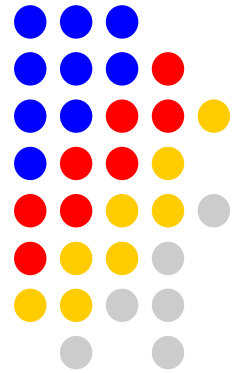


Gaston
County
Schools



LEP Plan



Gaston County Schools

Limited English Proficiency Plan

November 2008

Gaston County Schools Limited English Proficiency Plan

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Gaston County Schools

Located in the Piedmont region of North Carolina, Gaston County Schools is the sixth largest school system in the state. The system serves more than 33,234 students and is Gaston County's largest employer with approximately 4,430 part and full-time employees. There are fifty-two schools: thirty-one elementary, eleven middle and nine high schools and one alternate school. All schools are accredited by the Southern Association of Colleges and Schools.

Mission

The mission of Gaston County Schools is to provide a safe and orderly learning environment where all students meet education goals, appreciate the worth of each individual and become contributing members of society.

Vision

Gaston County Schools will be recognized for excellence in student achievement, the application of best practices, outstanding personnel and quality facilities. Parental involvement in all schools and community partnerships will reflect a strong community value for education and this school system.

Strategic Goals

- Ensure optimum student achievement by applying the best educational, managerial and operational practices throughout the school system.
- Attract, retain and develop a high-performing workforce.
- Provide and maintain safe and orderly facilities that offer an appropriate learning environment.
- Promote active family partnerships in meeting the educational needs of children.
- Establish effective partnerships to support and enhance the educational process.
- Ensure effective and efficient use of resources.

Introduction

The mission of Gaston County Schools is to provide a safe and orderly learning environment where all students meet educational goals, appreciate the worth of each individual and become contributing members of society.

According to the National Clearinghouse of Bilingual Education, over 4 million students in the United States are classified as limited English proficient. Within those numbers, the state of North Carolina rises near the top with a large influx of students who possess a great diversity in languages and countries of national origin.

Gaston County Schools, the sixth largest district in the state, has an increasing number of newly enrolled students who do not speak English. The numbers have tripled in the last five years, and students enter our schools at all levels of English language proficiency. Some of the students have not had the opportunity to attend school in their home country. The vast majority is recent immigrants who speak Spanish and there is diversity within that language. We must provide services for all students identified as limited English proficient at appropriate grade levels regardless of prior educational experiences upon arrival in our community and school system. In order to accomplish this mission, Gaston County Schools has developed a Limited English Proficient (LEP) Plan based on regulations set forth in Title VI of the Civil Rights Act of 1964 and Title III of the No Child Left Behind Act of 2001.

The English Language Acquisition, Language Enhancement, and Academic Achievement Act section under the No Child Left Behind Act of 2001 highlights that a school system should help to ensure that children who are limited English proficient attain English proficiency, develop high levels of academic attainment in English, and meet the same challenging State academic content and student academic standards as all children are expected to meet. Adherence to this mandate does not guarantee the students' abilities to communicate in English nor to be successful in academic content areas in English. Decisions and specific policies and procedures must be established and followed in order to meet the needs of diverse learners. Therefore, Gaston County Schools is committed to its goals to ensure optimum student achievement by utilizing the educational and operational practices throughout the system.

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Explanation of Equal Access

To meet the Equal Access criteria, Gaston County Schools will:

Provide fair programs, including:

- appropriate instructional space
- placement in age-appropriate classrooms
- valuing of linguistic and cultural diversity
- appropriate diagnostic-based promotion/retention criteria
- access to academic advanced content classes

Provide appropriate programs, including:

- highly qualified staff
- instructional space resources

Assure equal access to services, including:

- special education
- remedial services
- gifted and talented services
- career and technical education

Ensure that LEP students are integrated into all school activities, including:

- participation with peers in courses such as physical education, art, music, health, and computer lab
- integration into school-wide activities, including but not limited to celebrations, plays, field trips, and competitions

Provide equal access for parents, including:

- provide forms, other school related materials, and announcements translated in the language of the identified language majority students
- provide support and guidance to limited English proficient parents through the Newcomers' Center
- hold regularly scheduled PTO meetings and Parent Conference Days
- provide language translators whenever possible, especially during conferences

Federal and State Laws and Court Cases Mandating Services for National Origin Minority Students

1964 Civil Rights Act, Title VI

“No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”

Title VI regulatory requirements have been interpreted to prohibit denial of equal access to education because of a language minority student’s limited English proficiency.

The Bilingual Education Act: Title VII of the Elementary and Secondary Act, 1968

The Bilingual Education Act establishes federal policy for bilingual education for economically disadvantaged language minority students, provides funds for innovative programs, and recognizes the unique educational disadvantages faced by non-English speaking students. Reauthorized in 1993 as part of the Improving America’s Schools Act, Title VII was restructured to provide for an increased state role and give priority to applicants seeking to develop bilingual proficiency. The Improving America’s Schools Act modified eligibility requirements for services under Title I so LEPs are eligible for services under that program on the same basis as other students.

U.S. Department of Health, Education, and Welfare May 25 Memorandum (1970)

The Memorandum explained a district’s responsibilities with respect to national origin minority children by stating “...where inability to speak and understand the English language excludes national origin minority group children from effective participation in the educational program offered by a school district, the district must take affirmative steps to rectify the language deficiency in order to open its instructional program to these students.”

Equal Educational Opportunities Act of 1974

“No state shall deny equal educational access to an individual on account of his or her race, color, sex or national origin.” The statute prohibits states from denying equal educational opportunity by failure of an educational agency to overcome language barriers that impede equal participation by its students in its instructional programs.

Lau v. Nichols, 1974 (U.S. Supreme Court)

The Supreme Court ruled that “...there is no equality of treatment merely by providing students with the same facilities, textbooks teachers, and curriculum; for students who do not understand English are effectively foreclosed from any meaningful education.” The court ordered that districts must take affirmative steps to overcome educational barriers faced by non-English speaking students.

Rios v. Read, 1977 (U. S. District Court of New York)

“ It is not enough simply to provide a program for language disadvantaged children or even to staff the program with bilingual teachers; rather, the critical question is whether the program is designed to assure as much as it is reasonably possible the language deficient child’s growth in the English language. An inadequate program is as harmful to a child who does not speak English as no program at all.”

