THE VIRGIN ISLANDS DEPARTMENT OF EDUCATION

VIDE's English Learner Policy and Procedures Manual for K-12

US Virgin Islands
ESOL
English for Speakers of Other Languages

Virgin Islands Department of Education

Division of Curriculum and Instruction

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GOVERNMENT OF
THE VIRGIN ISLANDS OF THE UNITED STATES
DEPARTMENT OF EDUCATION

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Assistant Commissioner

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Sally A. Camacho, Ph. D.
State Director of Bilingual Education

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GOVERNMENT OF

THE VIRGIN ISLANDS OF THE UNITED STATES

DEPARTMENT OF EDUCATION

Division of Curriculum & Instruction

STATE OFFICE OF BILINGUAL/ESOL EDUCATION PROGRAM

2133 Hospital Street

Christiansted, St. Croix, V. I. 00820

Core Committee Members

1993	**2002**	**2021**
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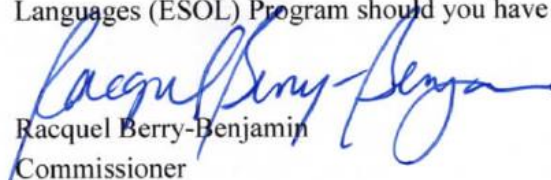| Main:	St. Croix:
1834 Kongens Gade, Charlotte Amalie	2133 Hospital Street, Christiansted
St. Thomas, U.S. Virgin Islands 00802-6746	St. Croix, U.S. Virgin Islands 00820-4665
Tel: 340/ 774-0100 • Fax: 340/ 779-7153	Tel: 340/ 773-1095 • Fax: 340/ 773-9579

August 09, 2021

Dear Colleagues and Parents:

The Virgin Islands Department of Education is pleased to present you with the **updated** technical assistance manual: *VIDE's English Learner Policy Manual for Grades K–12*. The updates and revisions are with input from teachers that are users of the manual and a team from the state and district office of Curriculum and Instruction that collaborated with researchers from the Regional Educational Laboratory Northeast and Islands (RELNEI) on the latest research assessment of English learners.

VIDE's vision for English learners is to create an inclusive environment that embraces their diverse cultural backgrounds and community heritage. All stakeholders, including students, parents, teachers, administrators, and community members, share the responsibility to develop their linguistic, cognitive, and academic skills, using evidence-based, high-quality instructional practices that provide English learners with the skills and competencies to achieve their goals and aspirations to become contributing citizens prepared for college, careers, and the global economy.

This updated manual provides a system of identification, assessment, placement, and reclassification procedures for English learners. The manual is to be utilized to place students within programs designed to support their academic success. It also provides guidelines for monitoring academic progress and exiting from programs. Moreover, the manual includes guidelines for the inclusion or exemption of students with limited English skills in standardized state-wide testing programs in compliance with U. S. Department of Education requirements. Lastly, it addresses accommodations for students who cannot participate in the standardized testing programs due to non-English and/or limited language proficiency.

We request that you utilize this manual as specified. We also encourage you to reproduce any part of the document as needed. Additionally, contact the State and District Offices of English to Speakers of Other Languages (ESOL) Program should you have questions on implementing the procedures in this manual.

Racquel Berry-Benjamin
Commissioner

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SECTION 1: INTRODUCTION

Since 1917, the U. S. Virgin Islands has been a Territory of the United States. The population of the islands represents a variety of cultures and languages. The official language of the U. S. Virgin Islands is English; however, most residents use a "Virgin Islands dialect" for daily conversations with one another and social interaction. Throughout the years, there has been immigration from other West Indian islands, adding to the richness of cultural diversity.

Spanish is the native language of a large portion of the population in the Virgin Islands. Puerto Rican migration was prevalent in the 1930s, 40s, and 50s when many Puerto Ricans relocated to Saint Croix for work after the collapse of the sugar industry. Additionally, over the last fifteen years, there has been a great deal of immigration into the territory from Africa, Dominican Republic, Haiti, India, Middle Eastern countries, the Philippines, and South America, to name a few.

The Virgin Islands is extremely fortunate to have such a multicultural and multilingual diverse community. This diversity adds to the educational success of our students as a strong foundation in the understanding of culture and language can only contribute to the educational process that leads each student to achieve his/her greatest potential. Thus, the Virgin Islands Department of Education is committed to providing quality education to meet the needs of all students in our community, reflective of our largely inclusive multicultural and multilingual population.

This manual has been developed to provide school district personnel with procedures for identifying, placing, assessing, and reclassifying of students (grades Pre-K to 12) whose native language is not English. The Virgin Islands Department of Education acknowledges its role in providing equal educational opportunities for the territory's English language learner students. It further understands that it must implement high-quality language instruction and educational programs based on sound, evidenced-based research for teaching English learners (ELs). This is to ensure that English learners will attain English proficiency and achieve at high levels in the core academic subjects. So too that they can meet the same challenging State educational content and student academic achievement standards as all children are expected to meet consistently with Title III, Section 3102(1) and (2). The Virgin Islands Department of Education also continues to adhere to statutes and case law that define the educational entitlement of English learners: *The Virgin Islands Bilingual Education Act 3208 directs the Department to establish and maintain language support educational programs and the local policies developed to comply with the legal responsibility and accountability measures.*

The necessary forms to assist in implementing these procedures are included and should be duplicated and used as needed. If further information or assistance is required to implement the outlined procedures, contact the District's Language Acquisition Coordinators or the State Office of Bilingual Education.

SECTION 2: POLICIES

The Virgin Islands Department of Education, English for Speakers of Other Languages

Program has developed this manual in accordance with Territorial and Federal Laws[1,2], as well as Federal regulations, policies, and court precedents.[3,4,5,6,7,8,9]

The rights of equal opportunity in education programs for English Learners (EL) are protected by law.[1,2] Providing the same classes, curriculum, teachers, and texts for both English-speaking and English learners may be equal treatment but does not provide equal access and equal opportunity for a meaningful education.[4] Therefore, school districts are required to provide specialized instruction and educational programs to meet the needs of English learners.[1,4,5]

GOALS FOR THE ESOL PROGRAM

Goal 1: The ESOL program shall be to develop the English language skills of listening, speaking, reading, and writing necessary for learning and achieving in English-only classes at a level equivalent to their peers whose primary language is English.[6,8,9]

Goal 2: The ESOL program shall support the cultural heritage of the child.

Approach for Goal 1 and 2: The quality of program design is a critical aspect of the federal mandate [6] and will determine students' exact competency in each of the four areas. The language development program must include educational practices that reflect scientifically based research on teaching English learners while considering the child's cultural heritage.[7]

Goal 3: The Virgin Islands' public schools must implement methods for identifying English learners at the time of enrollment; implement methods for diagnosing the student's level of English proficiency and implement methods for exiting students from English for Speakers of Other Languages Program once their linguistic and academic needs are met.[4,5,9]

Approach for Goal 3: The Office of Student Services, District ESOL Coordinator and/or ESOL Linker will follow the necessary procedures to screen for eligibility and placement.

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[1]Virgin Islands Code, Title 17, Chapter 5, Section 41a.

[2]Civil Rights Act of 1964, Title VI; Equal Education Act of 1974, 20 U. S.C.1703.

[3]Every Student Succeeds Act (ESSA), Public Law 115-224 Title III: Language Instruction for English Learners and Immigrant Students.

[4]Lau v. Nichols U. S. Supreme Court Decision of 414 U. S. 563, 1974.

[5]Memorandum, Department of Health, Education, and Welfare, 35 Fed. Reg. 11595, May 25, 1970.

[6]Task Force Findings Specifying Remedies Available for Eliminating Past Educational Practices Ruled Unlawful Under   Lau v. Nichols (Lau Remedies), 1975.

[7]Rios v. Read, 73 F.R.D. 589,595 (E.D.N.Y.-1977).

[8]Casteñeda v. Pichard, 648 F2d 989-5th Circuit (1981). [9]Idaho Migrant Council v. Board of Education (1982).

NOTE: This manual is designed to reflect the U. S. Department of Education's most recent legislation regarding inclusion of all students in standard-based reform efforts as well as the Council of Chief State School Officers' recommendations in the publication: *Understanding and Supporting the Educational Needs of Recently Arrived Immigrant English Learners, 2019.*

SECTION 3: PHILOSOPHICAL APPROACH TO THE ESOL PROGRAM

The Virgin Islands Department of Education creates an inclusive environment for English learners that embraces their diverse cultural backgrounds and community heritage. All stakeholders, including students, parents, teachers, administrators, and community members, share the responsibility to develop English learner's linguistic, cognitive, and academic skills, using evidence-based, high-quality instructional practices that provide them with the skills and competencies to achieve their goals and aspirations to become contributing citizens prepared for college, careers, and the global economy.

There must be an awareness of or noting unique strengths and attributes that should be valued and shared, recognizing that each student comes with special needs that must be addressed. The program must also consider and be responsive to the diverse cultural backgrounds of the English learner. Programs are not designed or intended to eradicate or supplant the home language or culture. Instead, these programs are specifically designed to allow students to master cognitive, academic, and language skills. While maintaining their own cultural identity, the student is also provided opportunities to become meaningful participants in life outside the classroom.

SECTION 4: FEDERAL LEGISLATION AND CASE LAW

The following legislation and case laws are provided to share the changes that have helped shape English language learners' educational policies and practices. Throughout American history, many states have struggled to provide educational opportunities to English language learners. The legislation and case laws address segregation, the right of communities to teach their native languages to their children, addressing EL students' linguistic and educational needs, equal educational opportunities for ELs, and rulings that support Bilingual Education.

ACT NO. 8555

This Act is amending title 17 Virgin Islands Code, chapter 5, section 41a relating to bilingual education to direct the Department of Education to establish and maintain the Bilingual and English Language Development Program in the VI public schools.

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

The court's decision states that the burden of proof is upon the district that the instructional program designed for an EL student has clearly developed English language skills of comprehension, speaking, reading, and writing necessary for learning and achieving in English-only instruction at a level substantially equivalent to pupils whose primary language is English. Castañeda vs. Pickard case established three principles to evaluate adequacy of a district's program that serves English learners. The three principles are:

- It must be based on "a sound educational theory."
- It must be "implemented effectively," with adequate resources and personnel.
- After a trial period, it must be evaluated as effective in overcoming language handicaps.

Civil Rights Act of 1964, Title VI

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

Equal Educational Opportunities Act, 1974

"No State shall deny equal educational opportunity to an individual on account of his or her race, color, sex, or national origin, by: (1) the deliberate segregation by an educational agency of students on the basis of race, color, or national origin among or within schools; (2) the failure of an educational agency which has formerly practiced such deliberate segregation to take affirmative steps, consistent with title IV of this Act, to remove the vestiges of a dual school system; (3) the assignment by an educational agency of a student to a school, other than the one closest to his or her place of residence within the school district in which he or she resides, if the assignment results in a greater degree of segregation of students on the basis of race, color, sex, or national origin among the schools of such agency that would result if such student were assigned to the school closest to his or her place of residence within the school district of such agency providing the appropriate grade level and type of education for such student…"

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

"[T]here is no equality of treatment merely by providing students with the same facilities, textbooks, teachers, and curriculum; for students who do not understand English are effectively foreclosed from any meaningful education." The decision also stated that there must be a policy in place to educate non-English speaking children. This policy/plan is referred to as a "Lau plan."

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

"Where the inability to speak and understand the English language excludes national origin-minority group children from effective participation in the educational program offered by a school district, the district must take affirmative steps to rectify the language deficiency in order to open its instructional program to these students."

Plyler v. Doe, 1982 (U.S. Supreme Court)

In 1982, the Supreme Court ruled in Plyler v. Doe that public schools were prohibited from denying immigrant students access to a free public education. The court stated that undocumented children have the same right to a free public education as U.S. citizens and permanent residents. Undocumented immigrant students are obligated, as are all other

students, to attend school until they reach the age mandated by state law. Public schools and school personnel are prohibited under Plyler v. Doe from adopting policies or taking actions that would deny students access to education based on their immigration status (Willshire Carrera, 1992).

The letter from the Office of Civil Rights and Department of Justice
(https://www2.ed.gov/about/offices/list/ocr/letters/colleague-el-201501.pdf) which was sent to state educational agencies (SEAs) in 2015, provides an explanation of the federal legislation and case law so that local education agencies (LEAs) can utilize to make sure that they are in compliance with federal law and guidelines. Additional guidance for states, districts and schools are provided in the Office of English Language Acquisition (OELA) Toolkit (https://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html).

Title III: Title III is a part of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by Every Student Succeeds Act of 2015 (ESSA). The purpose of Title III is to help ensure that English learners (ELs) attain English language proficiency and meet state academic standards. Additional information may be found here:
https://oese.ed.gov/offices/office-of-formula-grants/school-support-and-accountability/essa-legislation-table-contents/title-iii-part-a/
https://www2.ed.gov/policy/elsec/leg/essa/essatitleiiiguidenglishlearners92016.pdf

SECTION 5: DEFINITIONS

Basic Interpersonal Communication Skills (BICS): The English skills initially acquired by English learners which are heavily dependent on visual gestures, conversational responses, and physical interactions as cues. This type of proficiency is generally limited to conversational skills and is lacking in higher-level cognitive skills.

Committee for Identification and Placement (CIP) Team: The Committee for Identification and Placement Team helps to facilitate the identification and appropriate program placement of English learners at each school.

Cognitive Academic Language Proficiency Skills (CALPS): The English skills acquired for functioning appropriately in a cognitive and academic educational setting. This type of proficiency is generally acquired through formal instruction which involves language skills and functions of an academic or cognitive nature.

