



SERVING ENGLISH LEARNERS

Language and Culture Division
New Mexico Public Education Department
Technical Assistance Manual



The State of New Mexico
Public Education Department
Language and Culture Division
Serving English Learners

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Required Notice

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Notes

This manual is updated in 2017 to reflect the Every Student Succeeds Act (ESSA) and in 2018 to include the revised New Mexico Administrative Code (NMAC) regarding bilingual multicultural education. This manual, and other resources can be found on the [NMPED LCD Website](#).

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Table of Contents

Language and Culture Division Staff	3
Purpose of the Serving English Learners Technical Assistance Manual	5
Process for Identifying, Serving, and Reclassifying English Learner Students	8
English Learner Students and Equal Access to All Programs	15
Supporting English Learner Programs and Services	23
Assessment of English Learner Students	26
State Data Reporting Requirements	33
Tool 1: Federal Laws, Court Decisions, and Office of Civil Rights Policy Concerning English Learners	36
Tool 2: Sample Parent Notification Letters	39
Tool 3: Teacher Language Observation Form	45
Tool 4: English Learner Codes: STARS Self-Appraisal	46
Tool 5: Summary of Staffing Requirements	47
Tool 6: School Principal Interview Form	49
Tool 7: Parents of English Learners Interview Form	56
Glossary of Terms & Acronyms	58
References	67

Purpose of the Serving English Learners Technical Assistance Manual

This Technical Assistance Manual (TAM) provides guidance to districts¹ regarding the policies and requirements of the U.S. Department of Education Office for Civil Rights (OCR) relating to the provision of equal educational opportunity for English Learners² (ELs), and those of *Title III* of the Elementary Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA), and other state and federal statutory requirements (U.S. Department of Education, 2002). The TAMs are provided as three separate manuals—*Serving English Learners*, *Title III: Supplemental Support for English Learners Programs and Services*, and *Bilingual Multicultural Education Programs (BMEP)*. See [Tool 1: Federal Laws, Court Decisions, and OCR Policy Concerning ELs](#).

Who should read the Technical Assistance Manuals?

WHO	WHAT DOCUMENT
All district administrators	<input type="checkbox"/> Serving ELs TAM
All school administrators	<input type="checkbox"/> Serving ELs TAM
Title III subgrant recipients	<input type="checkbox"/> Serving ELs TAM and Title III TAM
District and school personnel with BMEPs	<input type="checkbox"/> Serving ELs TAM and BMEP TAM
Title III and BMEP personnel, NMPED staff, as appropriate	<input type="checkbox"/> Serving ELs TAM, Title III TAM, and BMEP TAM

The NMPED encourages the following school personnel to explore this TAM carefully to ensure compliance with federal and state law and to meet the needs of ELs.

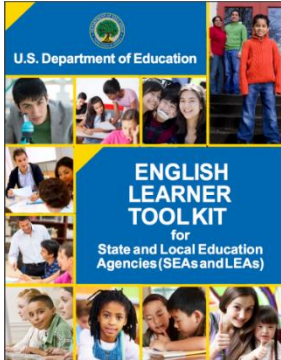
- | | |
|--|--|
| <input type="checkbox"/> Bilingual multicultural education directors | <input type="checkbox"/> Special education directors |
| <input type="checkbox"/> Bilingual multicultural education teachers | <input type="checkbox"/> STARS coordinators |
| <input type="checkbox"/> Charter school directors | <input type="checkbox"/> Superintendents |
| <input type="checkbox"/> District test coordinators | <input type="checkbox"/> Teachers of ELs |
| <input type="checkbox"/> Education assistants | <input type="checkbox"/> Title III directors |
| <input type="checkbox"/> Federal programs directors | <input type="checkbox"/> Tribal education leaders |
| <input type="checkbox"/> School boards and charter governance boards | <input type="checkbox"/> Tribal language teachers |
| <input type="checkbox"/> Equity Councils | |

¹ For the purpose of this manual, the term “district” means local districts and state charter schools as defined in Sections 21-1-2 and 22-8B-2 NMSA 1978.

² English language learner (ELL) and English learner (EL) are terms more widely used in education. The previously used federal terminology Limited English Proficient (LEP) defines children in terms of lack and is considered deficit-oriented and is not used in this manual because of the shift towards using more asset-based terms such as *emerging bilingual* or more simply *language learner*. In this manual, the term EL or ELL replaces LEP to reflect the updated federal language now used in the ESSA which replaced NCLB. ELL is only used in reference to ELL data in the Student Teacher Accountability Reporting System (STARS), and when referring to the WIDA ACCESS for ELLs assessment.

Office of Civil Rights: Requirements for Serving English Learners

ELs are protected under the Title VI of the Civil Rights Act of 1964 and under the Equal Educational Opportunities Act of 1974 (EEOA). The EEOA requires that public schools take “appropriate action to overcome language barriers that impede equal participation by [their] students in [their] instructional programs” (Education Law Center, 2015).



Non-compliance with Title VI of the Civil Rights Act in serving ELs could potentially mean a loss of all federal funding, such as special education, Title I, Title II, and Title III.

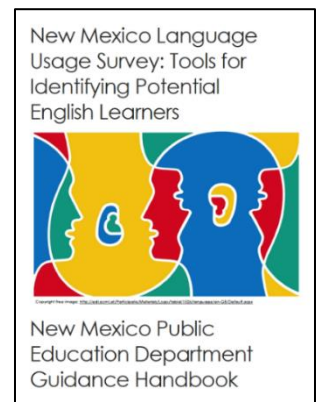
The Office of English Language Acquisition (OELA) at the U.S. Department of Education (ED) provides an EL Toolkit that “**is designed to help state and local educational entities in meeting their legal obligations to ELs and in providing all ELs with the support needed to attain English language proficiency while meeting college and career readiness standards**” (English Learner Toolkit, 2015). The EL

Toolkit is a companion to the [Dear Colleague Letter](#) sent out in January of 2015 by the OCR and the Department of Justice (DOJ). Please find the link to the [EL Toolkit](#).

Identification of English Learners

All parents³ of students entering the public school system for the first time must complete a Language Usage Survey (LUS). Each student should have only one LUS completed during his or her public education career in the United States. The LUS is kept in the student’s cumulative file and transfers as part of the student record to the schools that the student attends. For more information on the LUS, please visit the [LCD Website](#).

If there are one or more responses confirming the use of a language other than English by the student in questions 1-7 of the LUS, then the district must continue the identification process by administering the WIDA Screener for Kindergarten for students entering kindergarten and the WIDA Screener Online for students entering grades 1-12. The WIDA Screener for Kindergarten and the WIDA Screener are the only department-approved English Language Proficiency (ELP) screening assessments in New Mexico. The placement criteria can be found in the charts below. The WIDA Screener results must be kept in the cumulative file of the student as part of the student records.



³ For the purposes of this manual, the term *parent* includes legal guardians and foster parents.

WIDA Screener for Kindergarten Placement Criteria

GRADE	DOMAINS	WIDA SCREENER FOR KINDERGARTEN SCORE INDICATES STUDENT AS AN EL	WIDA SCREENER FOR KINDERGARTEN SCORE INDICATES STUDENT <u>IS NOT</u> AN EL
Kindergarten Student entering in 1 st Semester	Listening Speaking	Oral Language Composite Score of 4.0 or lower*	Oral Language Composite Score of 4.5 or higher
Kindergarten Student entering in 2 nd Semester	Listening Speaking Reading Writing	Overall Composite Score of 4.0 or lower*	Overall Composite Score of 4.5 or higher

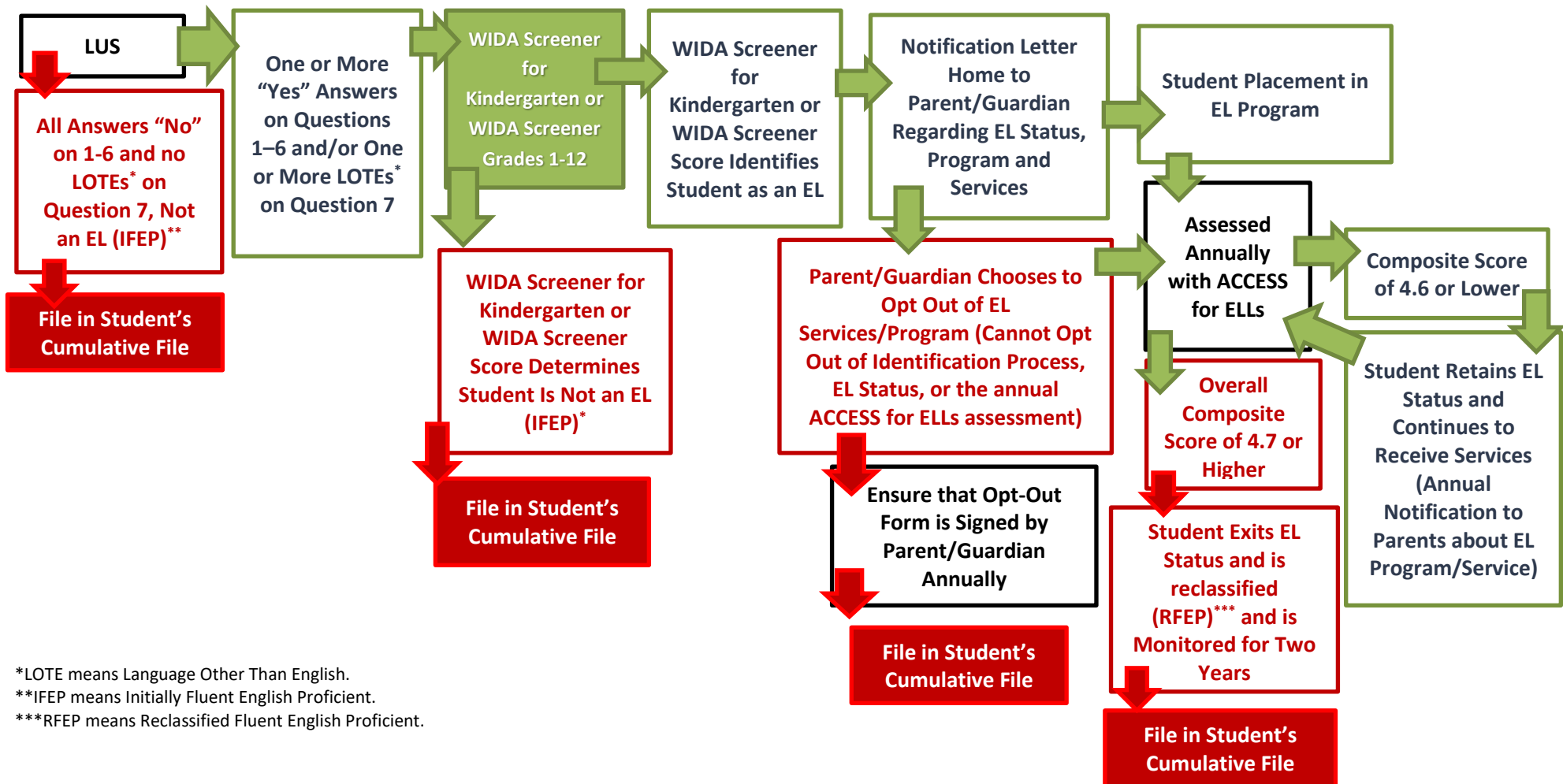
WIDA Screener Placement Criteria

GRADE	DOMAINS	WIDA SCREENER SCORE IDENTIFIES STUDENT AS AN EL	WIDA SCREENER SCORE INDICATES STUDENT <u>IS NOT</u> AN EL
Grades 1-12	Listening, Speaking Reading, Writing	Overall Composite Score of 4.0 or lower*	Overall Composite Score of 4.5 or higher

*The composite scores for the WIDA Screeners will be reported as integers and with 0.5 interval scores (for example, scores of 1, 1.5, 2, 2.5, etc.).

Process for Identifying, Serving, and Reclassifying English Learner Students

(New student to public education with no LUS on file)



Students Transferring from Other Districts or Charter Schools in New Mexico

The following guidance is on the steps to obtain information on a student's prior LUS and possible ELP (WIDA Screener for Kindergarten or WIDA Screener for Grades 1-12) as well as ACCESS for ELLs or Alternate ACCESS assessment results. This is for students who have attended a public school in New Mexico previously, **not** for students who are newly enrolling in public education.

1. Please specifically request from the previous school/district the following:
 - LUS (or home language survey)
 - WIDA Screener for Kindergarten (W-APT for students in kindergarten prior to school year 2021-2022) or WIDA Screener for Grades 1-12 results (or English language placement test results for older students)
 - ACCESS for ELLs or Alternate ACCESS results (or NMELPA results for older students)
2. If these required documents cannot be obtained, then look for student information in STARS*
 - Log Into STARS -> STARS Reporting -> District and Location Reports -> General Reports -> Student Display (templates: Student and Assessment Fact)
 - Enter the student's state ID number and press Apply -> click on Actions -> Export in the left upper corner and export the document to Word.
 - Scroll down in the word document to the turquoise bar called Assessment Facts. If the student has taken the ELP assessment, please check the scores reported. If there is a composite score of 5 or higher under ELP or a score of P1 or higher under Alternate ELP, the student has exited EL status and is a Reclassified Fluent English Proficient (RFEP) student. Please follow STARS guidance on English proficiency codes for this.

*If the student is not found in the Student Display, please contact the LCD for assistance in limited cases.

For Kindergarten – 5th grade:

If, after following all the steps above, the district, charter school, or school staff are still unable to determine the EL status of the student, please follow the state's EL identification process starting with the LUS (please see the LUS Process Map).

For 6th-12th grades

If the above steps do not give results of the student's EL status, please use a thoughtful process when reviewing the student's data on a fact-specific case by case basis. Consider the academic success of the student as well as the number of years the student has attended a public school in New Mexico. For example, if the student has been in a public school for two years in New Mexico and is not succeeding academically, following the steps for kindergarten-5th grade may be appropriate. If the student has been in public education in New Mexico for nine years, please do not follow the EL identification process, instead, monitor the student's academic progress. If the student is not succeeding, please refer to the Multi-Layered System of Supports (MLSS) section in this TAM.

Additionally, please review the ELP codes reported for the student in STARS. If these are in logical order: 1 = current ELL and a year or a few years later the following codes in order progressing annually 2 = RFEP1, 3 = RFEP2, 4 = RFEP3, etc., the student could be considered an exited EL and remains coded as RFEP. Please note: do not code an RFEP student with English proficiency code = 0 IFEP, which is Initially Fluent English

Proficient (IFEP). For further STARS information, please also see the State Data Reporting Requirements section in this TAM. **Please document the process used and file it in the student's cumulative file.**

English Learner Status and Reclassification

If a student is not yet proficient in English, as measured by the WIDA Screener for Kindergarten or the WIDA Screener for Grades 1-12, the student is classified as an EL. The student must take the department-approved annual ELP assessment, ACCESS for ELLs, annually until s/he achieves an overall composite score of 4.7 or higher, at which point the student is no longer classified as an EL. ELs with the most significant cognitive disabilities who also take the DLM Alternate Assessment, exit EL status when they earn a P1 or higher composite overall score on the annual Alternate ACCESS for ELLS (Alternate ACCESS) assessment.



With an overall composite score of 4.7 or higher on the ACCESS for ELLs or an overall composite score of P1 or higher on the Alternate ACCESS, the student is considered proficient in English. Per 6.29.5.12 NMAC, the former EL's English proficiency status must be changed to RFEP status, and the student must be monitored for two years to ensure that s/he succeeds academically. After scoring proficient, RFEP students must **no longer** be assessed for ELP on the ACCESS for ELLs or Alternate ACCESS assessment.