Castaneda v. Pickard, 1981 (5th Circuit Court)

The court’s decision states that the burden of proof is upon the district that the instructional program designed for a LEP student has clearly developed English language skills of comprehension, speaking, reading and writing necessary for learning and achieving in English-only instruction at a level substantially equivalent to pupils whose primary language is English.

Plyler v. Doe, 1982

Under the Fourteenth Amendment of the U.S. Constitution, the state does not have the right to deny a free public education to undocumented immigrant children. The court declared that school systems are not agents for enforcing immigration law, and determined that the burden undocumented aliens may place on an educational system is not an accepted argument for excluding or denying educational services to any student.

Gomez v. Illinois State Board of Education, 1987 (7th Circuit Court)

The Seventh Circuit issued a finding that the Equal Educational Opportunity Act requires state, as well as local, education agencies to ensure that the needs of LEP children are met. The ruling notably extended to testing for English language proficiency and provision of compensatory instruction for LEP students.

Congress Civil Rights Restoration (1988)

This law addresses previous laws to ensure that discrimination is prohibited in an agency or institution that receives federal assistance. If any state and local agencies, school systems, and corporations were found to be in violation of civil rights laws and refused to comply with the law, all of the federal funding for that institution would be in jeopardy of being withdrawn.

Office of Civil Rights Enforcement Policy of 1991

It addresses components within the compliance points: 1) ESL teachers must have been adequately trained and be evaluated by someone familiar with methods being used, 2) exit criteria should be based on objective standards, 3) schools cannot have policies of “no double services” refusing alternative language service and special education to children needing them and, 4) cannot be categorically excluded from gifted/talented or other special programs.

North Carolina State Law for Limited English Proficiency Programs, 1996

This law states that each superintendent/delegate shall identify resources, coordinate programs and services, report to State Board of Education information pertaining to identification, placement and educational progress of LEPs, and report funding needs for services. (See Appendix A)

No Child Left Behind Act, 2001 – Title III

This federal mandate holds state and local educational agencies and schools accountable for increases in English language proficiency and core academic content knowledge of limited English proficient students. It requires states to implement yearly student assessments that include, at a minimum, academic assessment in mathematics and reading or language arts. These assessments must be aligned with the state academic content and achievement standards. Each state, school district, and school is expected to make adequate yearly progress toward meeting the state standards. This progress is measured by disaggregating data for specified subgroups of the population.

NCLB also requires states to provide for an annual assessment of English language proficiency (listening, speaking, reading, writing and comprehension in English) of all students identified as limited English proficient in schools served by the state [ref. Title I, SEC.1111 (a) (7)]. Due to this federal legislation, North Carolina State Board policy mandates that all students who are language minority students must be assessed using the state-identified language proficiency assessment at initial enrollment. In addition, students identified as limited English proficient must be assessed annually in the spring until they score above the state mandated cut score for LEP determination on the language proficiency assessment during the same administration.

ESL Program Overview

Section I: Selecting the Educational Approach and Setting Goals

Gaston County Schools has selected an English as a Second Language program model.

Section II: Initial Identification of Potential LEP Students

National Origin Minority Students (NOMS) are identified through a Home Language Survey given to all students at the time of enrollment.

Section III: Assessment of the Need for ESL Services

All NOMS are assessed to determine if they are limited English proficient (LEP) or fluent English proficient (FEP).

Section IV: Placement into ESL Program Services

All LEP students are eligible to participate in the English as a Second Language (ESL) program.

Section V: Staffing and Resources

Gaston County Schools provides appropriate staffing and resources to implement the ESL program.

Section VI: Exiting from ESL Services and Monitoring Exited Students

The ESL Program has established criteria and procedures to exit students and monitor academic performance for two consecutive years.

Section VII: LEP Students and Other Programs

LEP students have access to all special programs for which they qualify.

Section VIII: Program Evaluation, Review and Improvement

The ESL Program is evaluated annually to ensure program effectiveness.

Section I. Selecting the Educational Approach and Setting Goals

Gaston County Schools (GCS) has adopted content-based English as Second Language (ESL) program as its primary limited English proficiency assistance program. In content-based ESL instruction, teachers use content topics, rather than grammar rules or vocabulary lists, as the scaffolding for instruction. The content reflects the North Carolina mandated standards. The rationale for this choice of model is as follows.

GCS's language minority students have diverse language backgrounds. North Carolina does not license teachers in Bilingual Education. Also, no program exists in the state to provide adequate training for bilingual education. Research shows that content-based ESL instruction is more effective than ESL instruction focused on language acquisition alone. (Berube, p. 46)

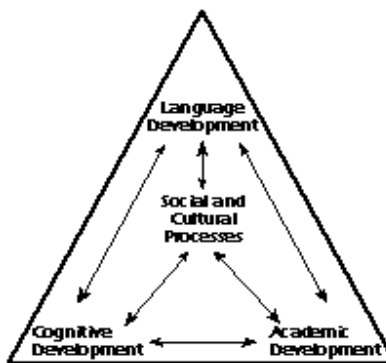
Educational Approach

The ESL program model integrates the four major components of Collier's ESL Program Conceptual Model (adapted from *Acquiring a Second Language for School*. Collier, 1995). The four major components, which are interdependent and complex, are: socio-cultural, linguistic, academic, and cognitive development.

ESL Program Conceptual Model (adapted from *Acquiring a Second Language for School*, Collier, 1995)

The model has four major components: socio-cultural, linguistic, academic, and cognitive processes. Figure 1 illustrates the developmental second language acquisition process that occurs in the school context. It is important to view it as a multifaceted prism with many dimensions showing the complexity and interdependency of socio-cultural, linguistic, academic, and cognitive processes.

Figure 1
Language Acquisition for School



(Copyright, Virginia P. Collier, 1994.)

Socio-cultural processes.

At the center of the prism, is the individual student in the process of second language acquisition at school. Critical in language acquisition are all of the social and cultural processes occurring through everyday life within the student's past, present, and future in all contexts – home, school, community, and the broader society. For example, socio-cultural processes involved in second language acquisition may include individual student variables such as self-esteem, anxiety, or other affective factors. These factors can strongly influence the student's response to the new language, affecting the process positively only when the student is in an environment that supports socio-cultural development.