Designated ELD (Pull-Out): Designated ELD is a designated time during the regular school day when teachers provide English learners with lessons to develop English language proficiency and skills needed to learn academic content taught in English. The purpose of ELD instruction is for students to learn English at the level of native speakers (generally used in an elementary setting).

Emergent Bilingual: They are also referred to as English Language Learners (ELLs) or English Learners (ELs), who continue developing their home language while also learning an additional language. The term "emergent bilingual" is intended to positively describe these students, emphasizing that they're learning in two languages and that both languages are of value.

English Language Proficiency: The level of language competence necessary to participate fully and learn successfully in classrooms where the primary language of instruction is English.

English Learners (ELs): English learners are students who are unable to communicate fluently or learn effectively in English, who often come from non-English-speaking homes and backgrounds, and who typically require specialized or modified instruction in both the English language and in their academic courses.

English Learners with Disabilities (ELWD): English learners with disabilities are a diverse group of students with unique educational needs who require both ESOL and Special Education support, and accommodations.

English Learner Instructional Plan: The EL instructional plan provides information to classroom teachers to familiarize themselves with their EL students and their language needs. Provides teachers with an outline of demographics, schedule, test results, Can Do Descriptors, ELP services, program accommodations and modifications, goals, notes taken from the ESOL teacher, meeting notes, and recommended instructional activities.

English for Speakers of Other Languages (ESOL): ESOL is an educational support program provided to help English learners overcome language barriers and participate meaningfully in schools' educational programs.

Entry/Exit Criteria: Established to determine when a student should be placed in an ESOL program and when the same student is ready to leave the program for a regular all-English instruction classroom.

Equal Educational Opportunities Act (EEOA) of 1974: The EEOA is a federal law of the United States of America. It 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.

ESOL Linker: The ESOL teacher serves as the liaison between the teachers, the school administrators, and the State/District ESOL Offices. In collaboration with the school administrator, their primary function is to ensure that all ESOL procedures are followed and implemented at their schools.

ESOL Self-Contained: Students from various non-English language are in the same class most of the day and are taught with ESOL methodology for language arts and/or content areas.

Every Student Succeeds Act (ESSA): The Every Student Succeeds Act is a United States law passed in December 2015 that governs the United States K-12 public education policy.

Feeder School: A school from which ELs go to a junior high or high school in the same area.

Fluent English Proficient (FEP): Individuals whose English proficiency is fluent despite whether the student is classified fluent initially or reclassified as fluent. These individuals can communicate effectively, understand thoughts or ideas through the English language's grammatical system and its vocabulary using its sounds or written symbols.

Home Language or Native Language: The language normally used by an individual, or in the case of a child, the language normally used by the parents.

Integrated ELD (Push-In): Integrated ELD refers to ESOL teachers providing language and language acquisition support during regular content-area lessons. The purpose of Integrated ELD is for English Learners (ELs) to learn the content and academic language that come from the content standards being taught within lessons during English Language Arts, Mathematics, Social Studies, and Science courses.

Language Identification Form: The Language Identification form identifies students who speak a language other than English at home (Not all children who speak a language other than English at home are limited English speakers).

Long Term English Learners: Long-term English language learner is the classification given to students who have been enrolled in American schools for more than six years, are struggling academically, and are not making gains towards English proficiency due to their limited English skills.

Non-English Proficient (NEP): Individuals whose home language is other than English and are able to communicate only in their primary language.

Office of Civil Rights (OCR): The Office of Civil Rights (OCR) is a sub-agency of the U. S. Department of Education that is primarily focused on enforcing civil rights laws prohibiting schools from engaging in discrimination on the basis of race, color, national origin, sex, disability, age, or membership in patriotic youth organizations.

OPT-OUT: OPT-OUT is when the parent makes a voluntary informed decision to remove his/her child from the ESOL Program.

Targeted Assistance School (TAS): Designated schools assigned to provide appropriate instructional programs to promote the academic achievement of all English learners with specialized personnel and instructional resources. *Note: The English learners are transferred to the nearest TAS to receive ESOL services when their residential area school does not have the services. However, in the case that parents refuse ESOL services then the residential area school is responsible for ensuring that the student is provided the same opportunities for academic achievement as are provided to the mainstream students.*

WIDA Consortium: The WIDA Consortium is a research-based comprehensive system that supports its member in English learners' assessments, learning standards, professional earning, research, and policies.

SECTION 6: ESOL PROGRAM MODELS

In the United States Virgin Islands educational system, the English learner population in the public schools is diverse and represents many different languages. The English Language Development program provides accommodations to students from different language backgrounds in the same class. Teachers do not need to be proficient in their students' home language(s). However, they must still provide strategies that will help support the students learning.

This section references four sound programs in theory and effective in practice based on the U.S. Department of Education English Learner Toolkit for State and Local Education Agencies. When choosing a program, the United States Department of Education suggests four tools that will help understand students' individual needs, identify the needs of subgroups of students, and apply systemic considerations when determining what EL services and programs they should offer. EL Toolkit Chapter 2

The tools are as follows:

Tool #1, Guiding Questions to Learn About Your EL Population, can help schools/LEAs learn important information about their ELs.

Tool #2, English Learners, provides a checklist for schools and LEAs to address the needs of this group of ELs.

Tool #3, Research-Based Considerations, offers broad-based considerations for EL services and programs.

Tool #4, English Learner Program Chart, gives a brief overview of some EL programs.

The following are four (4) of the EL programs:

English as a Second Language (ESL) or English Language Development (ELD): A program of techniques, methodology, and special curriculum designed to teach English learners explicitly about the English language, including the academic vocabulary needed to access content instruction, and to develop their English language proficiency in all four language domains (i.e., speaking, listening, reading, and writing). Usually provided in English courses/classes with little use of the English learners' primary language(s).

Structured English Immersion (SEI): A program designed to impart English language skills so that the English learners can transition and succeed in an English-only mainstream classroom once proficient. Usually provided in English courses/classes with little use of the English learners' primary language(s).

Transitional Bilingual Education (TBE) or Early-Exit Bilingual Education: A program that maintains and develops skills in the primary language while introducing, maintaining, and developing skills in English. The primary purpose of a TBE program is to facilitate the English learners' transition to an all-English instructional program, while the students receive academic course of instruction in the primary language to the extent necessary. Students' primary language and English are used for instruction.

Dual Language or Two-Way Immersion: Bilingual program where the goal is for students to develop language proficiency in two languages by receiving instruction in English and another language in a classroom that is usually comprised of half primary-English speakers and half primary speakers of the other language. English and another language are used for instruction.

SECTION 7: INITIAL REGISTRATION AND IDENTIFICATION OF POTENTIAL ENGLISH LEARNERS

The Office for Civil Rights (OCR) at the U.S. Department of Education (ED), the Civil Rights Division at the U.S. Department of Justice (DOJ), and the Office of English Language Acquisition (OELA) at the U. S. Department of Education require that SEA and LEA do all possible to identify all potential English learners.

All potential English learners must be screened with a valid and reliable assessment to determine if they are, in fact, English learners within **30** days of identification. Screening is a standard measure of social and academic English language proficiency that assesses students' need for initial placement in language development support services.

A. New Incoming Students:

The Office of Student Services is responsible for completing the **Home Language Survey (HLS) (see Appendix A)** at initial registration for every child. The form must be dated and signed by the child's parent. If, after reviewing a child's record, it is discovered that an HLS is needed and has not been completed, an **HLS** must be conducted within **five (5) school days** by the ESOL Linker or the Evaluation Resource, or the District Coordinator. It must be administered in the language that the parent understands.

The purpose of the **HLS** should be clearly communicated to parents. A statement shall be included on the form specifying that:

    a. the results of the **HLS** and subsequent assessment/placement procedures will not be reported to immigration officials; and,

    b. all children have a legal right to public education regardless of their immigration status. *For further information click on*: Fact Sheet

The Office of Student Services shall review the HLS at registration and assign the student to the appropriate school. If it is determined that the child is a potential English learner, the Office of Student Services must indicate on front of the registration form "ESOL services" are needed and notify the District ESOL Coordinator and/or the ESOL Linker for screening.

ALL REGISTERED STUDENTS MUST BE ASSIGNED TO A SCHOOL IMMEDIATELY. NO STUDENT SHOULD BE KEPT OUT OF SCHOOL WHILE UNDERGOING THE PROCESS.

Section I: Preliminary Screening

All potential English learners *must* be administered the *Informal Language Interview*, which provides preliminary information about the child's language proficiency and helps determine whether further assessment and/or services are needed. If the student scores 35 or above, no further evaluation may be required. If the CIP team deems further testing is necessary after reviewing the screening data, then additional diagnostic assessments can be administered, providing further clarification. Once the ESOL teacher completes the Informal Language Interview on paper, the ESOL teacher must fill out the EL Assessment Tracker (see link below). The purpose of the EL Assessment Tracker is to capture student data in real-time. https://form.jotform.com/213195725426054

Section II: Screening for Eligibility

The Virgin Islands Department of Education is a member of the WIDA Consortium. As a member of the WIDA Consortium, The Virgin Islands Department of Education school system must use the following WIDA eligibility assessments to determine eligibility for English language assistance:

- the WIDA Model for Kindergarten, and

- the Online WIDA Screener, or

- the Paper WIDA Screener

If a student has been screened and determined ineligible for language support services, the student may be screened again at a future date for eligibility with the approval and recommendation of the CIP Team.

Please Note: All costs related to EL assessments, must be covered by the SEA as per Title III regulations.

WIDA Model for Kindergarten Eligibility Screener

WIDA Model (Measure of Developing English Language) for kindergarten is an English language proficiency assessment. As a flexible, on-demand language proficiency assessment, the WIDA Model can be administered at any time during the school year, depending on the needs of the district, school, teacher, or student.

The WIDA Model for Kindergarten test items are written to WIDA's five English Language Development (ELD) standards:

- Social & Instructional Language

- Language of Language Arts

- Language of Mathematics

- Language of Science

- Language of Social Studies

Each form assesses the four language domains of Listening, Speaking, Reading, and Writing. The WIDA Model for Kindergarten allows flexible placement within sections of the test, based on student performance. The Listening and Reading domains consist of multiple-choice questions. The Writing and Speaking domains consist of performance tasks administered and scored by local Test Administrators.

Purpose and Use of the WIDA Model for Kindergarten

 The WIDA Model for Kindergarten can be used to:
- Serve as an interim assessment during the school year, providing information that informs instructional planning and other decisions related to students' education.

Scores

WIDA Model for Kindergarten scores are reported as *proficiency level* scores in all four domains (*Listening, Reading, Speaking, and Writing*) for students. In addition, score reports include three composite scores:

- Oral Language (50% Listening and 50% Speaking)
- Literacy (50% Reading and 50% Writing)
- Overall (35% Reading, 35% Writing, 15% Listening and15% Speaking)

Proficiency level scores from WIDA Model for Kindergarten can be used in conjunction with WIDA Can Do Descriptors and the WIDA English Language Development Standards Framework to help teachers effectively plan instruction for their ELs.

*Scale scores are not reported for the WIDA Model for Kindergarten.

Any student scoring an overall composite score below *4.5* on the WIDA Model for Kindergarten *must be identified as limited English proficient and require placement in the ESOL Program* once the parent voluntarily agrees. The WIDA Model for Kindergarten should be considered as only one piece of evidence in the decision-making process regarding placement. Additional evidence such as writing samples, family background, performance, observation notes, and anecdotes should be factored into the decision-making.

The WIDA Screener for Eligibility

The WIDA Screener for students in grades 1-12 is divided into grade clusters: 1; 2-3; 4-5; 6-8; and 9-12. The instructions as to the appropriate grade cluster screener to be administered to the students in grades 1-12 are outlined in the WIDA Screener Test Administration Manual and the administration procedures should be followed as indicated in the manual.

The criteria for eligibility are as follows:

1. Administer all four components of WIDA Screener: Listening, Speaking, Reading and Writing.
2. If the student's Grade Level Adjusted Overall Composite score is < 4.5 on the WIDA Screener;
3. And if the WIDA Screener < 4.0 in any of the domains the student requires English language assistance services.

Differentiated Identification Criteria for Students with Disabilities

1. State allows ELs with documented disabilities to be exempt from assessment in domains which they are unable to be assessed. The composite score will be calculated using the average of the accessed domain. For a student with an IEP or 504, follow the appropriate accommodations noted in their plans.

FINAL PLACEMENT PROCESS

The Committee for Identification and Placement (CIP) Team shall convene within ten **(10)** school days after receiving the results of the screener to discuss the appropriate placement (See page 13).

- If a student is assigned to an ESOL Education Program, the parent must complete and sign the Parental Consent Form.
- If the findings indicate the need for ESOL services and the parent does not consent or opts out, the Virgin Islands Department of Education and the school are responsible for providing language support services for the child and/or any other intervention necessary for the student's academic success. Even though the parent opted out from receiving ESOL services, the child continues to be monitored for at least four years as an EL who has exited EL program and services. The child should be reassessed a minimum of once per year until he/she exits EL status (see Page 23).

- The parent must sign the *OPT-OUT Form* if the student is to be opted-out from the ESOL Education Program. The parent also needs to know that even though the child will not be a part of the ESOL program the child still retains his or her status as an EL (See EL Tool Kit: Tools and Resources for Serving English Learners Who Opt-Out of EL Programs, Chapter 7). The Virgin Islands Department of Education and the school must still provide appropriate support services outside of the ESOL program for the student even though they have opted out.