For a Sample Worksheet on Monitoring Exited EL Students (RFEP), please follow the link: [English Learners – NMPED](#) and scroll down for the Word document. For further resources and tools, including other sample forms, for monitoring the academic progress of RFEPs, please see the EL Toolkit, chapter 8, in the [EL Toolkit](#).

If an RFEP student is not making the expected academic progress, please see the section on Reentering an RFEP Student into EL Status on page 14 of this TAM.

Parent notification of a student's EL status must be provided no later than 30 days after the beginning of the school year (6.29.5.11 NMAC and ESSA, Section 1112(e)(3)(A)) or within two weeks if the student enrolls after the start of the school year. (See [Tool 2: Parent Notification Letter](#))

English Learner Programs

ELs are protected under the Title VI of the Civil Rights Act of 1964 and the Equal Educational Opportunities Act of 1974, which require public schools to ensure that all ELs have equal access to a high-quality education and an opportunity to achieve their full academic potential. In order for an EL program to meet legal obligations under civil rights laws and other federal requirements, it must meet the following two goals:

1. ELs attain English language proficiency, and
2. ELs can participate meaningfully in the standard instructional programs without EL supports within a reasonable amount of time.

To meet these two goals of an EL program, its design has to include a dedicated ELD block or class of at least 45 minutes, where the primary goal is for ELs to learn English. EL students are grouped based on their ELP level. This block of time addresses not only receptive language (listening and reading) but especially expressive language (speaking and writing). ELD can be a pull-out class or course at the elementary, middle school, or high school level, or a dedicated block within the self-contained classroom in the elementary setting.

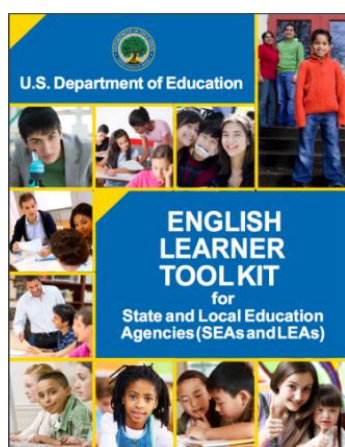
As ELs improve their ELP through appropriate ELD instruction that is differentiated based on the ELP level of the ELs, they are able to use English in increasingly sophisticated ways and attain ELP, as measured by the ACCESS for ELLs assessment. The following questions are helpful when planning for ELD instruction:

- Does the ELD instruction prepare ELs to participate in the standard grade-level curriculum in English?
- Is the ELD instruction tailored to the ELP levels of the ELs?
- How is the progress toward ELP measured on an ongoing basis?

To ensure that ELs succeed in content areas while they are learning English, instruction is sheltered with appropriate language support. Teachers use the state's adopted ELD standards and framework to support ELs in all classes and set high academic expectations for EL students. *"The basis for holding high expectations for all children under our care is respect for them as individuals and the belief in their unlimited range of possibility as learners."* (Schreck M. , 2011)

In order for the district or charter school's EL program or service to meet federal civil rights requirements, it should meet the following standards as established by the United States Court of Appeals for the Fifth Circuit in *Castañeda v. Pickard*, 1981, which are the standards applied by the OCR and DOJ.

EL Program standards must consider the following three specific areas:



- (1) **Research-based.** Is the program based on an educational theory recognized as sound by experts in the field? Or is the program considered to be a legitimate experimental strategy?
- (2) **Attainable.** Are programs and practices, including resources and personnel, reasonably calculated to implement this theory effectively? In other words, can you do it well with what you have?
- (3) **Timely results.** Does the program succeed, after a legitimate trial, in producing results, indicating that students' language barriers are being overcome within a reasonable period? Is it working?

By meeting the two goals of an EL program, districts and schools ensure that ELs can successfully reach their academic potential and meet college and career readiness standards. The following table includes guidance on how ELD instruction can be delivered in various grade levels and includes appropriate language supports through sheltered instruction in all content areas. For further information, please see the [Data Reporting Requirements](#) section.

English language development (ELD) pull-out course and sheltered instruction in content areas
English language instruction in the ELD course is differentiated based on the English language proficiency level of the students.
English language development (ELD) block and sheltered instruction in content areas (elementary grades only)
The English language instruction is differentiated based on the English language proficiency level of the students (minimum of 45 minutes daily)
Integrated English language development (ELD)—English language arts (ELA) course and sheltered instruction in content grades (secondary grades only)
For ELs with an ACCESS for ELLs overall composite score that is nearing proficiency. English language instruction in the ELD-ELA course is integrated with grade level ELA instruction.

ELs may also be served through BMEPs, as long as the selected program model is appropriately designed to ensure ELs achieve both of the following:

- attain English language proficiency
- meet college-and-career readiness standards

For more information on BMEPs—specifically, additional requirements for serving ELs—please see the BMEP TAM: [BMEP – NMPED](#).

An EL program or service is part of Layer 1 instruction and must align to the state’s grade-level content standards and correspond with the department-adopted ELD standards ([6.29.5.11-NMAC](#)) Additional EL program or service considerations include:

- Are ELs, who are the least proficient, receiving the most intensive instruction?
- Are ELs, who are nearing English language proficiency, continuing to receive the necessary services until they achieve English language proficiency and are reclassified as an RFEP student?

The EL Toolkit, specifically Chapter 2, offers further considerations and resources. The following are two questions that districts/schools can use to develop and improve their EL programs or services:

- What criteria will the district or school use to **measure the effectiveness of such a program or service**?
- If the program or service is **not producing results**, what is the **process for modifying or replacing the program**?

For more resources, please see the following link to the [EL Toolkit](#).

Multi-Layered System of Support Framework (MLSS)

MLSS is a holistic intervention framework that guides educators, those closest to the student, to intervene quickly when students need additional support. The MLSS framework reflects the support that the classroom teacher, school, family, and health and wellness staff offer toward readying students to experience academic and behavioral success in school resulting in students being ready for success. For additional information, see the following link: [MLSS – NMPED](#)



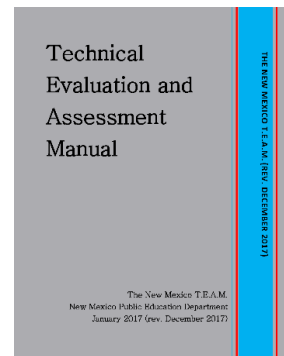
In New Mexico, **Layer 1** is core instruction and differentiation for all students. The focus of Layer 1 is universal screening, appropriate delivery of core instruction with differentiated instruction, data-based targeted interventions to support the acquisition of core content, behavioral interventions, and positive supports. This includes ELD and culturally and linguistically responsive instruction and instruction in a language other than English (bilingual multicultural instruction as appropriate).

Linguistic ability is not the same as cognitive ability. A student's linguistic competency should not be confused with his/her cognitive ability. Many beginning ELs are capable of understanding and processing high-level information and abstract concepts. However, English proficiency may temporarily limit the student's ability to articulate this knowledge. Teachers need to be aware that the student may have relevant schema, conceptual understanding, and/or working knowledge, and therefore, must be assisted and challenged at an age-appropriate level while acquiring the second (English) language.

If a student is identified as an IFEP student, but it appears that the student is struggling academically and/or behaviorally due to difficulties with English proficiency, a teacher observation form (see [Tool 3: Teacher Observation Form](#)) can be used as part of data collection. The SAT gathers available data on the student, develops a hypothesis regarding the possible cause for the problem, and then designs an individualized SAT intervention plan and/or Behavioral Intervention Plan (BIP), as necessary. If the interventions and frequent progress monitoring indicate that difficulties are related to lack of ELP, the SAT team can, in such a case, make the decision to administer the WIDA Screener for Kindergarten if the student is in kindergarten or WIDA Screener if the student is in grades 1-12 to the student at that time. Working collaboratively with parents and families is desirable and strongly encouraged. For further information on the SAT, please see the: [MLSS Supplemental SAT Guide - NMPED](#).

If the student has been unresponsive to prescribed SAT interventions based on progress monitoring data, and it is suspected that the student may possess an unidentified disability, then the SAT may recommend referral for special education or gifted evaluation. (MLSS Supplemental Guide for Student Assistance Team 2019)

The NMTEAM Manual (New Mexico Public Education Department 2017) offers the following guidance on the assessment process when evaluating students for special education services:



Assessment of students, who are culturally and linguistically diverse (CLD), is a process that explores language and cultural and acculturation issues, while gathering data from numerous sources in different contexts and through a variety of techniques. Specific information should be gathered and analyzed concerning a student's levels of language proficiency and acculturation, as well as information regarding the student's own cultural and sociolinguistic background. A comparison to the development of other students from a similar background is imperative. Language and cultural matters must permeate the multilingual diagnostic evaluation and interpretation of findings. The complexity of these issues should be considered for any student in a dual language instructional program who is being referred for assessment, regardless of whether or not English is the first language of the student.

Bias during the assessment and evaluation process may contribute to too many students who are CLD being identified as having a disability and needing special education services. (p. 13).

The NMTEAM Manual can be found at the link: [TEAM - NMPED](#)

Reentering a Reclassified Fluent English Proficient Student into English Learner Status

A student who has exited from EL status (RFEP) must be monitored for academic progress for at least two years. If the student is not progressing academically as expected and the monitoring suggests that the student still needs English language support, an SAT team must convene. This SAT team must include a second language acquisition specialist, such as a teacher holding a TESOL or bilingual endorsement. The SAT gathers available data on the student, develops a hypothesis regarding the possible cause for the difficulties in academic progress, and then designs an individualized SAT intervention plan and/or behavioral intervention plan (BIP), as necessary.

If the interventions and frequent progress monitoring indicate that difficulties are related to lack of ELP, the SAT team can, in limited cases, make the decision to re-administer the WIDA Screener for Kindergarten for a student in kindergarten or the WIDA Screener for a student in grades 1-12 to the student at that time. If the ELP screening assessment identifies the student as an EL, the school must obtain parental consent to re-enter the student as an EL and offer EL programs and services that will meet the academic and language learning needs of the student.

Monitoring RFEPs is an integral part of providing an EL program that meets the needs of its students. The monitoring process informs districts about the effectiveness of its programs to ensure the continued success of ELs once they exit EL status and reclassify to RFEP. Please see a Sample Worksheet for Monitoring Exited ELs [here](#).

English Learner Students and Equal Access to All Programs

English Learners with Disabilities

Districts and schools must provide special education and related services to ELs with disabilities who are eligible for such services (English Learner Toolkit, 2015). ELs with disabilities are protected under IDEA 2004, Section 504 of the Rehabilitation Act of 1973, Title VI of the Civil Rights Act of 1964, and the EEOA. Thus, **special education services do not supersede language support services** for which the EL student is eligible or vice versa. A student who is identified as an EL with a disability qualifies for both services: language support services as well as the services per the student's IEP. The (English Learner Toolkit, 2015) in chapter 6 on ELs with disabilities states that *“it is essential that the IEP team include participants who have knowledge of the student’s language needs. It is also important that the IEP team include professionals with training, and preferably expertise, in second language acquisition and how to differentiate between the student’s needs stemming from a disability or lack of ELP.”* Although an IEP is a program based on the student's disability and related services the whole student is discussed, including the status as an EL and any ELP data and assessment results.

The determination of how ELD instruction is provided for ELs with disabilities can look different depending on the student’s disability, the services under the IEP, and individual needs. If the student's disability services also support ELD, then this would be noted in the student’s IEP including how the teacher is qualified to support language. For example, a student who qualifies for services under IDEA due to a diagnosis of ADHD might participate in pull-out ELD instruction in addition to disability-related services, which depending on the student’s needs may not be specific to language. On the other hand, a student, who has been identified with a specific learning disability in reading, may be working with a reading specialist, who could be building English through reading skills. In such a case, pull-out ELD instruction may not be needed depending on the student’s needs and ELP level.

English Learners in Gifted Programs

ELs must be provided equal access to gifted programs by their districts and schools, however, as stated in the Exploratory Study on the Identification of ELs for Gifted and Talented Programs by the National Center for Research on Gifted Education (2018) *“ELs are the fastest growing population of learners in the United States (National Center for Education Statistics, 2013). However, despite the growing numbers of ELs, their representation in gifted identification and programming continues to lag behind not only traditional populations of learners from advantaged communities (Callahan, 2005), but also other underserved populations of learners (Iowa Department of Education, 2008; Matthews, 2014).”* For the full report on the study, please see: [NCRGE EL Lit-Review.pdf \(uconn.edu\)](#)

One reason for the lack of parity in Gifted Programs is the use of language-based intelligence tests, which are unlikely to provide accurate data on ELs, since language-heavy assessments may reflect ELP rather than intelligence. Therefore, districts and schools must ensure that evaluation procedures do not unfairly screen ELs due to such factors as ELP and cultural bias. For further guidance on gifted evaluations, please see the [Gifted Education in NM TAM](#) that can be found on the [Special Education - NMPED](#) website.

English Learners in Advanced Courses

Not only are districts and schools required to offer equal access to the core curriculum and to all curricular, co-curricular, and extracurricular activities but also provide equal access to Advance Placement (AP), honors, and International Baccalaureate (IB) courses (English Learner Toolkit, 2015). Districts and schools must ensure that ELs are entitled to an equal opportunity to participate in all programs available. Just offering participation may not be enough; rather district and schools should evaluate the parity of participation of ELs in these programs as compared to IFEP and RFEP students.

Students with Limited or Interrupted Formal Education

Students with Limited or Interrupted Formal Education (SLIFE) will need support and processes in place for meeting their unique social-emotional, language, and academic needs.

This section of the TAM is structured in a question-and-answer format to ensure a common definition for SLIFE and provide further information on the characteristics of and instructional recommendations for serving students considered to be SLIFE. The original term is SIFE, i.e., Students with Interrupted Formal Education, an acronym still used by many experts. Some areas of the U.S. have now adopted the acronym SLIFE, Students with limited or interrupted formal education, which was coined by Andrea DeCapua, ED.D., who added the word 'limited' to the original term to signify the missed educational instruction opportunities these students experienced.

Who are SLIFE?

SLIFE is an umbrella term used to describe a diverse subset of EL students who share several unifying characteristics (WIDA Focus on SLIFE, 2015). Generally, these students enter or re-enter the U.S. school system after the second grade. SLIFE have had inconsistent access to education; they have never had the opportunity to participate in any type of schooling before entering school in the U.S. or have experienced limited education in their home countries due to an array of economic or civil difficulties, such as displacement, war, disease, famine, or other adversities resulting in missed educational instruction. SLIFE are often at risk of dropping out of school and may need intensive support as they integrate into the U.S. educational system.

What are some specific characteristics of SLIFE?

SLIFE meets the following criteria:

- come from a home where English is not the primary language;
- come to the U.S. after the 2nd grade;
- have at least two years less schooling than their peers;
- function at least two years below expected grade level in reading and mathematics; and
- may be unable to read and write in their native language

Where do SLIFE come from?

According to the American Federation of Teachers, the highest percentage of SLIFE in the U.S. come from Latin America, mainly the Caribbean, Central America, and Mexico. Refugee children make up the second-highest number, with students from Asia, Africa, and the Middle East. Other smaller groups are composed of immigrant children from countries where educational resources have been limited or school has not been accessible due to geography or economics.

What EL services and supports are available to SLIFE?

It is very important to reiterate that SLIFE are a subgroup of EL students. Thus, the students are protected under Title VI of the Civil Rights Act of 1964 and the EEOA, which require public schools to ensure that all EL students have equal access to high-quality education and an opportunity to achieve their full academic potential. Language programs for EL students need to be academically comprehensive in theory and effective in practice; however, the civil rights laws do not require any specific program or method of instruction for EL students.

