

Title III, Part A, Subpart 1: English Language Acquisition and Language Enhancement

- 1. Entrance and Exit Procedures (ESEA section 3113(b)(2)): Describe how the SEA will establish and implement, with timely and meaningful consultation with LEAs representing the geographic diversity of the State, standardized, statewide entrance and exit procedures, including an assurance that all students who may be English learners are assessed for such status within 30 days of enrollment in a school in the State.**

New Mexico was one of the first states to adopt statewide entrance and exit procedures for English Learner (EL) students. To meet these requirements and in consultation with key stakeholders, the Public Education Department (PED) developed the department-approved New Mexico language usage survey (LUS) and the companion LUS Guidance Handbook in 2016. The LUS replaces all locally developed home language surveys that may have been previously used for soliciting information for the purpose of entrance procedures. To ensure federal compliance, our regional Office for Civil Rights (OCR) has also reviewed and provided important feedback on the department-approved LUS and corresponding LUS Guidance Handbook. Further, to ensure a uniform process across New Mexico, the PED has amended the following sections of the New Mexico Administrative Code (NMAC), or regulation, regarding Els: 6.29.5.11, Identification of English Language Learners; and 6.29.5.12, Exit Criteria for English Language Learner Status. Under 6.29.5.11 subsection D. the initial identification of a student as an English Learner and parent notification must occur no later than 30 days after the beginning of the school year, or within two weeks of initial enrollment if not enrolled at the beginning of the school year. The department-approved LUS must be completed for all new students initially enrolling in a public school. The LUS is only completed once in a student's K-12 education career beginning with school year 2017-2018. Additionally, the PED has developed a course for school staff focused on how to administer the LUS and support parents and families with its completion. New Mexico is part of the WIDA Consortium which provides standards, professional learning, and English language proficiency (ELP) screeners and assessments. Beginning with the 2021-2022 school year, New Mexico has implemented the WIDA Screener for Kindergarten as the English language proficiency screener for students in kindergarten as part of the state's EL identification process. Starting in school year (SY) 2023-2024, a WIDA Screener for Kindergarten oral language composite score (1st semester) or overall composite score (2nd semester) of 4.0 or lower identifies a student as an EL student, while an oral language composite score (1st semester) or overall composite score (2nd semester) of 4.5 or higher indicates a student is not an EL student and is thus, initial fluent English proficient (IFEP). New Mexico implements the WIDA Screener Online as the ELP screener for grades 1-12 as part of the EL identification process. For EL students with disabilities or newcomers who require a paper-based assessment per their IEP or 504 Plan, a WIDA Screener paper version is available. Starting in SY 2023- 2024 a WIDA Screener overall composite score of 4.0 or lower identifies a student as an EL student, while an overall composite score of 4.5 or higher indicates a student is not an EL student and is thus IFEP. Starting with the results of the SY 2022-2023 ACCESS for ELLs administration, New Mexico will move to a proficiency score for ACCESS for ELLs at the overall composite score of 4.7 or higher, which also serves as the proficiency criteria from EL status. At this ELP level, students are considered reclassified fluent English proficient (RFEP). The NMPED collaborated with the REL Southwest who analyzed student-level data for SYs 2017-2018 and 2018-2019 for ACCESS for ELLs, English language arts, and mathematics assessments. All students identified as EL must participate annually in an ELP assessment, regardless of disability category. The Alternate ACCESS for ELLs is an ELP

assessment for students in grades 1-12 who are classified as EL students and have significant cognitive disabilities that prevent them their meaningful participation in the ACCESS for ELLs assessment. These are students who take the Dynamic Learning Maps (DLM). New Mexico will maintain the proficiency score for Alternate ACCESS for ELLs at the overall composite score of P1 or higher. Further information is available at: <https://webnew.ped.state.nm.us/bureaus/languageandculture/english-learners/english-learner-identification/>

2. SEA Support for English Learner Progress (ESEA section 3113(b)(6)): Describe how the SEA will assist eligible entities in meeting:

- i. The State-designed long-term goals established under ESEA section 1111(c)(4)(A)(ii), including measurements of interim progress towards meeting such goals, based on the State’s English language proficiency assessments under ESEA section 1111(b)(2)(G); and ii. The challenging State academic standards.**

NMPED’s Language and Culture Division (LCD) requires that English Learners receive at least 45 minutes of specific English-language development instruction (designated ELD) per school day as well as integrated English language development, or sheltered content instruction. Sheltering is an approach that integrates the development of English language proficiency and the acquisition of grade level academic content area knowledge and academic skills. In addition to any LEA selected professional development, the WIDA eLearning program has been available to all New Mexico teachers since school year 2019–2020. WIDA includes on-demand self-paced eWorkshops to support English learners. The LCD holds EL and Title III Directors’ Meetings with a focus on technical assistance and guidance needed during the fall and spring of each school year. In addition to the Title III local plan, the LCD provides coaching as support as needed and LEAs can submit amendments and preapprovals for their local plan. In order to amend an approved Title III Local Plan, an LEA submits a Title III Amendment Form to the LCD. The LCD may request further information or additional details before approving or disapproving the request. Title III Preapprovals can be submitted at any time during the duration of the Title III subgrant. The LCD works with LEAs to collect further information or additional details before approving or disapproving the request. Further information is available at:

<https://webnew.ped.state.nm.us/bureaus/languageandculture/title-iii-supplemental-funding/>

3. Monitoring and Technical Assistance (ESEA section 3113(b)(8)): Describe:

- i. How the SEA will monitor the progress of each eligible entity receiving a Title III, Part A subgrant in helping English learners achieve English proficiency; and**

The steps the SEA will take to further assist eligible entities if the strategies funded under Title III, Part A are not effective, such as providing technical assistance and modifying such strategies. The PED’s LCD conducts technical assistance and focused monitoring (TAFM) visits around the state specifically on EL programs and Title III supplemental program funding. The NMPED conducts thorough desktop data reviews using various data points such as data reported in the Student Teacher Accountability System (STARS), English language proficiency data from the WIDA ACCESS for ELLs assessment, fiscal documents including requests for reimbursement, and documented concerns from parents, community members, and others including the Office for Civil Rights. LEAs are selected for TAFM visits based on indicators such as student performance data, student demographic information including percentage of ELs in

special education and in gifted programs as well as program information, which includes data accuracy and reporting concerns, patterns of miscommunication between program and business office, large carryover amounts, and high staff turnover in programs serving ELs. The onsite visits are conducted to assess how LEAs monitor and evaluate the effectiveness of their chosen EL programs including the use of Title III supplemental program funding. This process includes document review of student cumulative files, which includes parent notification, parent engagement, and evidence of program, as well as review of lesson plans and other artifacts and documents. Further, on an TAFM visit administrators and educator as well as parents are interviewed, and classroom instruction observed. LEA Title III reporting, as well as other reporting to the state, is used to conduct additional and targeted technical assistance and to design supports for LEAs, with local input. For example, when LEA ELP and academic data demonstrates that LEAs are not meeting annual targets that will ensure long-term goals for ELs are met, program improvement plans are required, and additional professional development training focused on understanding ELP assessment data and conducting relevant data analysis will be offered. Also, LEAs not meeting annual growth targets are required to submit additional information and be subject to conditions or pre-approval processes before expending Title III funding on goods/services that are proven to be effective in supporting the English language development and academic proficiency of ELs. Alignment of resources and program is important for ensuring a return on investment that positively impacts students. Further, LEAs whose Title III-funded EL programs are not effective will be required to make changes to instructional methods, curriculum and/or program after careful program evaluation and data analysis by both the LEA and state are conducted.