Note: *Parents should leave the CIP meeting understanding the right to accept or refuse ESOL services at any time. The parent also has the right to request information regarding their child's school performance and behavior at any time.*

Section III: Language Identification Form (LIF)

The Virgin Islands Department of Education is required to provide information to the US Department of Education in Washington, D.C. on the number of students enrolled in each classroom who may be limited or non-English proficient. *The Civil Rights Act of 1964, Title VII; Equal Education Act of 1974,* and *Title III of Every Student Succeeds Act (ESSA), Public Law 115-224* also mandate implementation of effective methods for identifying and assessing these students to ensure appropriate linguistic and academic program placement.

An English learner student is one who:

- was not born in the United States or whose native language is a language other than English and comes from an environment where a language other than English is dominant; or

- comes from an environment where a language other than English has had a significant impact on such individual's level of English language proficiency; or

- is migratory, and whose native language is other than English, and comes from an environment where a language other than English is dominant; and

- has sufficient difficulty speaking, reading, writing, or understanding the English language and whose difficulties may deny such individual the opportunity to learn successfully in classrooms where the language of instruction is English or to participate fully in our society.

Students identified in the Language Identification form will not signal the student as needing ESOL services. However, if there is a concern with a particular student's English language proficiency, then the student may be referred for English language assessment. Subsequently, the screening for eligibility process must be followed.

SECTION 8: COMMITTEE FOR IDENTIFICATION AND PLACEMENT (CIP)

To facilitate the identification and appropriate program placement of English learners, each school shall establish a **Committee for Identification and Placement (CIP)** in consultation with the District Office of English for Speakers of Other Languages (ESOL). Membership of the CIP shall consist of, as appropriate, but not be limited to:

- School Administrator
- School Guidance Counselor
- Classroom Teacher
- ESOL School Linker
- ESOL Teachers
- Parent(s)/Guardian(s)
- Translator/Interpreter (if necessary), and/or
- District Coordinator of ESOL Program
- Special Education
- School Psychologist
- Resource Teacher

The District Coordinator of the ESOL Program will be the chair of the Committee for Identification and Placement. The primary function of the CIP Committee is to make academic and programmatic decisions that are in the best interest of the English learner. No single person should make any decision regarding the educational placement of an EL student. The CIP Committee may not convene if the School Administrator or the District Coordinator for the ESOL Program is not present.

The **CIP** shall be responsible for the following tasks:

- Review the language proficiency level of each English learner based on evaluation information presented;
- Review and discuss the English Learner Plan created by the ESOL Linker.
- Ensure the appropriate program and instructional placement of each English learner;

- Implement appropriate procedures for assessing language proficiency and achievement levels;
- Make recommendations for instructional or other supportive services for English learners and mainstreamed students;
- Reclassify English learners based on teacher input and recommendation and monitor the progress of mainstreamed students to determine the need for further services or changes in their program of instruction. Students must be monitored for four (4) full years after being mainstreamed:
- Ensure proper implementation of record keeping procedures are followed;
- Ensure that rules and regulations for confidentiality are carried out;
- Make recommendations concerning the placement of each student in the ESOL Program and all related services based on prior schooling and age-appropriate grade level;
- Provide written notice to the parents of the CIP Teams recommendation for the child to participate in the ESOL Program. According to *Title III, Part C, Section 3302(a)*, each LEA shall, "not later than thirty (30) days after the beginning of the school year, inform a parent or the parents of an LEP child identified for participation in, or participating in" an ESOL Program;
- Observe all rules and laws governing the EL student's ESOL Program placement and academic needs;
- Review the ELs progress in language acquisition annually and academic achievement on at least a quarterly basis.
- Determine best grading procedure for the EL;
- Lend emotional support and encouragement to the EL as he/she adjusts to life in the new school;
- Make recommendations for professional development regarding meeting the needs of ELs in the classroom; and,
- Make recommendations for parental involvement and provide parents with workshops on how to support the academic needs of their children.

SECTION 9: ESOL LINKER

The ESOL Linker is responsible for making sure that activities occur in a timely manner. Schools with more than one ESOL teacher will assign which ESOL teacher becomes the ESOL Linker. The ESOL Linker serves as the liaison between the teachers, the school administrators, and the State/District Bilingual Education/Language Acquisition Offices. In collaboration with the school administrator, their primary function is to ensure that all ESOL procedures are followed and implemented at their schools. Specific tasks include, but are not limited to, the following:

Facilitate the identification of English learners by:
   a. Reviewing all Home Language Surveys, the Language Identification Form and the Informal Language Interviews to determine which students need further language proficiency assessment; and,

   b. Scheduling of the screener and the annual English language proficiency assessment.

Coordinate activities in preparation for CIP meetings by:
   a. Scheduling CIP meetings;
   b. Notifying CIP members of the date, time, and location of meetings;
   c. Securing the services of a translator for meetings when necessary;
   d. Informing the students' parent of their rights; and,
   e. Preparing meeting agendas.

The ESOL Linker will create a "Yellow" Folder and place it in the EL student's cumulative record after the student is placed into the ESOL Program. The "Yellow" Folder is considered part of the student's cumulative folder, and therefore it is a legal record. Hence, the ESOL Linker must ensure it is accurate and up to date after each meeting.

Create an English Learner Plan with instructional goals, schedule of ESOL services, accommodations, and instructional recommendations.

Prepare and submit reports to the principal, the District Office of Language Acquisition Programs, or other appropriate Department of Education administrators or Bilingual State office as required or requested.

Ensure that the students are provided educational services while they are awaiting initial assessment and placement.

The ESOL Linker will **coordinate** ESOL support services such as interventions, after-school programs, tutoring, and homework support at the school level for each English learner with the assistance of the registrar and school counselor.

Coordinate with the District Coordinator of Language Acquisition for instructional support and the acquisition of supplemental materials.

SECTION 10: PROGRESS MONITORING OF ENGLISH LEARNERS

The Local Education Agency is required to monitor and regularly assess the progress of all ELs, including those who have opted out of EL programs, in both English language proficiency (ELP) and content knowledge. For this reason, the task of progress monitoring is performed by the ESOL District Coordinator, the ESOL teacher(s), and the content classroom teacher. Additional support services are offered as needed. Student performance is monitored by various methods, such as report cards, test scores (WIDA ACCESS for ELLs 2.0, Smarter Balanced, and iReady), informal observation, and discussions with the classroom teacher(s) parents, and the students themselves. English learners are entitled to modifications in content instruction and grading. We cannot fail students solely on language proficiency. A list of classroom modifications is found in the English Learners Digital Tool, and classroom teachers are provided information in the students' English Learners Plan. Some classroom modification examples are:

1. Additional visual resources
2. Use of primary language to aid instruction
3. English/native language dictionary or electronic translator
4. Teach student to use dictionary in class and on tests
5. Highlighted texts/study guides, graphic organizers/guided outlines
6. Teach specific note-taking skills
7. Use manipulatives and realia
8. Provide supplemental multimedia resources
9. Use individual or small-group instruction
10. Scheduled extended time for projects and assignments

Each English learner must be tested annually utilizing State approved *ACCESS for ELLs 2.0* to determine whether a change in services or program is necessary. After the test results are received, an annual CIP meeting is conducted to discuss the EL students and their language development according the WIDA ACCESS for ELLs 2.0 and their academic progress for the school year. Once the CIP Team has met, a meeting with parents should be scheduled to discuss with them their child's language development and academic progress. The CIP Team will review and make appropriate recommendations and/or changes for the next school year so that there will not be a gap in services and adequate planning for program and staff may occur. The CIP can meet more often if:

1. Further evaluations indicate possible change in services or program.

2. The student's teacher considers that the student needs any additional service or a change in program, OR

3. The student's parent(s) request a meeting.

SECTION 11: EXITING ESOL PROGRAM

A student is considered ready to exit the ESOL Education Program when all the following criteria have been met:

- Obtains an overall composite score of a 4.5 or above on the *ACCESS for ELs 2.0* and,
- Scores a 4.0 in each domain (listening, speaking, reading, and writing) and,
- Has a passing grade in English language arts, AND has the,
- CIP Team recommendation.

Differentiated EXIT Criteria for Students with Disabilities on ACCESS

- For EL students who are waived from taking one or two domains of the ACCESS test due to an identified disability, as identified in the student's current IEP, the WIDA Less Than Four Domains Calculation Tool should be used to calculate the student's alternate overall Composite Scale Scores (aoCSS). The state approved Exit criteria are aoCSS ≥ 4.5.

Alternate ACCESS EXIT Criteria

- Alternate Access Greater than or equal to PL P2

Once a student exits the ESOL Program, he/she must be provided follow-up support services. The ESOL teacher must provide the classroom teacher with the EL Plan so they can familiarize themselves with their students and their language needs. The plan will provide teachers with an outline of demographics, schedule, test results, Can Do Descriptors, ELP services, and program, accommodations and modifications, goals, notes taken from the ESOL teacher, meeting notes, and recommended instructional activities. The ESOL teachers may use an *English Learners Digital Tool* to provide support activities to content teachers.

In addition, the student must be monitored for four years to determine (Under Title III of the ESEA, as amended by ESSA [Section 3121(a) (5)], LEAs must report on the number and percentage of former ELs meeting state standards for four years) if he/she is academically successful, is competing appropriately with peers, and can perform at age/grade level. If the student appears to be having academic problems, he/she shall receive additional instructional support.

English learners must be afforded the same resources available to their non-English learners' peers, including targeted instruction and interventions based on students' needs. In addition, the academic achievement expectations for English learners must be the same as those applied to all children in the territory.

If an exited EL is not progressing academically as expected, and rigorous monitoring suggests a persistent language need, the LEAs should re-test the student's English Language Proficiency (ELP) with the WIDA ACCESS for ELLs 2.0 assessment to determine if the student should be offered additional language assistance services. In no case should re-testing of an exited student's ELP be prohibited. If the student is reentered into ESOL

Program, however, the LEA should document why and obtain the parent's consent to reentry. The reclassification must be satisfied with the school registrar and added to the ESOL Program. If SEAs or LEAs find that changes to exit criteria or procedures are necessary, SEAs and LEAs need to provide teachers and staff with appropriate training.

Monitoring Procedures after Exiting the Program

Each subsequent year, a monitoring form is completed with data from State Content Assessment test results, benchmark assessments, teacher observations, core content area grades, and attendance and tardiness data. The ESOL teacher will be responsible for distributing monitoring forms to content classroom teachers and should retain a copy in the EL student's cumulative file. The ESOL teacher will collaborate with content classroom teachers if there are concerns about any student monitoring status. If concerns are noted on the monitoring form, the CIP team will meet to review academics and English language proficiency and any other reasons for concerns.

Staff responsible for monitoring:

ESOL teacher in collaboration with the classroom teacher.

SECTION 12: GRADING AND RETENTION POLICY AND PROCEDURES FOR PROMOTION

The following guidelines assure that fair practice is taking place and consideration of ELs' language proficiency is not being discriminated against. Retention of ELs shall not be based upon the level of English language proficiency (Section I, Part G, and Guidelines to Satisfy Legal Requirements of *Lau v. Nichols*).

Note: Each EL student in grades K-12 will be administered the *WIDA Model for Kindergarten and/or ACCESS* to determine his/her English proficiency level. Assigning letter or numerical grades is recommended based on his/her ACCESS score.

1. If a student is a recent arrival or has received less than one (1) full year (12 months) of academic instruction in grades Kg to 12th and has satisfactory attendance, they may not retain.

2. Lack of ability to read and write in English cannot be the basis for an "F." It is against federal regulations to fail a student because he/she is not proficient in English.

3. A grade of "F" *cannot be assigned* to an EL student if instructional and intervention strategies, materials and assessments have not been accommodated and/or modified to meet students linguistic and academic needs, as required by State and Federal mandates (documented evidence required)

4. If Parent(s)/Guardian(s) have not been informed of their child's lack of academic progress throughout the academic year (documented evidence required)

5. Students in grades 9th through 12th are provided the opportunity to earn credits towards graduation. Student grades reflect work done with accommodations and instructional supports and are noted in the comment section of the report card.

Traditional procedures for assigning grades to students may not be appropriate for ELs. The same methods and criteria applied to their English-speaking age and/or grade peers should not be the same as to assess students who lack English language proficiency. Teachers are encouraged to maintain high expectations for student learning and are to accommodate and adapt lessons and assignments so that ELs can access the curriculum and demonstrate progress. Appropriately accommodated assessments help ELs demonstrate their knowledge and skills.

SECTION 13: PARENT PARTICIPATION AND RIGHTS

The student's parent(s) or guardian(s) shall be considered a partner in the educational and decision-making process and, in decisions concerning their child. Placement into ESOL education programs can only occur after written permission has been received from the student's parent(s). Parents have the right to opt their children out of EL programs (Title I require LEAs to notify parents of their child's EL status and their right to opt their child out of EL programs [Section 1112 (e)(3). This decision must be voluntary and based on a full understanding of the EL child's rights, the range of services available to the child, and the benefits of such services to the child. Parent must be given the opportunity to give or refuse to give signed consent for placement at initial placement and when changes in placement are recommended.

If a parent decides to opt his or her child out of EL programs, that child still retains his or her status as an EL (See *EL Tool Kit: TOOLS AND RESOURCES FOR SERVING ENGLISH LEARNERS WHO OPT OUT OF EL PROGRAMS, CHAPTER 7)*. The district (LEA) must continue to monitor the English language proficiency (ELP) and academic progress of students who opt out of ESOL programs and services. If a student does not demonstrate appropriate growth in English language proficiency or maintain appropriate academic levels, the district must inform the parents in a language they understand and offer ESOL services.

Parents are encouraged to attend the CIP meetings; therefore, they must be notified in writing, in their native language, at least five **(5)** school days prior to any CIP meetings set to discuss the progress of their child's or to make placement recommendations.

Parents may have access to their child's records and shall be granted the record upon request. (See "Student Records" section.) If a parent disagrees with any information presented in the student's record, he/she has the right to present, in writing, other information about his/her child's performance to be placed in the record.