SLIFE may need more than the dedicated ELD block or course that is at least 45 minutes and where the primary goal is for students to learn English. Programming models for SLIFE require an alternative approach to ELD instruction that is based on the review of students' educational history, linguistic inventory, cultural knowledge, and experience. Alternatively, school districts may use a curriculum that temporarily emphasizes ELD due to the intensive English language acquisition needs of the student over other subjects, provided that any interim academic deficits in other subjects are remedied within a reasonable length of time.

Considerations for EL Programs for SLIFE

- Focus on English language and literacy development
- Build foundational skills necessary to develop basic English skills and progress to grade level academic English by providing ELD that is intensive, consistent, and age-appropriate
- Acknowledge and incorporate students' existing skills and knowledge to facilitate connection to learning the necessary skills and academics to be successful in their school journey
- Design equitable, intentional, responsive, and strategic academic programming
- Afford supplemental support programs before or after school, and during the summer to accelerate language acquisition and academic progress
- Collaboration among teachers who work with SLIFE to teach the students age-level literacy and numeracy skills

Note: Students who have experienced interrupted education and who are not English learners would be best supported through [Instructional Acceleration](#), which accompanies the [New Mexico Instructional Scope](#).

How are Newcomer Students and SLIFE connected?

U.S. Department of Education published an update to the Newcomer Tool Kit in 2017 in which the term 'newcomer' refers to any foreign-born students and their families who have recently arrived in the U.S. Thus, SLIFE who have recently arrived would also be considered newcomer students. However, not all newcomer students are SLIFE.

How can schools' partner with the families of SLIFE?

According to the Newcomer Tool Kit the U.S. school system and the expectations, explicit or implicit, for families will be foreign to most newcomer families. In their home countries, many newcomer families did not collaborate with the school because such action was viewed as interfering with educators in their profession. The families of SLIFE may need help adjusting to U.S. schools' expectation that families take an active role in their child's learning, engage with the school, and take on diverse roles on behalf of their child and school.

The U.S. Department of Education Newcomer Tool Kit provides a practical guide on processes and strategies to facilitate effective newcomer parent engagement as seen in the table below. ([U.S. Department of Education Newcomer Toolkit](#), 2017, chapter 5, pp 5-6).

Processes	Strategies
Collaboration	<ul style="list-style-type: none">• Examine assumptions and cultural biases, recognize, and employ newcomer families' assets, bring parent voices into planning for their child and the school's success, craft multi-modal informational resources on everything families need to know and do.• Bring newcomer families and staff together to co-construct meaningful communications and resources for families and to collaborate in the delivery of learning and support activities for families (Patrikakou et al., 2005).• Encourage and help parents develop leadership skills to participate in decision making throughout the school and the community.• Enlist newcomer parents to design and conduct parent learning opportunities on parenting across cultures, promoting child development, supporting learning, and planning for college and careers.
Capacity Development	<ul style="list-style-type: none">• Build newcomers' and staff members' capacity to effectively carry out multiple roles (advocate, supporter, encourager, decision maker, etc.)• Build staff capacity to challenge deficit mind-sets related to the traditional expectations for newcomers and encourage an asset orientation (Arias & Morillo Campbell, 2008).• Create parent and family welcome kits with information about the school. Include parent rights and responsibilities; school schedules; phone numbers; procedures; and any other information that will help parents feel welcome, informed, and integrated into the school.• Sponsor and encourage parents to attend family literacy events where parents or students can read books together
Assets Orientation	<ul style="list-style-type: none">• Establish opportunities for listening to parents, and strive to meet high expectations, aspirations, and hopes by drawing on newcomers' cultures, language, knowledge, and skills.• Incorporate the cultural strengths of families and the community into the school curriculum and activities.• Ensure that newcomer families are represented in the school's decision-making bodies (Arias & Morillo-Campbell, 2008).

Processes	Strategies
Multi-Modal Communications and Language Supports	<ul style="list-style-type: none"> • Use multiple methods (newsletters translated in the languages represented in the school, telephone trees, school website, parent outreach workers) and structures to communicate. • Conduct newcomer focus groups and/or newcomer advisory committees to get input on decision-making structures, concerns, questions, and recommendations. • Ensure that language supports are available for all educational communications and activities. • Use suggestion boxes, surveys, targeted and short interviews, or polling with the appropriate language supports to encourage newcomer parents to voice their concerns and ideas to inform school planning.
Continuous Improvement	<ul style="list-style-type: none"> • Identify strategies so that newcomer families can enrich the school community's culture by sharing their personal and cultural assets (Arias & Morillo-Campbell, 2008; Mapp & Kuttner, 2013). • Continuously improve family engagement by examining multiple data sources to assess the impact of policies and practices on the newcomers. • Include newcomer families' values and perspectives to promote cross-cultural understanding and strengthen their 21st century skills through volunteer experiences.

What best practices should educators take into consideration when working with SLIFE?

Many SLIFE come to the U.S. ready to get a quality education, become successful members of a community, and find new opportunities. However, educators should keep in mind that SLIFE and their families will most likely feel daunted and uncertain by the extent and complexity of the transition to the new school system's expectations. School structures and processes that honor and reinforce their assets and skills will provide them the greatest opportunity to thrive in the school environment.

The U.S. Department of Education Newcomer Tool Kit in Chapter 2 provides newcomer program components with examples of processes or practices. Many of the recommended components listed below are district based; however, schools may implement these practices or advocate for components.

Newcomer Program Component with Examples of Processes or Practices

Develop a clear vision and goals for newcomer students.

Examples: Set academic and social goals for the students and build a program to meet them.

- Define entry criteria and exit criteria for the students in the program.
- Hold newcomer students to the same high standards as other students.
- Communicate the vision and goals to school, district, and community stakeholders.
- Conduct initial intake interviews with students and families in their home language.

Develop a set of common values about newcomer students and accept shared accountability for the education of newcomers.

Examples: Put forth an ambitious mission, focus on preparing all students for college and career success.

- Hold a mindset of continuous improvement.
- Recognize that the entire school shares responsibility for students' success.
- Determine the needs of the students and their families, and design, adapt school structures that meet those needs, with continuous improvement based on evidence.
- Maintain a strong sense of pride in and respect for all cultures

Design specific courses for students with interrupted formal education (SIFE).

Example: Develop a separate literacy course or courses for students with interrupted educational backgrounds if the program has both preliterate and literate newcomers

Design instruction for students' development of conceptual, analytic, and language practices simultaneously.

Examples: Create or adopt a unified language development framework integrating content, analytic practices, and language learning.

- Consider developing bilingual, dual language, or two-way immersion programs to support newcomers' home languages and English.
- Review general education and EL programs to ensure that there is an explicit focus on building academic literacy and cultivating ELD.
- Promote cross-disciplinary and cross-grade literacy expectations and teacher collaboration.
- Be aware of the second language acquisition process and be able to detect when a delay may not be due to the language learning process, but the result of a disability.

Promote the use and development of students' home languages at school and in the community.

Examples: Promote the development of students' native language skills and incorporate native language instruction into the curriculum where possible.

- Promote the use and maintenance of home languages through community partnerships.

Provide alternative school day and school year schedules, and structures based on student and family needs.

Examples: Provide extra learning time through after-school, summer school, Saturday school, and/or vacation institutes.

- Optimize student engagement, learning, and effort through creative scheduling and rigorous coursework.

Why is Culturally and Linguistically Responsive (CLR) instruction critical in the education of SLIFE?

CLR instruction carries a significant role in meeting the social and emotional needs of SLIFE as it transforms teaching and learning experiences for building and bridging students to succeed in the culture of academia and schools in the U.S. [The CLR Guidance Handbook](#) developed by the NMPED's Language and Culture Division provides guidance on CLR and how CLR may inform processes, policies, programs, systems, and instruction. The NMPED defines CLR as validating and affirming an individual's home culture and language to create connection with other cultures and languages in various social contexts.

In CLR, educators contribute to a positive school climate by validating and affirming students' home languages and cultures. Validation is making the home culture and language legitimate, while affirmation is making clear that the home culture and language are positive assets. Further, validation and affirmation are the intentional effort to reverse negative stereotypes of non-dominant cultures and languages and must be intentional and purposeful, consistent, authentic, proactive, and reactive. Building and bridging must intentionally align to the validation and affirmation to allow students to toggle between home culture and school culture and linguistic behaviors and expectations. Inherently, CLR empowers the vision, mission, and policy of the school or district to pursue excellence in promoting inclusive education that creates supportive and developmental educational opportunities for all students, but specifically culturally and linguistically diverse students, to be healthy, secure in their identity, and holistically prepared for college, career path, and life.

To serve SLIFE's families, schools should produce and sustain authentic family engagement that is framed for validating and affirming cultures of SLIFE and their respective families and is actively bridging between home culture and school culture. The CLR Guidance Handbook suggests that districts and schools should aim for strong, in-depth, and effective family engagement to learn from families and create a bridge between the school and home culture. When district or school leaders design family engagement programs that respect cultures, traditions, languages, values, and beliefs, they foster a barrier-free school community. It is also important to remember that districts or schools should aim to collaborate with families of SLIFE to improve their academic achievement.

What are some additional resources for Educators working with SLIFE?

Resource	Description	Direct Link
<i>WIDA Focus on May 2015 Q&A with Dr. Deborah Short</i>	<p>This Q&A focuses on best practices to improve instruction for students with limited or interrupted formal education who are new to the U.S. public education system.</p> <p>Dr. Short conducts research and provides professional development on content-based ESL, sheltered instruction, and academic literacy. She co-developed the SIOP Model and directed research on English language learners and newcomer programs for the Carnegie Corporation of New York, the Rockefeller Foundation, and the U.S. Department of Education. She is a former ESL/EFL teacher and is on TESOL's Board of Directors.</p>	FocusOn-SLIFE.pdf (wisc.edu)

Resource	Description	Direct Link
<i>All About SLIFE: Q&A with Dr. Andrea DeCapua</i>	<p>This Q&A focuses on SLIFE students, who they are, the diversity one can encounter within the SLIFE student population, and how school districts can support educators to better serve this student population.</p> <p>Dr. Andrea DeCapua is an educator, researcher, and educational consultant. Dr. DeCapua specializes in teacher training, particularly those working with struggling language learners. She has published numerous articles in a variety of journals and is the author/co-author of seven books. Learn more about her at: malpeducation.com.</p>	All About SLIFE: Q&A with Dr. Andrea DeCapua
<i>Students with Limited or Interrupted Formal Education (SLIFE)</i>	Jane Govoni, Ph.D. has a conversation with Dr. Andrea DeCapua providing an insightful understanding of SLIFE students compared to English Learners, by explaining the term SLIFE, discussing underlying cultural differences in SLIFE, and providing guidance on how to teach different populations of students.	<u>Students with Limited or Interrupted Formal Education (SLIFE)</u>

Is there additional funding available for districts and schools for SLIFE students?

Under the provisions of state statute 22-8-23.3 NMSA 1978, a school district or charter school is eligible to receive at-risk funding through the State Equalization Guarantee distribution if it establishes a plan that identifies services implemented to improve the academic success of at-risk students. The amount of funding received annually is based on the number of program units a school district or charter school generates from those students identified within the New Mexico Funding Formula as 'at-risk'. One component in the calculation of at-risk units is the percentage of student membership classified as English Learners.

The Immigrant Award is a competitive grant under Title III federal funding that is used for funding activities that provide enhanced instructional opportunities for immigrant children and youth. Districts that are experiencing substantial increases in the number of immigrant children and youth and who propose high quality programming are eligible for the grant. For further information, please see [Title III: Supplemental Support for EL Programs and Services](#).

Is there an exemption for SLIFE students for participation in statewide assessments?

No, students are expected to participate in statewide assessments, including the ACCESS for ELLs English language proficiency assessment, please see [6.29.1.9. NMAC](#). For further information on assessing EL students, please also see the section on Assessment of English Learner Students in this TAM.

Supporting English Learner Programs and Services

Personnel

Districts and schools must provide the necessary personnel to implement the EL program and services they choose. In order for ELs to become proficient in English and to be able to meaningfully participate in grade-level content area instruction within a reasonable amount of time, teachers must be trained to teach in the EL program and content-area teachers must be trained to appropriately support ELs. Administrators must be trained to evaluate teachers who serve ELs. Additionally, educational assistants who support ELs must have adequate training, and they must work under the direct supervision of a qualified teacher (see [Tool 5: Summary of Staffing Requirements](#)).

Professional Development

Districts and schools must prepare and support their staff by providing adequate professional development (PD) and follow-up training to effectively implement the EL program or service. Teachers serving ELs must be well-prepared and effectively use their training and skills in the classroom to ensure that the EL program successfully achieves its educational objectives—assist ELs develop ELP and ensure that ELs have access to grade-level content. Below are the five core principles for effective PD (Casteel & Ballantyne, 2010) as outlined in Chapter 3 of the EL Toolkit.

The purpose of PD is to produce adult behavior changes in the classroom that benefit students and thereupon affect student behavior and outcomes in a positive and measurable way. These five core principles of effective PD are based on tenets of adult learning theory and should be used to structure PD opportunities to facilitate successful outcomes for teachers of ELs and their students.

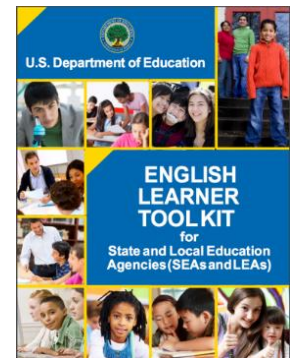
- (1) **Build on a foundation of skills, knowledge, and expertise.** The PD links new knowledge and activities to the foundation of skills and knowledge that the educators already have; thus, the PD builds on the foundation of knowledge of the participants.
- (2) **Engage participants as learners.** It is important to engage educational personnel as learners—with a variety of opportunities to: apply new skills and knowledge, experiment with innovative methods in a safe environment prior to moving on to the next topic and prepare for the new methodologies' use with students. As in the classroom, effective PD is delivered in variety of modes that invite participants to engage with the material as it suits their different learning preferences and needs.
- (3) **Provide practice, feedback, and follow-up.** Linking new information to current knowledge and skills allows participants to construct their own meaning. After participants have had a chance to practice applying the new skill, it is essential to observe, provide feedback, and reinforce this nascent knowledge through follow-up activities.
- (4) **Measure changes in teacher knowledge and skills.** Effective PD increases the skills and knowledge level of the participants to be manifested in their practice. The increase in skills should

be measured by *the variety of skills* the participant uses in the instructional setting and *the effect of these skills on student learning or behavior*.

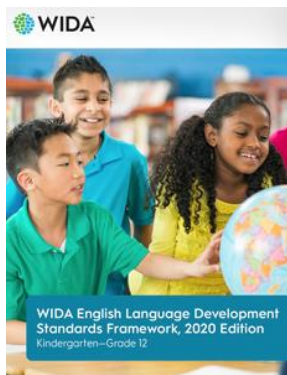
(5) **Measure changes in student performance.** Increased skill and knowledge translate into measurable improvements in student performance, achievement, and/or behavior. Such a link to student outcomes informs the district or school whether the PD is effective. A district or school that is building a long-term professional development plan has to establish the measurable outcome that it wants to change and then measure the effect of the PD by the actual changes in the student outcome to establish whether the particular PD is having the desired effect and thus is useful.

Guidance on Providing Student Resources

Districts and schools must provide the resources needed to effectively implement the EL program or service. These materials and resources are aligned with grade-level state content standards, offer challenging academic content, and are at the appropriate English proficiency level for the EL students, including ELs with disabilities. For further resources, please follow the link at [EL Toolkit](#).



