate plans to change the organizational structure of the SEA in ways that will affect the work of the Center.

Technical Assistance

Ohio may need assistance in identifying/developing valid and reliable tests in languages other than English that can be used by school districts in assessing what LEP students know and can do in content areas other than English. These tests will need to be linked to the learning outcomes already established by the state.

Oklahoma

Demographic Overview

1992-93 Public K-12 Enrollment:	597,096
1992-93 Public K-12 LEP Enrollment:	19,368
1992-93 Public K-12 % LEP Enrollment:	3.2%

Source: *Special Issues Analysis Center: Development Associates, Inc., September 1994.**

	Total Children	LEP Children	%LEP Children
Urban	146,887	4,170	2.8%
Suburban	249,210	2,761	1.1%
Rural	241,120	3,259	1.4%

Source: *1990 U.S. Census**

Eligible School-Age Population:	636,307
Total Children Living in Poverty:	131,764
% of Total Children Living in Poverty:	20.7%
LEP Children Living in Poverty:	3,234
% of LEP Children Living In Poverty:	32.1%

Source: *1990 U.S. Census**

* Note: The definition of LEP status varies by state and by source. The LEP student poverty status and distribution by urbanicity figures have been calculated based on the school-age population's response to the U.S. Census question "How well do you speak English? Well, Not Well, Not At All." These three categories were combined to form the definition of LEP. Therefore, there may be discrepancies in the data between the two sources above.

LEP Student Definition and Identification

The state has three definitions for LEP students: one from the State Board Policy on School Services to Limited English Proficient Students; one in School Laws of Oklahoma Article, XVIII, State Aid; and the definition in Title VII. As part of its Goals 2000 application, the state will be deciding which definition to use statewide in the future. There are no requirements for the type of language assessment instrument that a local district must use to assess LEP students.

Systemic Reform Planning

The state has not developed a systemic plan.

Student Content Standards

The state currently has student content standards.³⁷ They all apply to LEP students. However, LEP students are not explicitly mentioned for inclusion in these standards.

Performance Standards

The state has student performance standards in math and science in grades 5, 8, and 11, and in reading and writing in grade 8. All these standards apply to LEP students, unless they are exempted from Oklahoma State testing.

The state is in the process of developing student performance standards in geography, culture/the arts, and U.S. history and government for grades 5, 8, and 11. These standards will all apply to LEP students unless they are exempted. LEP students are not explicitly mentioned for inclusion in these standards. There are no additional standards that apply to LEP students only.

Statewide Student Assessments

LEP students may be exempted from state assessments for a period of three years, at the discretion of the local school district, provided certain procedures are followed and the local district has on file:

verification that the student is receiving special instruction designed to improve the LEP student's English proficiency; record of notifying the LEP students' parents or legal guardians of the Oklahoma School Testing Program and giving them the option of requesting their child be exempted from participating; permission for the exemption from the parents or legal guardians; and that the total number of LEP students exempted by a local school district does not exceed the number of LEP students reported on the district's Accreditation Application for the current school year.

Using the "Student Code" block of the Student Identification Form and a locally generated code, the school district may achieve a separation of score averages for LEP students. Although the state publishes data on student achievement, data on LEP students is not reported out as a separate category.

For LEP students exempted from these assessments, no data is collected. There are no assessments available in languages other than English nor plans to develop such assessments.

Opportunity-to-Learn Standards

The state does not currently have opportunity-to-learn standards. The state does provide guidance that describes the conditions necessary for LEP students to learn. State Board of Education Policy declares that: LEP students have particular educational needs which should be recognized and addressed; a proper plan for identifying LEP students and diagnosing their educational needs to be developed and; in keeping with the *Lau v. Nichols* decision and the Oklahoma Attorney General's Opinion, schools should provide instruction for LEP students that will result in increased English proficiency and academic performance. In addition, the basic goals of any program designed to meet the LEP students' needs includes: proficiency in English language skills; concept development in content subjects; assignment and/or employment of specially trained teachers and/or instructional teacher aides and the use of appropriate materials; and provision of an environment where all cultures and languages are accepted, appreciated, valued and shared. Moreover, resources are available to assist school districts develop and implement programs to meet the needs of LEP students. These in-

clude federal, regional, state, local, and community financial and nonfinancial technical assistance, as well as teacher training/staff development through the school districts, state universities and colleges.

Additional guidance is provided by the opinion of the Attorney General, State of Oklahoma, October 2, 1975, which is as follows: "Under the holding in *Lau*, all federally assisted school districts in Oklahoma are under an affirmative duty to make remedial efforts by providing bilingual classes or otherwise as necessary to meet the linguistic needs of pupils who enter school unable to speak and understand the English language."

The state has found technical assistance and training through the Title VII Bilingual Education Act and the National Origin Component of the Title IV CRA Project to be important for providing LEP students the opportunity-to-learn. Both projects are part of the SEA's Multicultural Equity/Counseling Section. The Multicultural Equity Section/Counseling is composed of programs that provide information, technical assistance and training to school district personnel, parents, students and community members for the purpose of promoting equal educational opportunities for all students.

The following programs are funded under Title IV of the Civil Rights Act (CRA) of 1964 and specifically address issues related to equal educational opportunities for all students regardless of race, gender and national origin: Human Relations Program - Race Equity (in-depth training in respecting ethnic and cultural heritage is offered to all public schools); National Origin/Language Minority Program (assists school districts in meeting the language-related needs of national origin minority and LEP students); and Equity Programs' Services (include: appropriate instructional materials for LEP persons, self concept and school achievement, identification and placement of LEP students, language assessment, meeting the needs of minority/LEP students, resource library, multicultural aspect of educational equity, parental involvement, human relations, sexual harassment in public schools, civil rights compliance awareness).

The Bilingual Education Program is funded under Title VII of the 1965 Elementary and Secondary Education Act, as amended in 1988. One purpose

of the program is to collect, analyze and report data on Oklahoma's population of LEP persons and the educational services provided or available to those persons. Program staff also provide technical assistance to Title VII projects and other programs for LEP persons, coordination of services to projects through Title VII funded technical assistance and evaluation centers and other support service centers across the nation, and program development assistance to districts seeking Title VII funds.

The Attorney General's Opinion and the State Board Policy on Services to LEP Students also provide direction on necessary and appropriate services.

Title VII and EEOA

The SEA provides guidelines to local education agencies about district and school obligations under the Equal Education Opportunity Act (EEOA) and Title VI of the Civil Rights Act. The Multicultural Equity/Counseling Section conducts an annual Compliance Awareness Workshop. Participants receive a 200 plus page note book covering all aspects of Title VI CRA, Section 504, and other Special Education compliance as well as information on the Title VII Bilingual Education, the State Board of Education policy on School Services has limited English proficient services, the Attorney General's opinion and Plyer vs. Doe.

Teacher Licensing

The state has optional endorsements in Bilingual/Multicultural Education and ESL. These endorsements are not required of teachers to work in programs for LEP students. Teachers of LEP students must only be certified at the level at which they are teaching (i.e., early childhood, elementary/ secondary).

There is no alternate route for licensure or certification to teach LEP students.

Professional Development

Related to the Content Standards: The state provides continuing professional development opportunities to support the achievement of LEP students

through Federal Title VII Bilingual Education and Title IV National Origin technical assistance and training funds. These professional development opportunities are for ESL/bilingual education and mainstream teachers. The state provides professional development opportunities to teachers to support achievement of the content standards by LEP students for ESL/bilingual education and mainstream teachers.

In the future, each teacher will have an individual professional development plan which addresses those areas needed by the teacher to be effective. If a teacher works with LEP students his/her plan should contain staff development in this area.

Broader Efforts: Professional development activities include workshops/ in-services at the district, region, and state levels; satellite/distance learning; and college credit courses.

According to state staff, the main needs of teachers and other local personnel in helping LEP students meet standards include the general need for training in instructional strategies for ESL, learning styles, cultural awareness, parent involvement, resources, etc. The needs will intensify as numbers of LEP students increase across the state. Also, the new state testing program exemption limit of three years may cause more districts to provide formal ESL programming for LEP students.

State Education Agency Organization

The main responsibility for LEP issues resides with the Title VII Bilingual Education Program and the Title IV CRA National Origin Program. Both programs are part of the Multicultural Equity/Counseling Section in the Professional Services Division. There are no plans to re-organize the SEA in ways that affect the role of the ESOL/bilingual unit.

Technical Assistance

Staff could benefit from technical assistance in the following areas: Developing the Goals 2000 plan, providing LEP students with access to content standards, and teacher preparation and development.

³⁷ The state has completed development of content standards in the following subject areas: Mathematics, Science, Health, English/Language Arts, History, Geography, Economics, Civics, Economics, Foreign Language, Music, Visual Arts, Physical Education, Computer Science, School-to-Work Transition. Source: CCSSO *Baselines Report*.

Pennsylvania

Demographic Overview

1994-95 Public K-12 Enrollment: ³⁸	1,711,067
1994-95 Public K-12 LEP Enrollment:	19,857
1994-95 Public K-12 % LEP Enrollment:	1.1

*Source: Special Issues Analysis Center: Development Associates, Inc., September 1994.**

	Total Children	LEP Children	%LEP Children
Urban	515,453	25,188	4.9%
Suburban	1,259,103	22,289	1.8%
Rural	332,782	6,088	1.8%

*Source: 1990 U.S. Census**

Eligible School-Age Population:	2,074,052
Total Children Living in Poverty:	315,142
% of Total Children Living in Poverty:	15.2%
LEP Children Living in Poverty:	18,798
% of LEP Children Living In Poverty:	35.8%

*Source: 1990 U.S. Census**

* Note: The definition of LEP status varies by state and by source. The LEP student poverty status and distribution by urbanicity figures have been calculated based on the school-age population's response to the U.S. Census question "How well do you speak English? Well, Not Well, Not At All." These three categories were combined to form the definition of LEP. Therefore, there may be discrepancies in the data between the two sources above.

LEP Student Definition and Identification

The state standard for identifying LEP students is defined in terms of the competency of each student in his or her mother tongue and in English. Any student who may be classified within any of the categories listed below should be provided English as a second language instruction.

1. A student who understands, speaks, reads and writes his or her native language fluently but who does not understand, speak, read or write any English.
2. A student who understands and speaks his or her native language but has limited or no ability to read and write his or her native language and who does not understand, speak, read or write any English.
3. A student who has limited understanding of spoken English but does not speak it.
4. A student who understands and speaks English on a limited basis but who is unable to read or write English.
5. A student who understands and speaks English fluently but who is unable to read or write English.
6. A student who apparently understands and speaks English but who encounters difficulty in comprehending the specialized language and concepts contained in the different subject content areas.

The determination of these competencies is made by persons who are trained to administer the appropriate procedures.

Systemic Reform Planning

The state is developing a systemic plan.

Content Standards

The state is in the process of developing student content standards.