Language development.

Linguistic processes (such as facilitated in the Newcomers' or pull-out programs), a second component of the model, consist of the subconscious aspects of language development (an innate ability all humans possess for acquisition of oral language), as well as the metalinguistic, conscious, formal language instruction at school. This includes the acquisition of the oral and written systems of the student's first and second languages across all aspects of the language studied by phonology (the sound system), lexicology (the meaning of words), morphology (grammar), pragmatics (the context of language use), paralinguistics (nonverbal and other extralinguistic features), and discourse (formal thought patterns).

Academic development.

A third component of the model, academic development, includes all school work in language arts, mathematics, the sciences, fine arts, and social studies for each grade level (Grades K-12) and beyond. With each successive grade, content academic work dramatically expands the vocabulary, sociolinguistic, and discourse dimensions of language to higher cognitive levels.

Cognitive development.

The fourth component of the model is cognitive development. Second language educators in the US neglected it until the past decade. In many language classrooms, a simplified, structured, and sequenced curriculum was taught during the 1970s. In the 1980s, when academic content became part of the curriculum, the academics were narrowed into cognitively simple tasks. Consequently, the crucial role of cognitive development in the first language was overlooked.

Interdependence of the four components.

The four components – socio-cultural, linguistic, academic, and cognitive – are interdependent. Today, as a result of the growing research-based practices, there is sound evidence that all of these components must be addressed equally if students are to become successful in developing meaningful academic proficiency in the second language. Development of one to the neglect of another may be detrimental to the student's overall growth and future success. The academic, cognitive, and linguistic components must be viewed as developmental, and for the child, adolescent, and young adult still going through the process of formal schooling, development of any one of these three components depends critically on the development of the other two, through both first and second languages. Socio-cultural processes strongly influence, in both positive and negative ways, a student's access to cognitive, academic, and language development. It is crucial that educators provide a socio-culturally supportive school environment that allows natural language, academic, and cognitive development to flourish.

Research Evidence to Support the Model

First and second language acquisition is a lifelong process. To understand the processes occurring in language acquisition during the school years, it is important to acknowledge that the experience of acquiring a second language is parallel to the complex, lifelong process of acquiring a first language. Language acquisition occurs over time, as learners move through developmental stages, gradually growing in proficiency. Rates of acquisition are influenced by multiple factors including an individual's educational background, first language background, learning style, cognitive style, motivation, and personality. In many instances, learners pick up conversation skills related to social language more quickly than they acquire academic language skills. Educational programs must provide for the length of time it takes ESL learners to achieve full academic proficiency in English, to interact with others as they study meaningful and intellectually challenging content, and to receive feedback on their language use. (ESL Standards for PK-12 Students, 1997)

Scientific-based research on the integration of second language acquisition and content learning suggests the following.

1. A second language is not acquired by direct instruction in the rules of the language, but by using language in a meaningful context. (Krashen, 1982)
2. Students will acquire a second language only if they receive comprehensible input. Talk becomes comprehensible to students through context and reference to background knowledge (Krashen, 1985) or context embedded and cognitively undemanding experiences. (Cummings, 1981, 1984)
3. Talk is not enough. To succeed in school, LEP students need more than conversational fluency; they need to develop the cognitive and academic skills required for learning academic subject matter. (Cummins, 1984)

This research supports the idea that instead of teaching language skills in isolation from subject matter, educators should:

1. integrate language development with content learning.
2. make good use of students' background knowledge and experiences.
3. convey meaning through gestures, body language, visuals, demonstrations, graphic organizers, modeling, manipulatives, and other strategies.
4. focus on the development of higher level thinking and academic skills.

English as a Second Language Program Model (adapted from Clearinghouse on Languages and Linguistics, ERIC Digest, September 1993)

ESL programs (rather than bilingual programs) are likely to be used in districts where the language minority population is diverse and represents many different languages. ESL programs can accommodate students with different language backgrounds in the same class, and teachers do not need to be proficient in the home language(s) of the students. Content based programs group language minority students with different language backgrounds together in classes where teachers use English as the medium for providing content area instruction, adapting their language to the proficiency level of the students. Teachers may also use nonverbal cues to help students understand material. Although the acquisition of English is one of the goals of Sheltered English and content-based programs, instruction focuses on content as well as language. Gaston County Schools has adopted this approach to reaching its goals: the development of English language skills, academic language, and content matter.

Content based instruction stresses comprehension and production (both oral and written). It addresses the goal for LEP students to reach the same academic standards as all students according to the NCLB Act of 2001.

Based on this research, ESL teachers use a variety of strategies, techniques, and activities to develop English language skills and make the content comprehensible to LEP students. Common practices may include, but are not limited to front loading, activating prior knowledge, scaffolding, using graphic organizers, visual aids, etc.

Cooperative Learning Activities

Students work together in small heterogeneous groups on a single task within a given time limit. As they negotiate a jointly constructed outcome, they exchange knowledge and experiences and make their own connections with the content and language.

Balanced Reading Approach (from NC SCS)

A balanced English Language Arts curriculum focuses on the student as an active participant in the learning process. The instructional process includes the selective and strategic use of monitoring, self-questioning, and focusing strategies. In a similar manner, engaged learners explore options in presentation: films and videotapes in the study of literature and language; audiotapes in the study of oral language to develop listening proficiency; and word processors and other media in drafting, revising, and publishing compositions.

Language experience approach

Drawing on personal experiences and language learned both inside and outside the classroom, students dictate stories to the teacher. The teacher may then use transcripts of these stories as texts for reading instruction, thus guiding the students to make a connection between oral and written language. The approach may also be adapted for writing instruction.

Interdisciplinary learning

An instructional unit, ranging in length from a few hours to a few weeks, is built on a theme, which may be approached from two or more disciplinary perspectives. Students are led to unite content and language learning in a meaningful context and to develop a variety of thinking skills needed for various disciplines.