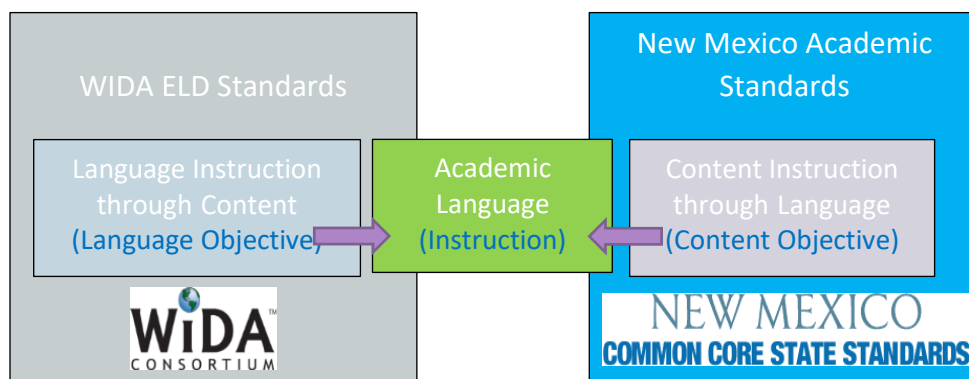
English Language Development Standards Framework 2020 Edition



The WIDA English Language Development Standards Framework 2020 Edition provides the updated framework to the state-adopted English Language Development standards. WIDA's framework discusses how English learner students engage with curriculum and how educators can work together to build on the assets of students. Earlier versions of the WIDA ELD Standards (2004, 2007, 2012) have historically represented the integration of content and language. *The 2020 Edition makes the content–language connection more explicit and specific* (WIDA, 2020). The 2020 Edition includes new ways of looking at the integration of content and language such as Key Language Uses, Language Expectations, and Collaborative Planning for Content and Language. (WIDA, 2020).

Relationship of NMCCSS content and academic language

Use of the ELD Standards ensures that ELs gain meaningful access to content. For students to grasp and master content, as per New Mexico Common Core State Standards ([NMCCSS](#)), students must have access to discipline-specific academic language. Content reflects the declarative and procedural knowledge associated with the content, whereas language proficiency focuses on the language associated with the content areas. The NMCCSS (content) is *what* must be learned, whereas ELD Standards (language) represents our state's framework for *how* (vehicle) such learning should occur.



Development of English Learner Students' Academic Language Across Content Areas

All teachers working with ELs are required to use the current ELD Standards during instruction. The [Elevate NM](#) observation protocol makes this expectation explicit. Teachers of ELs must not only ensure that they intentionally address and plan for academic content but also, based on student data, be responsive to the language learning needs of each EL student. The proper assessment and placement of ELs and the degree of knowledge that the instructor has about first and second language acquisition are important considerations for providing effective ELD instruction, additional support, and/or language services. All teachers, including secondary or content area specialists, must develop EL students' academic language related to their disciplines (subject or content areas).

What is Academic Language?

The WIDA ELD standards framework organizes social, instructional, and academic language into three features: discourse, sentence, and word/phrase level.

WIDA ELD'S STANDARDS FRAMEWORK FOR ACADEMIC LANGUAGE	
Feature of Academic Language	Performance Criterion
Discourse level	Linguistic complexity
Sentence	Language forms and conventions
Word/phrase level	Vocabulary Usage

How well students understand and express themselves is analyzed at all three levels of language use—words, sentences, and full discourse. To assess students' ability to recognize and express singular words and phrases, the performance criterion is **vocabulary usage**. This measure includes general, specific, and technical language as well as multiple meanings of words and phrases, nuance, and shades of meaning, and idiomatic expressions.

To assess how proficient students are in understanding and expressing themselves at the sentence level, the criterion used to measure performance is **language forms and conventions**. Aspects of language—such as types of grammatical structures; matching of language forms to purpose; and conventions, mechanics, and fluency—provide an understanding of students' facility at this level.

The performance criterion at the discourse level is **linguistic complexity**, which includes such features of language as the amount and structure of speech or written text and the organization and cohesion of ideas. For more details, see the WIDA ELD Standards Framework 2020 Edition at [Instructional Materials - NMPED](#).

Another way to describe academic language proficiency is that it is the “*ability to construct meaning from oral and written language, to relate complex ideas and information, to recognize features of different genres, and to use various linguistic strategies to communicate*” (Dutro & Moran, 2003). Thus, academic language serves as the bridge between the ELD Standards and the NMCCSS (or any New Mexico grade-level content standard).

In addition to the ELD Standards, other useful resources to support ELs locally include:

- [WIDA ELD Standards Framework, 2020 Edition](#)
- WIDA Can Do Philosophy
- WIDA Guiding Principles
- WIDA Essential Actions Handbook
- WIDA Can Do Descriptors, Key Uses Editions
- Research, briefs, presentations, and more

For additional WIDA resources such as the download library, please visit <https://wida.wisc.edu/resources>.

Assessment of English Learner Students

English Language Proficiency Assessment – ACCESS for ELLs

All ELs must participate in the annual ELP assessment, ACCESS for ELLs.

The student’s ELP is determined by his or her receptive language skills, which include listening and reading domains, as well as by the student’s expressive language skills, which include speaking and writing domains. Once an EL student achieves an overall composite score of 4.7 or higher on this assessment, the student is considered proficient in English (achieving RFEP status) and will no longer be assessed using the ACCESS for ELLs. The overall composite score is calculated by combining the four domain tests according to the following weight: 35% Reading; 35% Writing; 15% Listening; and 15% Speaking.



ACCESS for ELLs is a computer-based assessment administered at school sites by trained test administrators. Each test administrator (TA) must have on file a valid certificate for administering the ACCESS for ELLs assessment for the school year in which he or she is administering this assessment. This training material and support is available on the WIDA website. Login credentials are necessary to access secure sections of the website. Please see your local district test coordinator (DTC). For district support to manage and update DTC contact information or learn about DTC trainings please see: [Assessment – NMPED](#).

Updated information, test administration manuals, accessibility, and accommodations guidelines, as well as DTC and TA certification procedures for ACCESS for ELLs are available at the WIDA website’s secure portal at: <https://wida.wisc.edu/login>.

For additional information, visit New Mexico's state page at WIDA's website for state-specific guidance and the ACCESS for ELLs calendar. Navigate to <https://wida.wisc.edu/memberships/consortium/nm>.

For questions on ACCESS for ELLs online training/certification, please see the New Mexico ACCESS for ELLs Online Checklist at: <https://wida.wisc.edu/sites/default/files/checklists/NM-online-checklist.pdf>

For questions about the WIDA website or secure portal accounts or issues contact WIDA at 1-866-276-7735 or via email at help@wida.us. For state-specific inquiries related to ACCESS for ELLs, WIDA Screener for Kindergarten or the WIDA Screener Online, please contact the NMPED's LCD staff at 505-827-6505. Specific staff contact information can be found at [LCD Staff - NMPED](#)

English Language Proficiency Assessment – Alternate ACCESS

All ELs with the most significant cognitive disabilities must participate in an annual ELP assessment. Students who take or are expected to take the DLM Alternate Assessment can be administered the Alternate ACCESS if this is written in the student's IEP and as long as the student meets WIDA's Participation Criteria; please see the following link.

<https://wida.wisc.edu/sites/default/files/resource/Alt-Access-Participation-Criteria-Diagram.pdf>

Alternate ACCESS is a large-print, paper-based, individually administered ELP assessment to students in grades 1-12, who are identified as ELs with the most significant cognitive disabilities who also take or are expected to take the DLM Alternate Assessment. Alternate ACCESS is thus designed for ELs who have disabilities that prevent them from meaningfully participating in ACCESS for ELLs Online or Paper. Alternate ACCESS meets federal requirements for monitoring and reporting ELs progress toward ELP under the Individuals with Disabilities Education Act of 2004 (IDEA) and the Every Student Succeeds Act (ESSA).

Alternate ACCESS tests student's language in four domains: Listening, Reading, Speaking, Writing. Test scores can be used to inform instruction and monitor progress of ELs in a school or district. The student's ELP is determined by his or her receptive language skills, which include listening and reading domains, as well as by the student's expressive language skills, which include speaking and writing domains. Once an EL student achieves an overall composite score of P1 or higher on this assessment, the student is considered proficient in English (achieving RFEP status) and will no longer be assessed using the Alternate ACCESS. The overall composite score is calculated by combining the four domain tests according to the following weight: 35% Reading; 35% Writing; 15% Listening; and 15% Speaking.

For questions on who can administer Alternate ACCESS and for online training/certification, please see the New Mexico ACCESS for ELLs Online Checklist at: <https://wida.wisc.edu/sites/default/files/checklists/NM-online-checklist.pdf>

WIDA Assessment Management System

The WIDA Assessment Management System (WIDA AMS) is the interface with the administrative functions of the Data Recognition Corporation (DRC) INSIGHT Online Learning System. DRC INSIGHT is the online testing system for ACCESS for ELLs. The WIDA AMS houses the tools and information needed for the WIDA Screener and ACCESS for ELLs administrations:

Test coordinators use the system to set up test administrator and technology coordinator accounts, designate permissions for those users, register for online testing, order any needed paper test materials (including Kindergarten and Alternate ACCESS for ELLs), and set up test sessions.

- Test administrators use the system to view and print test tickets and test session rosters.
- Technology coordinators use the system to view technology preparation materials—such as user guides and web-based modules—and to download testing software from the system (WIDA, 2015).

For the full version of the user guide reference above, navigate to <https://www.drctdirect.com/all/eca-portal-ui/welcome/WIDA>

For questions about the WIDA AMS system, ordering test materials, and online student test administration, please contact DRC at 1-855-787-9615 or via email at WIDA@datarecognitioncorp.com.

Recommendations for Test Scheduling

It is the school test coordinator's (STC) responsibility to inform TAs about the testing schedule so that there is enough time for each student to complete each of the four domains of the assessment. Schools must provide an appropriate testing environment that will assure fair student results. ACCESS for ELLs is not a timed test, only individual Speaking test responses are timed once the Record-button is clicked. For estimated administration times for the ACCESS for ELLs, please refer to the most current test administration guidance on the WIDA website.

It is important when administering ACCESS for ELLs that it be given the same importance as the other statewide student assessments. Otherwise, a student may not show the ELP level s/he is capable of in the four domains of language. Each district and school should have a process in place for providing the STC and the TA with the list of students requiring specific accommodations so that tests can be scheduled appropriately and with the correct accommodations. For more information regarding accessibility and accommodations guidelines, IEP Checklist, student preparation, and scores and reports, please refer to the WIDA ACCESS for ELLs webpage: <https://wida.wisc.edu/assess/access>. For the Accessibility and Accommodations Manual, please follow <https://wida.wisc.edu/assess/accessibility>

Testing Irregularities

The test or a particular subtest area must be invalidated if there are testing irregularities or unusual circumstances that prevent the completion of any testing session including the WIDA Screener for Kindergarten, WIDA Screener, ACCESS for ELLs, and Alternate ACCESS. The invalidated test will not be scored. New Mexico state regulation, 6.10.7.14 NMAC, requires that school districts report suspected testing irregularities to the NMPED by phone or e-mail within three working days of being notified of a suspected testing irregularity.

Language Codes

For the ACCESS for ELLs assessment language codes, please see the link to the current [STARS Manual](#) under the Student Snapshot Template.

Academic Achievement Assessment

All EL students must participate in the New Mexico's statewide student assessment program. Students who have been in U.S. schools for fewer than three consecutive years must participate in the state assessment program in one of three ways. The student may participate in the



1. standard administration of the English language version of the assessment without accommodations.
2. English language version of the assessment with appropriate accommodations; or
3. standard administration of the Spanish language version of the assessment (where available and appropriate).

Students who are enrolled **for the first year** in a U.S. school may receive an exemption from the system of assessments for English language arts, including all subtests therein. (6.29.1.9.M.(2)(a)(i) NMAC).

Testing Accommodations for English Learners

As stated in state regulation 6.29.1.9.M.(2)(a)(iii) NMAC "...districts and charter schools shall provide accommodations to English language learners after consideration of their appropriateness for the individual student." Appropriate accommodations to EL students must be decided by a school-based team, which consists of at least three members from the school staff. The accommodations have to be based on what is used daily in the classroom and must be determined on a case-by-case basis and **justified by data** including the student's ELP level in each of the four domains of language, annual review of the student's progress to attain ELP, the primary language of instruction used in the content area to be assessed, the length of time that the student has received instruction in that language, as well as the grade level of the student. The accommodations must be documented and kept in the student's cumulative file.

An allowable accommodation should have been used in daily instruction for a sufficient period prior to testing for a student to become comfortable with it. Using an accommodation during assessment that is not used during instruction might be detrimental to the student's performance on the assessment.

Therefore, it is not allowable to indiscriminately provide an accommodation because it is typically administered to a group of students. Please note that decisions about selecting and using accommodations should be shared with students' teachers as well as students' parents and/or guardians.

The New Mexico Student Assessment Accommodations Manual provides details on special considerations for assessment accessibility for ELs, assessment options for ELs, and allowable accommodations for ELs. A detailed table listing allowable accommodations and assessments are available in Appendix B. Please refer to the New Mexico Student Assessment Accommodations and Accessibility Manual currently available on the NMPED Assessment website (link is above) under District Test Coordinators.

Testing in English Waivers to Continue Assessing Student in the Home Language of Spanish

New Mexico's state assessment program allows for accommodating *eligible* ELs by providing the assessment in the home language of *Spanish*, when approved by the Secretary. Statute and regulation allow for an EL to take an assessment, where appropriate and available, in Spanish for up to the first three years the student has attended a U.S. school.

After three years, if a district determines (on a case-by-case basis) that academic assessments in the EL student's home language of Spanish would yield more accurate and reliable information about his/her knowledge of a subject, the district may request a waiver from the NMPED. The waiver allows the district to continue to assess the EL student in his/her home language of Spanish if the student has been in a U.S. school under five years. Approved waivers are effective for the current year only, with a maximum of two waiver requests allowed (6.29.1.9.M.2(a)(ii) NMAC). The waiver request must be submitted in advance by the District Superintendent to the Secretary of Education for approval. Waiver forms are available on the Assessment website above.

English Learner Program Evaluation

A successful EL program must be designed for EL students to be able to attain both English proficiency and parity of participation in the standard instructional program within a **reasonable period** (English Learner Toolkit, 2015).

Districts and schools must evaluate their EL programs for effectiveness. Evaluation should be integrated into all aspects of EL programming—such as procedures, program and practices, resources, staffing, and student outcomes (English Learner Toolkit, 2015). Additionally, evaluation should be continuous, providing multiple data points. The longitudinal data that is collected should be analyzed and used to change or modify the EL program, as appropriate. Through analyzing longitudinal data, the performance of EL students can be compared to the performance of RFEP and IFEP students. Such longitudinal monitoring and evaluation will help districts and schools determine whether ELs are:

- meeting college and career-ready standards
- participating and performing comparably to their IFEP peers
- accessing the same curricular and extracurricular opportunities as their IFEP peers
- exiting EL program and services at appropriate rates.

Additional student performance evaluation indicators may include grade point averages, rates of retention, dropout rates, graduation rates, quality of parent and/or community involvement, school safety, and parity of honors and awards.

