

<b>FREDERICK COUNTY PUBLIC SCHOOLS</b>	<b>Reg. No. 500-34</b>
<b>Subject: ENGLISH LEARNER (EL) PROGRAM</b>	<b>Issued: 4/1/88</b>
<b>Preparing Office: Office of the Superintendent</b>	<b>Amended: 6/15/18</b>

I. Policy

II. Procedures

A. Definitions

1. The English Learner program is one in which students are instructed only by means of English using established methodologies for developing second language skills.
2. English Learner (EL) is the term used with respect to an individual aged 3 – 21 years who is enrolled or preparing to enroll in an elementary or secondary school and who:
  - a. Was not born in the United States or whose native language is a language other than English.
  - b. Is a Native American or Alaskan Native.
  - c. Comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency.
  - d. Is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant.
  - e. Has difficulties in speaking, reading, writing, or understanding the English language which may be sufficient to deny the individual the ability to:
    - (1) Meet the state's proficient level of achievement on state assessments.
    - (2) Successfully achieve in classrooms where the language of instruction is English or the opportunity to participate fully in society.
3. Title III of the *No Child Left Behind Act of 2001* was created to help ensure that English Learners, including immigrant children, attain English proficiency, develop high levels of academic language proficiency in English, and meet the same challenging state academic-achievement standards that all Maryland students are expected to meet.
4. Immigrant children are those who are aged 3 through 21, were not born in any state, and have not been attending one (1) or more schools in any one (1) or more states for more than three (3) full academic years.
5. A home language survey is a tool used to determine the primary language spoken in the child's home environment.

6. Assessing Comprehension and Communication in English State-to-State for English Language Learners (ACCESS for ELLs) is a nationally normed assessment used to measure a student's speaking, listening, reading, writing, and overall proficiency in English. The Maryland State Department of Education (MSDE) requires that this assessment be given to all potential EL students prior to enrolling and to all EL students each year in the spring on a date determined by the state. This annual assessment is used to determine whether or not an EL student is making progress or attaining proficiency in English.
7. MSDE English Language Proficiency Levels and Descriptors
  - a. Low Beginning      Level 1 students are just beginning to develop receptive and productive uses of English in the school context. Comprehension often is demonstrated nonverbally or through the native language, rather than in English.
  - b. High Beginning      Level 2 students are developing the ability to communicate in English within the school context. Numerous errors still impede basic communication and comprehension as those skills continue emerging.
  - c. Low Intermediate      Level 3 students are developing the ability to communicate effectively in English across a range of grade-level appropriate language demands; however, frequent errors still interfere with communication and comprehension.
  - d. High Intermediate      Level 4 students communicate effectively in English across a range of grade-level appropriate language demands in the school context as frequent errors begin to occur much less often.
  - e. Advanced      Level 5 students communicate effectively in English across a wide range of grade-level appropriate language demands in the school context. Errors have a lesser impact on communication and comprehension; students are approaching fluency in English.
  - f. Transitional      Transitional students participate fully in mainstream classes. These students are monitored for two (2) years to help ensure that they are succeeding in mainstream classes. Accommodations may still be provided for students if necessary.
8. Sheltered Instruction - A method used to make academic instruction in English understandable to EL students by helping them enhance their proficiency in English while at the same time achieving in content areas. In the sheltered classroom, teachers use simplified language, physical activities, visual aids, and the environment to teach vocabulary for concept development in mathematics, science, social studies and other subjects.

## B. Entrance Procedures and Criteria

1. Enrollment procedures for students are outlined in Frederick County Public Schools (FCPS) Regulation 400-07.
2. Students age 5 through 21 who have not already earned a high school diploma, satisfied graduation requirements for a diploma, or completed high school educational requirements in a foreign country, are eligible to attend FCPS if the student meets residency requirements in Frederick County.<sup>1</sup>
3. This regulation must apply to all students who transfer from other schools, either inside or out of Frederick County.
4. Parents must receive written notification, not later than thirty (30) days after the beginning of the school year, that their child will receive EL services. Parents of students, enrolling after the school year has begun, must receive written notification within two (2) weeks of the child being placed in the EL program.
5. A student, who has been enrolled in the mainstream program without previously being referred to a designated EL registrar for assessment, may be referred to a registrar for assessment by a member of the school's instructional or administrative staff. Before the student can be assessed, the school must:
  - a. Contact the parent in writing, in a language that the parent understands, explaining the reason for the request.
  - b. Get the parents' written approval.
6. Students referred to a designated EL registrar for assessment will be interviewed and then assessed by the ACCESS for ELLs. EL services will be recommended for students who:
  - a. Score at the state's recommended placement level into EL services.
  - b. Are not able to achieve in mainstream classrooms without EL support based upon current and previous academic records due to proficiency in English.
7. Exception  
Parents have the right to refuse EL services for their child provided that they submit a signed EL Waiver of Services form. The parents of a student who have refused EL services for their child have the right to request that the child be assessed and considered for admission to the EL program should the child find the mainstream academic program too rigorous.