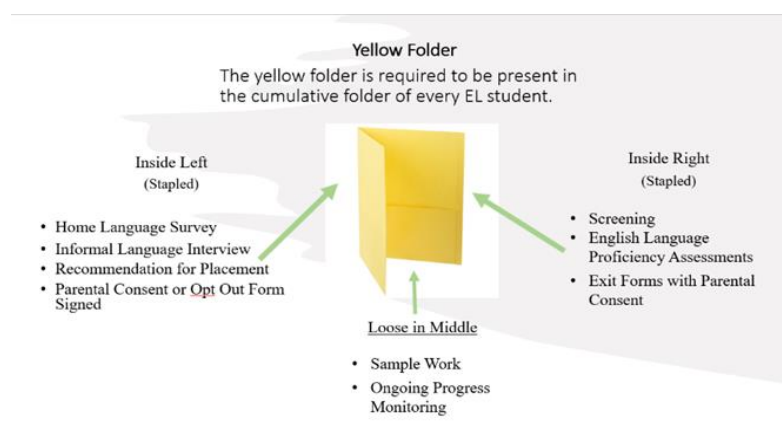## SECTION 14: STUDENT RECORDS (THE "YELLOW FOLDER")

A record for each EL student must be kept on file in the "Yellow Folder" and maintained by the school guidance counselor in the cumulative folder. The "Yellow Folder" is considered part of the student's cumulative record and is a legal record therefore, it must be accurate and up to date. Records must include:

1. Student's **Home Language Survey** designating him/her as a non-English Language Background (NELB) student.

2. Student's Informal Language Interview, if administered, designating the student as NEP, LEP or FEP;
3. Designation of student's level of English language proficiency in comprehension, speaking, reading, and writing as determined from assessments;
4. Recommendation of program placement;
5. Parental approval of entry or placement into program;
6. Dates of entry and placement into program;
7. Results of periodic English language proficiency assessments and review of placement.
8. Date of exit from program and parent approval (or disapproval).
9. Results of monitoring for academic and social success; and,
10. Flow Chart for Identification, Assessment and Placement of EL Students.

All student records are considered confidential and are to be kept in the Cumulative Record folder. Parent consent must be obtained before student records can be disclosed to anyone other than officials using this information to carry out the tasks of assessment, placement, and monitoring of the student.

Parents may choose to sign a release of information to others for legitimate purposes if they are first informed of their right to refuse to sign the release. The release lists the specific agency and individual to whom the information may be disclosed, in addition to the type of information that is to be disclosed. Parents must be able to revoke the release at any time.

Districts may select an *English Learners Digital Tool* to monitor the students' placement, generate individualized learning plans, chart progress based on assessment results and the proficiency levels, generate parents' forms, and maintain students' records.

Yellow Folder
The yellow folder is required to be present in
the cumulative folder of every EL student.

Inside Left
(Stapled)

- Home Language Survey
- Informal Language Interview
- Recommendation for Placement
- Parental Consent or Opt Out Form
  Signed

Inside Right
(Stapled)

- Screening
- English Language
  Proficiency Assessments
- Exit Forms with Parental
  Consent

Loose in Middle

- Sample Work
- Ongoing Progress
  Monitoring

SECTION 15: ENGLISH LANGUAGE PROFICIENCY AND STATE ACADEMIC ASSESSMENTS

ESSA Requirements

The VIDE is committed to providing students, parents, educators, and stakeholders with information they need to improve the quality of teaching and learning across the territory. In addition, the VIDE is committed to meeting the requirements of Every Student Succeeds Act of 2015, Under ESSA, states are required to administer annual summative assessments of English Language Arts/Literary and Mathematics to all students enrolled in grades 3-8 and once in high School, a science assessment in each grade span, and an English Language proficiency assessment to all ELs in grades K-12. All students must participate in mandated testing. The participation of ELs in the Virgin Islands territory's assessment system upholds the expectation of equity and excellence for all by measuring the progress of ELs in English Language attainment and mastery of the college and career readiness standards.

ESSA requires all state assessments to provide for the following:

- the reasonable adaptations and accommodations for students with disabilities necessary to measure the students' academic achievement relative to state academic content and state student academic achievement standards; and
- the inclusion of ELs, who shall be assessed in a valid and reliable manner and provided reasonable accommodations on assessments administered, including, to the extent practicable, assessments in the language and form most likely to yield accurate data on what students know and can do in academic content areas, until they have achieved English language proficiency.

Academic Assessments of English Language Proficiency

ESSA requires that each state and/or territory administers an annual assessment of English proficiency (meaning students' oral language, reading, and writing skills in English) of all students with limited English proficiency in the public schools.

WIDA ACCESS for ELLs 2.0

The WIDA ACCESS for ELLs 2.0 assessment exceeds the requirements of the ESSA and is used to measure and report an EL's growth. It is a standards-based, curriculum-referenced English language proficiency assessment designed to measure an EL's social and academic English proficiency and progress. It assesses the social and academic language across the four language domains of speaking, listening, reading, and writing. More information on WIDA ACCESS for ELLs 2.0 can be found here https://wida.wisc.edu/assess/access.

The results of WIDA ACCESS for ELLs 2.0 assessment:

- serve as one criterion to aid in determining when ELs have attained the language proficiency needed to meaningfully participate in content area classrooms without ESOL program support and state assessments without accommodations; provide districts with information that will aid in evaluating the effectiveness of ESOL programs; and
- identify English language proficiency level.

All students identified as ELs—including those whose parents have waived ESOL services—must be administered the WIDA ACCESS for ELLs 2.0 during the annual English language proficiency testing window (Under Title III of the ESEA, as amended by ESSA [Section 3121(a)(5)], LEAs must report on the number and percentage of former ELs meeting state standards for four years).

Proficiency Levels and Instructional Supports

All WIDA assessments provide an English language proficiency performance level score based on a scale of **1.0 to 6.0.** The expectations and instructional support for students at each performance level are as follows:

6- Reaching	• specialized or technical language reflective of the content areas at grade level • a variety of sentence lengths of varying linguistic complexity in extended oral or written discourse as required by the specified grade level • oral or written communication in English comparable to English-proficient peers
5- Bridging	• specialized or technical language of the content areas • a variety of sentence lengths of varying linguistic complexity in extended oral or written discourse, including stories, essays, or reports • oral or written language approaching comparability to that of English-proficient peers when presented with grade level material
4- Expanding	• specific and some technical language of the content areas • a variety of sentence lengths of varying linguistic complexity in oral discourse or multiple, related sentences or paragraphs • oral or written language with minimal phonological, syntactic, or semantic errors that do not impede the overall meaning of the communication when presented with oral or written connected discourse when sensory, graphic or interactive support
3- Developing	• general and some specific language of the content area • expanded sentences in oral interaction or written paragraphs • oral or written language with minimal phonological, syntactic, or semantic errors that do not impede the overall meaning of the communication when presented with oral or written connected discourse when sensory, graphic or interactive support
2- Beginning	• general language related to the content areas • phrases or short sentences • oral or written language with minimal phonological, syntactic, or semantic errors that do not impede the overall meaning of the communication when presented with oral or written connected discourse when sensory, graphic or interactive support
1-Entering	• pictorial or graphic representation of the language of the content areas • words, phrases, or chunks of language when presented with one-step commands, directions, WH-, choice or yes/no questions, or statements with sensory, graphic or interview support • oral language with phonological, syntactic, or semantic errors that often impede meaning when presented with basic oral commands, direct questions, or simple statements with sensory, graphic, or interactive support

Alternate ACCESS for ELs

WIDA created the Alternate ACCESS for ELs to meet federal accountability requirements and provide educators with a measure that is sensitive to the English language proficiency growth of ELs with significant cognitive disabilities. The assessment is for grades 1–12 and is for students whose disabilities prevent their meaningful participation in the ACCESS for ELs assessment. (Typically, less than 1% of assessed students participate in the alternate assessment).

Alternate ACCESS for ELs aligns with the WIDA alternate English language proficiency levels. These levels were designed to expand upon level P1-Entering, by increasing the sensitivity of the measure. These alternate levels give students a chance to demonstrate progress within level P1. Currently, there are no exit criteria. Only students taking an alternative state assessment are eligible to take the Alternate ACCESS for ELs. More information about the Alternate ACCESS participation criteria can be found here, https://wida.wisc.edu/sites/default/files/resource/Alt-Access-Participation-Criteria-Diagram.pdf

Assessment Accommodations for ELs on the WIDA Assessment

State and federal laws require that all ELs participate in an annual English language proficiency assessment (http://www2.ed.gov/policy/speced/guid/idea/memosdcltrs/q-and-a-on-elp-swd.pdf). The annual assessments measure EL student's proficiency and progress in learning English in the language domains of listening, speaking, reading, and writing. It is important to keep in mind, that no student identified as an EL may be exempted from these tests, including students with disabilities.

The Individuals with Disabilities Education Act (IDEA) requires that states and territories provide appropriate accommodations where needed, in accordance with a student's Individualized Education Program (IEP) as defined in Section 602(3) of the Act and 34 CFR§300.8. A student who has a 504 Plan, or who is covered under Title II of the Americans with Disabilities Act (ADA), is also eligible to receive accommodations.

Accommodations are changes in procedures or materials that increase equitable access for a student by overcoming the effects of a disability during ACCESS for ELs, Kindergarten ACCESS for ELs, WIDA Screener, and Alternate ACCESS for ELs administration to allow the student to effectively demonstrate their knowledge and skills while generating valid assessment results for students who need them. Accommodations are intended for students for whom there is a documented need in an IEP or 504 Plan. The CIP Team must meet to make decisions for students covered under Title II of the ADA or IDEA. Accommodation decisions many are not made by a teacher individually or other school personnel outside of the IEP process described in IDEA (34 CFR§300.320 through 300.324.4).

Determining Appropriate Assessment Accommodations

ELs may need accommodations during state assessment administration. Accommodations should be considered for ELs by a group of educators familiar with the student. ELs with disabilities are entitled to appropriate and approved accommodations to address his/her identified disabilities. In these instances, at least one ESOL professional should be a participating member of the IEP or 504 team to see that the language needs of the student are met. Teachers will find the accommodations for all ELs in the EL Plan.

Here is a list of some of the accommodations for ELs with disabilities:

1. Flexible scheduling
2. Group size
3. Environmental modifications
4. Assistance with directions
5. Reading test items in English
6. Interpreting test items
7. Native language dictionary
8. Bilingual dictionary
9. Extra time
10. Other (see IEP or 504 plan)
11. First Year Exempt from Reading

Decisions should be made by the CIP Team responsible for planning the student's academic program and should be shared with the student's parents. Decisions about accommodations should not be made by an individual as stated previously. The role of the CIP Team is to discuss the student's needs and the accommodations that may help the student for state testing and decide what accommodations will be used. It is good practice to document the accommodations used to aid in future decision-making and documentation should be maintained in the Yellow Folder of the EL student's cumulative record.

Smarter Balanced State Assessments for ELs

The educational reform brought about the ideas of standardizing academic content, language, and assessments. The Smarter Balanced assessment aligns the academic content, language, and assessment by grade-level expectations. According to the Smarter Balanced Assessment Consortium: Usability, Accessibility, and Accommodations Guidelines (2015), Smarter Balanced builds on a framework of accessibility for all students, including English Learners (ELs), students with disabilities, and ELs with disabilities. Therefore, since English Language Learners are not exempt from taking the Smarter Balanced assessment, for this reason, Smarter Balanced acknowledges that the validity of assessment outcomes will depend on the appropriate universal tools, designated supports, and accommodations that each student has access to and uses when needed based on the constructs being measured by the assessment. These universal tools designated supports, and accommodations are provided during the assessment periods. To see the universal tools for ELs without disabilities please visit:

file:///C:/Users/teach/OneDrive/Desktop/Smarter%20Balanced%20usability-accessibility-and-accommodations-guidelines%20(1).pdf

Recently Arrived English Learners (RAELs)

The US Virgin Islands is utilizing the flexibility option in ESSA that allows states up to three years before fully including RAELs' achievement results on state assessments into the accountability framework.

- In year one, RAELs will participate in state assessments, and those results will be excluded from accountability.
- In year two, RAELs will participate in state assessments, and those results will be included only in the VIDE growth metric for accountability.

Results for all ELs in years three and beyond will be included in both achievement and growth metrics for accountability.

SECTION 16: ENGLISH LEARNERS WITH DISABILITIES

English language learning is not a disability and cannot be regarded as such. However, ELs are often mis-diagnosed as having a disability. For this reason, the law requires an evaluation by a multidisciplinary team, which can include observation and formal or informal assessments that determine a student's eligibility. The thirteen (13) disability categories in the Individuals with Disabilities Education Act (IDEA) can help understand some of the characteristics of students with disabilities. Still, they do not define what these students know and can do (Thurlow, Wu, Quenemoen, & Towles, 2016). A student's disability(ies) may prevent them from using skills in one or more domains (e.g., listening, speaking, reading, writing).

A student's progress toward English language proficiency may vary depending on the program type (e.g., based on the student's Individualized Education Program (IEP) or language development program), age at which the student entered the program, initial English proficiency level, communicative competence, and other factors (Christensen & Shyyan, 2018).

Students who are English learners who have been identified as having a disability, like all students with disabilities, have the right to receive instruction and the least restrictive environment with access to supports and accommodations as determined by the IEP team (Shyyan, Gholson & Christensen, 2018). Federal law mandates that teams of general education personnel, special education personnel, additional specialists (as relevant), and parents/guardians be responsible for making eligibility determinations for special education services (IDEA, 2004). Collaboration among various experts is especially important for English learners, as there are multiple sociocultural and sociolinguistic factors that may influence their performance in schools (Artiles & Ortiz, 2002). Therefore, it is important to

avoid misinterpreting such factors for disabilities. Moreover, it is important to ensure that students with disabilities receive services.