In order to ensure compliance with federal requirements and prevent violations and further investigations, districts should ensure that the following areas of possible concern are evaluated and addressed:

Percentage/proportion of EL students in special education	High staff turnover for those serving ELs
Percentage/proportion of EL students in the gifted program	Data accuracy and reporting issues
School rating: achievement gaps and/or different educational outcomes when comparing non-ELs and ELs (graduation rates, etc.)	Parent and community concerns
	Any other issue that would negatively impact ELs

The following tools are provided by the LCD to support districts in evaluating program and service:

[Tool 6: School Principal Interview Form](#)

[Tool 7: Parents of ELs Interview Form](#)

Student Cumulative Files

The following are required documents in cumulative files for ELs:

Required Documents	Source
Language Usage Survey (or old home language survey)	6.29.5.11.C NMAC
Initial English Language Proficiency <i>Screening</i> Assessment (one of the following) <ul style="list-style-type: none"> WIDA Screener for Kindergarten (W-APT for students in kindergarten prior to school year 2021-2022) WIDA Screener for Grades 1 - 12 	6.29.5.11.C NMAC
Initial EL Parent Notification Letter	State Policy
Annual EL Parent Notification Letter — there should be one for each year the student has been enrolled in an EL program or service	State Policy
Annual English Language Proficiency Assessment results which include ACCESS for ELLs, Alternate ACCESS, or NMELPA for older high school students — should be one for each year the student has been an identified EL	6.29.5.11.E. NMAC
Parent Opt-Out of EL Service/program letter—needs to be signed annually	State Policy (LUS Guidance Handbook)
For EL accommodations in the statewide student assessment system: <i>Written documentation of accommodation decisions made by the team shall be stored in the student's cumulative file and shall be reported to the department's bureau of assessment and evaluation.</i>	6.29.1.9 M.2(a)(iii) NMAC
Evidence of monitoring RFEPs (exited ELs) for academic progress for two years after student reclassified	State Policy (LUS Guidance Handbook)

Communicating with Families and Engaging Parents

Communicating with parents in a language that they can understand is of utmost importance. Dialogue not only creates a welcoming school community that fosters collaboration and partnership, but it is also required. All parents benefit from access to the essential information regarding their child's school and education (English Learner Toolkit, 2015). Strong parental involvement in education supports common understanding and investment in academic and behavioral expectations and in student growth. Research also shows that strong family-school relationships are an indicator of student success (Weiss, Lopez, & Rosenberg, 2010).

Districts and schools must have a process to determine the primary and preferred language of the parents as well as their language needs. Districts and schools must *"provide them [parents] with free and effective language assistance, such as translated materials or an appropriate and competent interpreter"* (English Learner Toolkit, 2015). Such interpreters or translators should have oral and written proficiency in the target language(s). They should have knowledge of specialized terms or concepts, be trained in their role and in the ethics of interpreting and translating and understand the need for confidentiality.

Note: Expecting children to translate for their parents may involve them in dialogue that may not be age-appropriate and impede the ability of addressing sensitive matters discretely. Further, doing so may create undue family stress, tension, and disrupt family roles and/or cultural practices.

Successful communication is part of building strong relationships between schools and families. Districts and schools have an obligation to meaningfully communicate with parents who are not proficient in English and inform them adequately of any program, service, or activity that is called to the attention of English proficient parents. This ensures that all families can make informed decisions about their child's education.

The NMPED also has a **Family Cabinet**, which is a group of volunteer parents, foster parents, grandparents, and legal guardians of K-12 public school students that partner with the NMPED to learn and share information about K-12 public education in New Mexico. The Family Cabinet, which does not serve a governance function or make policy decisions, is organized into two groups, the Secretary's Family Advisory, and the Family-School Partnership Academy.

For more information on the Family Cabinet, please see:

<https://webnew.ped.state.nm.us/bureaus/teacher-family-outreach/nmped-family-cabinet/>

In 2019 [New Mexico \(NM\) Vistas](#) was created to help New Mexico schools provide a great education for New Mexico's students and to help families and others in our communities identify schools that are doing well in relation to their family and the community's values. NM Vistas allows families to review school data, insights, and offerings to make informed school choice decisions. NM Vistas provides information in English and Spanish on a variety of measures of school quality and success. In addition to these measures, NM Vistas allows schools and districts to describe some of the most important facts about their goals and their approach to achieving them.

State Data Reporting Requirements

English Proficiency Codes for EL Status

Students' EL classification must be coded correctly in the Student Teacher Accountability Reporting System (STARS). This is monitored through the EL review at the 40th, 80th, and 120th days' data validation points (40D, 80D, 120D).

The EL data validation efforts affect the following funding formulas:

- The 40D EL count is used for the At-Risk Index.
- The average of 80D and 120D EL counts are the basis for the Title III formula grant for districts that apply for this federal subgrant.

For more information on supplemental Title III funding and reporting requirements, please read the [Title III Supplemental Support for EL programs and Services](#) TAM.

The ACCESS for ELLs is administered in the winter testing window, which typically spans from January to March. Assessment results are usually available in the late spring (May–June). As results become available and program placement decisions for the following school year are made, the English proficiency codes for EL students, who meet the exit criteria (achieve overall composite score of 4.7 or higher or overall composite score of P1 or higher on the Alternate ACCESS), must be updated to reflect the change in language status (EL to RFEP1) at the next school year's 40D STARS data submission.

Valid values for English proficiency codes are the following:

- 0 = IFEP
- 1 = Current EL Student
- 2 = RFEP1 (year 1)
- 3 = RFEP2 (year 2)
- 4 = RFEP3 (year 3)
- 5 = RFEP4 (year 4)
- 6 = RFEP5+ (year 5+)

Example Scenario. In the spring 2016 administration of ACCESS for ELLs, a student achieved a composite score of 5.1. This means that at the 40D STARS data submission for 2016–2017, this student's language proficiency code must be changed from EL (Code = 1) to RFEP1 (Code = 2). In the 2016–2017 school year, this student must no longer be assessed on the ACCESS for ELLs during the spring 2017 testing window.

At the 40D STARS data submission for 2017–2018, this student's language proficiency code must now be updated to RFEP2 (Code = 3). At the 40D STARS data submission for 2018–2019, this student's language proficiency code must be updated to RFEP3 (Code = 4). At the 40D STARS data submission for 2019–2020 this student's language proficiency code must be updated to RFEP4 (Code = 5). At the 40D STARS data submission for 2020–2021 this student's language proficiency code must be updated to RFEP5+ (Code = 6). For every year after the 2020–2021 school year the student will remain an RFEP5+.

For STARS ELP codes, please see the current [STARS Manual](#). Download the Student Snapshot Template and scroll to field #113. For a STARS Self-Appraisal Checklist on EL codes and reporting, please see [Tool 4: English Learner Codes-STARS Self-Appraisal](#)

STARS Reporting Process

The table below describes the process that districts and the NMPED follow to review data related to EL counts (student membership counts) that must be submitted to STARS.



Data quality is critical for programmatic and instructional decision-making, planning, and student outcomes. Additionally, correct student and program information is necessary for ensuring that districts receive all funding for which they are eligible.

There are several queries that can be run within STARS to support districts in self-monitoring and reviewing to increase data quality control to accurately report EL counts and program data. For the most current *STARS User Guide and Reference Materials*, NMPED contact information, and other resources, including information on upcoming training opportunities, please visit [STARS - NMPED](#).

Current STARS Data Collection Templates for English Learners

Starting in school year 2017-2018 districts and state charter schools began including in their STARS submission data from individual students' LUS form. In addition to the LUS information districts and state charters also provide the ELP *screening* results if appropriate.

Template	Field #	Field	Values
Student Template	113	English Proficiency Code (EL Status)	0= IFEP 1= Current EL Student 2= RFEP1 (year 1) 3= RFEP2 (year 2) 4= RFEP3 (year 3) 5= RFEP4 (year 4) 6= RFEP5+ (year 5+)
Assessment Fact	2	Test Description	LUS = Language Usage Survey NMELPAPT = WIDA Screener for Grades 1-12 ELKPS = WIDA Screener for Kindergarten
Programs Fact	5	Programs Code	ELL—all ELs must be coded to this program, or T3— all ELs if the district is a Title III subgrantee
Programs Fact	18	Participation Information Code	ELL/T3— 06 = Parent Refusal of Services 07 = ELD pull-out course and sheltered instruction in content areas — The student is pulled out for instruction in ELD based on

Template	Field #	Field	Values
			<p>the ELP level of the student and provided sheltered instruction in content areas.</p> <p>08 = ELD block and sheltered instruction in content areas (elementary grades only) — The student receives instruction in ELD for a minimum of 45 minutes in a self-contained elementary setting based on the ELP level of the student and provided sheltered instruction in content areas.</p> <p>09 = Integrated ELD – English Language Arts (ELA) course and sheltered instruction in content areas (secondary grades only) — The student that is nearing proficiency in English receives instruction in an integrated ELD-ELA course at the middle school and high school level and sheltered instruction in content areas.</p>

In the Programs Fact Template Specifications Field # 5, the program code ELL or T3 (for Title III subgrantees only) is for reporting all ELs in a district. Once this code is reported a participation information code for ELL and/or T3 Programs Fact must be chosen.

Participation Information Code for ELL/Title III

The following are the STARS descriptions for the valid values 6-9 for the Participation Information Code for the ELL/T3 Programs Fact

6. Parent Refusal of Services
Received in writing from parent (opt-out form)
7. English language development (ELD) pull-out course and sheltered instruction in content areas
English language instruction in the ELD course is differentiated based on the English language proficiency level of the students.
8. English language development (ELD) block and sheltered instruction in content areas (elementary grades only)
The English language instruction is differentiated based on the ELP level of the students (minimum of 45 minutes daily)
9. Integrated English language development (ELD)—English language arts (ELA) course and sheltered instruction in content grades (secondary grades only)
For ELs with an ACCESS for ELLs score that is nearing proficiency. English language instruction in the ELD-ELA course is integrated with grade level ELA instruction.

Tool 1: Federal Laws, Court Decisions, and Office of Civil Rights Policy Concerning English Learners

Year	Legislation, Court Decisions, and OCR Policy
1964	<p>Civil Rights Act, Title VI</p> <p>An historic bill passed by Congress in 1964 that prohibited discrimination based on race, color, or national origin. Title VI of the Act states, “No person shall, on the grounds of race, color, or national origin, be denied the benefits of, or be subjected to, discrimination under any program or activity receiving federal financing assistance.”</p>
1968	<p>Bilingual Education Act</p> <p>The Elementary and Secondary Education Act (ESEA) of 1965 was amended to add Title VII, The Bilingual Education Act. This program established federal policy recognizing bilingual education as a viable method for economically disadvantaged, language minority students; allocated funds for innovative programs; and recognized the unique educational disadvantages faced by non-English speaking students.</p>
1970	<p>May 25 Memorandum</p> <p>Stanley Pottinger, Director of the Office for Civil Rights in the Department of Health, Education, and Welfare (DHEW) sent a memo to all school districts reminding them of their responsibilities under Title VI of the Civil Rights Act of 1964. Pottinger wrote that “the district must take affirmative steps to rectify the language deficiency in order to open its instructional program to these students.”</p>
1974	<p><i>Lau v. Nichols</i></p> <p>In suit on behalf of the Chinese students in San Francisco public schools, the Supreme Court ruled that identical education does not constitute equal education under the Civil Rights Act by “merely providing students with the same facilities, textbooks, teachers, and curriculum; for students who do not understand English are effectively foreclosed from any meaningful education.” School districts must take ‘affirmative steps’ to overcome educational barriers faced by non-English speakers. No specific methodology was mandated.</p>
1974	<p>Equal Educational Opportunity Act of 1974</p> <p>Within weeks of <i>Lau v. Nichols</i>, Congress passed the Equal Educational Opportunity Act (EEOA), mandating that no state shall deny equal education opportunity to any individual “by the failure by an educational agency to take appropriate action to overcome language barriers that impede equal participation by students in an instructional program.” This was an important piece of legislation because it defined what constituted the denial of education opportunities. However, no definition/specification of appropriate action was mandated.</p>
1974	<p>Amendments to Title VII</p> <p>The first reauthorization of ESEA’s Title VII included a new section focusing on teacher and professional development and native language instruction. The newly amended law required states to include instruction in students’ native language and culture and to spend at least 15 percent of their money towards training bilingual teachers. Another new amendment was an expansion of eligibility of who could participate in Title VII programs. Any student, regardless of socioeconomic status, who was of “limited English-speaking ability (LESA),” could participate.</p>

Year	Legislation, Court Decisions, and OCR Policy
1975	Lau Remedies The DHEW designed a set of education standards that would satisfy the Supreme Court’s ruling on <i>Lau v. Nichols</i> . These standards were named the “Lau Remedies” and gave the federal government influence over educational decisions made by local and state education authorities.
1978	Amendments to Title VII The 1978 reauthorization of Title VII of the ESEA emphasized the strictly transitional nature of native language instruction, expanded eligibility to students who were LEP, and permitted enrollment of English-speaking students in bilingual education programs.
1980	Notice of Proposed Rulemaking (NPRM) These regulations sought to replace the “Lau Remedies” with official documentation. NPRM was an attempt to create requirements for EL students. Regulations required that only qualified teachers were to give bilingual instruction. Services to English language learners were required to have four components: identification, assessment, services, and exit for students in these programs.
1981	<i>Castañeda v. Pickard</i> The 5 th District Court of Appeals mandated special help for English language learners. This court case defined criteria for the “appropriate action” schools should take to educate LEP students. Criteria for schools included pedagogically sound plans for LEP students, qualified staff for instruction, effective implementation of programs, and plans for the evaluation of programs.
1982	<i>Plyler v. Doe</i> The US Supreme Court struck down a Texas law that excluded children lacking proof of legal residency or full tuition from attending public schools. Justice Brennan wrote, “It is difficult to understand precisely what the state hopes to achieve by promoting the creation and perpetuation of a subclass of illiterates.” The <i>Plyler v. Doe</i> decision, based on the Fourteenth Amendment, set the precedent that children could not be denied an education based on immigration status.
1984	Amendments to Title VII The 1984 reauthorization of Title VII of the ESEA implemented several new grant programs in the areas of family English literacy, academic excellence, developmental bilingual education, Early Start, and special education students. The reauthorization also emphasized the importance of teacher training and academic goals for LEP students.
1988	Amendments to Title VII The 1988 reauthorization of Title VII of the ESEA included increased funding to state education agencies, expanded funding for “special alternative” programs where only English was used, a three-year limit on participation in most Title VII programs, and the creation of fellowship programs for professional training.
1994	Amendments (Improving America’s Schools Act) The 1994 reauthorization of the ESEA entailed comprehensive educational reforms, including a reconfiguration of Title VII programs. New provisions reinforced professional development programs, increased attention to language maintenance and foreign language instruction, improved research, and evaluation at state and local levels, supplied additional funds for immigrant education, and allowed participation of some private school students.