Performance Standards

The state is developing performance standards.

Student Assessment

LEP students maybe exempted from state assessments required of other students. Students who do not understand, speak, read or write English and who have been in U.S. school systems for less than two years are excused from assessments. No data is collected for students who are exempted from assessments. There are no assessments available in languages other than English or plans to develop such assessments. The state publishes data on student achievement, but not by language category.

Opportunity-to-Learn Standards

The state does not nor is it planning to develop opportunity-to-learn standards. The state does have regulations and rules as well as advisory guidance that describe conditions necessary for LEP students to learn. There are curriculum regulations (Chapter 5, Section 5.216) that pertain to ESOL programs. They state that every school district shall provide a program for each student whose dominant language is not English for the purpose of facilitating the student's achievement of English proficiency. These

programs shall include appropriate bilingual/bicultural or ESL instruction.

The guidelines provide information on the identification of students, ESL program goals and objectives, staffing and certification and pupil personnel services. For example, for the purposes of instruction in English as a second language, students may be grouped according to language levels. In situations where there are too few students, they may be grouped across grade levels, never having more than a three-year grade span; e.g., within an elementary school, middle school and/or secondary school.³⁹ The state has no laws that describe conditions necessary for LEP students to learn.

Title VI and EEOA

The Office of School Equity provides all forms of technical assistance, including on-site consultations and staff development. The SEA does not provide guidelines to LEAs on district and school obligations under the EEOA and Title VI of the Civil Rights Act.

Teacher Licensing and Professional Development

The State does not have teacher licensing standards that apply to teachers who teach LEP students.

State Education Agency Organization

At present, there is a bilingual education/English as a second language adviser in the Division of Communications and Math, in the Bureau of Curriculum and Academic Services of the Office of Elementary and Secondary Education.

³⁸ State did not have 1992-93 enrollment data when the survey was initially conducted. The stated figures listed were submitted to CCSSO in the winter of 1995.

³⁹ Guidelines for Educational Programs in the Commonwealth of Pennsylvania for Limited English Proficient Children.

Rhode Island

Demographic Overview

1992-93 Public K-12 Enrollment:	145,676
1992-93 Public K-12 LEP Enrollment:	7,839
1992-93 Public K-12 % LEP Enrollment:	5.4%

Source: *Special Issues Analysis Center: Development Associates, Inc., September 1994.**

	Total Children	LEP Children	%LEP Children
Urban	53,635	6,584	12.3%
Suburban	93,307	2,753	3.0%
Rural	15,919	205	1.3%

Source: *1990 U.S. Census**

Eligible School-Age Population:	165,828
Total Children Living in Poverty:	21,395
% of Total Children Living in Poverty:	12.9%
LEP Children Living in Poverty:	3,631
% of LEP Children Living In Poverty:	37.5%

Source: *1990 U.S. Census**

* Note: The definition of LEP status varies by state and by source. The LEP student poverty status and distribution by urbanicity figures have been calculated based on the school-age population's response to the U.S. Census question "How well do you speak English? Well, Not Well, Not At All." These three categories were combined to form the definition of LEP. Therefore, there may be discrepancies in the data between the two sources above.

LEP Student Definition and Identification

Rhode Island State regulations require all school districts to determine the primary language of all public school children through a home language survey. All students whose primary language is other than English are assessed in order to determine whether or not they are limited-English proficient. At a minimum, limited English proficiency is determined by: English language proficiency test(s) which measure ability in listening, speaking, reading and writing appropriate to age/grade level, and a standardized reading test, as appropriate to age/grade level. All students scoring below the publisher's cut-off scores on English language proficiency tests or below the 36th percentile on the standardized reading test (using either local or national norms) are considered for further assessment for placement purposes.

The placement of students is based on the assessment conducted in the section above, previous educational background and grades or reports when available, and a measure of native language profi-

ciency in listening, speaking, reading, writing, determined by native language proficiency tests, either verbal or written, where they are available and valid.

Student placement is determined in consultation with teachers (i.e., regular classroom teachers, bilingual teachers when available, and ESL teachers), resource personnel, and administrators and/or appropriate district staff.

Systemic Reform Planning

The state has developed a systemic reform strategy that is designed to improve educational outcomes for all students and, as such, LEP students are included as a specific population within that context of meeting the needs of all students. In addition, Rhode Island has specific regulations pertaining to LEP student program services. The Department's educational specialists, with specific expertise in second language acquisition pedagogy and the State Advisory Council for LEP Students, are involved in all aspects of systemic planning.

The Department's Coordinator of programs for LEP students is involved in a very significant way in all aspects of the Department's systemic planning activities. Last academic year, she co-chaired with the Department's Director of the Office of Special Needs, the Education Basic Programs and Weights Committee of the Guaranteed Student Entitlement Program and she chaired the LEA Reform Subgrant Committee of the Department's Goals 2000 Internal Planning Committee.

The Department's other two Education Specialists are decentralized. One is assigned to the Office of School Decentralization and Accountability and the other to the Office of Instruction to insure that issues and concerns pertaining to the education of LEP students are fully integrated into the work of these two offices. The State Advisory Council of LEP Students is kept apprised of all the planning activities within the Department and are asked to provide their input.

Various groups that advocate on behalf of LEP students have been particularly supportive of state systemic reform initiatives. They include the State Advisory Council for LEP Students, the Rhode Island Chapter of the New England Superintendents' Leadership Council, and the Education Alliance for Equity in the Nation's Schools at Brown University. At all the meetings of these groups, time has been set aside to specifically discuss how the state's systemic planning is incorporating the needs of LEP students.

Content Standards

The state is currently in the final stages of developing the common core of student learning goals. All will apply to LEP students.

The state is in the process of developing and refining curriculum frameworks in math, science, language arts and health. LEP students will be addressed in all the frameworks and guidance will be provided in terms of recognizing the developmental nature of second language acquisition and the length of time required to learn and use academic language. There is no explicit mention of LEP students for inclusion in the developing content standards.

Performance Standards

The state is in the process of developing student performance standards. LEP students are explicitly mentioned for inclusion in regard to these standards. There are no additional performance standards that apply only to LEP students. Appropriate modifications will be made to ensure that LEP students have full access to the new performance-based assessments.

Statewide Assessment

Currently, LEP students who have received less than two years of instruction in United States schools may be exempted from the state assessments. For those students exempted from state assessments, data is collected — English language proficiency scores (speaking, listening, reading, and writing) and native language proficiency test scores, if available. This information is reported to OBEMLA, to the Rhode Island Superintendents, to members of the State Advisory Council for LEP students, to local colleges and universities and others upon request. There are no assessments available in languages other than English. The state publishes data on student achievement, and data will be disaggregated in the future to provide more detailed information on LEP student progress.

Opportunity-to-Learn Standards

The state is in the process of developing opportunity-to-learn standards. Rhode Island has laws, regulations, and policy guidance that describe the conditions necessary for LEP students to learn: the English Language Proficiency Act for Limited-English Proficient Students, Chapter 16-54. The law specifies procedures and guidelines for the identification of the primary language of students; identification of non- and limited-English proficient students, for the assessment/placement of non- and limited-English proficient students; minimum program criteria; appropriate educational programs and services; exiting of students with English language proficiency; criteria for monitoring and evaluation of educational programs; administrative procedures for state reimbursement of approved programs or services; definitions of responsibilities of the local school committees and the Department of Elemen-

tary and Secondary Education; and criteria for parent involvement. There are also Board of Regents for Elementary and Secondary Education regulations governing programs for LEP students, as well as a Memoranda to local school administrators advising them on matters pertaining to LEP student identification, assessment, program design, and monitoring once students exit programs and are in the mainstream.

The strategies that the state has found useful for providing LEP students the opportunity-to-learn include English as a second language instruction to deal with the English language development needs of LEP students and content-area instruction provided either through a bilingual education program or through a sheltered/content ESL approach.

Out of the \$49 million in the state's new poverty funds, about \$3 million are targeted for LEP students.

Title VI and EEOA

The SEA provides guidelines to local education agencies on district and school obligations under the Equal Education Opportunity Act and Title VI of the Civil Rights Act. The Office of Equity and Access provides these guidelines and jointly with the two LEP education specialists, provides technical assistance to LEAs and schools to enable them to comply with requirements under these laws. They conduct on-site compliance reviews, as well as provide follow-up technical assistance and professional development activities.

Teacher Licensing

The state has teacher licensing standards that apply to teachers who teach LEP students, including (1) a certificate for an English as a Second Language Specialist, K-12, to teach in self-contained or resource settings; and (2) an endorsement for elemen-

tary, early childhood, secondary, English and foreign language teachers and subject content-area teachers to teach English as a Second Language.

Professional Development

Related to the Content Standards: In addition to the Department's professional development activities, the Department will continue to collaborate with the New England Multifunctional Resource Center at Brown University on professional development activities specifically related to first and second language acquisition, cross-cultural issues and methods for teaching sheltered content instruction so that all teachers of LEP students develop the capacity to teach students how to learn and think in English.

Broader Efforts: In order to respond to the needs of teachers and other local personnel who work with LEP students to meet state standards, the following professional development is regularly offered: effective ESL instructional strategies; effective native/English reading methodologies; effective sheltered content/ESL instruction that does not water down the curriculum, but rather maintains an emphasis on high academic standards; and the impact of culture of LEP students classroom interaction and learning styles.

State Education Agency Organization

The LEP Unit has been decentralized in order to ensure that the LEP agenda is fully integrated across offices in the Department. This organizational structure has been in place for approximately two years.

Technical Assistance Needs

State staff indicated that they could benefit from technical assistance in the following areas: development of the Goals 2000 plan, providing LEP students with access to the content standards, assessment of LEP students, teacher preparation and development, and how to adapt the opportunity-to-learn standards to LEP students.

South Carolina

Demographic Overview

1992-93 Public K-12 Enrollment:	646,988
1992-93 Public K-12 LEP Enrollment:	1,502
1992-93 Public K-12 % LEP Enrollment:	0.2%

*Source: Special Issues Analysis Center: Development Associates, Inc., September 1994.**

	Total Children	LEP Children	%LEP Children
Urban	105,014	1,275	1.2%
Suburban	310,112	3,914	1.3%
Rural	291,465	3,462	1.2%

*Source: 1990 U.S. Census**

Eligible School-Age Population:	697,473
Total Children Living in Poverty:	143,549
% of Total Children Living in Poverty:	20.6%
LEP Children Living in Poverty:	1,697
% of LEP Children Living In Poverty:	19.9%

*Source: 1990 U.S. Census**

* Note: The definition of LEP status varies by state and by source. The LEP student poverty status and distribution by urbanicity figures have been calculated based on the school-age population's response to the U.S. Census question "How well do you speak English? Well, Not Well, Not At All." These three categories were combined to form the definition of LEP. Therefore, there may be discrepancies in the data between the two sources above.