Sheltered Instruction

Reflecting research findings, sheltered instruction classes provide language instruction through content embedded experiences. That is, meaning is conveyed with the help of both linguistic modifications and extralinguistic means. Sheltered instruction activities provide concrete and immediate referents in which learning of curricular subjects and English occur simultaneously. They are real subject matter lessons made comprehensible for the LEP student. The focus of instruction and testing (evaluation) is the subject matter itself, not the language. Sheltered instruction stresses comprehension and production (both oral and written). Its goal is to produce students who can read and write well enough to function in the mainstream English-only classroom. (Guzman 1986)

Principles operating the sheltered instruction classroom include the following:

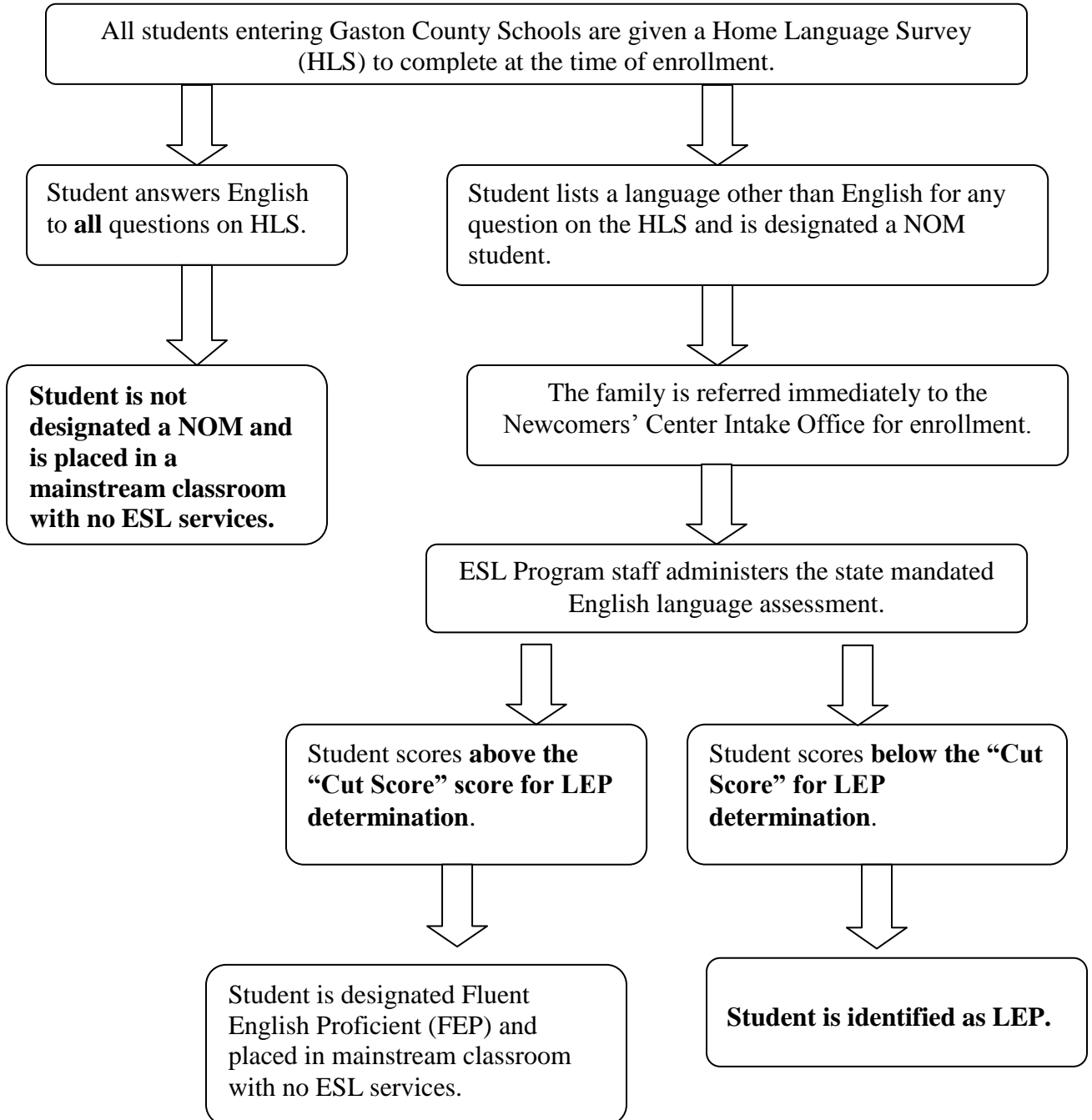
1. Focus on meaning, rather than on form. There is no overt error correction.
2. Linguistic modifications, such as controlled vocabulary and sentence length, are used.
3. Subject matter concepts are presented using contextual clues, such as demonstrations, experiments, and map activities, to help convey meaning.
4. Conversational interaction is interesting and relevant to the students.
5. Students are allowed a pre-speech stage or silent period and do not have to speak until they are ready. (Krashen and Terrell, 1983, Krashen 1984, 1985)

Educational Goals

The ESL program meets the requirements of Title VI the Civil Rights Act and the North Carolina State Regulations in providing services to LEP students. In addition, program curriculum reflects the National TESOL Standards and the North Carolina English Language Proficiency Standards (ELP). The program is designed to ensure that all LEP students have equal access to the full range of district programs.

- Students are expected to communicate with proficiency in the English language domains of listening, speaking, reading, and writing to be evidenced in appropriate progress measured by the state required language proficiency assessment instrument.
- Students are expected to gain academic English language proficiency in order to achieve the same challenging state and local academic standards as all children are expected to meet to be evidenced in state assessments of academic proficiency.
- LEP students are expected to meet the same Adequate Yearly Progress requirements as mandated by the NCLB Act of 2001 and defined by North Carolina Department of Public Instruction.

Sections II and III: Initial Identification of LEP Students and Assessment for the Need of ESL Services



Section II. Identification of Potential LEP Students

Home Language Survey (16 NCAV 6D.01606 (c), Office of Civil Rights 1970 Memo and *Lau v. Nichols, 1974*)

All students must have a Home Language Survey in their cumulative file.

As part of the registration process in Gaston County Schools, all K-12 students must be given a Home Language Survey (HLS). The HLS completed by the parent or guardian is used by the ESL staff to determine the student's eligibility for and gain parent consent for English language proficiency assessment. (See Appendix B)

The HLS must be given to the parent or guardian in a language that he/she understands. The HLS is available in English and twenty-three other languages in TransAct. The HLS includes the following sample questions:

1. Is the student's first learned or home language anything other than English?
2. What is the student's country of origin?
3. Which language did your son/daughter learn when he/she first began to talk?
4. What language do you most frequently speak to your son/daughter?
5. What is the language most frequently spoken at home?
6. Do you consent to have your child's English language proficiency assessed?