Year	Legislation, Court Decisions, and OCR Policy
2000	<p>Executive Order 13166 “Improving Access to Services for persons with Limited English Proficiency”</p> <p>This presidential order required all federal agencies and federally sponsored projects to “ensure that the programs and activities they normally provide in English are accessible to LEP persons and thus do not discriminate on the basis of national origin in violation of Title VI of the Civil Rights Act of 1964.”</p>
2001	<p><i>Alexander v. Sandoval</i></p> <p>This US Supreme Court case dealt with the issues of disparate impact (unintended consequences) and private right of action (whether an individual can sue the state under Title I of Civil Rights Act) regarding non-native English speakers. Martha Sandoval, native Spanish speaker, had sued the state of Alabama, claiming that the state’s English-only driver’s license test discriminated against Spanish speakers, which violated Title VI of the Civil Rights Act. The Supreme Court, in a 5–4 vote, ruled against Sandoval stating that a private citizen cannot sue the federal government under Title VI. The court also ruled that a plaintiff has to prove that the actions taken against them were intentional acts of discrimination. Thirdly, the Supreme Court stated that a language is not considered an act of discrimination protected in the Civil Rights Act, only race, color, and national origin are included.</p>
2002	<p>The No Child Left Behind Act (Changes from ESEA, Title VII)</p> <p>The 2001 reauthorization renamed federal support for education as the <i>No Child Left Behind Act</i>. It replaced the ESEA Title VII competitive grant program with Title III, a formula grant program providing funding to states for English language acquisition programs only, i.e., new provisions focused only on promoting English acquisition and helping English language learners meet challenging content standards by creating aligned systems of standards and assessments. States issued sub-grants to school districts; both systems were held accountable for LEP and immigrant students’ academic progress and English attainment. Professional development programs were also supported.</p>
2016	<p>The Every Student Succeeds Act (ESSA)</p> <p>The Every Student Succeeds Act (ESSA) reauthorizes the Elementary and Secondary Education Act of 1965 (ESEA) and was signed into law by President Obama, December 10, 2015. ESSA will replace the No Child Left Behind Act of 2001. The transition to full implementation of ESSA will take place over SYs 2015–2016 and 2016–2017, with full implementation expected in SY 2017–2018.</p>
2018	<p>Martinez/Yazzie Vs. New Mexico</p> <p>The First Judicial District Court rules that the State of New Mexico violated students’ fundamental rights by failing to provide a sufficient public education, as required under the state constitution. Judge Sarah Singleton rules that all New Mexico students have a right to be college and career ready and that the State is failing to meet this obligation, enjoining the State to take immediate steps to create an educational system that ensures New Mexico’s at-risk students, including English Learners, Students with Disabilities, Native American students, and students that are economically disadvantaged, will have the opportunity to become so prepared.</p>

Tool 2: Sample Parent Notification Letters

Sample Parent Notification Letter for a Child's Participation in an English Learner Program and/or Language Support Services

[SCHOOL NAME, ADDRESS, CONTACT INFORMATION]

Date:

Dear Parent,

When you enrolled your child in school this year, you noted on the Language Usage Survey (LUS) that your child understands/speaks a language other than English. Based on the responses, the law requires us to test your child's English language proficiency to determine if s/he is legally entitled to English language support services. We used the English language proficiency screener [insert WIDA Screener for Kindergarten or WIDA Screener Online for grades 1-12] results to determine the best English Learner (EL) program and/or language support services for your child. We are required to inform you of the test results, our program recommendation, and all of the program and service options available for your child. That information appears below.

Based on your child's [insert name of English language proficiency screener used] results, your child qualifies for an EL program and/or language support service. English language development instruction is instrumental in increasing a student's English language proficiency and ability to acquire grade-level academic content. We highly recommend that your child participate in and receive the benefits from an EL program and/or language support service.

1. Your child's English language proficiency assessment scores for this school year and the proficiency level score are as follows:

Area	Level/Score
Listening	
Speaking	
Reading	
Writing	
Overall (composite)	

2. Your child's EL program and/or language support service will entail the following types of instruction: [insert available EL programs and/or language support services here]

3. The overall goal of the EL program and/or language support service is for students to become fully proficient in English and to meet grade-level state academic achievement standards. In New Mexico a student who has an overall score of 4.7 or higher on the annual ACCESS for ELLs© assessment is considered English language proficient.

4. If your child has an Individualized Education Program (IEP), the EL program and/or language support service will assist in meeting the IEP goals in the following ways: [Insert description here]

As mentioned, we highly recommend that your child participate in, and receive the benefits from, this EL program and/or language support service. However, you have the right to decline your child's participation in — opt your child out of — the EL program or language support services. Please contact the school at [Insert telephone number] or contact your child's teacher if you would like to schedule a parent conference to discuss options for your child or if you wish to opt your child out of the EL program or language support services.

Sincerely,

DISTRICT/SCHOOL OFFICIAL

Translating this information into the family's home language is critical for meaningful communication with all parents. When written translation is not provided, an oral interpretation should be provided, where appropriate.

Spanish and Navajo language versions of this sample letter follow.

Muestra de la carta de aviso a los padres para la participación de su hija/hijo en un programa EL y/o servicios de apoyo de idioma

[NOMBRE DE LA ESCUELA, DIRECCIÓN, INFORMACIÓN DE CONTACTO]

Fecha:

Estimado Padre,

Cuando matriculó a su hijo en la escuela este año, indicó en la Encuesta del Uso del Idioma (*LUS* por sus siglas en inglés) que él o ella entiende/habla otro idioma además del inglés. Basado en sus respuestas, la ley requiere que sea evaluada la competencia en inglés de su hija/hijo para determinar si él/ella legalmente tiene el derecho de recibir servicios de apoyo de idioma para el inglés. Utilizamos la evaluación lingüística/idiomática [insertar WIDA Screener for Kindergarten o WIDA Screener Online para los grados 1-12] para determinar cuál es el mejor programa para estudiantes que están aprendiendo inglés (*EL* por sus siglas en inglés) y/o servicio de apoyo de idioma. Estamos obligados a informarle acerca de los resultados de la evaluación, nuestra recomendación de un programa, y todas las opciones de programas y servicios disponibles para su hija/hijo. Esta información aparece abajo.

Basado en los resultados de la evaluación lingüística/idiomática [insertar el nombre de la evaluación de competencia del inglés utilizada], su hija/hijo califica para un Programa EL y/o servicio de apoyo de idioma. La instrucción en el desarrollo del idioma inglés es fundamental para aumentar la competencia en inglés de un estudiante y su habilidad para adquirir el contenido académico de su nivel escolar. Le recomendamos ampliamente que su hija/hijo participe y reciba los beneficios de un Programa EL y/o servicios de apoyo de idioma.

1. Los resultados de la evaluación del idioma inglés de su hijo/a para este año escolar y los niveles de competencia son los siguientes:

Area	Nivel/Calificación
Escuchar	
Hablar	
Lectura	
Escritura	
Total (compuesto)	

2. El Programa EL y/o servicios de apoyo de idioma para su hija/hijo incluirá los siguientes tipos de instrucción: [Indique aquí los Programas EL y/o servicios de apoyo de idioma disponibles.]

3. La meta general del Programa EL y/o servicios de apoyo de idioma es que el estudiante llegue a ser completamente competente en inglés y que domine los estándares de aptitud académica estatales de su nivel escolar tan pronto sea posible. En Nuevo México un estudiante que obtiene un total (compuesto) de 4.7 o más alto en la prueba anual ACCESS por ELLs® se considera competente en inglés.

4. Si su hija/hijo tiene un plan de educación individualizada (*IEP* por sus siglas en inglés), el Programa EL y/o servicios de apoyo de idioma ayudará en obtener las metas del IEP de la siguiente manera: [Describa aquí.]

Como se mencionó anteriormente, recomendamos altamente que su hija/hijo participe y reciba los beneficios de este programa y/o servicios de apoyo de idioma. Sin embargo, usted tiene el derecho de rehusar la participación de – optar por retirar a –su hija/hijo en el Programa EL o servicios de apoyo de idioma. Favor de ponerse en contacto con la escuela en [Indique aquí el número telefónico de la escuela] o ponerse en contacto con la maestra/el maestro de su hija/hijo si desea hacer una cita para una conferencia de padre y maestro para hablar sobre las opciones para su hija/hijo o si desea optar a su hijo/hija del programa EL o servicios de apoyo de idioma.

Atentamente,

Director/a del Título III

Sample Parent Notification Letter for a Child's Participation in an English Learner Program and/or Language Support Services - Navajo

Yoo[k11[7g77: _____

Y1't'44h Am1 d00 Azhe'4 47 doodaii' Anoo4[h7g77,

D77 yihah7g77 ne'0[ta'7 naaltsoos [a' b1 hadinilaa l1 o[ta'7di. D77 naaltsoos 47 Language Usage Survey (LUS) woly4. D77 sh99 47 saad choyoo['7n7g77 bee baa hwiin7lne'.

Ne'0[ta'7 47 Bilag1ana bizaad d00 [a' n1 l1na saad yidiits'a' d00 chooyoo['7 din7igoo naaltsoos bik11' iinilaa. D77 binahj8' bibeehaz1anii l1n7, ne'0[ta'7 47 Bilag1ana bizaad yik'i'diit88h7g77 d00 choyoo[7n7g77 b7di'nool'22[d00 saad yiidiits'a'7g77 daats'7 [a' bee bich'i' l1lhoot'i' bee 44hodoozii[. Bibeehaz1ani l1n1di'n7 t'11 haida yit'4ego 0[ta'7 bich'i' l1lhoot'i'goo 47 Bilag1ana bizaad bee bik1 an1'awo' doolee[. English language support services 47 doodaii' EL program dei[nin7g77 bee bik1 an1'awo' doolee[.

D77 ne'0[ta'7 bi'n44l'22d d00 bee bik1 adoowo['7g77 bee hooziidgo 47 bee ni[n1hodoonih. K0t'4ego bee haz'3 d00 bik'eh da'hwiil'9.

W-APT language screener woly4h7g77 47 chodeiiniil'9 d00 binahj8 7'n44l'22d7g77 44hoozin. !ko ne'0[ta'7 b7n44l'22d n7t'66' English language support services bee bik1 an1'lwo'go b1 ahoot'i'. D77 47 y4ego bik1 adoolwo[d00 Bilag1ana bizaad bidziilgoo yik'i'diit88h d00 choyoo['97 doolee[. !ko o[ta'7di bee na'bidi'nitin7g77 y7n4el'32 doolee[.

1. D77 olta' yihah7g77 k=- 47 Bilag1ana bizaad b7neel22d7g77 yaa halne':

Area	Level/Score
Listening-Adiits'a'7gii	
Speaking-Y1[ti'7gii	
Reading-)[ta'7gii	
Writing-Na'azoh	
Overall- T'11 a[tsoh naal98hgo	

2. D77 EL program 47 ne'0[ta'7 bee na'bi'dinitin doolee[.
3. T'11 7yis7 bik1 ah1t'7n7g77 47 0[ta'7 Bilag1ana bizaad y4ego yidiits'a' d00 yik'i'diit'88h d00 choyoo['98 doolee[hwiinidzin. !ko "state academic achievement standards" y7n4el'32 doolee[. N11sg00
ACCESS bee b7'n1 lneel'22dgo ashdl'a' d00 bi'22n bighahgoo (4.7 or higher) 1yiilaago 47 ats'1 b7'di'doolt'ee[go bee b1haz3. D77 k0t'4ego Yoot00h Hahoodzoh yik'eh daho['9h.

4. Ne'ota'7 binaaltsoos Individualized Education Plan (IEP) woly4h7g77 bee h0l=-goo 47 d77 saad biih dahaszoh7g77 (IEP goals) binahj8' bik1 an1'1wo' n7igo EL program yik'eh ha'98 doolee[. D77 47 k0t'4ego bee bik1 an1'1wo' doolee[:

Nih7 kod00 47 d77 ne'ota'7 EL Program bik1 an1'1wo'doo daniidzin. Nidi, t'11 nih7 d77 1k1 an1'1wo' doo danosing00 nih22 sil1. Opt your child out of EL program yi[nin7g77 bee ne'ota'7 b1 ch'0hon7t'i'.

B1'0lta'7 bi[a[ah adeesh[ee[47 doodaii haal1 yit'4ego she'ota'7 bik1 1na'1wo' doolee[47 doo daii naaltsoos bee b1 ch'0hon7t'i'7 hadideesh[77[ninzingo olta'j8' hodiilnih: 505-XXX-XXX

Ah4hee', XXXX

Tool 3: Teacher Language Observation Form

This form can be completed by teachers for observation of students who are not succeeding academically and/or exhibit behavioral difficulties. It is designed for students whose difficulties are suspected to be, at least partially, due to a lack of English language proficiency. The data collected can be provided to the Student Assistance Team (SAT) to consider as interventions are designed. **This form is only for students who are classified as initially fluent English proficient (IFEP)**, based on the responses on the student's Language Usage Survey (LUS) and/or English proficiency screener (WIDA Screener for Kindergarten or WIDA Screener for Grades 1-12) results. This form should be submitted to the school principal or the SAT coordinator.

Student's Name			
Teacher's Name			
Grade			
School		Date	
Check all that apply:			
<input type="checkbox"/>	1. I have observed this student speaking a language other than English in the classroom, cafeteria, halls, playground, or in other school situations.		
<input type="checkbox"/>	2. The student has indicated that the language spoken in his or her home is a language other than English.		
<input type="checkbox"/>	3. Conversation(s) with a parent(s) in a teacher/parent conference or other occasion indicates that a language other than English is probably spoken in the home.		
<input type="checkbox"/>	4. The student has experienced difficulty in understanding communication (oral and/or written) and/or has difficulty expressing him or herself using English (oral and/or written communication).		
Comments:			
Observations:			

Tool 4: English Learner Codes: STARS Self-Appraisal

STARS coordinators are accountable for the accuracy of data submitted on ELs.

Student Snapshot Template	Yes	No
Is the English language proficiency code, correct? (See section on State Data Reporting Requirements of this TAM for codes) <ul style="list-style-type: none"> Are students who exited from EL status through scoring proficient on the ACCESS for ELLs test (overall composite score of 4.7 or higher) or on the Alternate ACCESS test (overall composite score of P1 or higher) reclassified as RFEP1 —English language proficiency code 2? Are students who have been classified as ELs in the fall or throughout the school year coded as current EL students — English language proficiency code 1? 		
Programs Fact — Field #5	Yes	No
Is the student reported correctly into the ELL Programs Fact or T3 Programs Fact Note: T3 Programs Fact is only for Title III subgrantees?		
Programs Fact — Field #18	Yes	No
Is there a Participation Information Code for the student? <ul style="list-style-type: none"> Choose one from valid values 6 – 9 		

Tool 5: Summary of Staffing Requirements

Legislation	Summary
US Native American Languages Act (1990) (P.L. 101-477)	<p>It is US government policy to “preserve, protect, and promote the rights and freedom of Native Americans to use, practice, and develop Native American languages.” Requirements of the Act are to</p> <ul style="list-style-type: none"> • encourage and support the use of Native American languages as a medium of instruction in schools; • allow exceptions to teacher certification requirements for instruction in Native American languages when such requirements hinder the employment of qualified teachers who teach Native American languages; • recognize the right of Indian tribes to give official status to their languages for the purpose of conducting their own business; and • encourage all institutions of elementary, secondary, and higher education—where appropriate—to include Native American languages in the curriculum and to grant proficiency in Native American languages the same full academic credit as proficiency in foreign languages.
US Elementary Secondary Education Act of 2009 (No Child Left Behind Act 2001) (P.L. 89-10)	<p>Requirements of ESEA include the following:</p> <ul style="list-style-type: none"> • Teachers must be fluent in English and in any other language used for instruction, including having written and oral communication skills. • Each LEA shall ensure that all teachers, who are hired for the teaching program supported with funds under this act, are highly qualified. • The SEA shall ensure that all who are teaching core academic subjects within the state are highly qualified by the end of 2005–2006 SY. • Professional development is addressed as an approved activity in the Title III program funding application.
Title III subgrant (P.L. 107-110, § 3301-3304)	<p>Requirements of the Title III subgrant include the following:</p> <ul style="list-style-type: none"> • Teachers must be fluent in English and in any other language used for instruction, including having written and oral communication skills. • Professional development is addressed as an approved activity in the Title III program funding application.
US Civil Rights Act of 1964—Title VI (P.L. 88-352)	<p>Requirements of Title VI of the US Civil Rights Act include the following:</p> <ul style="list-style-type: none"> • Instruction is provided to LEP students by trained and certified staff. • The instructional staff of LEP students has the same formal requirements as do all teachers, such as <ul style="list-style-type: none"> • holding a state teaching certificate; • endorsement; and • sufficient training in the alternative language program selected.
Native American Language License (NMSA 22-10A-13)	<p>Requirements of NMSA 22-10A-13 include the following:</p> <ul style="list-style-type: none"> • The NMPED’s Professional Licensure Unit may issue a Native American language and culture certificate to a person proficient in the Native American language and culture of a New Mexico tribe or pueblo. A

Legislation	Summary
	<p>baccalaureate degree is not required for the person applying for this certificate. This license is renewable in accordance with procedures and criteria established by the tribe and accepted by the NMPED Licensure Bureau.</p> <ul style="list-style-type: none"> • Under the NM Bilingual Multicultural Education Regulation (2005), only personnel endorsed in bilingual multicultural education or certified in Native American language and culture may provide home/heritage language services.
Bilingual Multicultural Education Law of 2004 (NMSA 22-23-1 to 6) and Bilingual Multicultural Education Regulation of 2005 (6.32.2 NMAC)	<p>This law and regulation require that</p> <ul style="list-style-type: none"> • teachers are employed who have specialized in elementary or secondary education and who have received specialized training in bilingual multicultural education conducted through the use of two languages; • personnel—endorsed in bilingual multicultural education, TESOL, or certified in Native American language and culture, bilingual multicultural education, or heritage language revitalization programs—shall be part of the district’s professional development plan, as required in Subsection E of Section 22-23-5 NMSA; and • bilingual multicultural educator professional development activities include teachers, instructional support personnel, principals, and program administrators. Additionally, principals and program administrators shall participate in training that addresses program supervision.