LEP Definition and Identification

The state recommends that all districts use a Home Language Survey to initially identify LEP students and multiple measures to identify oral, reading and writing language proficiency. Such measures include: 1) formal language assessment (LAS is recommended in South Carolina); 2) informal language assessment) native language assessment; 4) previous records; 5) team decisions (parent, teachers, counselor, administrator); and 6) standardized test scores.

For purposes of identification and data collection in South Carolina, a LEP student is defined as: A student whose native language is not English AND whose difficulty in speaking, reading, writing, or understanding English is an obstacle to successful learning in a classroom where English is the only language of instruction.

Systemic Reform Planning

A Task Force for LEP student issues has been initiated to provide input as the state develops its sys-

temic plan. The Task Force will provide the state with recommendations regarding how to best serve LEP students in South Carolina schools.

To help with planning for LEP students, a presentation was given by the ESL/Bilingual Education Associate to the Foreign Language Curriculum Frameworks Committee and to the Language Arts Framework Committee to create some awareness of LEP student issues. The Education Associate has provided feedback on the drafts to each framework committee.

Content Standards

The state has student content standards and is also in the process of developing other additional student content standards. All apply to LEP students. There is no explicit mention of LEP students for inclusion in the content standards. Curriculum frameworks have been developed on foreign language, mathematics, visual and performing arts. A draft of language arts has been released and the high school science and social studies are in process of development.

Performance Standards

The state has student performance standards that apply to all students, including LEP students. However, LEP students may opt for a modified scoring rubric for the writing subtest of the exit exam. To receive a high school diploma, a high school writing test is required. There is an alternative scoring rubric for those LEP students who choose to use it. The regular scale is a 4 point scale, as is the alternative version. However, in the alternative version, the writing test will be scored using an alternative holistic scoring scale which places emphasis on the conveyance of meaning and other linguistic accommodations. A panel of twelve trained ESL teachers helped develop and field test the scoring rubrics for LEP students.

New academic achievement standards will be developed based on the curriculum frameworks. Tests will be revised based on these standards. The standards will apply to ESL students and may continue to have an alternative for the exit examination writing subtest.

Student Assessment

No exemptions for LEP students are provided for in any assessment legislation. However, decisions to include LEP students in state assessments are left up to local school districts. For LEP students who are exempted from these state assessments the following achievement data is collected: language proficiency scores, class grades, and course work results. This data is not reported.

There are no assessments in languages other than English or plans to develop such assessments.

Although the state published data on student achievement, data on LEP students is not reported as a separate category.

Opportunity-to-Learn Standards

The state does not have opportunity to learn standards. However, it does provide guidance that describes the conditions necessary for LEP students to learn. The ESL/Bilingual Education Associate provides technical assistance by request to the schools and school districts with LEP students. The

training focuses on second language acquisition, cultural awareness issues, instructional modifications, legal and administrative guidelines, bilingual instructional support, and second language reading and writing development. The SEA also initiates statewide and regional workshops to provide training in these areas.

The strategies, mechanisms, or standards the state has found to be important to provide LEP students the necessary opportunity to learn include the following:

- Team (parent, teachers, guidance, administrators, ESL/Bilingual Specialist) decisions on placement, program, progress, and exit
- Supporting acculturation, reducing affective filter — helping student feel understood, comfortable and relaxed.
- Guidelines which support curriculum modifications, peer-tutoring, cooperative learning strategies, and whole language philosophy.

State funding (ACT 135 state legislation) allows for funds to be earmarked for the language and educational services of LEP students.

Title VI and EEOA

The state has no laws and no regulations/rules that describe conditions necessary for LEP students to learn. However, the state does provide guidelines to local educational agencies regarding district and school obligations under the Equal Educational Opportunity Act and Title VI of the Civil Rights Act. The Office of Professional Development is responsible for providing these guidelines. The Desegregation/Equity Project Education Associate is responsible for providing technical assistance and training when requested by LEAs and schools to help them comply with these requirements.

Teacher Licensing and Professional Development

The state is planning to develop teacher licensing standards that apply to teachers who teach LEP students. A task force on LEP student issues has been

initiated. This area will be one of the top priorities addressed. All tests for teacher licensing apply to teachers who teach LEP students.

Professional Development

Related to the Content Standards: Professional Development to support the frameworks is in the process of being developed. Professional development related to the content standards consists of two graduate courses initiated and coordinated by the South Carolina Department of Education through the University of Charleston:

Teaching Reading and Writing to K-12 ESL Learners is intended to provide a theoretical foundation for the teaching of reading and writing in English to language minority learners in the schools. Topics include theories of the development of second language literacy, contrastive rhetoric, and formal and informal reading/writing assessment strategies. Instructional techniques appropriate for learners with prior first language schooling as well as those with inadequate or no prior schooling are demonstrated. Participants will be exposed to approaches consistent with whole language philosophy such as dialogue journal writing, reading/writing workshop, family literacy, writing for publication, and writing in the content areas. Emphasis will be given to the integration of second language reading and writing instruction.

A Materials Development Course For ESL Learners will explore current trends in developing effective curriculum and materials for language minority K-12 students. Theoretical models of general learning theory, bilingualism, curriculum development will form a basis for the course. Topics to be covered include instructional strategies and materials for content-area instruction and developing the four language components. Mini-lessons will demonstrate recent trends in instructional practices in the field of ESL/Bilingual education as well as the use of technology in creating materials for ESL learners. Participants will develop portfolios representative of areas to be covered.

These courses are offered in various regions of the state. While priority is given to ESL/Bilingual Education teachers, mainstream teachers are encouraged to participate as space is available.

Carolina TESOL offers professional development opportunities at conferences held 2-3 times per year in various regions of North and South Carolina. ESL in the content-areas has been a popular topic in recent years.

The South Carolina Department of Education offers statewide workshops and provides on-site technical assistance relative to this topic.

The state's overall professional development activities focus both on professional (individual) development as well as over-all school improvement. Areas of development include: classroom management, mastering learning, critical thinking skills, student learning styles, cooperative learning, and developing positive student self-esteem.

The main needs of teacher and other local personnel in helping LEP students meet state standards include: understanding issues of second language acquisition; curriculum modifications appropriate to linguistic ability; and alternative assessment practices, etc. Teachers with bilingual abilities are needed; however, students in South Carolina have over 55 different language backgrounds.

Bilingual language skills will be useful. More teachers need to have linguistic and cultural training in order to better understand and better meet the needs of their students.

State Education Agency Organization

The ESL/Bilingual Education Associate is in the Office of Technical Assistance. The role of this staff person is to provide leadership in this area of specialization by prefacing a statewide vision for high standards in curriculum and instructional practice (could you clarify?); and to build capacity in others to develop and implement effective curricula and instruction through workshops, conferences, on-going technical assistance.

Technical Assistance

The staff noted that they could benefit from technical assistance in the following area: developing the Goals 2000 state plan; providing LEP students with access to the content standards, and assessment of LEP students.

South Dakota

Demographic Overview

1992-93 Public K-12 Enrollment:	135,267
1992-93 Public K-12 LEP Enrollment:	4,527
1992-93 Public K-12 % LEP Enrollment:	3.3%

Source: *Special Issues Analysis Center: Development Associates, Inc., September 1994.**

	Total Children	LEP Children	%LEP Children
Urban	19,002	245	1.3%
Suburban	25,715	271	1.1%
Rural	101,753	1,572	1.5%

Source: *1990 U.S. Census**

Eligible School-Age Population:	148,804
Total Children Living in Poverty:	29,018
% of Total Children Living in Poverty:	19.5%
LEP Children Living in Poverty:	871
% of LEP Children Living In Poverty:	42.6%

Source: *1990 U.S. Census**

* Note: The definition of LEP status varies by state and by source. The LEP student poverty status and distribution by urbanicity figures have been calculated based on the school-age population's response to the U.S. Census question "How well do you speak English? Well, Not Well, Not At All." These three categories were combined to form the definition of LEP. Therefore, there may be discrepancies in the data between the two sources above.

LEP Student Definition and Identification

The State uses the Federal Title VII of IASA definition of Limited English Proficient student.⁴⁰

Systemic Reform Planning

The state is in the process of developing a state plan. The Director of Equal Educational Opportunity has been involved in the planning.

Content Standards

Math, Science, and Integrated Math and Science content standards are being refined at this time. The state is in the process of developing additional content standards. All will apply to LEP students. According to the state, every effort will be made to consider LEP student needs in the development of these standards. However, LEP students are not explicitly mentioned for inclusion in regard to any of the above standards.

Performance Standards

The state will be developing performance standards.

Statewide Assessment

LEP students are exempted from state assessments required of other students, if the LEP student has been enrolled in a school in the United States for less than one year. This includes foreign exchange students. No state-wide data is collected for exempted students. However, school districts use alternative methods of assessment for LEP students such as the LAS assessment and portfolio assessment. There are no assessments in languages other than English or plans to develop such assessments. The state collects data on LEP student achievement, but data on LEP students is not reported as a separate category.

Opportunity-to-Learn Standards

The state does not have opportunity-to-learn standards at this time.

Title VI and EEOA

The state utilizes the Federal Guidelines to provide LEAs with information regarding district and school obligations under the Equal Educational Opportunities Act and Title VI of the Civil Rights Act. The Equal Educational Opportunities Office located in the Educational Services Unit provides technical assistance in the form of conferences, and workshops to help to LEAs and schools to comply with requirements under Title VI and EEOA.

Teacher Licensing

The state is currently developing an ESL/Bilingual Endorsement for teacher certification. Different courses will be made available through the State Department of Education and various universities.

Staff Development

Related to the Content Standards: There is an annual bilingual conference open to all educators. Numerous workshops are conducted statewide to assist educators in providing services to LEP students.

Broader Efforts: South Dakota is one of eighteen states included in a Title VII Training and Development Initiative to improve teacher preparation at the

college level in meeting the needs of teachers of LEP students.

Each school is responsible for three days of professional development each year. In addition to this, the Department of Education sponsors several staff development opportunities for classroom teachers.

State staff feel that there needs to be more professional development that is appropriate and specific to the needs of LEP teachers. Also, many of these teachers are isolated; they may be the only LEP instructors in their district and may be 60 miles from another district serving LEP students. State staff also report that more and more of South Dakota districts are needing to provide LEP services.

State Education Agency Organization

There is one full time staff person and a part of a clerical staff person devoted to Equal Educational Opportunities and Bilingual Education. This person is housed in the Educational Services Unit.

Technical Assistance Needs

The SEA could benefit from technical assistance in the following areas: Developing the Goals 2000 State Improvement Plan, providing LEP access to content standards, assessment of LEP students, teacher preparation and development.

⁴⁰ A student is limited English proficient (LEP) if he/she has sufficient difficulty speaking, reading, writing, or understanding the English language to deny him/her the opportunity to learn successfully in English only classrooms or to participate fully in our society due to one or more of the following reasons: a) the student was not born in the United States or whose native language is not English; b) the student comes from an environment where a language other than English is dominant; or (c) the student is American Indian or Alaskan Native and comes from an environment where a language other than English has had a significant impact on his/her level of English language proficiency.