Each school has a different initial registration procedure. The enrollment designee identified by the principal is responsible for:

- administering the HLS to every newly enrolled student
- acting as primary contact with the Newcomers' Center Intake Office in matters of registration
- ensuring that all students have a HLS in the cumulative file
- referring National Origin Minority Students to the Newcomers' Center Office

After the completed HLS is received, the enrollment designee will follow these guidelines:

Scenario 1: If no language other than English is listed in response to any question on the HLS, no further action is needed. ***The HLS is filed in the student's cumulative folder.***

Scenario 2: If a language other than English is listed in response to any question on the HLS, the student is identified as a National Origin Minority student (NOM) and the following actions will be taken.

- a. The family will be referred to the Newcomers' Center Intake Office.
- b. A copy of the HLS will be placed in the ESL teacher's box.
- c. The original HLS will be placed in the student's cumulative folder.

Newcomers' Center

The Newcomers' Center Intake Office, staffed by bilingual (English/Spanish) personnel, opened in the 2000-2001 school year to provide assistance to NOM families entering GCS. More Spanish speaking personnel are available as needed. Each school has a Spanish copy of directions to the Center. Schools are instructed to call ahead and arrange an appointment for registration at The Newcomers' Center Intake Office. Personnel assist the family in completing all registration paperwork and make arrangements to assess the student's English proficiency. The assessment will determine the student's LEP status, which is used to determine their testing status and eligibility for accommodations. In addition, the office serves as a resource for translation, interpretation of school related documents, and information for non-English speaking families.

Many of the initial registration forms are translated into Spanish. In the event that a form required by a school is not available in Spanish, a comparable TransAct form will be used. TransAct forms can also be used if the family speaks a language for which GCS has no interpreters.

Registration Issues and Reminders

- LEP students are placed in age appropriate classrooms unless available records indicate an alternate grade level. Principals are responsible for grade placement decisions.
- Social Security cards are not required for enrollment.
- Schools may not make inquiries of students or parents that could expose their immigration or undocumented status.
- Schools may not deny enrollment to a student on the basis of limited language proficiency.
- Schools may not engage in any practices that "chill" or hinder the right of access to school, i.e. deny enrollment to an eligible student under the age of 21.
- Schools may use alternate documentation in lieu of a birth certificate, i.e. baptismal certificate.
- Immunization records must meet North Carolina immunization requirements.
- The Family Educational Rights and Privacy Act (FERPA) prohibits schools from providing any outside agency – including the U.S. Immigration and Customs

Enforcement- with any information from a child's school file that would expose the student's undocumented status without first getting permission from the student's parents. School personnel – especially building principals and those involved with student intake activities – should be aware that they are under no obligation to enforce U. S. immigration laws.

Additional Information

During the registration process, the parents/guardians are notified of school procedures and given other important information. They are also interviewed to determine the educational background of the student. The following questions may be asked during the interview or on the Enrollment form. (See Appendix C)

- How many years of schooling has the student had outside the US?
- How many years of schooling has the student had inside the US?
- When was the student last enrolled in school?
- What school did the student last attend?
- What grade level was the student enrolled?
- Are there any school records, i.e. report cards, transcripts, etc.?
- What is the educational background of each parent/guardian?
- Has the student received any special services, i.e. AIG, EC, Title I, ESL, bilingual education?

The following information and documentation will be provided to the parents/ guardians in the languages of the largest language minorities in Gaston County and other languages if available through TransAct.

- Cost of meals in the cafeteria. Parent/guardian will fill out the appropriate school and national lunch forms.
- Information on transportation to and from school, including bus number, pick-up time, and name of a person at school to call if there are problems
- Documentation of absence procedure, including copies of an absence excuse form (Transact)
- Immunization requirements (TransAct)
- Progress report procedures
- In high school, required and elective subjects and NC graduation requirements
- Acceptable Use Policy
- Accountability Agreement (See Appendix D)
- Other relevant information

Section III. Assessment of the Need for ESL Services

Language Proficiency Assessment (*16 NCAC 6D.0106(c), Office of Civil Rights 1970 Memo and Gomez v. Illinois State Board of Education 1987 U.S. Court of Appeals, 7th Circuit*)

Initial Identification

In accordance with the agreement between the Department of Public Instruction and U.S. Department of Education and in order to comply with Title I regulations, the state Board mandates the use of a state approved English language assessment as the sole means of identifying LEP students. Students who enroll for the first time in Gaston County Schools and indicate a language other than English spoken in the home, must be administered the English language assessment within the first 30/14 days of school. For students enrolling after the first 30 days of school, the English language assessment must be administered within two weeks of their enrollment. Students transferring from another school district may not need to be reassessed if current valid scores are available at the time of enrollment.

An ESL program staff member will administer the state approved English language assessment to determine if the student is limited English proficient. The NC DPI has determined cut scores (Appendix E). If the student is identified as limited English proficient and is eligible for ESL services, he/she may be eligible for state testing accommodations.

In addition, if the student is designated as LEP, the ESL staff notifies the parents with the Notification of English Language Development Program Placement/Continuation letter (See Appendix F). The parent signs the letter and a copy is placed in the Second Language folder.

Annual Testing

Annually, thereafter, the student's English language proficiency is assessed according to the North Carolina State Board of Education policy in compliance with the No Child Left Behind Act of 2001. The North Carolina Department of Public Instruction has established the annual testing window. Consultants from NCDPI and from the test publishing company conduct yearly statewide training. Parents are notified of the annual testing and results are reported to parents with the Notification of English Language Development Program Placement/Continuation letter.

Waiver from ESL Services

The North Carolina Department of Public Instruction allows parents to waive ESL services. The parent must indicate on the Parent Notification Letter that they do not consent to ESL services; however, the parent understands the students will be assessed annually using the state's language proficiency assessment. The Home Language Survey is placed in the cumulative folder.

Section IV. Placement into ESL Program Services

Designation of English Proficient Status

After the state mandated language assessment has been administered and it has been determined that the student is LEP, the signed Parent Notification of English Language Development Program Placement/Continuation letter is placed in the Second Language folder maintained in the cumulative folder. In addition, a testing sticker is placed on the student's testing card which is kept in the cumulative folder.