Tool 6: School Principal Interview Form

TITLE III AND NON-TITLE III DISTRICTS. PLEASE RESPOND TO ALL QUESTIONS.					
District:			School:		
Superintendent:			Principal:		
Title III Director:			Date:		
1. How many schools are in the district?					
2. What is the district's total enrollment?					
3. What is the number of EL students enrolled in the school district?					
4. How many reclassified fluent English proficient (RFEP—exited ELs) students are in the school district?					
5. What is the number and percent of EL students in special education?					
6. What is the number and percent of EL students in the talented and gifted program?					
II. EL Student Performance on Language and Academic Achievement					
English Language Proficiency Levels—Number of Students					
School Level	Level 1: Entering	Level 2: Emerging	Level 3: Developing	Level 4: Expanding	Level 5: Bridging
Elementary					
Middle School					
High School					
III. Identification and Assessment of EL students					
7. What is the process for administering the language usage survey (LUS)?					
8. Where are the completed LUS forms stored?					
9. What is the process for administering the WIDA Screener for Kindergarten/WIDA Screener Online (English language proficiency screening assessment)?					
10. Where are the WIDA Screener for Kindergarten/WIDA Screener Online results located?					
11. Are all EL students assessed annually for English language proficiency (ACCESS for ELLs®)?					
12. Is the staff who administers the English language proficiency (ELP) assessment trained and certified?					
13. Is there documented evidence that such training has occurred and that personnel administering ELP assessments can do so competently?					
14. Are clear procedures implemented for the collection and dissemination of the ELP assessment data/results to teachers and parents?					

15. What procedures and policies are in place to address parent dissatisfaction with ELP assessment results?	
16. Are procedures in place to ensure that ELP assessment data will be used to make decisions about instruction?	
17. How are decisions monitored and/or impacts measured?	
18. Are accommodation procedures in place, known by all staff, and followed (e.g., Student Assistance Team (SAT) determination, implementation in the classroom prior to assessment, documentation of SAT determination)?	
VI. Parent Notification	
19. What is the timeline for notifying parents of identified ELs of their child's program placement	
a. at the beginning of the school year?	
b. when students enter during the school year?	
20. Does the district provide annual notification of program placement as required by federal guidelines?	
21. Are parent notifications in a language that the parents understand? Do they	
a. indicate the reason/s for identifying the student as an EL, including the English proficiency level of the student?	
b. explain the availability and types of program services and other options for EL students?	
c. specify the exit requirements from an EL program and services?	
d. explain how the EL program or services meets the objectives of the IEP, in the case of a student with a disability?	
e. make it clear that the EL program and services can be refused?	
22. How does the program specifically help the student learn English and meet academic achievement standards?	
23. How are parents provided an opportunity to engage in a discussion about relevant program options for the EL students? Is this opportunity provided in a culturally and linguistically appropriate manner?	
24. What is the process for identifying the primary language of parents?	
25. Does the school provide parents whose primary language is not English with free and effective language assistance (such as translated materials, appropriate and competent interpreter)?	

26. How is the school communicating in a meaningful way with parents who are not English proficient about all school activities and information sources (e.g., student progress reports, school schedules, information provided in student handbooks, extracurricular activities, special meetings, and events, such as PTA meetings and fund-raising events, etc.)?	
27. What methods (beyond school newsletters) has the district used successfully to engage parents, families, and the community?	
28. What is the protocol to inform parents of their child's placement and progress in the district's EL (English language development) program?	
a. How does the district ensure this protocol is followed, with consistency, by all relevant staff?	
29. Does the district have a measurable growth target for English language proficiency? How is language proficiency and student achievement data shared with students, parents, and community?	
30. Are parents notified annually of student progress in English language proficiency and academic achievement?	
31. How are parents provided with ample notification, so they can make well-informed decisions about the participation of their children in the district's EL program or service?	
V. Information on EL Programs and/or Services	
32. What is the EL program or services that the school/district provides for ELs?	
33. How does this program and/or services address English language proficiency?	
34. How does this program and/or services address academic achievement of ELs?	
35. What percent of parents of EL students have refused EL program and/or services?	
36. Is the educational approach chosen by the district/school recognized as an effective program?	
37. What is the rationale/research to support the district's decisions for the program and/or services selected and implemented?	
38. How does the district ensure appropriate implementation of the selected program and/or services?	

39. Does the district have a measurable growth target for English language proficiency?	
40. What are the mechanisms for tracking progress of students' English language proficiency?	
41. How does the district/schools adjust programmatic and instructional decision-making when district/schools/students are not meeting growth targets within a reasonable length of time?	
42. Are there written guidelines and procedures included for the EL program or service to ensure that such services are provided to all EL students?	
43. How is staff trained to ensure that EL students are appropriately served by all relevant services for which the student qualifies?	
44. If a pull-out ELD class is being implemented, is there a written curriculum with scope and sequence for ELD instruction?	
45. What steps have been taken to ensure that such a curriculum meets the needs of EL students?	
46. Has relevant staff been adequately trained to effectively deliver classroom instruction based on the adopted curriculum?	
47. How is the impact of such training measured?	
48. Are adequate and appropriate instructional resources, which include sufficient quantities of resources at the appropriate English proficiency and grade-levels as well as technology, available for EL student use in	
a. classrooms?	
b. libraries?	
c. labs?	
49. What is the impact of the instructional resources used?	
a. The process for their evaluation?	
b. How is their impact measured?	
VI. Staffing and Professional Development	
50. What are the clearly defined steps taken by the district to recruit effective staff for its EL program?	
51. Is there a clearly defined process to identify the professional development needs of the staff?	
52. How is feedback solicited and from whom?	
53. Does the district provide PD for all teachers and other instructional staff to ensure that staff is trained in the EL program or services?	

54. When was the last PD provided for teachers and staff that was specifically designed to support ELs?	
55. How often are PD follow-up and feedback opportunities provided?	
56. How does the district ensure that teachers participate in the PD opportunities necessary for improving their effectiveness with ELs?	
57. What is the process to evaluate/measure change in teacher knowledge and skill resulting from the PD? (Include a description of the tools to be used in the evaluation.)	
58. How does the district measure whether the PD is resulting in the desired change in student performance?	
VII. Reclassifying ELs to RFEP status	
59. What procedure does the district follow for reclassifying EL students to RFEP (exiting EL) status?	
60. What training and how often does staff receive PD regarding these procedures?	
61. Are procedures in place to notify classroom teachers of student reclassification from EL to RFEP and guidance regarding the required two-year monitoring period of students from the district's EL program?	
62. What access do teachers and relevant staff have to necessary ELP and other student data in a timely manner so that appropriate programmatic and instructional decision-making can occur?	
63. How are the district's procedures for monitoring students who have reclassified to RFEP status and are exited from the EL program clearly articulated and reported back to teachers?	
64. What is the district's process for annually updating RFEP data and reporting it locally and in STARS?	
VIII. Equal Access for ELs to Other School District Programs	
65. What is the district's clearly defined process for identifying students for special education and gifted services who are also EL?	
66. Is there a clearly defined description of the process and steps taken by the district/school to ensure that ELs have an equal opportunity to participate in extracurricular activities—both academic and non-academic? How is this documented?	
67. How are all parents notified of these activities?	

IX. Program Evaluation, Review, and Improvement

68. Does the evaluation cover all elements of the EL program, including:

- a. Program and/or service implementation⁴ practices?
- b. Student performance⁵ results?

69. Do information collection practices support a valid and objective appraisal of program success? For example:

- a. Is the use of observational information considered, including the NMTEACH observation protocol and a review of records?
- b. Is appropriate data maintained so that the success of district programs can be measured in terms of student performance?
- c. Is longitudinal data used for evaluation, which includes comparing data for ELs, RFEPs, and IFEPs in the standard instructional program over time?
- d. Is the data organized and accessible, enabling district/schools/ teachers to evaluate student performance outcomes over time and to follow the performance of students after they have exited from EL status?

70. In the following list, check the data used for evaluating EL programs or services:

- ☐ Scores on state and local assessments
- ☐ Scores on annual English proficiency assessment (ACCESS for ELLs®)
- ☐ Grades in content courses
- ☐ Retention in grade
- ☐ Exit rates from EL status
- ☐ Graduation and drop-out rates
- ☐ Participation rates in gifted services and advanced courses (such as honors classes, AP courses, etc.)
- ☐ Enrollment rates in pre-K, magnet, and other programs
- ☐ Participation rates in special education and related services
- ☐ Mobility and attendance rates
- ☐ Participation rates in extracurricular programs
- ☐ Suspension rates

⁴ Program implementation includes identification of potential ELs' assessment of English language proficiency, serving eligible students, providing appropriate resources consistent with program design and student needs, reviewing number of years student is in the EL program, etc. Implementation may also include staff training and evaluating effectiveness of training/professional development through evaluating changes in teacher performance in the classroom as well as through effects on student performance.

⁵ Student performance results include student progress in English language development and academic achievement consistent with the district's goals.

<input type="checkbox"/> Participation in college readiness programs such as Avid	
<input type="checkbox"/> Other indicators of college and career readiness	
71. Is the program evaluation process comprehensive so that the district can determine if the program is effective and identify concerns that require improvement?	
a. If not comprehensive and measurable, how will this be remedied?	
b. Provide a timeline.	
72. Has a process been established for designing and implementing programmatic changes in response to concerns identified through the evaluation process?	
73. How does this process consider information provided by stakeholders and persons responsible for implementing recommended changes?	
74. Is the program evaluation ongoing and sufficiently frequent to allow the district to promptly identify and address concerns with the district's EL program or services?	
75. Is a list of ineffective activities or practices maintained?	
76. Is this list of ineffective ideas regularly revisited and reviewed by relevant stakeholders?	
77. Are reasons explaining why those activities were not effective provided?	
78. What data is used to determine that an activity was effective or ineffective?	
79. How are results documented?	
80. How are new activities or practices—research- based or research-proven—identified and integrated?	
81. Who is charged with researching options?	
82. How are these options evaluated and selected?	

Tool 7: Parents of English Learners Interview Form

School Name:					
Classes		Grades		# of Students	
EL /Title III Language Instruction Educational Program					
Questions			Responses		
1. How were you informed of your child's language status/classification?					
2. What program or services does the school offer your child for learning the English language?					
3. How were you notified of the language program or service choices? Did a staff member explain the choices to you?					
4. Do you know the English language proficiency level of your child?					
5. How does the school/teacher communicate with you about your child's progress in the language program?					
6. How does the school/teacher communicate with you about your child's progress across all content areas?					
7. What does this school do well in terms of your child's academic learning and progress?					
8. What does this school need to improve in terms of your child's academic learning and progress?					
9. How does the school involve parents in making decisions about language learning and academic achievement?					
10. Are opportunities or activities provided for you and the whole family to get more involved with your child's learning?					
11. How does the school communicate with you about school-related information, programs, and activities so that you can make informed decisions about your child's education?					
Strengths:					
Areas for Improvement:					
Next Steps:					
Note: Do not use this form for evaluating licensed teachers or school personnel.					

Formulario para entrevistar a padres de niños que están aprendiendo inglés

Nombre de escuela					
Clases		Niveles		# de estudiantes	
Programa educativo de instrucción de lenguaje para niños que están aprendiendo inglés ELs/Título III					
Preguntas			Respuestas		
1. ¿Cómo le informaron del estatus /clasificación del lenguaje de su niño/a?					
2. ¿Qué programa o servicios ofrece la escuela a su niño/a para aprender inglés?					
3. ¿Cómo se le avisó del programa de lenguaje u opciones de servicios? ¿Le explicó uno de los empleados las opciones?					
4. ¿Conoce el nivel de dominio del idioma inglés de su niño/a?					
5. ¿Cómo se comunica con Ud. la escuela/maestro/a acerca del progreso de su niño/a en todas las áreas de contenido?					
6. ¿Cómo se comunica con Ud. la escuela/maestro/a acerca del progreso de su niño/a a través de las áreas de contenido?					
7. ¿Qué hace bien esta escuela en relación al aprendizaje académico y progreso de su niño/a?					
8. ¿Qué necesita mejorar la escuela en relación al aprendizaje académico y progreso de su niño/a?					
9. ¿Cómo involucra la escuela a los padres para que participen en las decisiones acerca del aprendizaje de lenguaje y logro académico?					
10. ¿Se le proveen oportunidades o actividades a Ud. y a toda la familia para involucrarse más en el aprendizaje de su niño/a?					
11. ¿Cómo se comunica la escuela con Ud. acerca de información relacionada con la escuela, programas, y actividades para que Ud. pueda hacer decisiones informadas sobre la educación de su niño/a?					
Puntos fuertes:					
Áreas que mejorar:					
Los siguientes pasos:					
Ojo: No utilice este formulario para evaluar a maestros certificados o al personal escolar.					

Glossary of Terms & Acronyms

This glossary of terms and acronyms includes terms used, not only in this manual but, in the *Title III: Supplemental Support for English Learners Programs and Services*, and the *Bilingual Multicultural Education Programs Technical Assistance Manual* as well. All three manuals are located on the LCD webpage at <https://webnew.ped.state.nm.us/bureaus/languageandculture/>.