The IEP Team or 504 committees should collaborate with school ESOL professionals to determine the English language development needs of an EL with an identified disability. For example, an EL with a disability that affects his/her language acquisition will need support from both EL and special education personnel.

Prior to accepting a referral for special education, an evaluation of the EL's academic performance must be made to determine if the student's needs are being met within the context of the regular education program. Documentation from the ESOL and content teacher should include comprehensive review of such measures as classroom observations, student work, assessments, accommodations, applied interventions and interviews with classroom teachers and parents. Specific indicators, which validate the need for special education evaluation, include:

- Information regarding health, attendance, and cultural/economic/social background from student records or gathered through parent interview
- Consideration of the amount of time the EL takes in developing the other language.
- Poor communicative proficiency in the home as compared to siblings and age peers in bilingual environments, especially deficiencies noted by parents.
- English language development appears to be significantly different from that of peers who are speakers of other languages based on work samples (across contexts and in different modalities, for example, oral language, writing, reading, and behavior)
- Developmental delays or other at-risk conditions observed of the EL.
- Data on students' access to and participation in research-based grade-aligned general education curriculum, including English language development instruction.
- Evidence of any interventions and student response to these interventions. Evidence of any accessibility resources and/or accommodations during instruction and/ or assessments.
- State standardized assessments, including content and ELP assessments
- Local assessments, including district/local examinations, progress monitoring measures.

Additional pertinent information regarding the EL referral form may include but not be limited to:
- Identification of a proficient use of native language (e.g., Home Language Survey Informal Language Interview, WIDA Model for Kindergarten, and WIDA Screener).
- Length of residency of the referred student in the United States and prior school experience in the native country and in an English language school system.
- The amount of time and extent of services in an English language instruction and academic program for students who have had little or no formal schooling.

- In the attempts to remediate the student's performance prior to the referral, the school will use a multi-tiered approach that includes screening, progress monitoring, and other supporting assessments to inform data-based decision-making and differentiate instruction for ELs.
- It is in the student's best interest to improve communication between parents and the school by involving families in the process.

Based on the review of the submitted documentation, the Basic Child Study Team, which must include the ESOL teacher and the general education classroom teacher, can recommend the referral of an EL student to special education for evaluation. After the exhaustion of all other avenues and accurately identifying the student as at risk of poor learning outcomes or challenging behaviors through screening, progress monitoring, high-quality, **SCIENTIFICALLY BASED CLASSROOM INSTRUCTION**, the conclusion reached is that the student's learning rate and level of achievement are that the regular education program failed to meet the EL's academic needs. The data is then used to determine testing, intervention services, and other supports proper at the time.

Referral information may indicate the necessity of a structured developmental history to evaluate the student's needs. The information gained from this history would help distinguish whether the student's issues noted are being caused by sociocultural and sociolinguistic factors or a learning disability. The information recorded should remove all doubt that sociocultural and sociolinguistic factors are the primary contributors to the student's reported learning or behavior problems. Essential factors needed to make this determination may be beyond the referral information required for non-LEP students.

Only once all the indicators cited above have been thoroughly investigated may the Special Education team, including the ESOL educator, determine the appropriate test to be administered. Upon completing all evaluation material and information, the IEP Team will meet to determine if the student qualifies for special education services. If the EL student qualifies for special education services, the ESOL District Coordinator and the ESOL teacher must be included in the staffing to coordinate the student's services based on his/her needs.

SECTION 17: ENGLISH LANGUAGE DEVELOPMENT STANDARDS

WIDA ELD's are designed to represent and enhance Common Core State Standards within its current framework. The language demands of these content standards have been addressed in numerous ways to ensure that ELs at all levels of English proficiency have the opportunity to engage in the cognitive challenges represented in those content standards. In addition to the core knowledge and skills represented in content standards, students need to develop social, language, and cross-cultural competencies to be successful in school and beyond.

WIDA Standards Framework

All educators with English learners in their classroom are responsible for utilizing the WIDA Standards and Framework along with the Common Core State Standards collaboratively to ensure continuous pathways to academic success. The WIDA standards framework is built around five components:

1. English Language Development Standards and Performance Definitions
2. WIDA Can do Philosophy,
3. Guiding Principles of Language Development,
4. Age-appropriate Academic Language in Sociocultural Context, and
5. Standards of Model Performance Indicators.

English Language Development (ELD) Standards

The WIDA ELD standards are designed as a curriculum and instruction planning tool. They help educators determine student's ELD levels and how to appropriately challenge them to reach higher levels.

The following are the WIDA ELD standards:

1. English learners communicate for social and instructional purposes within the school setting.
2. English learners communicate information, ideas, and concepts necessary for academic success in the content area of language arts.
3. English learners communicate information, ideas, and concepts necessary for academic success in the content area of mathematics.
4. English learners communicate information, ideas, and concepts necessary for academic success in the content area of science.
5. English learners communicate information, ideas, and concepts necessary for academic success in the content area of social studies.

Each grade-level band K-8 and then grade-level clusters 9-10 and 11-12 have their own versions of the five standards to appropriately support students at their academic level.

WIDA Can Do Philosophy

WIDA's Can Do Philosophy is based on the belief that all students bring to their learning, cultural and linguistic practices, skills, and ways of knowing from their homes and communities. The resulting Can Do Descriptors provide teachers with examples of what a student at each proficiency level can be expected to be able to do and allow teachers to differentiate instructional tasks to fit the needs of individual students.

These Can-Do Descriptors are a useful tool for both ESOL and content teachers to use as lessons are designed. The descriptors focus on the positive aspect of each EL's language ability. For more information see www.wida.us

Age-Appropriate Academic Language in Sociocultural Contexts

The English learners' academic growth varies and is dependent upon their language proficiency and/or grade level. Many researchers, including those at WIDA, have stated the following principle for student academic growth:

"Lower is faster, higher is slower."

This simply means that ELs at lower grade and/or proficiency levels will show faster rates of growth than ELs at higher grade and/or proficiency levels. For example, the amount of content and language an EL must learn to move from proficiency level 1 to level 2 is much smaller and simpler than the breadth of content and language skills they must master to move from a proficiency level 4 to a level 5. Care must be taken to avoid mistaking a slowing growth rate as an EL rises in proficiency level for a lack of language learning. These students are simply required to learn more complex skills and standards as they raise proficiency.

SECTION 18: TIMELINES

Following is a summary of **timelines** established for the identification and placement of English learners in the Territory:

1. The **Home Language Survey** (HLS) must be administered **at registration**.

2. If it has been discovered at the school that an HLS is not on file for a previously registered student, the **HLS** must be administered **within five (5) school days**.

3. Within **thirty (30) days** of identification, the **Informal Language Interview** must be administered and the **formal screener** if needed.

4. The amount of time from **the date of assessment** to the **CIP meeting** shall not exceed **ten (10) school days**. (Note: Parents must be notified in writing *at least* **five (5) school days** prior to the CIP meeting.)

5. **Official Placement** shall occur within **ten (10) school days** of the CIP meeting.

6. The **English Language Proficiency Assessment** shall occur annually between **January and February**.

7. The **CIP Team must** meet with parents in **May**, to discuss the results of the **English Language Proficiency Assessment (WIDA ACCESS for ELLs 2.0)** and to determine fall placement for all English learners.

8. Once a student exits the ESOL Program, he/she **must** be **monitored for four (4) years.**

Note: All student records are considered confidential and are to be kept in the Cumulative Record folder.

STEPS FOR IDENTIFICATION AND PLACEMENT PROCESS

EL Screening, Identification, and Placement must be completed
within 30 school days from enrolment date.

STEP 1: IDENTIFICATION AND SCREENING

ALL REGISTERED STUDENTS MUST BE ASSIGNED TO A SCHOOL IMMEDIATELY. NO STUDENT
SHOULD BE KEPT OUT OF SCHOOL WHILE UNDERGOING THE PROCESS.

1a: SCREENING - HOME LANGUAGE SURVEY (HLS): Administer the HLS to all new students, which is to be maintained in each student's cumulative record. Students must be enrolled in school upon registration. (If "**yes**" to any question on the HLS, the Office of Student Services Notifies the District Coordinator.) (If "**No**" to any question on the HLS, the Office of Student Services files the HLS and the student is not considered for further screening.) If it is determined that the child is a potential English learner, the Office of Student Services must indicate on front of the registration form "ESOL services" are needed and notify the District ESOL Coordinator. NOTE: If the ESOL Linker does not have an HLS on file upon receiving the student, the ESOL Linker must administer the HLS within five school days. It must be administered in the language that the parent understands.

⬇
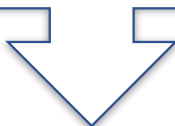
1b: ESOL District Coordinator notifies the ESOL Linker

⬇

1c: An Individual Interview is conducted in English and by a qualified ESOL teacher. The process of the interview may also include reviewing documents, prior assessments, and academic experience. Results of the individual interview confirm that the student's home or primary language is other than English and or student's schooling was Interrupted/Inconsistent Formal Education. The ESOL teacher will continue to screen. OR for students with learning DISABILITIES who enter with an INDIVIDUALIZED EDUCATION PLAN, continue to screen with the assistance of the Special Education teacher.

⬇

1d: Within 30 days of identification, the Informal Language Interview must occur. (If the "interview" score is 35 or more, the student is considered FEP and does not qualify for services).

OR

1d: Within 30 days of identification, the Informal Language Interview must occur. (If the "interview" score is 34 or less, the student is considered NEP or LEP and will require further testing.

⬇   ⬇

STEP 2: INITIAL ASSESSMENT

Qualified personnel administer the state-wide English language proficiency identification assessment, currently the WIDA. For students with disabilities, provide approved testing accommodations per the student's IEP or 504 Plan.

2a: The WIDA Model for Kindergarten or the online WIDA Screener or paper WIDA Screener for grades 1-12 are administered. If the Overall Composite Score is above 4.5, the student does not qualify for support services. Send the parent notification letting them know that the student does not qualify for services. If the parent requests a meeting the CIP must meet to discuss concerns.

OR

2a: The WIDA Model for Kindergarten or the WIDA Screener or paper WIDA Screener for grades 1-12 are administered. If the Overall Composite Score is below 4.5, the student qualifies for support.

2b: Send the parent notification letting them know that the student does not qualify for services. If the parent requests a meeting the CIP must meet to discuss concerns.

OR

2b: Once the student qualifies for placement the ESOL Linker sends Parent Letter of Invitation 5 days prior to meeting.

STEP 3: EL PROGRAM PLACEMENT

Students must be identified and placed in an appropriate EL program within 30 school days of enrolment. Special Education services are provided per the IEP of a student with a disability.

3a: The CIP Team meets for placement of the student identified needing service into the ESOL Program. Parent Notification and Parental Consent Form of EL Program Placement must be signed. ESOL CIP program meeting must be in place for parents to have the ability to opt out of the program. ELs are to be placed in a timely fashion whether or not parents/guardians attend the CIP meeting. Parents must receive written notification of their child's EL Program Placement.

## STEP 4: ONGOING PROGRESS MONITORING OF EL PERFORMANCE

4a: The Local Education Agency is required to monitor and regularly assess the progress of all ELs, including those who have opted out of EL programs, in both English language proficiency (ELP) and content knowledge. The task of progress monitoring is performed by the ESOL District Coordinator, the ESOL teacher(s) and content classroom teacher. Student performance is monitored by various methods, such as report cards, test scores (WIDA ACCESS for ELLs 2.0, Smarter Balanced, and iReady), informal observation, and discussions with the classroom teacher(s) parents, and the students themselves.

4b: Each English learner must be tested annually utilizing State approved ACCESS for ELLs 2.0 to determine whether a change in services or program is necessary. After the test results are received, an annual CIP meeting is conducted to discuss the EL students and their language development according the WIDA ACCESS for ELLs 2.0 and their academic progress for the school year.
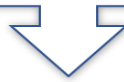
4c: Once the CIP Team has met, a meeting with parents should be scheduled to discuss with them their son or daughter's language development and academic progress. The CIP Team will review and make appropriate recommendations and/or changes for the next school year so that there will not be a gap in services and adequate planning for program and staff may occur.
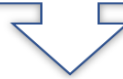
STEP 5: EL EXIT CRITERIA

5a: A student is considered ready to exit the ESOL Education Program when all of the following criteria have been met:
- Obtains an overall composite score of a 4.5 or above on the ACCESS for ELLs 2.0 and,
- Scores a 4.0 in each domain (listening, speaking, reading, and writing) and,
- Has a passing grade in English language arts, AND,
- CIP Team recommendation.

5b: Once a student exits the ESOL Program, he/she must be provided follow-up support services.

5c: The student must be monitored for four years to determine (Under Title III of the ESEA, as amended by ESSA [Section 3121(a)(5)], LEAs must report on the number and percentage of former ELs meeting state standards for four years) if he/she is academically successful, is competing appropriately with peers, and can perform at age/grade level.

5d: If after the student has exited and appears to be having academic problems, he/she shall receive additional instructional support. If an exited EL is not progressing academically as expected, and rigorous monitoring suggests a persistent language need, the LEAs should re-test the student's English Language Proficiency (ELP) with the WIDA ACCESS for ELLs 2.0 assessment to determine if the student should be offered additional language assistance services.