School personnel must use State Board policy in determining eligibility for accommodation and alternate assessments. (See Appendix H) Any LEP student who is in their first academic year of enrollment to U.S. schools and who scores below Expanding (Level 4) on the reading and/or below Bridging (Level 5) on the writing section of the state mandated language assessment is excluded from state assessments, including alternate assessments for reading and/or writing. However, all LEP students are required to participate in the state mathematics and science alternate assessments.

LEP students in their first two years of enrollment in U.S. schools may be eligible for the state alternate assessment, the North Carolina Checklist of Academic Standards (NCCLAS). The NCCLAS is available to LEP students who meet both of the following criteria:

1. A student must have been in U.S. schools for no more than 24 months at the time of the administration of the EOG/EOC; and
2. The student must have scored below Expanding (Level 4) on the reading section of the state mandated language assessment and/or below Bridging (Level 5) on the writing section of the assessment.

Any LEP student who scores below Bridging (Level 5) on the reading section of the state mandated language assessment is eligible for accommodations on state tests. Those accommodations must be used routinely in the classroom.

Documentation of these decisions is made on the student's Personalized Education Plan (PEP). (See Appendix I) The PEP must be signed by the student, parent, classroom teacher and ESL teacher. The PEP is kept in the student's Accountability Folder.

All Documentation pertaining to ESL services is kept in a student's Second Language folder which is kept in the cumulative folder. The ESL teacher is responsible for maintaining the Second Language folder.

English as a Second Language Services

GCS is committed to providing quality educational services to all LEP students. In order to meet their linguistic and academic needs, GCS has implemented an English as a Second Language program based on the NC ELP Standards. The ESL program follows several instructional delivery models at various times, including the following.

English Immersion for Newcomers

Students in grades 1-8 residing in locations considered central to the district are placed in survival English and content courses at the Newcomers' Center. Instruction is based both on NC ELP Standards and academic content areas. Highly qualified licensed ESL teachers together with instructional assistants serve the students.

Content –based ESL Pull-out

Eligible LEP students spend most of the day in a regular grade-level classroom and most receive ESL instruction daily based on their level of language proficiency.

ESL High School Electives

Three Gaston County high schools offer an elective English Immersion course to eligible LEP students, for which they receive a course credit needed to meet NC graduation requirements. The courses are taught by highly qualified ESL teachers.

SIOP English I and II and III

These classes provide instruction in English I and II as well as ESL. They are taught at two high schools, and the students receive state mandated English credits.

Sheltered Middle School Math

Eligible LEP students at three middle schools are instructed using the NCSCOS for math in grades 6-8. The ESL teacher, certified in math and ESL, uses second language techniques and strategies to shelter the content.

Spanish for Native Speakers Level I and II

These classes are offered at one high school to eligible LEP students as a second language elective. These courses integrate and advance the student's first language while supporting English language development.

Consultative

The ESL teacher meets with the classroom teacher at the end of each grading period to determine appropriate objectives and select instructional methods that would help the student perform in mainstream. The ESL teacher may also provide direct instruction to the student on a limited "as needed" basis. This type of service is available to students who have attained advanced levels of English proficiency.

Newcomers' Classes

The Newcomers' classes are staffed by highly qualified ESL teachers and instructional assistants. The Newcomers' classes serve students from fifteen different area schools in Grades 1 through 8. The students in the Newcomers' classes are recent arrivals to this country and have very little or no English proficiency. The purpose of the classes is to scaffold instruction of the SCOS in math, science and English language arts to newly arrived students in such a way as to make the curriculum comprehensible.

GCS uses the Woodcock-Munoz Language Proficiency Test as an alternative test to assess new NOM students to determine their eligibility to attend English Immersion classes at the Newcomers' Center. The test is administered as part of the enrollment procedure at the Newcomers' Center to students in Grades 1-8 who reside in locations considered central to the district. If the student's oral language score is 1.0 to 1.5, the parents are informed and permission is requested to place the student in the Newcomers' classes.

When parents are notified of their child's eligibility to attend Newcomers' classes, they must sign a permission form, which will be kept in the child's Second Language folder. (See Appendix J) The form allows a student to be bussed daily from their home school to the Center. The school hours at the center are from 8:30 to 1:45 pm. The students return to their home school at the end of the day.

Thematic units in the Newcomers' Center curriculum are based on the NC ELP Standards along with the SCOS in math, science and English language arts. The students at the Center receive the same itinerant services in music, art, and physical education as other students in GCS. Field trips are integrated into the curriculum where appropriate.

Pull Out Services

The ESL teachers review all data available on a student and make a determination of the student's needs. The student's language proficiency scores, grade level, and other factors influence the level of services as follows.

Reading Proficiency Level	K- 1	2-5	6-8	9-12
Entering/Beginning	30 min/day	45 min/day	45 min/day	90 min/day
Developing/Expanding	30 min/day	180 min/week	180 min/week	90 min/day
Bridging	consultative	consultative	consultative	consultative

Services may vary from school to school depending on the number of LEP students and the staff available.

Regular Classroom Instruction

Classroom teachers are provided staff development for working with LEP students. English language learners may receive instructional modifications and accommodations for assessments. Alternative assessments and modified grading are used when deemed appropriate.

Gaston County Schools is beginning to implement the Instruction Observation Protocol (SIOP) model in one elementary, middle and high school with hopes of adding more sites in the future. SIOP is a research-based model of instruction that shelters instruction in order to make content comprehensible to English Language Learners. This model can be used in both ESL classes and in the regular classroom.

Notification of Parents (Title III, Part C, Section 3302)

Parents of LEP students are notified of eligibility to participate in the ESL program within thirty/fourteen days after the beginning of the school year and annually thereafter. For students who are enrolled after the beginning of the school year, parents will be notified of eligibility within two weeks of the child being identified as LEP. When possible, this notification is in a language and manner a parent understands best.

Where practical, parents are notified of the school events in a language they understand, which enables them to make well informed educational decisions about their children's participation in the district's educational programs. Parents are encouraged to become class helpers/volunteers, cultural resources, translators, and participants in the school's PTO/PTA.