Tennessee

Demographic Overview

1992-93 Public K-12 Enrollment:	906,975
1992-93 Public K-12 LEP Enrollment:	2,731
1992-93 Public K-12 % LEP Enrollment:	0.3%

Source: *Special Issues Analysis Center: Development Associates, Inc., September 1994.**

	Total Children	LEP Children	%LEP Children
Urban	148,631	2,152	1.4%
Suburban	471,414	5,155	1.1%
Rural	309,931	3,140	1.0%

Source: *1990 U.S. Census**

Eligible School-Age Population:	928,178
Total Children Living in Poverty:	187,882
% of Total Children Living in Poverty:	20.2%
LEP Children Living in Poverty:	2,251
% of LEP Children Living In Poverty:	21.8%

Source: *1990 U.S. Census**

* Note: The definition of LEP status varies by state and by source. The LEP student poverty status and distribution by urbanicity figures have been calculated based on the school-age population's response to the U.S. Census question "How well do you speak English? Well, Not Well, Not At All." These three categories were combined to form the definition of LEP. Therefore, there may be discrepancies in the data between the two sources above.

State Standard for Identifying LEP Students

The Tennessee Department of Education uses the definition of LEP that is used in the Federal Register, vol. 51, no. 118, June 19, 1986.⁴¹ In response to a recently enacted law (Chapter 502), the state department of education will be establishing regulations on identification requirements (including a home language survey), and a standardized procedure for assessment of English language proficiency.

Systemic Reform Planning

The State is developing its Goals 2000 plan. It is not anticipated that LEP students will be explicitly mentioned. Persons knowledgeable about the education of LEP students have not been involved in the planning process.

Student Content Standards

The State currently has student content standards and all apply to LEP students.⁴² However, they

are not explicitly mentioned for inclusion in regard to the standards.

Performance Standards

The state does not currently have nor is it developing a set of student performance standards.

Statewide Student Assessment

LEP students may be exempted from state assessments required of other students. The guidelines for exemption are as follows: "Every LEP student should be considered for testing in the mandated program. Teacher discretion and student desire are factors in determining if the student should take a mandated test. In addition, if it is determined by the local assessment staff that the LEP student would not be able to score at or above the 20th percentile on any subtests, the student may be exempted." This policy will be reviewed in the near future.

Tennessee also has a proficiency test for graduation. Although LEP students may be exempted from

an individual testing opportunity, they must pass the test to receive a Tennessee high school diploma.

No data are collected for LEP students exempted from the state assessments. There are no assessments available in languages other than English, and there are no plans to develop native language assessments.

The state publishes data on student achievement. Although the data is coded and the State Director of Bilingual Education annually requests achievement test scores of LEP students who have taken the test, this data is not published. The test data for LEP students is aggregated with the total student population data.

Opportunity to Learn Standards

The state is planning to develop opportunity to learn standards. The Tennessee Department of Education, Division of Special Education, has endorsed inclusion as the appropriate service delivery model for most identified special education students. They are reviewing and planning to develop standards that could theoretically be classified as “opportunity to learn” standards. LEP students are being considered in this process. Currently, there are no opportunity to learn standards that apply only to LEP students.

Tennessee has regulations and provides guidance that describe the conditions necessary for LEP students to learn. According to Tennessee rules and regulations, “students whose native or dominant language is not English shall be provided English courses especially designed for speakers of other language. . These courses may be used to satisfy the English language requirement for graduation, not to exceed two units.” There is also a two page guidance sheet titled, “Tennessee Responsibilities to Limited English Proficient Students.”

To provide LEP students the necessary opportunity to learn, the state has added an endorsement on a teacher’s license for English as a second language. They require teachers who are employed as ESL teachers to have this enforcement or obtain a waiver while they are in the process of obtaining an endorsement.

Title VI and EEOA

The SEA provides guidelines to local education agencies on district and school obligations under the Equal Educational Opportunity Act and Title VI of the Civil Rights Act. The Division of Curriculum and Instruction, ESL/Bilingual Education Program is responsible for providing these guidelines. This Division also provides technical assistance in the form of written guidelines and conferences and workshops which are held around the state, often with the assistance of the Southwest Desegregation Assistance Center. In addition, there are frequent consultations by telephone and through meetings.

Teacher Licensing

Tennessee has teacher licensing standards that apply to teachers who teach LEP students. Teachers who are employed as English as a second language teachers are required to have an ESL endorsement on a Tennessee Teaching License. The endorsement requires 20 semester hours of course work in the fields of linguistics, methodology of second language learning, and related studies (multi-cultural related) as well as supervised student teaching or one year of successful teaching experience as an ESL teacher. All teachers are required to pass the National Teaching Exam.

Professional Development

Related to Content Standards: The state provides continuing professional development opportunities to support achievement of outcome standards by LEP students. The ESL/Bilingual Education Consultant presents workshops, inservices, and sessions at conferences throughout the state. There are two regional conferences held every year for educators to better understand the legal responsibilities of schools to LEP students as well as effective educational practices. In addition, the Department of Education contracts with an Institute of Higher Education annually to offer an intensive summer institute to provide educators with the necessary training and course work to obtain an ESL endorsement. The state has two regional libraries where any educator in the state can borrow materials free of charge to better serve their language minority populations.

Broader Efforts: Most professional development activities in the state are aimed at developing leadership skills of school board members, school administrators, and teachers by attendance at the State Department of Education's academies or institutes. Many of these development activities have emphasized the development of skills needed for site-based management. The Division of Curriculum and Instruction offers professional development activities which are more subject-matter based.

At the current time, there is no specific state funding to help districts meet the additional financial costs of educating LEP students. According to State Department of Education staff, this is the biggest obstacle the state faces and the biggest need. In addition, according to staff, there are few higher education programs in place to train ESL teachers in the state. The LEP population has not only increased dramatically in areas which have traditionally had bilingual students, but the students and their parents who are in the schools are increasingly illiterate or semi-literate in their own languages. Furthermore, the population has recently dispersed more widely throughout the state in areas that have not traditionally had students before. Hence, train-

ing of educators who deal with these students has become a priority.

According to SEA staff, there needs to be more trained ESL teachers and training provided to other personnel who interact with the LEP student population.

State Education Agency Organization

The ESL/Bilingual Program is housed in the Division of Curriculum and Instruction, Federal Programs. There is one consultant who handles the servicing of LEP students. Her position is funded by Title VII and Title IV grants. This organizational structure has been in place for about five years. Any policy development that directly affects LEP students must have the approval of the State Board. All technical assistance and program improvement is coordinated through this consultant.

Technical Assistance Needs

SEA staff could benefit from technical assistance in the following areas: developing the Goals 2000 State Improvement Plan, providing LEP access to content standards, LEP student assessment, and teacher preparation and development.

⁴¹ A limited English proficient individual is an individual: "who was not born in the United States or whose language is other than English; who comes from a home in which a language other than English is used most for communication; or who is an American Indian or Alaskan Native and comes from a home in which a language other than English has had significant impact on his or her level of English language proficiency as a result of substantial use of that other language for communication; and who, as a result of the circumstances described in paragraph (1) of the definition has sufficient difficulty in speaking, reading, writing or understanding the English language to deny him or her the opportunity to learn successfully in classrooms in which the language of instruction is English or to participate fully in our society.

⁴² The state completed development of content standards in the following discipline areas: Mathematics, Science, Health, English/Language Arts, ESL, Social Studies, Foreign Language, Physical Education, Computer Science, School-to-Work Transition, and Interdisciplinary. Source: CCSSO *Baselines Report*, revised March 1995.

Texas

Demographic Overview

1992-93 Public K-12 Enrollment:	3,541,769
1992-93 Public K-12 LEP Enrollment:	343,356
1992-93 Public K-12 % LEP Enrollment:	9.7%

*Source: Special Issues Analysis Center: Development Associates, Inc., September 1994.**

	Total Children	LEP Children	%LEP Children
Urban	1,797,209	260,954	14.5%
Suburban	1,238,359	100,902	8.1%
Rural	661,500	67,008	10.1%

*Source: 1990 U.S. Census**

Eligible School-Age Population:	3,643,462
Total Children Living in Poverty:	880,332
% of Total Children Living in Poverty:	24.2%
LEP Children Living in Poverty:	206,786
% of LEP Children Living In Poverty:	48.9%

*Source: 1990 U.S. Census**

* Note: The definition of LEP status varies by state and by source. The LEP student poverty status and distribution by urbanicity figures have been calculated based on the school-age population's response to the U.S. Census question "How well do you speak English? Well, Not Well, Not At All." These three categories were combined to form the definition of LEP. Therefore, there may be discrepancies in the data between the two sources above.

LEP Student Definition and Identification

Texas definition of a limited English proficient student is a student who scores below the cut-off point of a state approved Oral Language Proficiency Test (OLPT) and if in grades 2-12 also score below the 40th percentile on both the reading and language arts subtests of a state approved English achievement test.

Texas has detailed provisions for the identification of students who are limited English proficient, including the administration of agency - approved oral language proficiency tests in pre-kindergarten through grade 12 and English reading and language arts assessments in grades 2 - 12. In addition, districts that provide bilingual education programs must administer an oral language proficiency test in the home language of students eligible to be served. If the home language is Spanish, the district must administer the Spanish version of the agency-approved oral English test. Grade levels and scores on each test which identify a student as limited English proficient are established by the State Board of Education.

Systemic Reform Planning

There is a systemic plan entitled, "Quality, Equity, Accountability: Long Range Plan for Public Education, 1991-1995." There is explicit mention of LEP students in the systemic plan. The Objectives include: 1) set increasingly challenging expectations for academic performance by all students in Texas schools; 2) strengthen and increase the acquisition of literacy, reading, writing, spelling, and other communications skills; 3) develop second language skills in all students; 4) close the achievement gap between educationally disadvantaged students and other populations; 5) support the development of infants and young children through early childhood education and parenting education; 6) identify and assist slower learners to achieve their learning potential; 7) raise the graduation rate to 95 percent of students who enter the seventh grade through enhanced dropout prevention efforts; 8) identify and provide appropriate prevention and intervention strategies for students with special needs; and 9) measure student learning through multiple indicators.

An example of steps to meet the goals and objectives for “student learning” include statewide strategies for improving students’ literacy and communications skills. These strategies will give special attention to at-risk students, students with special needs such as the handicapped and learning disabled, students with limited English literacy skills, ethnic and minority students, and young children. Curriculum goals include providing appropriate language and content area instruction to limited English proficient students.

Persons knowledgeable about the education of LEP students have been involved in the planning process, including State Board of Education members and participants at public hearings. The Texas Association of Bilingual Educators has been particularly supportive of state systemic reform initiatives.