STEP 6: MONITORING AFTER EXITING THE ESOL PROGRAM

6a: Once a student exits the ESOL Program, he/she must be provided follow-up support services. The ESOL teacher must provide the classroom teacher with the EL Plan to familiarize themselves with their students and their language needs. The plan will provide teachers with an outline of demographics, schedule, test results, Can Do Descriptors, ELP services, and program, accommodations and modifications, goals, notes taken from the ESOL teacher, meeting notes, and recommended instructional activities. The ESOL teachers will use the Ellevation platform to provide support activities to content teachers.
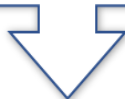
SECTION 19: DISTRICT RESPONSIBILITIES AND PROCEDURES TO ENGLISH LEARNERS AND THEIR FAMILIES

Forms and persons responsible for the Identification, Assessment and Placement Procedures for English Learners

I.   **Forms**

Form A - Home Language (HLS)	RESPONSIBILITY OF:
The HLS form provides information which identify students whose home languages are other than English. It must be completed by the parent and becomes part of the child's permanent record. The form is available in multiple languages.	Division of Student Services - Registration
If a child does not have this form on file, it must be administered within five school days of registration.	ESOL Linker
Form B- Informal Language Interview	RESPONSIBILITY OF:
Students whose first language is not English must be administered the **Informal Language Interview** which provides information about the child's language proficiency Helps determine whether further assessment and/or services are needed. • Form B: Informal Language Interview Form Grades K-1 • Form B: Informal Language Interview Form Grades 2-5 • Form B: Informal Language Interview Form Grades 6-8 • Form B: Informal Language Interview Form Grades 9 - 12	ESOL Teacher
Form C- Recommendation for Services	RESPONSIBILITY OF
The **Recommendation for Services** will be completed by the District Coordinator of ESOL in collaboration with the CIP Team after determining that the referred student need services or further evaluation	ESOL District Coordinator

Form D – Parental Consent for Placement	RESPONSIBILITY OF:
The Committee for Identification and Placement (CIP Team) at the school will have the parent sign the **Parental Consent for Placement** once they have agreed to receive ESOL services or not to receive ESOL services.	ESOL Linker ESOL District Coordinator
Form E – ESOL Program Exit Letter	**RESPONSIBILITY OF:**
The ESOL Linker will provide the parent of the EL student with the **ESOL Program Exit Letter** once their son/daughter has met the Exit Criteria for the program.	ESOL Linker
Form F – Monitoring English Learners Progress in Core Content Area	**RESPONSIBILITY OF:**
The ESOL Linker will monitor the EL students who have met the Exit Criteria for the program for four years and complete this form that will help to monitor their academic progress.	ESOL Linker
Form G – Language Identification Form (LIF)	**RESPONSIBILITY OF:**
The LIF identifies students who speak a language other than English at school and at home. (Not all children who speak a language other than English at home are limited English speakers).	ESOL Linker Classroom Teacher School Administrator
Form H – Student Academic Profile Form (SAP) Elementary	**RESPONSIBILITY OF:**
The SAP is used to collect data on the students' Annual academic performance and progress. All students identified on must be included.	ESOL Linker Classroom Teacher School administrators
Form I – Student Academic Profile Form (SAP) Secondary	**RESPONSIBILITY OF:**
The SAP is used to collect data on the students' Annual academic performance and progress. All students identified on must be included.	ESOL Linker Classroom Teacher School administrators

Form J – Opt-Out Form	RESPONSIBILITY OF:
The **Opt-Out Form** is discussed with the parent once they "refuse" ESOL services to ensure that they understand what that means.	ESOL Linker ESOL District Coordinator
Form K – Similarities Between Learning Disability and Language Acquisition	RESPONSIBILITY OF:
The **Similarities Between Learning Disability and Language Acquisition** discusses the behaviors that are associated with a Learning Disability or Language Acquisition with a parent as needed.	ESOL Linker ESOL District Coordinator

SECTION 20: DISTANCE LEARNING: ENGLISH LANGUAGE DEVELOPMENT PLAN

State and federal laws require school districts to access academic content and facilitate student progress towards English language proficiency. The United States Virgin Islands Department of Education will adapt its ESOL services to account for remote learning. Schools in both districts will meet their legal obligations to ELs, even when students are learning remotely. The school community will also build and maintain a healthy relationship with ELs and their families to provide support and access to the curriculum while keeping the lines of communication open.

While remote learning offers progressive opportunities in the 21st century learning, student engagement may be challenged by the lack of in-person interaction that ELs may need to increase their English language proficiency. In addition, educators should consider the wide variety of specific and diverse language acquisition needs of all ELs based on their English language proficiency levels.

ESOL teachers will continue to provide equitable and meaningful access to content instruction through academic language development, delivered in collaboration with the general classroom teachers. The recommended plan of action and resources are listed below. Both school districts should revisit and review the plans to ensure that the remote learning programming they adapted as their language development program is showing student gains in language proficiency, and based on the results, make appropriate adjustments if necessary.

Plan of Action	Description	Resources (if applicable)
Identification of ELs	The Home Language Survey must be filled out for all students registering at Student Services. The students identified as possible ELs will be placed in an ESOL school. ESOL teachers shall: • Administer the Informal Language Assessment via telephone or video conference to pre-determine EL status • Obtain authorization for services from parents via email or other digital forms • Create an English Language Learner Plan • Administer the WIDA Online screener when the school reopens	• Home Language Survey • Informal Language Assessment
Pre-Planning	Once students are identified, the next steps are to identify students' needs based on their individual EL Plan. • ESOL teachers will share the EL Plan with the content classroom teachers. • ESOL teachers should collaborate with the content classroom teachers to identify general classroom practices and how they can be applied to effective English language classes.	• Ellevation
Planning Lessons and Activities	Teachers must provide language accommodations as described in the English Language Learner Plan for ELs in content classes. Whenever possible, ELs will receive instruction utilizing the same platform as their peers and use all available resources to meet ELs' needs.	• Edmentum • Accellus • Achieve 3000 • I Ready • Teams • Ellevation instructional strategies • Google Translate • Video Conferencing
ESOL Teacher Support Services	**ESOL PK-6 teachers must**: • Collaborate weekly with classroom teachers. • Have access to classroom digital platforms (Edmentum, I-Ready etc.)	• Edmentum • Accellus • Achieve 3000 • I Ready • Teams

	• Can assess students weekly to evaluate and discuss their performance. (Schedule time separate from other content area classes) • Schedule Pull-Out Sessions for Level 1 and 2 students as needed to provide additional support by assigning modified work in Edmentum and/or I-Ready or provide video-conference instruction with Back Pack or Keystone. ***ESOL and Content 7-12 teachers must:*** The content teachers at the secondary school will provide scaffolding and differentiate instruction and ensure lesson are modified based on students' language proficiency and instructional needs.	• Ellevation • Google Translate • Video Conferencing • Back Pack • Keystone
Technology	There is a wide range of ***platforms*** available to teachers. Technology provides variety in your lessons and makes them more interesting for your EL students. Meaningful uses of technology can help ESOL teachers scaffold learning based on ELs' proficiency levels, stimulate oral language development, foster vocabulary acquisition, and help better understand the content because of visual presentations. • All technology devices distributed by schools and the district must be made available to English Learners.	• Laptops • Chrome Books • MiFi
English Learners with Disabilities	ESOL teachers must be included at all IEP meetings in order to support the IEP's implementation and the individual English language development of the ELWD student.	• IEP • EL Plan
Parental Meetings and Data Collection	Parental Meetings shall be conducted virtually to the greatest extent. ESOL teachers are still required to obtain parent authorization for services and notify parents of their legal rights. Evidence of the virtual meeting and record of services provided must be captured in the Ellevation platform.	• Ellevation
Exiting the Program	An English Learner may not exit from the ESOL program unless the student has demonstrated proficiency on a valid, reliable assessment that includes the four domains of listening, speaking, reading, and writing. If a student cannot take the English Language Proficiency (ELP) examination because of a national or territorial emergency the district may elect to administer the test during the fall of the following school year if possible.	• English Language Proficiency examination • Standardized assessment if needed • Student Grades

	ELs must meet the following criteria to exit the ESOL program: • Obtain a minimum Overall Score of 4.5 in the WIDA Access 2.0 Assessment • Obtain a minimum Score of 4.0 in each domain (Listening, Speaking, Reading, & Writing) in the WIDA Access 2.0 Assessment • Obtain a passing grade in English Language Arts Administering the test will allow the district to implement ESOL exit procedures. If testing is not possible, then an Alternate ESOL EXIT Procedure can be established where the ESOL Coordinator, ESOL teachers, and school teams can carefully decide whether to exit a student utilizing scores from other standardized assessments and students' grades. ***School level personnel cannot exit a student without following the Exit Criteria or without consulting the district's ESOL Coordinator to implement the Alternate ESOL Exit Procedures.***	
Expectations for Distance Learning	The district and schools are required to provide language accommodations for ELs for content classes that are held remotely. The accommodations must best support the teaching and learning goals of ELs. During distance learning, the expectations are to: • Establish a structured learning environment that uses tools that focus on learning content, not the device itself. • Make sure you are encouraging language production. Many platforms allow students to be creative and voice their understanding orally. • Provide scaffold supports for differentiated instruction. • Allow for socio-emotional support and learning. See link for SEL support: https://www.colorincolorado.org/school-support/programs-success/social-and-emotional-learning-best-practices-and-promising-programs	

Recommen-dations for Parental Support	As per federal regulations, districts and schools must ensure meaningful communication with parents of English Learners in a language they can understand and adequately notify limited English proficient (LEP) parents of information about any program, service, or activity called to the attention of non-LEP parents.	
ESOL Coordinators Support Services	It is essential that the ESOL coordinator collaborates with the ESOL teacher to ensure quality instruction takes place and that the ESOL program procedures are followed. • Set up meetings and trainings for ESOL teachers and content area teachers who work with ELs. • Collaboratively help plan the first week of school to ensure program validity. • Provide availability for teachers to check in about specific learners or language development questions and support.	

APPENDIX

THE VIRGIN ISLANDS DEPARTMENT OF
EDUCATION

Form A

2133 Hospital Street, Christiansted, St. Croix, U.S. Virgin Islands 00820
1846 Kongens Gade, Charlotte Amalie, St. Thomas, U.S. Virgin Islands 00802

HOME LANGUAGE SURVEY

School: _____   Student ID #: _____

Complete this home language survey at the student's initial enrollment in school. This form must be signed and dated by the parent or guardian. It must be kept in the student's file. This form will be used only for determining whether the student needs English Learner services and will not be used for immigration matters or reported to immigration authorities.

Student's Last Name: _____   First Name: _____

Male _____   /   Female _____   Date of Birth: _____

Parent's Name (Print): _____

Home Address: _____

Home Telephone Number: _____ Cell Phone Number: _____

Parent's Signature: _____   Date: _____

ENGLISH

1. Is a language other than English spoken in your home? __No __Yes _____ (specify language)

2. Does your child communicate in a language other than English? __No __Yes _____ (specify language)

3. Which language did your child learn first? _____ (specify language)

4. In which language do you prefer to receive information from the school? _____ (specify language)

5. What is your relationship to the child? __ Father __ Mother __ Guardian __ Other (specify)

ESPAÑOL (SPANISH)

1. ¿Se habla otro idioma que no sea el inglés en su casa? oNo o Sí _____ (especifique idioma)

2. ¿Habla el estudiante un idioma que no sea el inglés? o No o Sí _____ especifique idioma)

3. ¿Cuál fué el primer idioma que aprendió su hijo/a? _____ (especifique idioma)

4. ¿En que idioma prefiere recibir comunicaciones de la escuela? _____ (especifique idioma)

5. ¿Cuál es su relación con el estudiante? o Padre o Madre o Guardián o Otro (especifique)

Adapted on 1/2015 from http://www2.ed.gov/about/offices/list/oela/eltoolkitchap1.pdf

Home Language Survey

FRANÇAIS (FRENCH)

1. Parle-t-on une autre langue que l'anglais chez vous? Non Oui _____ (veuillez préciser la langue)

2. Votre enfant parle-t-il une autre langue que l'anglais? Non Oui _____ (veuillez préciser la langue)

3. Quelle langue votre enfant a-t-il apprise en premier? _____ (veuillez préciser la langue)

4. Dans quelle langue préférez-vous recevoir les communications de l'école? _____ (veuillez préciser la langue)

5. Quelle est votre lien de parenté avec l'enfant? Père Mère oTuteur Autre (veuillez préciser) _____

Tiếng Việt (VIETNAMESE)

1. Có nói tiếng nào khác tiếng Anh không được nói ở nhà quý vị không? Không Có _____ (hãy cho biết tiếng nào)

2. Con quý vị có nói tiếng nào khác tiếng Anh không? Không Có _____ (hãy cho biết tiếng nào)

3. Con quý vị đã học tiếng nào đầu tiên? _____ (hãy cho biết tiếng nào)

4. Quý vị muốn nhận được thông tin từ trường học bằng tiếng nào? _____ (hãy cho biết tiếng nào)

5. Quý vị có quan hệ như thế nào đối với con? Cha Mẹ Người giám hộ Quan hệ khác (hãy cho biết)
_____

CHINESE

1. 除了英语之外，您家是否还说其他语言？o 否 o 是 _____（请说明是哪种语言）

2. 除了英语之外，您的孩子是否还说其他语言？o 否 o 是 _____（请说明是哪种语言）

3. 您的孩子最先学习的是哪种语言？_____（请说明是哪种语言）

4. 您希望学校用哪种语言授课？_____（请说明是哪种语言）

5. 您与孩子的关系？o 父亲 o 母亲 o 绚 o 其他（请说明）_____

Adapted on 1/2015 from http://www2.ed.gov/about/offices/list/oela/eltoolkitchap1.pdf