In an effort to meet the diverse language needs of our families, Gaston County Schools uses Trans-Act system translations. Formal school communication may include the following:

- progress reports
- schedules
- student handbook
- information about extracurricular activities
- special meeting and events announcements
- fundraising events announcements
- PEP
- IEP
- requests and/or announcements for parent teacher conferences
- information on promotion standards
- field trip information
- health information
- lunch applications
- parental surveys

Grading LEP Students' Performance

“Traditional grading does not work for assessing the academic learning of Limited English Proficient students. The solution is alternative assessments converted into grades. The collection of data from alternative assessments, rated with a rubric, can be the source of assignment of grades for LEP students. In such a case the grades the LEP students receive would reflect the content/learning standards they represent.”
Dr. Adela Solis, Ph.D., “Grading LEP Students: Developing Sound Practice”

Classroom assessment of LEP students should be a combination of modified traditional and alternative assessments. The focus should be on documenting individual student growth over time, instead of comparing LEP students with their native English speaking peers. Grading of LEP students should be based on the content objectives and methods for which they have been exposed. Grades should also reflect effort and participation in assignments to the extent of the student's English language proficiency ability.

Therefore, the most effective method of grading LEP students is grading them on improvement and progress.

As with all assessment, testing and grading of ELL students requires valid measurement of a learner's growth. The following are recommended:

- **Alternative Assessment for the Classroom**
 - checklists
 - cloze with word bank
 - conferencing
 - demonstrations
 - Total Physical Responses (TPR): pointing, touching, nodding, circling, etc.
 - drawings & models
 - games
 - oral tests /interviews
 - peer-assessment
 - performance
 - cooperative groups
 - portfolios
 - projects (individual and group)
 - self-assessment
 - teacher observation
 - rubrics

- **CALLA - Cognitive Academic Language Learning Approach**
 - content-based language activities
 - emphasizing academic vocabulary
 - emphasizing study skills
 - note-taking skills
 - teaching learning strategies

- **Modified Traditional Assessment for the Classroom**
 - dictionary allowed
 - extended time
 - flexible setting
 - labeling & fill-ins
 - modified length
 - modified number of questions
 - open-note, open-book
 - reduction of non-essential text
 - word banks

- **Native language support**
 - bilingual dictionary support
 - native language texts
 - native language supplementary materials
 - peer translation

Lau vs Nichols:

Equity of Educational Opportunity is not achieved by merely providing all students with “the same facilities, textbooks, teachers and curriculum; (because) students who do not understand English are effectively foreclosed from any meaningful education”. All English Language Learners (ELLs) are entitled to equal access to the core curriculum and the curriculum must be made comprehensible to ELLs.

1983 Office of Civil Rights

“It is our policy to find a violation of the Civil Rights Act of 1964 if Limited English Proficient (LEP) students are retained in grade for failure to demonstrate basic skills in English.”

Section V. Staffing and Resources

Staffing

As students are identified as eligible for ESL services, highly qualified teachers and staff are assigned to teach them. In accordance with NC regulations, all ESL teachers must hold a valid teaching license. GCS makes every effort to hire licensed ESL teachers. In the event that a licensed ESL teacher cannot be found, the teacher must agree to meet state and federal licensure requirements in ESL. A list of current staffing by school and student numbers by proficiency is available upon request from the ESL coordinator. The ESL Program staff consists of the following positions:

- ESL program coordinator
- ESL lead teacher
- 4 ESL teacher assistants
- Bilingual Spanish/English Parent Liaison
- ESL teachers
- SIOP Coach

All ESL teachers must demonstrate oral and written English language proficiency. During the interview process, the ESL coordinator employs the ESL Teacher Candidate Oral Assessment (See Appendix K) to document oral language proficiency. ESL teachers must complete a writing sample which is then scored using the ESL Teacher Candidate Writing Sample Rubric (See Appendix L).

Responsibilities of ESL Teachers

School year responsibilities of ESL teachers are not limited to, but include the following:

- compare list of NOM/LEP students with actual students who show up
- communicate with school personnel to find any new potential NOM/LEP students who may have enrolled
- send updated lists to Newcomers' Center Intake Office for inclusion into county – wide database
- administer language proficiency test
- begin Personalized Education Plan for LEPs and forward to classroom teachers
- communicate with school personnel regarding language proficiency levels and testing status of LEPs
- send out parent notification letters
- communicate with parents concerning refusal of services
- maintain Second Language folders with proper documentation

Regular Classroom Instruction

Classroom teachers are provided staff development for working with LEP students. English language learners may receive instructional modifications and accommodations for assessments. Alternative assessments and modified grading are used when deemed appropriate.

Materials and Resources

In order to effectively implement the ESL program, GCS has purchased various materials and resources specifically designed for LEP students to improve their English language proficiency. State adopted textbooks are used to supplement instruction of state standards. Materials are reviewed annually by the ESL staff.

Professional Development

GCS provides ongoing professional development to improve educational services for LEP students. Professional development is based on program needs, district goals, percentage of LEP students, district (state and federal) initiatives, and school improvement plans. Professional development is offered in the following areas.

Classroom teachers: strategies and modifications for working with LEP students, cultural information and implications for the classroom, legal and historical information regarding LEP students, strategies for communication with parents, and second language acquisition information

ESL teachers: strategies for helping classroom teachers of LEP students, effective ESL instructional delivery methods, changes in state/federal regulations and policies regarding LEP students

Administrators: legal and historical information regarding LEP students, changes in state/federal regulations and policies regarding LEP students, strategies for communication with parents, and cultural information and implications for the school

Section VI. Exiting from ESL Program Services and Monitoring Exited Students

Exiting

The NC State Board of Education has determined cut scores for the state mandated English language assessment. When a student is no longer identified as LEP, the parent is notified by way of the English Language Development Program Exit Letter. (See Appendix M) At that time, the student is no longer eligible for state testing accommodations.

Monitoring (Title III)

Gaston County Schools monitors students exiting from the ESL program for a minimum of two years to ensure they are successful in the regular education program. If at anytime during this monitoring period it is determined that the student is having academic difficulties, the ESL department will evaluate the student to determine whether the difficulties are related to language or to other factors such as attendance and/or poor study habits. If the evaluation indicates that the student's academic difficulties are related to language, the student may be re-designated as LEP (Refer to Section IV). Parents will be notified and appropriate services will be provided. If at the end of the two year monitoring period the student has been successful in the regular academic program, he/she will no longer be monitored by the ESL program.