Student Content Standards

Texas is developing new content and performance standards focusing on what students are expected to know and be able to do. All new content and performance standards will apply to LEP students.

The state has a required core curriculum referred to as essential elements in each course and subject area.⁴³ All essential elements apply to LEP students. There is also explicit mention of LEP students for inclusion in the content standards. In addition, essential elements address bilingual education and English as a Second Language. There are Spanish essential elements for grades pre-K through six in language arts/reading. There are ESL essential elements for grades pre-kindergarten through 12th. The purpose of the ESL essential elements is to develop the English skills necessary to fully participate in the required core subject (i.e. math, science and social studies).

Performance Standards

The state currently has a set of student performance standards which all apply to LEP students. Performance standards will be developed for the Spanish essential elements and the E.S.L. essential elements after these essential elements have been refined. Spanish TAAS will be available in future years, beginning with grades 3–4 in 1995–96. Standards

will be set for TAAS and end-of-course examinations. There are no additional performance standards that apply only to LEP students. There is explicit mention of LEP students for inclusion in the performance standards.

Statewide Student Assessment

LEP students are exempted from state assessments required of other students. A student can be exempted from participation only upon the formal determination of: 1) student’s special education status by the admission, review, and dismissal committee (ARD), as documented in student’s individual educational plan; or 2) student’s language proficiency assessment committee (LPAC), as documented in student’s permanent record file.

All students of limited English proficiency must participate in English, Spanish, or alternative assessments. Spanish versions of the criterion-referenced tests at grades 3 and 4 will be administered by 1995, and at grades 5 and 6 by 1996. Until Spanish versions of the criterion-referenced tests are available, a LEP student in a state-approved bilingual program whose native language is Spanish may be exempted by the LPAC from the criterion-referenced instrument for no longer than 3 consecutive years, after which time the student shall take the English version instruments at subsequent grade levels. Once Spanish versions of the criterion-referenced tests are available, a LEP student in a bilingual program whose native language is Spanish may receive no more than one exemption from the assessment program. A student who upon entry to the program was a nonreader may receive one additional exemption. For no more than 2 consecutive years following this exemption, a student is eligible to take the Spanish version instrument, based on the decision of the student’s LPAC. A LEP student whose native language is other than Spanish or a student served in an ESL program may be exempted from the criterion-referenced instrument for no more than 3 consecutive years.

Based on criteria developed by TEA the LPAC shall recommend appropriate alternative and formative assessment strategies in the primary language and/or English for each LEP student exempted from the required state assessment in English. Alternative

assessment shall be reported to TEA for integration into the state accountability system.

No student shall be exempted from an exit level examination based on limited English proficiency. However, a 10th grade student who is a recent immigrant with limited English proficiency may delay only one time the initial administration of the exit level assessment instrument until his/her 11th grade year. The term “recent immigrant” is defined as an immigrant entering the United States during the current or previous school year. Before the fall administration of the exit level test, each school district shall provide an appropriate intensive language program for any student whose exit level administration was deferred until Grade 11.

No student shall be exempted from a state-mandated end-of-course examination. Testing eligibility requirements shall be specified in the appropriate test administration instructions.

The appropriate test administration materials shall specify any allowable modifications available to nonexempt students in the administration of criterion-referenced assessment instruments.

The language proficiency assessment committee may grant exemptions to students of limited English proficiency. The committee shall recommend appropriate alternative assessment strategies for each student exempted from the norm-referenced assessment program. The committee shall determine when the student has sufficient English proficiency to participate in the norm-referenced assessment program; however, it may not exempt a student for longer than 3 years.

Alternative assessments are required for LEP students exempted from state assessment. Data are from standardized tests approved by State Board of Education for this purpose and are reported to the SEA. Assessments are not presently available in languages other than English, but there are plans to develop Spanish versions of the TASS through 1999. In 1994–95, grades 3 and 4 Spanish versions in reading and math and a grade 4 Spanish version in writing are planned. In 1995–96, grades 5–6 Spanish

version in reading and mathematics and grade 8 Spanish version in writing are planned. In 1996–97, a reading and mathematics Spanish version is planned for grades 7–8. In 1997–98, Spanish versions in grade 8 are planned for science and social studies. The state publishes data on student achievement for all subject areas. Finally, information on LEP student performance is reported to the State Educational Agency.

Opportunity to Learn Standards

The state does not currently have opportunity-to-learn standards. However, the state has state laws, regulations/rules, and advisory/guidance that describe conditions necessary for LEP students to learn. State law requires that school districts with an enrollment of 20 or more students of limited English proficiency in a given language classification at the same grade level offer a bilingual education program. Those districts with less than 20 LEP students (in a given language classification at a grade level) must offer ESL or an optional bilingual education program.

The state has found that essential elements for primary language instruction for grades pre-kindergarten through 6th and English as a second language grades pre-kindergarten through 12th help provide LEP students the opportunity to learn. In addition, textbooks are provided to help students meet these standards. They include: bilingual pre-kindergarten and kindergarten systems; Spanish basal reader 1 – 5; Spanish supplementary reader 1–5; Spanish math 1 – 5; Spanish science 1–5; Spanish social studies 1 – 5; and English as a second language systems, 1 – 12.

There are funds that are used for reform initiatives specifically targeted to LEP students. They include: \$817 million – SCE funds for students in at-risk situations, \$77.5 million – State Bilingual funds, \$7.6 billion – General State Aid Formula (includes adjustments for districts that have a large population of migrant students), and \$2,030,000 – EIEA. These have been ongoing for several years and are not necessarily considered new funds. General State Aid is not targeted for LEP students, but for all students.

Title VI and EEOA

The Agency operates and manages a grant funded by the U.S. Department of Education under Title IV of the Civil Rights Act of 1964 designed to provide, upon request, technical assistance and training to school districts on educational matters occasioned by desegregation. Title VI of the Civil Rights Act of 1964 and Title IX of the Education Amendment of 1972 are the primary focus of the program.

The Equal Educational Opportunity Unit under the Public School Governance Operations, Civil Rights, and Special Investigations Division in the Office of Accountability is primarily responsible for the provision of technical assistance and training on Title VI of the Civil Rights Act of 1964. The EEO Unit provides technical assistance and training to school districts upon request related to employment practices, extracurricular activities, student assignment, student transfers, desegregation plans, and complaint resolution.

Teacher Licensing

The state has teacher licensing standards that apply to teachers who teach LEP students. Teachers must be certified as bilingual or in English as a Second Language. The endorsements for certification in these areas are:

For Bilingual education: a Bachelor's degree and valid Texas teacher certificate, special education, or vocational education certificate, 12 semester hours at the graduate or undergraduate level earned after the bachelor's degree in psycho linguistics; teaching language arts and reading in the language of the target population; teaching ESL; teaching mathematics, science, and social studies in the language of target population; one year of successful classroom teaching experiences on a permit in an approved bilingual education program; and examination requirements - Bilingual Education and TOPT-Spanish.

For English as a Second Language (ESL): A Bachelor's degree, valid Texas teacher certificate, special education, or vocational education certificate, 12 semester hours including - psycho linguis-

tics, methods of teaching ESL, and descriptive/contrastive linguistics, and evidence of successful student teaching experience in an approved ESL program or one year of successful classroom teaching experience on a permit in an approved ESL or bilingual education program, and an exit requirement: English as a Second Language.

An alternative teacher certification program route is available for individuals seeking an ESL certificate. Certificates that may be earned through an alternative certification program include any certificate or endorsement for a teacher that may be earned through the completion of an approved teacher education program for which a Bachelor's degree is required. Additional certificate areas unique to alternative certification are: grades pre-kindergarten - 6; pre-kindergarten - 6 bilingual/ESL; pre-kindergarten - 12 ESL; and pre-kindergarten - 12 generic special education.

State tests apply to teachers who teach LEP students for teacher licensing.

Professional Development

Related to Content Standards: Local districts and regional education service centers are providing professional development opportunities based on state-adopted proficiencies for Texas educators. These proficiencies are learner centered addressing the needs of all students, including LEP students.

Texas provides continuing professional development opportunities to teachers to support achievement of the content standards by LEP students. Standards for bilingual education, and English as a second language certification are in place. Annual in-service is provided to teachers already certified for the continuous improvement of pedagogy and upgrading of curriculum content.

Broader Efforts: The professional development activities are school based. Overall, professional development activities are: TAAS Professional Development for ESC consultants and teachers in the areas of Algebra I End-of-Course, Biology I End-of Course, Mathematics, Social Studies, Science, Reading, Spanish Oral Language End-of-Course. Professional Development for Elementary, Middle,

and High School Mentor Schools - including administrators, teachers, ESC liaisons, university/college staff, and campus leadership teams (inclusive of parent and school board members) in the areas of: Organizational Structure, Curriculum/ Instruction/ Assessment, Needs and Characteristics (of students at each level), and Family and Community Collaboration/Support. Professional Development for Partnership Schools Initiative - including administrators, teachers, ESC/PSI facilitators, parents, and school board members in the areas of restructuring activities depending on the campus need, to include, but not limited to: Change Process, Curriculum/Instruction/Assessment, Vertical Teaming, Interdisciplinary, Flexible Scheduling and Year-Round School, Various Instructional Methods to Meet Student Needs, Etc. Professional Development (being planned) for the new Texas Teacher Appraisal System - including teachers, administrators, central office personnel, and ESC consultants in the areas of the Texas teacher proficiencies which are: Learner-Centered Knowledge, Learner-Centered Instruction, Equity in Excellence for All Learners, Learner-Centered Communication, and Learner-Centered Professional Development.

According to State Education Agency staff, school staff need appropriate materials and staff development to deal with students (their educational needs and cultural backgrounds) who are new arrivals and who many times have not had much, if any, formal education in their native country. This may be more apparent for students coming from Central and South America and Mexico than from other countries. Teachers, many times, assume that these stu-

dents all have the same cultural background and are treated the same to the detriment of the students. The task of trying to help these students pass the TAAS is very difficult when the test is in English and these students are having difficulty with the language and vocabulary.

State Education Agency staff also feel that ESL and bilingual instructional strategies along, with teaching reading in the content areas, should be a part of staff development for all teachers. These strategies should be incorporated into the materials being used. The state needs to provide funding for extended year instructional opportunities and modify requirements in taking the TAAS Exit exam for the LEP students who need help (by allowing test questions to be translated so that they may be understood, but still have the responses given in English - since this is a requirement of the law).

State Education Agency Organization

Bilingual Education is housed within “Programs” unit which is housed within “Education of Special Populations and Adults”. This organizational structure has been in place since January 1, 1992.

Technical Assistance Needs

The SEA could benefit from technical assistance in the following areas: Developing the Goals 2000 State Improvement Plan, providing LEP students with access to content standards, assessment of LEP students, teacher preparation and development, and technology.

⁴³ The state has developed content standards in: mathematics, science, health, ESL, social studies, Arts, Physical Education, Computer Science, School-to-Work Transition, and Interdisciplinary. Source: CCSSO *Baselines Report*, revised March 1995.