Page 3
Home Language Survey

AMHARIC

1.   ከእንግሊዝኛ ውጪ የሆነ ቋንቋ በቤትዎ ውስጥ ይነገራል?   ☐ አይ   ☐ አዎ   (ቋንቋውን ይጥቀሱ)

2.   ከእንግሊዝኛ ውጪ በሆነ ቋንቋ ልጅዎ ይናገራል/ትናገራለች? ☐ አይ ☐ አዎ   (ቋንቋውን ይጥቀሱ)

3.   ልጅዎ መጀመሪያ የተማረው ቋንቋ ምንድነው?   (ቋንቋውን   ይጥቀሱ)

4.   ከትምህርት ቤቱ መረጃን በምን ቋንቋ ማግኘት ይፈልጋሉ? (ቋንቋውን   ይጥቀሱ)

5.   ከልጅዎ ጋር ያለዎት ዝምድና ምንድነው? ☐ አባት ☐ እናት ☐ ሞግዚት/አሳዳጊ ☐ ሌላ   (ይጥቀሱ)

ARABIC

١. هل توجد لغة أخرى منطوقة في منزلك بخلاف اللغة الإنجليزية؟
o لا o نعم _____ (حدد اللغة)

٢. هل يتواصل طفلك مع غيره بلغة أخرى بخلاف اللغة الإنجليزية؟
o لا o نعم _____ (حدد اللغة)

٣. ما أول لغة تعلمها طفلك؟ _____ (حدد اللغة)

٤. بأي لغة تفضل أن تستقبل المعلومات من المدرسة؟ _____ (حدد اللغة)

٥. ما العلاقة التي تربطك بالطفل؟
o والده o والدته o الوصي عليه o صلة أخرى (الرجاء التحديد)
_____

THE VIRGIN ISLANDS DEPARTMENT OF
EDUCATION

2133 Hospital Street, Christiansted, St. Croix, U.S. Virgin Islands   00820
1846 Kongens Gade, Charlotte Amalie, St. Thomas, U.S. Virgin Islands 00802

Form B

INFORMAL LANGUAGE INTERVIEW FORM

Grades K – 1

Date: _____   **Grade:** _____

Student's Name: _____   **Date of Birth:** _____

Native Language: _____

Directions: Please record student's responses verbatim. Encourage as much conversation as possible. When interview is over, score each response.

Points: **Can do with ease = 3** **Can do with minimal difficulty = 2**

Can do with much difficulty = 1 **Cannot do = 0**

_____ 1. **What is your name?** _____

_____ 2. **How old are you?**_____

_____ 3. **When is your birthday? What would you like to do on that day?**_____

_____

_____ 4. **What do you like to do at home?** _____

_____ 5. **What do you like to do with your friends?** _____

_____

_____ 6. **What shows do you like to watch on TV?** _____

_____

_____ 7. **What do you like to eat? Why?** _____

_____

_____ 8. **How is a dog different from a cat? How is a dog the same as a cat?** _____

_____

Page 2

Informal Language Interview K-1

_____ 9. **What is your favorite animal? Tell me about it.** _____

_____

_____10. **What is your favorite story? Can you tell me about it?** _____

_____

_____11. **What would you do if you fell down and hurt your knee?** _____

_____

_____12. **What do you do at home to help your family?** _____

_____

_____13. **What would you be doing if you were not in school today?** _____

_____

_____14. **What is your favorite toy?** _____

_____

_____15. **Can you tell me about someone in your family?** _____

_____

_____ **Total**   **Scoring:**   **0 – 34   =   Limited English Proficient**

☐   ☐   **35 – 45   =   Fluent English Proficient**

NEP/LEP   **FEP**

_____

Signature of Interviewer

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Form B

Informal Language Interview Form
Grades 2 - 5

Date: _____ **Grade:** _____

Student's Name: _____ **Date of Birth:** _____

Native Language: _____

Directions: Please record student's responses verbatim. Encourage as much conversation as possible. When interview is over, score each response.

Points:　　　　　**Can do with ease = 3**　　　　　**Can do with minimal difficulty = 2**

　　　　　　　　　Can do with much difficulty = 1　　　**Cannot do = 0**

_____ 1. What is your name? _____

_____ 2. How old are you? _____

_____ 3. When is your birthday? What would you like to do on that day? _____

_____

_____ 4. What is your favorite game? Tell me how to play it. _____

_____

_____ 5. What do you like to do with friends and family? _____

_____

_____ 6. What foods don't you like? Why? _____

_____

_____ 7. What do you like to eat? Why? _____

_____

_____ 8. How is a banana different from an orange? How is a banana the same as an orange? ___

_____

Page 2

Informal Language Interview 2 - 5

_____ 9. **What is your favorite story? Can you tell me about it?** _____

_____

_____10. **If you could have one wish, what would it be? Why?** _____

_____

_____11. **What would you do if there were a fire in your house?** _____

_____

_____12. **What type of music do you like?** _____

_____

_____13. **What would you be doing if you were not in school today?** _____

_____

_____14. **Where would you like to live? Why?** _____

_____

_____15. **What is your favorite TV Program? Why?** _____

_____

_____ **Total**   **Scoring:**   **0 – 34   =   Limited English Proficient**

                                                          35 – 45   =   Fluent English Proficient

NEP/LEP ☐   **FEP** ☐   _____

                                                          Signature of Interviewer

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Informal Language Interview Form
Grades 6 - 8

Date: _____ **Grade:** _____

Student's Name: _____ **Date of Birth:** _____

Native Language: _____

Directions: Please record student's responses verbatim. Encourage as much conversation as possible. When interview is over, score each response.

Points: **Can do with ease = 3**   **Can do with minimal difficulty = 2**

        Can do with much difficulty = 1   **Cannot do = 0**

_____ 1. **What is your name?** _____

_____ 2. **Where do you live?** _____

_____ 3. **Please tell me about someone in your family.** _____

_____

_____ 4. **What do you like to do on the weekends?** _____

_____

_____ 5. **What shows do you like to watch on TV?** _____

_____

_____ 6. **What type of music do you like?** _____

_____

_____ 7. **How is a television different from a computer? How is a television the same as a computer?**

_____

_____ 8. **Tell me about a special place you have been to. What made it special?** _____

_____

Page 2

Informal Language Interview 6 - 8

_____ 9. **Your best friend is crying. What would you do?** _____

_____

_____10. **Tell me something about your country.** _____

_____

_____11. **When is your birthday? What would you like to do on that day?** _____

_____

_____12. **What do you like to do after school? Why?** _____

_____

_____13. **What is your favorite holiday? Why?** _____

_____

_____14. **Where would you like to live? Why?** _____

_____

_____15. **What is your favorite food? Why?** _____

_____

_____ **Total**   **Scoring:**   **0 – 34   =   Limited English Proficient**

                                                         35 – 45   =   Fluent English Proficient

NEP/LEP ☐   **FEP** ☐   _____

                                                                    Signature of Interviewer

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Form B

Informal Language Interview Form
Grades 9 - 12

Date: _____ **Grade:** _____

Student's Name: _____**Date of Birth:** _____

Native Language: _____

Directions: Please record student's responses verbatim. Encourage as much conversation as possible. When interview is over, score each response.

Points:　　　　　**Can do with ease = 3**　　　　　**Can do with minimal difficulty = 2**

　　　　　　　　　Can do with much difficulty = 1　　　**Cannot do = 0**

_____ 1. **What is your name?** _____

_____ 2. **Where do you live?** _____

_____ 3. **Tell me about a special person in your life.** _____

_____

_____ 4. **What kind of stories do you like to read?** _____

_____

_____ 5. **What is your favorite TV show? Why?** _____

_____

_____ 6. **What job would you never want to do? Why?** _____

_____

_____ 7. **How is a car different from a motorcycle? How is a car the same as a motorcycle?** _____

_____

_____ 8. **Tell me something I might not know about the place you were born.** _____

_____

Page 2

Informal Language Interview 9 - 12

_____ 9. What would you do if there was a fire in the house? _____

_____

_____10. Tell me about your friends. _____

_____

_____11. What do you want to do when you finish school? Why? _____

_____

_____12. What would you do if there were a fire in your house?   _____

_____

_____13. What is your favorite holiday? Why? _____

_____

_____14. What is your favorite sport? Why? _____

_____

_____15. What do you do at home to help your family? _____

_____

_____ Total   Scoring: 0 – 34   =   **Limited English Proficient**

                                                 35 – 45   =   **Fluent English Proficient**

NEP/LEP   **FEP**   _____

                                                              Signature of Interviewer

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Form D

RECOMMENDATION FOR SERVICES

Date: _____   Type of CIP Meeting: ☐ Initial   ☐ Review

Name_____ Date of Birth_____

School_____PrimaryLanguage_____

Parent's Name _____

Home Address _____

Mailing Address _____

Telephone (H) _____ Telephone (W) _____

Participants:

Name	Title	Signature

Recommended classroom placement: _____

Supportive Services Recommended: _____

Integration with English-speaking peers (including which activities and the amount of time):

_____

Additional evaluations recommended: _____

_____

_____   _____

Signature   Date

ESOL District Coordinator

THE VIRGIN ISLANDS DEPARTMENT OF EDUCATION

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1846 Kongens Gade, Charlotte Amalie, St. Thomas, U.S. Virgin Islands 00802

PARENTAL CONSENT FOR PLACEMENT/EXITING

The Committee for Identification and Placement (CIP Team) at _____

School has met and recommended that your child, _____

receive ESOL Education services. The following services are offered to your child:

1. _____

2. _____

3. _____

I _____ understand that I may: (1) refuse services, (2) withdraw consent for services, or (3) not consent for my child to be exempted/exited from the program. **I also understand that the law stipulates that the school must provide ESOL or any other type of intervention pertinent to the educational needs of my child.**

Placement:

☐ I hereby grant consent for my child to be placed in a ESOL Education Program.

☐ I do not grant consent for my child to be placed in a ESOL Education Program.

☐ I request a conference to further discuss the placement of my child. I understand that no placement into an ESOL Education Program will be made until this conference is held.

_____   _____

Signature of Parent/Guardian   Date

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Form E

NOTIFICATION OF CIP TEAM MEETING

Name of Student: _____ **Student ID No.** _____

School: _____ **Grade:** _____ **Date:** _____

Dear Parent or Guardian:

Your son or daughter, _____, has been referred to the CIP Team for the following reason:

- **To review placement in the English to Speakers of Other Languages (ESOL) Program.**
- **To review student's progress in the ESOL Program.**

The CIP Team requests your participation in the meeting on
_____ at _____.

Sincerely,

_____   _____   _____

ESOL Linker   **Phone Number**   **E-Mail Address**

_____

Please complete the form below and return to the school. Thank you.

Notification of CIP Team Meeting

Student's Name: _____ _____ Grade: _____

     I plan to attend the schedules meeting.

     I DO NOT plan to attend the scheduled meeting. Please notify me of the CIP Team's recommendations.

Signature of Parent or Guardian _____   Date_____

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Form F

ESOL PROGRAM EXIT LETTER

Name of Student: _____ **Student ID No.** _____

School: _____ **Grade:** _____

Date: _____

Dear Parent/Guardian _____:

Based on the Virgin Islands Department of Education and the ESOL Program approved

Exit Criteria, we are glad to inform you that your son/daughter _____

has reached grade level proficiency and/or is no longer in need of English to Speakers of

Other Languages (ESOL) services. As required by federal law, your son/daughter

_____ will be monitored for four academic years to ensure continued

success.

We thank you for your support and encourage you to contact us if you have any questions. If

you have questions or concerns, please feel free to contact us using the information below.

Sincerely,

_____   _____   _____
ESOL Contact   Telephone Number   E-Mail Address

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Form G

MONITORING ENGLISH LEARNERS PROGRESS IN CORE CONTENT AREA

STUDENT INFORMATION	
Student Name:	**Date of Birth:**
School:	
Date Entered U. S. Schools:	
Home Language:	

STATE CONTENT ASSESSMENT TEST RESULTS	
Year:	**Results:**
Year:	**Results:**
Year:	**Results:**

GRADES	
Year:	**Grades:**
Year:	**Grades:**
Year:	**Grades:**
Is the student on track to graduate on time?	

CURRENT YEAR BENCHMARKS				
Subject	**Term 1 Benchmark**	**Term 2 Benchmark**	**Term 3 Benchmark**	**Term 4 Benchmark**
English/Language Arts	___ Above grade level ___ On grade level ___ Below grade level	___ Above grade level ___ On grade level ___ Below grade level	___ Above grade level ___ On grade level ___ Below grade level	___ Above grade level ___ On grade level ___ Below grade level
Mathematics	___ Above grade level ___ On grade level ___ Below grade level	___ Above grade level ___ On grade level ___ Below grade level	___ Above grade level ___ On grade level ___ Below grade level	___ Above grade level ___ On grade level ___ Below grade level
Science	___ Above grade level ___ On grade level ___ Below grade level	___ Above grade level ___ On grade level ___ Below grade level	___ Above grade level ___ On grade level ___ Below grade level	___ Above grade level ___ On grade level ___ Below grade level
Social Studies	___ Above grade level ___ On grade level ___ Below grade level	___ Above grade level ___ On grade level ___ Below grade level	___ Above grade level ___ On grade level ___ Below grade level	___ Above grade level ___ On grade level ___ Below grade level
Other	___ Above grade level ___ On grade level ___ Below grade level	___ Above grade level ___ On grade level ___ Below grade level	___ Above grade level ___ On grade level ___ Below grade level	___ Above grade level ___ On grade level ___ Below grade level

TEACHER OBSERVATIONS				
Rating Scale: 1: Never 2: Seldom 3: Sometimes 4: Often 5: Always				
Characteristic	Term 1	Term 2	Term 3	Term 4
Completes class assignments on time				
Participates effectively in class discussions				
Works independently				
Completes homework assignments				
Displays effort				

ATTENDANCE AND TARDY DATA				
	Term 1	Term 2	Term 3	Term 4
Attendance				
Tardy				

SUMMARY AND ACTION STEPS	
Summary	
1. Student meets grade-level academic standards or benchmarks.	
2. Student does not meet grade-level academic standards or benchmarks. English language proficiency is *not* a reason the student is not meeting grade-level academic standards or benchmarks.	
3. Student does not meet grade-level academic standards or benchmarks. Limited English language proficiency in one or more language domains *is* a reason the student is not meeting grade-level academic standards or benchmarks.	
Action Steps:	

Date:	Person Completing the Form and Title:
	Team Members:

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Form H

LANGUAGE IDENTIFICATION FORM

Dear Teachers:

The Virgin Islands Department of Education (VIDE) is required to provide information to the U.S. Office of Education in Washington on the number of students enrolled in each classroom who may be limited or non-English proficient. The Civil Rights Act of 1964, Title VI; Equal Education Act of 1974 also mandate implementation of effective methods for identifying and assessing these students to ensure appropriate linguistic and academic program placement. To ensure that the VIDE obtains accurate information, your help is needed. When considering a child for inclusion in this survey, please consider the following:

- Is a language other than English used in the home?