In order to be monitored, a National Origin Minority student must have met the exiting criteria established by the State Board of Education. The student is **NO LONGER** classified as Limited English Proficient and is no longer eligible for accommodations on state testing.

Section VII. LEP Students and Other Programs

All LEP students in Gaston County Schools are eligible and encouraged to participate in athletics, clubs, organizations, and other school-wide and district-wide activities. LEP students may participate in Title I, Preschool, Gateway Summer School, Exceptional Children's program, and Academically/Intellectually Gifted program if they meet the eligibility requirements established by those programs. LEP designation or participation in the ESL program does not affect a student's eligibility for these programs, nor does participation in these programs affect eligibility for ESL services or LEP designation.

In order to ensure that parents are informed about different programs, services and activities, Gaston County Schools translates forms and documents, as well as uses community and school system translators.

System administrators and staff are informed through the ESL program of federal and state regulations regarding services for LEP students. The ESL programs ensures that administrators and all district staff are aware of federal and state regulations in providing services through the system's many programs. School system programs must have procedures in place for LEP students.

Exceptional Children's Program (EC)

Limited English Proficient students are entitled to the same services as other students in Gaston County Schools. Procedures for the identification, placement, review, and re-evaluation in the Exceptional Children's Program (EC) are basically the same for limited English Proficient students as for other students in the schools system. An LEP student may not be denied evaluation for exceptional children's services due to the lack of English language proficiency. The need for interpreters and translated documents during any or all of these procedures, both for the student and the family, are taken into consideration. The EC Department works collaboratively with the ESL Department to ensure that LEP students have equal access to EC services.

In determining eligibility and planning special education services, Gaston County Schools follows the process established through North Carolina's Procedures Governing Programs and Services for Children with Disabilities. Teachers inform parents when a child is experiencing academic and/or behavior difficulties at school. Teachers then make a referral to SSMT. The team listens to the teacher's concerns, reviews the student's strengths/needs, and relevant history and offers ideas for interventions to address the difficulties the student is experiencing.

For all students who are limited English proficient, an English as a Second Language teacher is involved in the referral process. If the interventions are not successful and the student is referred for evaluation, every effort is made to distinguish between a learning difference and a learning disability.

Gaston County Schools employs two bilingual Spanish/English psychologists who help to evaluate Spanish speaking students in their native language. Both native language evaluations as well as nonverbal evaluations are used when deemed appropriate. Students are not excluded from eligibility consideration because of limited English proficiency.

Parents receive their due process rights, as well as other forms, in their native language and translators are used as needed to ensure that parents understand the special education process.

Academically Intellectually Gifted Program (AIG)

Limited English Proficient students are entitled to the same Academically Intellectually Gifted (AIG) services as other students in Gaston County Schools. The student search phase of the placement process includes all activities designed to review the general population of students to see which students may need further assessment and/or eventual placement in the differentiated services of gifted education. Particular attention is given to potentially gifted students from culturally and/or linguistically diverse, economically disadvantaged or disability populations during this process.

Initial Screening and Identification

Students can enter the pool through several avenues:

- Parent referral
- Teacher referral
- Principal or other certified staff referral
- Score in the 80th percentile or above on the TCS
- Score in the 80th percentile or above on reading and/or math EOG tests

In addition, the following screening procedures are utilized:

Use of standardized instruments, process/performance indicators and diverse sources of data

Use of multiple criteria/data or decision-making that includes informal assessments

Use of nontraditional methods for effective identification of underserved populations who may manifest giftedness in different ways, e.g. Naglieri, etc.

If a student qualifies through various criteria, K-8 Service Delivery Options are initiated. (See Appendix N)

Title I

Gaston County Schools serves schools through the school-wide model. In school-wide Title I schools, LEP students participate in all activities and services provided by Title I. The Title I program works collaboratively with the ESL program to ensure that LEP students have access to services.

The school-wide Title I schools receive Title I funds to use with existing funds to meet the needs of all their students. The decision to determine whether to serve LEP students should be made based on established guidelines in consultation with the Title I reading or math teacher, ESL teacher classroom teacher, and the child's parent.

Title I of the No Child Left Behind Act allows funds to be used to meet the needs of students regardless of whether they are Limited English Proficient, Students with Disabilities, or from any minority group.

Section VIII. Program Evaluation and Review Improvement

Gaston County Schools evaluates the ESL program on an annual basis. Many pieces of data are collected to review the program. This collection of data is reviewed by the ESL program staff and is the basis for program improvement and changes.

Student information such as length of time in ELS program, LEP status, first enrollment in U.S. schools, first enrollment in the school system, and dropouts are maintained on an LEP database. The ESL lead teacher maintains this database. (See Appendix O)

In addition, the following data is collected on a yearly basis and is submitted to the North Carolina Department of Public Instruction. This annual report includes the number of:

- NOM and LEP students
- Languages
- Students participating in the ESL program
- Students exiting the ESL program
- Retentions
- Drop-outs
- Graduates
- Students participating in other programs, e.g. Title I, EC, AIG, Career Technical
- Licensed ESL teachers
- Teachers who have received training in LEP issues

Program Implementation Assessment

Principals, ESL teachers, classroom teachers, and parents complete surveys to help in the evaluation of the ESL program. (See Appendix P)

Staff meetings are held with ESL teachers to communicate LEP and ESL program information such as identification, testing results and classroom modifications.

The Newcomers' Center Intake Office personnel will conduct a random annual audit of at least 10% of the school system's LEP student folders.

Student Performance

English Language Development

Yearly results of the state mandated English language assessment are used to measure English language proficiency growth in the four areas of listening, speaking, reading, and writing.

LEP student portfolios are used to determine annual academic progress to meet state Gateway requirements.

Academic Performance

End of Grade and End of Course test results are used to measure annual academic proficiency to meet state ABCs and federal AYP and AMAO requirements. Grades in regular classrooms are monitored at the end of each grading period.

Steps for Improvement

1. Review the results
2. Identify the area(s) of concern
3. Develop a plan of action including a timeline
4. Implement changes
5. Evaluate the changes