Terms & Acronyms	Interpretation
ACCESS for ELLs	New Mexico's statewide, standards-based, criterion-referenced English language proficiency (ELP) assessment designed to annually measure K–12 English language learners' social and academic proficiency in English. This assessment is computer-based.
Alternate ACCESS	Means the annual large-print English language proficiency assessment that is administered individually to students in grades 1-12 who are identified as English learners with the most significant cognitive disabilities. This assessment is paper based.
Asylee	Asylees are individuals who, on their own, travel to the United States and subsequently apply for or receive a grant of asylum. Asylees do not enter the United States as refugees. They may enter as students, tourists, on business, or with "undocumented" status. U.S. Department of Health and Human Services [HHS], n.d.a
BAR	Means Budget Adjustment Request. Requests for net increases and decreases to the budget that may include increases due to new grant funds and decreases due to the need to reduce appropriations to keep spending within available revenues—BARs must be approved by designated authority prior to posting as a budget adjustment.
Bicultural	Identifying with the cultures of two different cultural groups—to be bicultural is not necessarily the same as being bilingual, and vice versa.
Bilingualism	Refers to the ability to command two languages existing on a continuum of language skills.
Biliteracy	The ability to effectively communicate or understand thoughts and ideas through two language systems and vocabularies, using both written symbols (Hargett, 1998).
BMEAC	Refers to the bilingual multicultural education advisory council that has been created in the BME Act to advise the Secretary and NMPED staff on the effective implementation of the BME Act.
BMEB	The Bilingual Multicultural Education Bureau of the NMPED that worked to ensure the implementation of the provisions of the State's Bilingual Multicultural Education Act (2004) and Title III, English Language Acquisition of the ESEA. Please see LCD.
BMEPs	Means Bilingual Multicultural Education Programs that provide instruction in, and the study of, English and the home or heritage language of the student. It may also include the delivery of the content

Terms & Acronyms	Interpretation
	areas in the home or heritage language and English, and it incorporates the cultural heritage of the child into specific aspects of the curriculum.
CCSS	Means Common Core State Standards. The state-led effort to develop the Common Core State Standards was launched in 2009 by state leaders— including governors and state commissioners of education from 48 states, two territories, and the District of Columbia—through their membership in the National Governors Association Center for Best Practices (NGA Center) and the Council of Chief State School Officers (CCSSO).
CLD	Means Culturally and Linguistically Diverse students who are of a different cultural background than dominant United States culture and who may have inherited a home or heritage language other than English from their family, tribe, or country of origin.
Content Areas	All subject matter areas of the school’s curriculum, as defined in the New Mexico Standards for Excellence, 6.29.1-11 NMAC, Content Standards and Benchmarks. It especially refers to the core content areas— language arts, math, science, and social studies.
Culture	Deep patterns of values, beliefs, practices, and traditions that have been compiled and normalized over a period of time, setting the standard for what is normal and expected (Muhammad & Hollie, 2012). This socially acquired knowledge may be learned and is shared among individuals in the home, community, and/or institutions.
DFA	New Mexico Department of Finance Administration
DHEW	Department of Health, Education, and Welfare
District	A unit for administration of a public-school system often comprising several towns within a state—excluding state charter schools (each its own district), there are 89 school districts in NM, with Albuquerque Public Schools being the largest and Mosquero Municipal Schools being the least populated.
DTC	Means a district or charter test coordinator who is a licensed school instructor, counselor, student success advisor, or administrator in a school district, charter school, state educational institution, or bureau of Indian education school (BIE) designated by the district superintendent, charter administrator, or governing authority of a state educational institution or BIE school with the overall responsibility for distributing and administering standardized tests, training school personnel in test security matters, etc.
Dual Language Immersion (BMEP Model)	A BMEP model designed to develop proficiency in two languages
ED	Means the US Department of Education. This is the agency of the federal government that establishes policy for and administers and coordinates most federal assistance to education. It assists the president in executing

Terms & Acronyms	Interpretation
	his education policies for the nation and in implementing education laws enacted by Congress.
EEOA	Means the Equal Educational Opportunities Act of 1974. It is a U.S. federal law that prohibits discrimination against faculty, staff, and students—including racial segregation of students—and requires school districts to take action to overcome barriers to students' equal participation.
EL	Means English learners. These are students whose home or heritage language influence is not English, and who are unable to speak, read, write, and understand English at a level comparable to their grade-level English proficient peers, as determined by objective measures of proficiency. The term <i>EL</i> replaces <i>ELL</i> .
ELD	Means English Language Development and refers to instruction designed specifically for ELs to further develop their listening, speaking, reading, and writing skills to achieve English language proficiency.
ELD Standards	Means state-adopted English language development standards under 6.29.5 NMAC .
ELL	English Language Learner. See EL above.
ELP	Means English language proficiency.
English Language Acquisition Program (Title III)	See Title III and LIEP
Enrichment (BMEP Model)	A BMEP model designed to further develop the home language of fully English proficient students.
EPSS	Means educational plan for student success—a long-range plan for improvement that is developed by individual schools and districts
ESEA	Means the Elementary and Secondary Education Act of 1965 (ESEA). The act is an extensive federal statute that funds primary and secondary education. It also emphasizes equal access to education and establishes high standards and accountability. In addition, it aims to shorten the achievement gaps between students by providing each child with fair and equal opportunities to achieve an exceptional education. As mandated in the act, the funds are authorized for professional development, instructional materials, resources to support educational programs, and parental involvement promotion.
ESL	Means English as a second language. It is an educational approach in which EL students are provided explicit instruction in the use of the English language. Instruction is based on a targeted curriculum that focuses on English language learning (not subject matter content). ESL is traditionally taught as a separate course for ELs only.

Terms & Acronyms	Interpretation
ESSA	Every Student Succeeds Act (ESSA) reauthorizes the Elementary and Secondary Education Act of 1965 (ESEA) and was signed into law by President Obama December 10, 2015. ESSA will replace the No Child Left Behind Act of 2001. The transition to full implementation of ESSA will take place over SYs 2015–2016 and 2016–2017, with full implementation expected in SY 2017–2018.
FEP	Means fluent English proficient. See IFEP and/or RFEP.
Formal Education	Formal Education is education that is institutionalized, intentional and planned through public organizations and recognized private bodies and – in their totality – constitute the formal education system of a country. Formal education programs are thus recognized as such by the relevant national education authorities or equivalent authorities, e.g., any other institution in cooperation with the national or sub-national education authorities. Formal education consists mostly of initial education. Vocational education, special needs education and some parts of adult education are often recognized as being part of the formal education system. (Unesco Institute for Statistics, 2012).
Heritage Language BMEP Model	A BMEP model designed to support and revitalize a student’s heritage language and culture through oral and written communication; for Native American languages that are oral only, the literacy component shall be measured only in the skill areas or domains of listening, speaking and comprehension.
Heritage Language	The language other than English that is inherited from a family, tribe, community, or country of origin—whether the student is proficient in the language
Heritage Speaker	A student whose first (dominant) language is English and home/heritage language(s) include both English and a language(s) other than English. Heritage speakers may be initially classified as either IFEP or EL as a result of the English language proficiency screening.
Home Language	Means a language other than English that is the primary or heritage language spoken at home or in the community
IEP	Means Individualized Education Program as required by the Individuals with Disabilities Education Act. An IEP is a legal document that spells out a child’s learning needs, the services and accommodations the school will provide, and how progress will be measured.
IFEP	Initial Fluent English Proficient, formerly known as “never ELL”. May refer to a student whose language usage survey indicated that there is no influence of languages other than English in the student’s home (Native English speaker) OR it may refer to a student who scored proficient on the English language proficiency screener (WIDA Screener for Kindergarten or WIDA Screener for Grades 1-12).

Terms & Acronyms	Interpretation
Immigrant Children and Youth	Individuals who are aged 3 through 21, were not born in any U.S. state (including District of Columbia and the Commonwealth of Puerto Rico) and have not been attending one or more schools in any one or more states for more than three full academic years.
L1	Home or Primary Language is the language, other than English, spoken at home. The following terms are interchangeable: first language (L1), native language, primary language, mother tongue and/or home language. May include heritage language.
L2	Second Language is used in several ways and can refer to the second language learned. (Harris & Hodges, R.E., 1995).
Language Acquisition	The process of acquiring a language.
Language Majority	A person or language community that is associated with the dominant language of the country.
Language Proficiency	Measure of how well an individual can speak, read, write, and comprehend a language comparable to the standard expected for native speakers of the language. Language proficiency is composed of oral (listening and speaking) and written (reading and writing) components, as well as academic and non-academic language and comprehension of said language. The methods and assessments used for measuring language proficiency are varied. Language proficiency is an agreed-upon construct dependent on tribes, communities, and/or institutions.
LCD	Language and Culture Division of the NMPED that works to, meet federal obligations to ELs by providing policy and guidance on EL programs, leverage Title III English Language Acquisition Subgrants to maximize positive outcomes for ELs and Immigrant students, implement state-funded BMEPs, provide effective World Language instruction, provide guidance on the Seal of Bilingualism-Biliteracy on the NM Diploma of Excellence, and implement Culturally and Linguistically Responsive Instruction.
LEA	Local education agency. Synonymous with a local school system—usually a local school district or a state charter school—indicating that a public board of education or other public authority maintains administrative control of the public schools in a city or county.
LEP	Limited English proficient is the term previously used by the federal government to identify those students who have insufficient English to succeed in English-only classrooms. The term English learner (EL) replaces LEP.
LIEP	Language instruction educational programs and refers to instructional programs that assists ELs and immigrant students to attain English language proficiency, develop high levels of academic attainment in core academic subjects, and meet the same challenging, state academic standards as all children are expected to meet.

Terms & Acronyms	Interpretation
LOTE	Means a language other than English
LUS	Language Usage Survey—a survey designed to identify LOTE in a student’s background to determine if language screening is necessary, as federally required.
Maintenance (Bilingual Education Model)	A BMEP model designed to develop and maintain proficiency and literacy in the home language while developing a student’s literacy and oral skills in English.
MCNL Endorsement	Means the modern, classical, and Native language endorsement available to licensed New Mexico teachers
Multilingualism	Refers to the ability to command three or more languages existing on a continuum of language skills.
NALC Certificate	Native American language and culture certificate available to tribally approved proficient speakers of the tribe’s language and/or licensed New Mexico teachers
Native English speaker	A student whose first and home language is English OR a student whose first (dominant) language is English and home/heritage language(s) include both English and a language(s) other than English. <i>See related entries: heritage language, heritage speaker, home language.</i>
Native Language	See home language and L1.
NCLB	Means the No Child Left Behind Act. This act authorized several federal education programs that are administered by the states. The law was a reauthorization of the Elementary and Secondary Education Act. Under the 2002 law, states were required to test students in reading and math in grades 3–8 and once in high school. This law required data disaggregation by sub-groups, including ELs and Students with Disabilities for the first time since the ESEA was enacted in 1965.
Newcomer	Newcomers refers to any foreign-born students and their families who have recently arrived in the United States. Throughout our country’s history, people from around the world have immigrated to the United States to start a new life, bringing their customs, religions, and languages with them. The United States is, to a great extent, a nation of immigrants. Newcomers play an important role in weaving our nation’s social and economic fabric, and U.S. schools play an important role in helping newcomers adapt and contribute as they integrate into American society. (U.S. Department of Education English Learner Toolkit, 2017).
NMAC	New Mexico Administrative Code
NMPED	New Mexico Public Education Department
NMSBA	New Mexico Standards-Based Assessment
OBMS	Means Operating Budget Management System. This is the required on-line system for data entry of accounting and budgeting information to

Terms & Acronyms	Interpretation
	be used by New Mexico public and charter school districts using the Uniform Chart of Accounts (UCOA).
OCR	The U.S. Department of Education's Office for Civil Rights has responsibility for enforcing Title VI of the Civil Rights Act of 1964.
OELA	The US Department of Education's Office of English Language Acquisition provides national leadership to help ensure that English learners and immigrant students attain English proficiency and achieve academic success.
Opt Out	A parent's right to refuse services or program participation. A parent CANNOT refuse or opt out of EL status or the ACCESS for ELLs® (English language proficiency) assessment conducted annually.
PAC	A Parent Advisory Committee, required by Bilingual Multicultural Education statute (NMSA 22-23) and regulation (6.32.2 NMAC), is a group of parent representatives of the language and cultural of the students to assist and advise in the development, implementation, and evaluation of the program.
Parent	For the purposes of this manual, <i>parent</i> means <i>parent, foster parent, or legal guardian</i> .
PD	Means professional development. It is the continuous process of acquiring new knowledge and skills that relate to one's profession, job responsibilities, or work environment.
PED	Means Public Education Department, see also NMPED
Refugee	A refugee is a person who has fled his or her country of origin because of past persecution or a fear of future persecution based upon race, religion, nationality, political opinion, or membership in a particular social group. (U.S. Citizenship and Immigration Services, 2015).
RFEP	Means reclassified fluent English proficient, formerly known as <i>exited ELL</i> . It refers to a student who has reached proficiency in the annual English language proficiency assessment and is thus no longer classified as an English learner.
RfR	Means Request for Reimbursement. An RfR is a method of cost reimbursement where districts, state charter schools, fiscal agents, etc. are reimbursed through the NMPED for allowable expenses charged to a certain program/fund and that do not exceed the limitations of their approved budgets for that program/fund through the NMPED.
SAT	Means Student Assistance Team. It is a school-based group of people whose purpose is to provide additional support to students who are experiencing academic or behavioral difficulties that are preventing them from benefiting from general education, because they are either performing below or above expectations.

Terms & Acronyms	Interpretation
SBAC	Means State Bilingual Advisory Council. It was an ad hoc group that advised the NMPED through the LCD on all matters pertaining to bilingual multicultural education. Please see BMEAC.
School Board	A local school board means the locally elected, policy-setting body of a school district. Its members serve four-year terms and can be re-elected indefinitely.
SEA	Means state education agency. It is the state-level government agency within each state responsible for providing information, resources, and technical assistance on educational matters to schools and residents.
SEG	Means State Equalization and Guarantee which is also known as the New Mexico public school funding formula. This applied school funding formula determines an equitable distribution of funds that are allocated state-wide in order to equalize educational opportunity for all children in New Mexico.
SGTs	Means school growth targets and refers to the state academic proficiency annual targets based on student performance on standards-based assessments.
SHARE	Means Statewide Human Resources, Accounting, and Financial Management Reporting System. It is the State of New Mexico's employee platform for managing processes and procedures related to human resources, accounting, and finances.
SharePoint®	Means the NMPED's electronic database platform for completing and submitting BMEP applications and annual reporting as well as Title III Local Plans.
Sheltered Instruction	This approach integrates the development of English language proficiency and the acquisition of grade-level academic content area knowledge and academic skills.
SPED	Means special education as part of the Individuals with Disabilities Education Act.
Standardized Curriculum	Means district curriculum that is aligned with the state academic content standards, benchmarks, and performance standards
STARS	Student Teacher Accountability Reporting System is state reporting system used by New Mexico Public Schools to report data to the NMPED. STARS is a comprehensive student and staff information system that provides a standard data set for each student served by New Mexico's 3Y–12 public education system.
SY	Means school year. The abbreviation is used when discussing specific school years.
TA	Means the licensed school instructor, counselor, student success advisor, administrator, or instructional support provider in a school district, charter school, state educational institution, or BIE education

Terms & Acronyms	Interpretation
	school with the responsibility of administering tests under the guidelines outlined in 6.10.7 NMAC
TAFM	Means technical assistance and focused monitoring. This is the approach of the LCD to support district/state charters conduct required self-monitoring to evaluate whether their EL Program, use of Title III Funding, and BMEP are producing results.
TESOL Endorsement	Teachers of English to speakers of other languages is an endorsement given to elementary- and secondary-licensed teachers qualified to teach English as a second language classes.
Title I	Title I is supplemental federal funding provided to local school districts to improve the academic achievement of disadvantaged students. It is part of the Elementary and Secondary Education Act first passed in 1965.
Title II	Title II is supplemental federal funding provided to local school districts to improve educator quality and for teacher development (professional development).
Title III	Title III is supplemental federal funding provided through formula-based subgrants for eligible districts/state charters to assist in increasing the English language proficiency and academic achievement of its current English Learners (ELs).
Title III-Immigrant	Competitive subgrants used to enhance instructional opportunities for districts experiencing significant increases in immigrant children and youth
Title VI	Title VI of the Civil Rights Act of 1964 prohibits discrimination based on race, color, or national origin in programs or activities that receive federal financial assistance.
Transitional (BMEP Model)	A BMEP model designed to develop skills in the home language and culture while developing continued skills and proficiency in English.
Two-Way, Bilingual Multicultural Programs	See dual language immersion.
Tydings Amendment	The statutory authority for the period for obligating and expending carryover funds is the <i>Tydings Amendment</i> , section 412(b) of the General Education Provisions Act (GEPA), 20 U.S.C. 1225(b).
WIDA Screener for Kindergarten/WIDA Screener for Grades 1-12	The department-approved English language proficiency screening tests used in the English learner identification process.
WIDA	A multi-state consortium that has developed a proprietary ELD standards framework for language learning, aligned assessments, resources, and provides professional development opportunities that support educators of language learners.

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