- Did the student have a first language other than English?

- Does the student most frequently speak a language other than English?

- Does the student have sufficient difficulty speaking, reading, writing, or understanding the English language that may impede the individual's opportunity to learn successfully in classrooms where the language of instruction is English?

Kindly return the form to your school leadership or your district's English Language Acquisition Coordinator.

Thank you for your assistance in filling this form.

Cordially,

_____

 Signature of State Director of Bilingual Education

IDENTIFICATION OF STUDENT LANGUAGE

School: _____ **Principal's Signature**_____

Teacher: _____ Date**:** _____

Identification of students who speak a language other than English at home is required solely for the purpose of obtaining the number of students in the US Virgin Islands school system within this category.

Name of Student	Grade	Age	Primary Language				Place of Birth	Teacher Recommendation for Oral Language Assessment**	
			S	A	C	Other		Yes	No
1.									
2.									
3.									
4.									
5.									
6.									
7.									
8.									
9.									
10.									

*Primary Language: S = Spanish, A = Arabic, C = Creole, Other = Please specify the language

In order to ensure accurate reporting, please consider the following definitions when identifying students with respect to their primary language:

Creole: a dialect of French that is spoken in Haiti, Louisiana, and the islands of the Lesser Antilles (i.e.: St. Lucia, Dominica, Grenada, Guadeloupe, Martinique, Trinidad & Tobago). The (French) Creole dialect of the Lesser Antilles is also called *Patois*. For **reporting** purposes, the term **Creole** will be used.

French: the native language of France and various provinces of Canada.

**Teacher recommendation for oral language assessment is required if the teacher observes the need for such assessment. Results of the assessment will provide information regarding the need of services.

PLEASE PRINT ALL INFORMATION—Designate the grade with standard character (K-12). Primary language (French, Spanish, Haitian Creole, Patois, Korean, Japanese, Urdu, Arabic, etc...) needs to be identified.

PLEASE PRINT ALL INFORMATION (Use black ink)

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Form I

STUDENT ACADEMIC PROFILE (ELEMENTARY)

SCHOOL NAME: _____

SCHOOL YEAR: _____

TEACHER: _____

GRADE: _____

Name	Gender	Grade	Home Language	Reading	Language Arts	Science	Social Studies	Health	Grade Average	Services Received ESOL	Comments

Home Language: S for Spanish
 F for French
 A for Arabic
 O for Other

Services Received "X"

Comments: O – Student Retained
 X – Late Entry
 R – Reclassification/Mainstreamed
 P – Poor Attendance

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Form I

STUDENT ACADEMIC PROFILE (SECONDARY)

SCHOOL NAME: _____

TEACHER: _____

SCHOOL YEAR: _____

SEMESTER I: _____

SEMESTER II: _____

Name	Gender	Grade	Home Language	English/ESOL	History/Social Studies	Science	Mathematics/ Algebra	Geometry/ Calculus	Foreign Language			Grade Average	Services Received	Comments
													ESOL	

Home Language: S for Spanish
            F for French
            A for Arabic
            O for Other

Services Received "X"

Comments: O – Student Retained
            X – Late Entry
            R - Reclassified/Mainstreamed
            P – Poor Attendance

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Form J

OPT OUT FORM

Date _____

_____   _____   _____
(student's name)   (school and current grade)   (DOB)

Dear Parent or Guardian:

Based on **WIDA ACCESS for ELLs 2.0**, your child is classified as an English Learner (EL). Your child is eligible to receive English learner (EL) support services in a program designed to help students acquire English language proficiency and access grade level content instruction. The program is taught by an ESOL teacher specifically licensed to teach English to students who are not proficient in English.

*As a parent or guardian, **you have the right to decline** English learner (EL) support services for your child. By declining English learner (EL) support services, you choose to have your child participate in the general education classroom without specific English learner (EL) support focused on developing language skills. The district believes that ESOL instruction would help your child learn English and succeed in school, so it recommends that you allow your child to be part of the district's language programs. This type of instruction is especially important if the student is just beginning to learn English or struggles to understand, speak, read, or write English.*

The **Virgin Islands Department of Education** requires your child to be classified as an English Learner (EL) and will be assessed annually using a standardized test to determine his/her English proficiency level. You will receive annual written notification of the results of your child's assessment.

PLEASE READ AND SIGN THE AGREEMENT BELOW:

I have read this letter and choose to decline English learner (EL) support services for my child.

_____   _____
(signature of parent or guardian)   (date)

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Form K

SIMILARITIES BETWEEN A LEARNING DISABILITY AND LANGUAGE ACQUISITION

It is especially important to understand how certain elements of the second language acquisition process compare to learner characteristics associated with a learning disability. While components of language acquisition can seem to mirror a learning disability, they do not necessarily indicate a learning disability. Caution and care must be taken to ensure that issues of language differences are not conflated with language disability, and that a student's educational background or lack of formal education is not mistaken for signs of a disability. Some of the characteristics are listed in the table below. Additional information can be found in the EL Toolkit, chapter 6.
https://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/eltoolkit.pdf

Some Similarities Between Learning Disability and Language Acquisition	
Behaviors Associated with Learning Disability	**Behaviors Related to Acquiring A Second Language**
Difficulty following directions	Difficulty follows directions
Difficult with phonological awareness	Difficulty distinguishing between sounds not in the native language
Slow to learn sound-symbol correspondence	Confusion with sound-symbol correspondence when different than in the native language; difficulty pronouncing sounds not in the native language
Difficulty remembering sight words	Difficulty remembering sight words when word meanings not understood
Difficulty retelling a story in sequence	May understand more than able to convey in English
Confused by figurative language	Confused by figurative language in English
Slow to process challenging language	Slow to process challenging English
May have poor auditory memory	May have poor auditory memory in English
May have difficulty concentrating	May have difficulty concentrating
May seem easily frustrated	May seem easily frustrated

ACT NO. 8555

ACT NO. 8555
BILL NO. 34-0154

THIRTY-FOURTH LEGISLATURE OF THE VIRGIN ISLANDS

Regular Session

2022

An Act amending title 17 Virgin Islands Code, chapter 5, section 41a relating to bilingual education to direct the Department of Education to establish and maintain the Bilingual and English Language Development Program in the public schools

---0---

Be it enacted by the Legislature of the Virgin Islands:

SECTION 1. Title 17 Virgin Islands Code, chapter 5, section 41a is amended in the following instances:

(a) Subsection (a) is amended by striking all the language after "Department of Education" and inserting new language that reads as follows: "shall establish and maintain the Bilingual and English Language Development Program in the Virgin Islands public schools for students once 10 or more students are identified as English Learners to assist these students in attaining English language proficiency and meeting academic standards. The Bilingual and English Language Development Program may consist of implementing a Bilingual Education or an English as a Second Language Support Program. If fewer than 10 students are identified as English Learners at a school, then the Department of Education shall enroll the student at the nearest school where the Bilingual and English Language Development Program has been established. For purposes of this subsection:

(1) English Learners are students enrolled in grades Pre-Kindergarten through twelfth and in educational courses, who cannot speak, understand, read, or write the English language well enough to carry out class activities in the same manner as their peers in the grades in which they are enrolled.

(2) Bilingual Education consists of classroom instruction in English and the students' native language taught by qualified bilingual education teachers which allows English learners to acquire grade-level academic skills in their native language while learning the English Language.

(3) English as a Second Language (ESL) is an instructional approach in which English is the primary language of instruction. Qualified ESL teachers provide instructional support to assist English learners learn the English language."

(b) Subsection (b) is amended by inserting "all" after "accepts"; striking "Bilingual Program" and inserting "Bilingual and English Language Development Program"; and striking paragraphs (1), (2) and (3) and inserting new paragraphs (1) through (8) to read as follows:

2

"(1) Create a plan and take the necessary steps leading to developing, implementing, and evaluating programs designed to meet the language instructional needs of students with limited English-speaking and comprehension abilities in the Virgin Islands public schools;

(2) Recruit qualified ESL teachers and provide workshops and training to staff, paraprofessionals, teachers, school administrators, counselors, and other ancillary education personnel in the implementation and execution of the Bilingual and English Language Development Program;

(3) Provide the necessary instructional materials and equipment for the Bilingual and English Language Development Program;

(4) Establish through the Department of Education procedures to communicate meaningfully with parents who have limited English proficiency and effectively keep them informed about their legal rights, programs, services, and activities available to all parents;

(5) Seek through the Department of 'Education federal funds for the purpose of initiating and maintaining the provisions of this section;

(6) Establish through the Board of Education minimum training requirements of basic knowledge in the instruction of English learners for the general certification of teachers and school administrators, which training must be included within the established professional development requirement;

(7) Implement policies to avoid the retention in a grade of an English Learner based solely on English Learner's lack of English Proficiency. Evidence must be shown that all appropriate modifications, support and assessment to allow adequate instruction were implemented over time prior to considering grade retention; and

(8) Provide access to adequate instruction to students identified as English Learners with Disabilities.

(c) Subsections (a) and (b) are re-designated as subsections (b) and (c) and a new subsection (a) is inserted to read as follows: "(a) There is established in the Department of Education the Division of Bilingual and English Language Development for Children whose primary language is not English. The Division shall be headed by a director who is qualified by education, training, and experience to take responsibility for, and give direction and guidance to the Bilingual and English Language Development Program and the Department of Education relating to children whose primary language is not English."

(d) The section heading is amended by striking "all language" and inserting "Bilingual and English Language Development Program".

4

Thus passed by the Legislature of the Virgin Islands on March 31, 2022.

Witness our Hands and Seal of the Legislature of the Virgin Islands this 3rd Day of March A.D., 2022.

[signature]
Donna A. Frett-Gregory
President

[signature]
Genevieve R. Whitaker
Secretary

Bill No. 34-0154 is hereby approved.

Witness my hand and the Seal of the Government of the United States Virgin Islands at Charlotte Amalie, St. Thomas, This ___ day of April, 2022 A.D.

[signature]
Albert Bryan Jr.
Governor

REFERENCES

Artiles, A. J., & Ortiz, A. A. (2002). English language learners with special education needs: Identification, assessment, and instruction. Washington, DC: Center for Applied Linguistics and Delta Systems Co., Inc.

Council of Chief State School Officers (2014). English Language Proficiency (ELP) Standards. Washington, D.C.: CCSSO.

Christensen, L.L., Gholson, M.L., & Shyyan, V.V. (2018, April). Establishing a definition of English learners with significant cognitive disabilities (ALTELLA Brief No. 1). Retrieved from University of Wisconsin-Madison, Wisconsin Center for Education Research, Alternate English Language Learning Assessment project: http://altella.wceruw.org/resources.html

Christensen, L. L. & Shyyan, V. V. (2018, August). Nonverbal communication in diverse classrooms: Intercultural competence considerations for supporting English learners with significant cognitive disabilities (ALTELLA Brief No. 3). Retrieved from University of Wisconsin–Madison, Wisconsin Center for Education Research, Alternate English Language Learning Assessment project: altella.wceruw.org/resources.html.

Chu, S., & Flores, S. (2011). Assessment of English language learners with learning disabilities. The Clearing House, 84(6), 244–248. Retrieved October 26, 2017, from http://doi.org/10.1080/00098 655.2011.590550.

Dear Colleague Letter: English Learner Students and Limited English Proficient Parents. (2015). Washington, DC: United States Departments of Education and Justice.

Thurlow, M. L., Wu, Y., Quenemoen, R. F., & Towles, E. (2016, January). Characteristics of students with significant cognitive disabilities (NCSC Brief #8). Minneapolis, MN: University of Minnesota, National Center and State Collaborative.

U.S. Department of Education (2016, September). Non-Regulatory Guidance: English Learners and Title III of the Elementary and Secondary Education Act (ESEA), as amended by Every Student Succeeds Act (ESSA). Retrieved from https://www2.ed.gov/policy/elsec/leg/essa/ essatitleiiiguidenglishlearners92016.pdf

U.S. Department of Education's Office for Civil Rights (OCR) & U.S. Department of Justice (DOJ) (2015). English Learner Tool Kit for State and Local Education Agencies (SEAs & LEAs). Retrieved from https://ncela.ed.gov/files/english_learner_toolkit/OELA_2017_ELsToolkit_508C.pdf

United States Virgin Islands Code, Title 17-Education Chapter 5-Public Schools §41a. Bilingual Education Program (2019) https://law.justia.com/codes/virgin-islands/2019/title-17/