Utah⁴⁴

Demographic Overview

1992-93 Public K-12 Enrollment:	432,979
1992-93 Public K-12 LEP Enrollment:	24,447
1992-93 Public K-12 % LEP Enrollment:	5.6%

Source: *Special Issues Analysis Center: Development Associates, Inc., September 1994.**

	Total Children	LEP Children	%LEP Children
Urban	56,258	1,902	3.4%
Suburban	315,365	4,910	1.6%
Rural	105,624	2,258	2.1%

Source: *1990 U.S. Census**

Eligible School-Age Population:	472,675
Total Children Living in Poverty:	55,073
% of Total Children Living in Poverty:	11.7%
LEP Children Living in Poverty:	2,560
% of LEP Children Living In Poverty:	28.5%

Source: *1990 U.S. Census**

* Note: The definition of LEP status varies by state and by source. The LEP student poverty status and distribution by urbanicity figures have been calculated based on the school-age population's response to the U.S. Census question "How well do you speak English? Well, Not Well, Not At All." These three categories were combined to form the definition of LEP. Therefore, there may be discrepancies in the data between the two sources above.

State Standard for Identifying LEP students

The following process is used to identify LEP students:

Home Language Survey to identify primary home language other than English (PHLOTE) and initial registration form filled in by parents with (PHLOTE) identification procedure integrated within the form.

PHLOTE students are then referred to the language proficiency assessment team for assessment in oral language production, writing, and reading literacy skills. In some school districts the native language proficiency is assessed.

The assessment instruments are then evaluated and interpreted by a certified person(s) who has had prior training in assessing language proficiency skills.

The team then comes together for final evaluation and placement of the student in a language development program.

Systemic Planning

The state is in the process of developing a systemic plan. There is no explicit mention of limited English proficient students. Persons knowledgeable about the education of LEP students have not been involved in the development of the plan. However, various groups that advocate on behalf of LEP students have been supportive of state systemic reform initiatives. They include staff from Weber State University, College of Eastern Utah, Board of Regents, Governor's Office of Ethnic Affairs, Utah Coalition de la Raza, and Image de Utah.

Student Content Standards

The state currently has and is developing a set of student content standards. None apply to LEP students. LEP students are exempt from content standards. LEP students are not explicitly mentioned for inclusion in regard to any of these standards.

The state is planning to provide continuing professional development opportunities to support the achievement of standards by LEP students.

The state has developed standards for bilingual and ESL teacher endorsements. The State Office of Education has developed an endorsement curriculum.

Integration of Bilingual/ESL education into a pre-service teacher training program is being strategically planned in one University, and a Bilingual Masters Program is also being considered.

A curriculum and standards have been approved by the Board of Regents and the College of Eastern Utah, in collaboration with Utah State University, and USOE. The curriculum and standards are aligned with the state standards.

The State Office of Education has initiated training for schools that are developing their strategic planning to integrate LEP students.

Performance Standards

The State currently has a set of student performance standards. None apply to LEP students. All LEP students are exempt from performance standards. The state is planning to develop performance standards that apply only to LEP students.

Student Assessments

The districts do not have to assess LEP students for the first two years of enrollment in the school system. Language proficiency scores are collected for LEP students exempted from state assessments. These scores are reported to the United States Department of Education.

There are state assessments available in Navajo and Spanish. These state assessments are aligned with the state content standards. The state publishes data on student achievement but data on LEP students are not reported as a separate category.

Opportunity to Learn Standards

The state currently has opportunity to learn standards. They do not explicitly mention LEP students for inclusion. The state does not have opportunity to learn standards that apply only to LEP students.

The state provides guidance that describes the conditions necessary for LEP students to learn. There is a school board adopted rule that is currently being revised.

The strategies that the state has found particularly important to provide LEP students the necessary opportunity to learn include the following:

- Integrate language development strategies into the total curriculum;
- Integrate cultures of native language speakers into the total curriculum;
- Use native language either as an instructional medium and/or literacy development;
- Recruit and hire language minority certified Bilingually and/or ESL endorsed personnel;
- Continue staff development at all levels of public education;
- Develop strategic planning to meet the needs of LEP students.

Title VI and EEOA

The SEA provides guidelines to local education agencies on district and school obligations under the Equal Education Opportunity Act (EEOA) and Title VI of the Civil Rights Act entitled National Provisions on Educational Equity for LEP Students.

The Educational Equity Section is responsible for providing these guidelines. The Educational Equity Section provides assistance to LEAs and schools to help them comply with requirements under Title VI and the EEOA for LEP students including: Region VIII OCR - Justice Department Training; for administrators, principles training, meeting the needs of LEP students, and organization and restructuring of the Bilingual Directors Consortium and training.

Teacher Licensing and Professional Development

The state does not have teacher licensing standards that apply to teachers who teach LEP students. There are no specific teacher licensing standards for teachers of LEP students.

However, the state provides course work for a bilingual and ESL endorsement. These endorsements will be required. For a bilingual endorsement the applicant must hold a basic and/or standard teaching certificate before applying. An applicant must meet competency requirements in English and a non-English language and in the instructional strategies used in teaching second language learners. For an ESL endorsement an applicant must hold a Basic and/or Standard Teaching Certificate before applying. An applicant must meet the competency requirements in English and in the strategies used in teaching second language learners.

Professional Development

Professional development activities include: restructuring to include LEP students; paradigm shift training at all levels, and strategic planning.

According to state staff, the main needs of teachers and other local personnel in helping LEP students meet state standards include: identification and assessment of LEP students; teaching strategies and methodologies for all classroom teachers to meet

the need of LEP students; curriculum development; integration of second language acquisition into the core curriculum. The obstacles they face include: limited knowledge of equal educational access for LEP students; lack of time; lack of funding; and over-crowded classrooms.

State Education Agency Organization

The Educational Equity Section is charged with coordinating LEP policy development. This organizational structure has been in place for two years. The SEA has reorganized however so there is more collaboration across groups. There is now a team of representatives from the different groups who collaborate, including the Curriculum Department, Students at Risk, Educational Technology, and Evaluation and Assessment.

Technical Assistance Needs

The state could benefit from additional assistance in the following areas: providing LEP students with access to the content standards, assessment of LEP students, and teacher development and preparation.

⁴⁴ This profile was not reviewed by the Utah State Department of Education staff.

Virginia

Demographic Overview

1992-93 Public K-12 Enrollment:	Data not reported
1992-93 Public K-12 LEP Enrollment:	Data not reported
1992-93 Public K-12 % LEP Enrollment:	Data not reported

Source: *Special Issues Analysis Center: Development Associates, Inc., September 1994.**

	Total Children	LEP Children	%LEP Children
Urban	301,589	6,651	2.2%
Suburban	511,556	16,005	3.1%
Rural	311,666	3,586	1.2%

Source: *1990 U.S. Census**

Eligible School-Age Population:	1,106,866
Total Children Living in Poverty:	145,902
% of Total Children Living in Poverty:	13.2%
LEP Children Living in Poverty:	4,356
% of LEP Children Living In Poverty:	17.0%

Source: *1990 U.S. Census**

* Note: The definition of LEP status varies by state and by source. The LEP student poverty status and distribution by urbanicity figures have been calculated based on the school-age population's response to the U.S. Census question "How well do you speak English? Well, Not Well, Not At All." These three categories were combined to form the definition of LEP. Therefore, there may be discrepancies in the data between the two sources above.

LEP Definition and Identification

The state uses the LEP definition provided in the Bilingual Education Act (Title VII of the Elementary and Secondary Education Act, P.L. 100-27).⁴⁵

Systemic Reform Planning

The state has not developed a systemic plan.

Student Content Standards

There are content standards for English language arts, social studies, math, and science. Although LEP students are not explicitly mentioned for inclusion in these standards, they all apply to LEP students and are used in ESL classrooms. The state is also in the process of revising these standards. All will apply to LEP students.

Performance Standards

The state currently has and is developing a set of student performance standards, the Literacy Passport. The Literacy Passport at grade six sets stan-

dards for reading, writing, and math computation. All standards apply to LEP students. LEP students may postpone taking the test. There is no explicit mention of LEP students in the performance standards, and no additional performance standards apply only to LEP students.

Statewide Student Assessment

LEP students are not exempted from state assessments required of other students. Virginia law requires that each student pass the literacy Passport Test to be classified as a ninth grader or above and to earn a standard diploma. However, a LEP student that has been in a Virginia public school for less than three years may be classified as a ninth grader or above, whether or not the student has taken and/or passed the literacy tests and is eligible to participate in activities requiring classification above the eighth grade level. However, if the student fails to earn the passport on completing the third year in Virginia schools, the student loses classification/grade status. LEP students are required to pass the Literacy Test in order to graduate with a standard

diploma. There are no plans to develop native language assessments, and the state does not publish data on LEP student achievement separately.

Opportunity to Learn Standards

There are no opportunity to learn standards that apply only to LEP students. A section of the State Code, the Standards of Quality, requires a foundation program and supporting elements to be provided by every school division. The foundations include standards for: basic skills, selected programs and instructional personnel, support services, accreditation, literacy passports, diplomas and certificates, training and professional development, planning and public involvement, and for the policy manual. Although none explicitly mention LEP students, all apply to these students.

“English as a Second Language: Handbook for Teachers and Administrators” is a Department of Education resource publication designed for anyone interested in the education of LEP students. It references federal and state requirements, as well as describes state policy on identification, assessment, and placement of LEP students, organizing for instruction, curriculum and instruction, instructional materials and resources, and administrative issues.

Title VI and EEOA

The SEA provides guidelines to LEAs on district and school obligations under the Equal Educational Opportunity Act (EEOA) and Title VI of the Civil Rights Act. The SEA issues memoranda to LEAs on federal requirements and court decisions with regard to services for LEP students. Department of Education specialists provide guidelines and technical assistance to LEAs and schools to help them comply with these guidelines. This staff arranges for knowledgeable federal officials to conduct sessions for LEA staff and administrators, provides for on-site visits and workshops in individual LEAs, upon request, and sponsors an annual ESL conference.

⁴⁵ A student is limited English proficient (LEP) if he/she has sufficient difficulty speaking, reading, writing, or understanding the English language to deny him/her the opportunity to learn successfully in English only classrooms or to participate fully in our society due to one or more of the following reasons: a) the student was not born in the United States or whose native language is not English; b) the student comes from an environment where a language other than English is dominant; or (c) the student is American Indian or Alaskan Native and comes from an environment where a language other than English has had a significant impact on his/her level of English language proficiency.

Teacher Licensing

In addition to general licensure requirements, teachers of LEP students must meet certain ESL endorsement requirements. Virginia certification requirements for an endorsement in ESL are outlined in the Certification Regulations for Teachers adopted by the Virginia Board of Education in 1986.

Staff Development

Related to the Content Standards: The state provides professional development opportunities to teachers to support achievement of the content standards. Available are DOE-sponsored conferences, statewide institutes and workshops for teachers, administrators, parents, and anyone else who may be interested. ESL, bilingual, and content area teachers participate.

According to state staff, the main needs of teachers and other local personnel in helping LEP students meet state standards include: greater access to Title VII Bilingual Education money for ESL-only programs; greater resources to help with LEP students who are learning disabled in other ways; continuation of Emergency Immigrant funds; additional appropriate assessment instruments; and greater networking capability.

State Education Agency Organization

ESL specialists in secondary, adult, vocational and migrant education are available to provide technical assistance to the field. The policy office provides assistance with interpretation of legislation and other policy-related matters, when necessary.

Technical Assistance Needs

The SEA could benefit from technical assistance in the following areas: providing LEP students with access to the content standards, assessment of students, and teacher preparation and development.

Washington

Demographic Overview

1992-93 Public K-12 Enrollment:	896,475
1992-93 Public K-12 LEP Enrollment:	32,339
1992-93 Public K-12 % LEP Enrollment:	3.6%

Source: *Special Issues Analysis Center: Development Associates, Inc., September 1994.**

	Total Children	LEP Children	%LEP Children
Urban	178,665	9,828	5.5%
Suburban	582,571	18,620	3.2%
Rural	176,214	5,251	3.0%

Source: *1990 U.S. Census**

Eligible School-Age Population:	927,495
Total Children Living in Poverty:	129,348
% of Total Children Living in Poverty:	13.9%
LEP Children Living in Poverty:	13,054
% of LEP Children Living In Poverty:	39.3%

Source: *1990 U.S. Census**

* Note: The definition of LEP status varies by state and by source. The LEP student poverty status and distribution by urbanicity figures have been calculated based on the school-age population's response to the U.S. Census question "How well do you speak English? Well, Not Well, Not At All." These three categories were combined to form the definition of LEP. Therefore, there may be discrepancies in the data between the two sources above.

This state completed a pilot survey which has abbreviated questions regarding whether the state has outcome, content and performance standards, and does not ask whether the state publishes data on LEP student achievement separately.

State Definition and Identification

The Washington State definition of limited English proficiency is as follows: Eligible pupil means any enrollees of the school district whose primary language is other than English and whose English language skills are sufficiently deficient or absent to impair learning in a monolingual English classroom.

Systemic Reform Planning

The systemic planning process is underway. The state improvement plan will address LEP students, and persons knowledgeable about LEP education issues will be involved in the planning process. Previous planning efforts resulted in Washington Education Reform Legislation, which Goals 2000 will support and extend.

Student Content Standards

The state is in the process of developing content standards. Standards for four subject areas (read-

ing, writing, communications, math) have been accepted by the Commission. Four others are in development (arts, physical education, social studies, science). All apply to LEP students. However, LEP students are not explicitly mentioned for inclusion in any of these standards.

Performance Standards

The state is in the process of developing student performance standards. No groups are explicitly mentioned for inclusion in these standards.

Statewide Student Assessment

Guidelines regarding LEP student inclusion in and/or exemption from state assessments are formulated at the local level.

Generally, if a student is expected to participate in regular classroom activities, they are not exempted from state assessments. Data on LEP students, exempted from state assessments, is collected at the

local level. Information on retention, graduation, and services provided through other programs is reported to the state. No assessments are available in languages other than English.

For LEP students taking the state assessments, data on LEP student achievement is reported as a separate category for reading, math, language arts, and social studies.

Opportunity to Learn Standards

Washington is working with the Council of Chief State School Officers to develop opportunity to learn standards.⁴⁶ There are no opportunity to learn standards that apply only to LEP students.

Washington has laws and guidelines which describe the conditions necessary for LEP to have the necessary opportunity to learn. The state law requires bilingual education as part of basic education. The state legislature appropriates funds to school districts through the Office of the Superintendent of Public Instruction. The amount per eligible student is \$628 (\$46 million overall for state bilingual program). The main goal of the program is to develop English language proficiency. Program objectives include the provision of educational services which assist students to gain mastery in English so as to succeed in communicative interactions socially and academically, meeting grade requirements and promotion.

In addition, Washington state has guidelines which provide LEAs a range of: models for program implementation; technical assistance to 150 school districts; materials selection; interfacing LEP with mainstream classrooms; and student assessment. State Transitional Bilingual Program staff help link LEAs, institutes of higher education, community groups, and other appropriate agencies.

The State provides two comprehensive resource books — *Guidelines for the Transitional Bilingual Program and Resources for the Transitional Bilingual Program*. The Guidelines Book provides: an overview of Washington State Bilingual Education Programs, historical and legal perspectives, information on provisions of the State Transitional Bilingual Program, including procedures, student

eligibility, entry and exit criteria, testing, suggestions for choosing the appropriate model, descriptions of service delivery models, and program documents. The Resource Book provides information on: bilingual/ESL consortia, audio/visual materials, classroom materials, educational service districts, organizations and agencies, programs that work, publications, resource consultants, resource personnel, and staff and professional development.

Title VI and EEOA

The SEA provides guidelines to local education agencies on district and school obligations under Title VI of the Civil Rights Act and the Equal Educational Opportunities Act. There is “verbal guidance” upon request and workshops.

Teacher Licensing

All teaching endorsement areas are under review by the State Board of Education. No specific proposals for changes in the ESL or Bilingual endorsement have been approved.

Related to the Content Standards: The State is planning to provide continuing professional development to support the achievement of these standards by LEP students. The state has allocated \$40,000,000 for professional development and planning, consistent with the learning goals for all schools for the 1994-1995 school year. Site councils at the school decide how to use these funds. Some of the funds may be used for staff development related to LEP students.

State Education Agency Organization

A Bilingual Education Supervisor reports to the Director of Instructional Support Services. The Director reports to the Deputy Superintendent for Instructional Purposes.

Technical Assistance Needs

The SEA could benefit from technical assistance in the following areas: developing the Goals 2000 State Improvement Plan, providing students with access to content standards, assessment of LEP students, and teacher preparation and development.

⁴⁶ CCSSO has drafted a statement that focuses on this issue—State Responsibility for Student Opportunity: Commitment and Issues. It will be released during the Spring of 1996.

West Virginia

Demographic Overview

1992-93 Public K-12 Enrollment:	Data not reported
1992-93 Public K-12 LEP Enrollment:	Data not reported
1992-93 Public K-12 % LEP Enrollment:	Data not reported

*Source: Special Issues Analysis Center: Development Associates, Inc., September 1994.**

	Total Children	LEP Children	%LEP Children
Urban	32,139	338	1.1%
Suburban	91,319	872	1.0%
Rural	234,801	1,806	0.8%

*Source: 1990 U.S. Census**

Eligible School-Age Population:	353,941
Total Children Living in Poverty:	88,247
% of Total Children Living in Poverty:	24.9%
LEP Children Living in Poverty:	595
% of LEP Children Living In Poverty:	19.8%

*Source: 1990 U.S. Census**

* Note: The definition of LEP status varies by state and by source. The LEP student poverty status and distribution by urbanicity figures have been calculated based on the school-age population's response to the U.S. Census question "How well do you speak English? Well, Not Well, Not At All." These three categories were combined to form the definition of LEP. Therefore, there may be discrepancies in the data between the two sources above.

State Standard for Identifying LEP Students

West Virginia's LEP students constitute less than one percent of the school population. The small percentage is concentrated in three primary areas of Kanawha County, the Northern Panhandle, and the Eastern Panhandle. In many instances, a county may have only one LEP student. Because of the low number of LEP students, the 55 LEAs have their own methods for identifying LEP students. This is an informal method based upon observation and transcript review.

State Systemic Planning

The state systemic plan does not explicitly mention LEP students. It emphasizes that all students will learn at a high level with time being the variable rather than content. No-one knowledgeable about the education of LEP students was involved in the planning process.

Student Content Standards

The state currently has student content standards and is in the process of developing others. All apply to LEP students. However, LEP students are not explicitly mentioned for inclusion.

Student Performance Standards

The state currently has and is also developing student performance standards. All apply to LEP students although LEP students are not explicitly mentioned for inclusion in regard to these standards. There are no additional student performance standards that apply only to LEP students.

Student Assessment

LEP students must participate in the state (CTBS) testing program, but counties may opt to exclude LEP students' scores from county composite scores. No other data is collected on LEP students. There are no assessments available in languages other than English

nor plans to develop them. Although the state publishes data on student achievement, data on LEP students is not reported as a separate category.

Opportunity to Learn Standards

The state does not currently have opportunity to learn standards. Nor does it have laws, regulations, or policy guidance that describe the conditions necessary for LEP students to learn.

Title VI and EEOA

The Methods of Administration issued in 1979 by the Office for Civil Rights requires that a certain percentage of vocational programs be audited each year and that from these audits a certain percentage be audited on site. Copies of this memo were provided to each local educational agency and each higher educational agency offering vocational programs. This effort is not limited to Title VI but includes all aspects of Civil Rights.

The Division of Technical Adult Education Services provides guidance to the vocational education programs in the state (both secondary and post secondary) under the Methods of Administration Memo issued by the U.S. Office of Civil Rights in 1979.

If requested, the SEA would provide technical assistance to vocational education programs in com-

plying with OCR requirements. The Division of Technical and Adult Education Services would provide this assistance, if required.

Teacher Licensing and Professional Development

The state does not have teacher licensing standards that apply to teachers who teach LEP students. According to state staff, the obstacles that teachers and other local personnel face in helping LEP students meet state standards include: not enough time to work with LEP students; a lack of expertise in ESL teaching strategies; and difficulties communicating with parents of LEP students.

State Educational Agency Organization

The state foreign language coordinator provides limited technical assistance upon request to counties and schools to help them better educate LEP students.

Technical Assistance Needs

SEA staff identified the following as the greatest staff development challenges: delivering staff development to personnel working with LEP students in a state in which the LEP student population is very sparse and scattered.

Wisconsin

Demographic Overview

1992-93 Public K-12 Enrollment:	829,415
1992-93 Public K-12 LEP Enrollment:	14,243
1992-93 Public K-12 % LEP Enrollment:	1.7%

Source: *Special Issues Analysis Center: Development Associates, Inc., September 1994.**

	Total Children	LEP Children	%LEP Children
Urban	319,544	12,006	3.8%
Suburban	325,059	3,989	1.2%
Rural	331,164	4,760	1.4%

Source: *1990 U.S. Census**

Eligible School-Age Population:	962,104
Total Children Living in Poverty:	134,169
% of Total Children Living in Poverty:	13.9%
LEP Children Living in Poverty:	8,504
% of LEP Children Living In Poverty:	41.9%

Source: *1990 U.S. Census**

* Note: The definition of LEP status varies by state and by source. The LEP student poverty status and distribution by urbanicity figures have been calculated based on the school-age population's response to the U.S. Census question "How well do you speak English? Well, Not Well, Not At All." These three categories were combined to form the definition of LEP. Therefore, there may be discrepancies in the data between the two sources above.

LEP Student Definition and Identification

Wisconsin's administrative rule requires local districts to identify LEP students that fall into several categories as follows: (a) does not understand or speak English; (b) understands simple sentences in English, but uses only isolated words or expressions in English; (c) speaks English with difficulty, converses in English with help, understands at least parts of lessons and follows simple directions given in English; (d) understands, speaks, reads, and writes English with some degree of hesitancy which may be due to language interference because of a foreign language or non-proficient English spoken at home; or (e) understands and speaks English well, but needs assistance in reading and writing in English to achieve at a level appropriate for his or her age or grade.

However, school districts have autonomy to set their own test criteria, and many of them have written standards by which they identify LEP students.

A state definition of LEP pupils exists in administrative rule is, "Limited-English speaking pupil means a pupil who as a result of limited-English

speaking ability performs below expected grade level in required academic courses which are taught in English and who meets the criteria set forth under s. PI 13.03."

Another definition exists in statute under s. 115.955 (7). "Limited-English speaking pupil" means a pupil whose ability to use the English language is limited because of the use of a non-English language in his or her family or in his or her daily, non-school surroundings, and who has difficulty, as defined by rule by the state superintendent, in performing ordinary classwork in English as a result of such limited English language ability.

Systemic Reform Planning

Wisconsin is a Goals 2000 state, and consistent with the IASA Consolidated Plan/application process is planning to develop a comprehensive educational improvement plan. To date, persons knowledgeable about the education of LEP students have participated in the planning process for Wisconsin's consolidated plan application. The Bilingual/English-as-a-Second-

Language (ESL) Advisory Council will continue to advise the state superintendent at a later stage of the planning.

Student Content Standards

The state has and is developing additional content standards in math, language arts, social studies and science as part of the state's assessment system. The effort will be coordinated with Goals 2000 planning.

It is intended that all these standards apply to LEP students. However, in Wisconsin, the current practice is that districts implement locally adopted curriculum. The state provides suggested guidelines rather than mandates. According to state staff, in many cases, local bilingual ESL curriculum is not currently aligned with regular education curriculum.

While LEP students are not explicitly mentioned for inclusion in regard to any of the standards, it is intended that committees working on the content standards will solicit input from those who work with ESL/bilingual instruction.⁴⁷

Performance Standards

The State is currently developing a set of student performance standards. They are being developed as part of Wisconsin's state assessment system which will support requirements under Title I of IASA. There is no explicit mention of LEP students for inclusion in the developing standards, and no additional performance standards will apply only to LEP students.

The current practice in Wisconsin is that local school districts decide the appropriateness of applying student performance standards to LEP students.

Statewide Student Assessments

LEP students are exempted, in part, from state assessments required of other students. Wisconsin administrative code provides detailed provisions for testing limited English speaking pupils on the required eighth and tenth grade tests.

School boards that exempt LEP students from assessments are required to develop a policy and as-

essment procedures to determine the achievement level of limited English proficient students in core subjects including writing, reading, and mathematics. In such assessments, each school board is required to provide for modifications of the format and administration of the test, if a LEP pupil needs such accommodations. However, the state does not currently collect assessment data on LEP students. State required tests are not yet available in languages other than English, and there are no plans to develop native language assessments.

Wisconsin publishes a school district performance report annually which includes limited state assessment results. The assessment data on LEP students is not reported as a separate category.

Opportunity to Learn Standards

Currently, Wisconsin has 20 school district standards in statute. These will be reviewed as the state considers necessary equity issues as part of Goals 2000 planning. None of these 20 standards explicitly mention LEP students nor does the state have standards that apply only to LEP students.

Wisconsin has laws and regulations that describe the conditions necessary for LEP students to learn. Wisconsin's Statute on Bilingual Bicultural Programs establishes procedures for the identification, assessment, and classification of limited English speaking students. School districts that establish bilingual/bicultural programs are eligible for partial reimbursement of added cost. Guidance is provided by the State Superintendent's Bilingual/ESL advisory Committee. Wisconsin also provides on request technical information on effective teacher practices, considerations in choosing the language of instruction, and factors associated with effective second language instruction.

Title VI and EEOA

The SEA provides guidance to local education agencies about district and school obligations under the Equal Education Opportunity Act and Title VI of the Civil Rights Act. The information identifies four basic school district responsibilities: to take affirmative steps to rectify language deficiencies in order to open its instructional programs to language

minority children who are limited English proficient; to not place students in classes for students with disabilities on the basis of criteria which essentially measure English language skills or to deny access to college preparatory classes as a direct result of failure of the school system to inculcate English language skills; to not operate as permanent educational dead-ends any ability grouping or tracking systems which prevent national origin children from acquiring English language skills as soon as possible; to adequately notify national origin parents of school activities which are called to the attention of all parents. Such notice in order to be adequate may have to be in a language other than English.

The Equity Mission Team is in the Division for Learning Support: Equity and Advocacy. Upon request and with limited resources, the SEA provides technical assistance to LEAs and schools to help them comply with EEOA and Title VI requirements. One consultant and one program assistant are assigned to provide technical assistance. They offer telephone technical assistance, send out information by mail, conduct at least one training session for program administrators per year, perform 10-15 site visits per year, conducts an annual convention and attend conferences to network, and provide on-site consultation.

There is a State Superintendent's Advisory Committee on Bilingual/ESL Education that is appointed by the State Superintendent and includes representatives from higher education, practitioners, paraprofessionals, and sometimes parents. There is an attempt to balance the Committee by gender, ethnicity, and region of the state. The Committee meets three times a year.

Recommendations of the State's Superintendent's Advisory Council for Bilingual/ESL Education cover state policy/funding, programs, assessment, staffing, home-school communication, and inclusion in state standards and other state programs. According to staff, the Council has accomplished some of

its objectives. Recently, for example, the Council made recommendations on LEP student program entry and exit criteria to local districts.

Teacher Licensing

Wisconsin has regulations that govern professional education programs leading to licensure in bilingual and bicultural education and English as a second language.

Professional Development

The State is planning to provide professional development to support understanding of the content and performance standards. Currently, the State provides continuing professional development activities to support achievement of the Wisconsin learner outcomes by LEP students, including a State Equity Convention and workshops in collaboration with Title I staff and with the Multifunctional Resource Center for Bilingual Education, University of Wisconsin-Madison.

State Education Agency Organization

The Bilingual/ESL Education program is part of the Equity Mission Team which includes American Indian Studies, sex equity, race equity, vocational equity, national origin equity, education for homeless children.

Potentially, the establishment of collaborative teams within the recently-restructured agency may better infuse equity into other SEA functions and responsibilities.

Technical Assistance Needs

SEA could benefit from technical assistance in the following areas: developing the Goals 2000 plan, providing LEP students with access to the content standards, assessment of LEP students, and teacher preparation and development.

⁴⁷ The state currently has a set of outcome standards entitled Wisconsin Learner Outcomes. All apply to LEP students. However, LEP students are not explicitly mentioned for inclusion.

Wyoming

Demographic Overview

1992-93 Public K-12 Enrollment:	100,313
1992-93 Public K-12 LEP Enrollment:	1,952
1992-93 Public K-12 % LEP Enrollment:	1.9%

Source: *Special Issues Analysis Center: Development Associates, Inc., September 1994.**

	Total Children	LEP Children	%LEP Children
Urban	28,083	320	1.1%
Suburban	776	22	2.8%
Rural	76,128	954	1.3%

Source: *1990 U.S. Census**

Eligible School-Age Population:	103,481
Total Children Living in Poverty:	13,718
% of Total Children Living in Poverty:	13.3%
LEP Children Living in Poverty:	287
% of LEP Children Living In Poverty:	22.9%

Source: *1990 U.S. Census**

* Note: The definition of LEP status varies by state and by source. The LEP student poverty status and distribution by urbanicity figures have been calculated based on the school-age population's response to the U.S. Census question "How well do you speak English? Well, Not Well, Not At All." These three categories were combined to form the definition of LEP. Therefore, there may be discrepancies in the data between the two sources above.

State Standard for Identifying LEP Students

In Wyoming, limited English proficient students are those (1) who were not born in the United States or whose native language is a language other than English, (2) who come from environments where a language other than English is dominant, or (3) who are American Indian or Native Alaskan and come from an environment where a language other than English has had a significant impact on their level of English language proficiency.

Systemic Planning

Wyoming is not developing a state systemic plan.

Student Content Standards

Wyoming currently does not have student content standards, nor is it developing them.

Performance Standards

Wyoming currently does not have student performance standards, nor is it developing them.

Student Assessments

There are no state assessments.

Opportunity to Learn Standards

Wyoming currently does not have opportunity to learn standards nor does it have laws, regulations, or guidance that describe the conditions necessary for LEP students to learn.

Title VI and EEOA

The SEA does not provide guidelines to LEAs on district and school obligations under the Equal Educational Opportunity Act (EEOA) and Title VI of the Civil Rights Act. The SEA does not provide

technical assistance to LEAs and schools regarding compliance to requirements under the Title VI and the EEOA for LEP students.

Teacher Licensing and Professional Development

Wyoming has teacher licensing standards that apply to teachers who teach LEP students. There are standards that pertain to programs for ESL and bilingual education teachers.

Standards for preparation in ESL include ten standards. Examples include: knowledge of the nature of language; demonstrated competence in listening, speaking, reading, and writing English; knowledge of the effect of cognitive, affective, and socio-cultural variables on language learning; demonstrated competence in assessment techniques; demonstrated competence in teaching English as the other language; demonstrated competence in interacting effectively and sensitively with students, parents, and others within culturally and linguistically different communities; knowledge of the similarities and differences between the linguistic structures of the other languages and English; demonstrated understanding of multicultural factors as they are related to language and dialect across geographic regions, ethnic groups, and socioeconomic levels; knowledge of language development and acquisition; and demonstrated competence in the management of a cross-cultural classroom.

Standards for preparation of bilingual education teachers include 12 standards. Examples include: demonstrated competence in listening, speaking, reading, and writing in both English and the language of the target student population; demonstrated competence in the knowledge of the history and cultures of the target and related populations; knowledge of the historical, philosophical, and legal bases for bilingual education; knowledge of bilingual programs organizational models for providing instruction in a bilingual or multicultural setting; demonstrated competence in teaching reading skills, writing skills, and subject matter areas in both English and the language of the target population and; competence in working effectively with content-area teachers to design, deliver, and evaluate instructional content.

According to state staff, the main problem for teachers at this time is the lack of teacher training programs at colleges and universities.

State Education Agency Organization

Bilingual/Title VII is located in the Programs Division.

Technical Assistance Needs

SEA could benefit from technical assistance in developing the Goals 2000 plan, assessment of LEP students, and teacher preparation and development.