## C. Placement Procedures

1. An EL registrar will make recommendations with regard to the student's grade level, school, and placement in mainstream classes based on the results of the student's ACCESS for ELLs, available school documents, and information obtained orally pertaining to the student's prior schooling. The receiving school will be informed in writing of these recommendations.

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<sup>1</sup> COMAR 13A.02.06.02.B(4) "Age 21" means that the student has not received a high school diploma and is not 21 years old on the first day of the school year.

- a. Elementary  
Receiving school staff will place the students in the grade-appropriate class while making provisions for EL instruction during the school day. The school staff also will enter the child's EL indicator, country of birth, and primary language spoken at home (determined by the home language survey) into the student information system.
  - b. Secondary  
Receiving school staff will make grade level and course placement decisions based on the registrar's recommendations, the results of the math placement test and the ACCESS for ELLs, and the student's transcripts (if available). The school staff also will enter the child's EL indicator, country of birth, and primary language spoken at home (determined by the home language survey) into the student information system.
2. Students assigned to the EL program will be enrolled in and receive EL services in their home school or in a designated EL center.
- a. Elementary EL students in grades 3-5 and living in a district where the home school does not have a resident EL teacher will be enrolled in the designated EL center with parental approval.
  - b. Secondary EL students living in a district where the home school does not have a resident EL teacher will be enrolled in a designated EL center with parental approval.

D. EL Services

1. Frederick County EL students will receive one (1) or a combination of the following EL instruction services approved by the state:
- a. Elementary
    - (1) Pull out instruction
    - (2) Inclusion support provided in mainstream classes
  - b. Secondary
    - (1) Sheltered English instruction
    - (2) Sheltered English, content area instruction
  - c. Transitional EL students are in mainstream classes full time. These students are monitored quarterly by the EL office to help ensure that they are succeeding in those classes.
2. Instructional services will be provided by an EL teacher or an EL instructional assistant, depending on the school and the student's need for services.

E. State-Mandated Testing Decisions

1. All students receiving EL services must take the ACCESS for ELLs each spring during the state-mandated administration of that test.

2. Students identified as English Learners must participate in statewide math assessments immediately upon enrollment. EL students must participate in other statewide assessments after they have been enrolled in a school, or schools, in the United States for one (1) school year. A student's proficiency in English is not a determinant in deciding eligibility for participation in statewide assessments. The length of time that an EL student has been enrolled in school determines whether or not that student takes the assessment.
3. EL committees are responsible for making informed decisions about accommodations for English Learners. The Student Services Team (SST) at the elementary and secondary levels will serve as the EL committee, unless the principal designates a separate team. An EL instructional staff member must be part of this team. Decisions should be:
  - a. Made formally during an EL committee meeting within forty-five (45) calendar days from the start of the school year or the student's date of enrollment.
  - b. Documented on the EL accommodation form and kept in the student's English Learner (EL) plan. EL plans are defined by the Maryland State Department of Education (MSDE).
  - c. Aligned with criteria in the section of the Maryland Accommodation Manual dealing with English Learners.
  - d. Shared with the EL office, teachers, administrators, school test coordinator, and parents/guardians.
  - e. Reviewed informally at the end of each school year.

F. Exit Criteria

1. Elementary

It is strongly recommended that students meet all of the criteria below, but allowances may be made for special circumstances.

  - a. An overall ACCESS for ELLs score at level 4 or above. (Required)
  - b. Satisfactory performance and grades in mainstream classes.
  - c. Mainstream and EL teacher recommendation.
  - d. Parent notification prior to student reclassification.
2. Secondary

It is strongly recommended that students meet all of the criteria below, but allowances may be made for special circumstances.

  - a. An overall ACCESS for ELLs score at level 4 or above. (Required)
  - b. Successful completion of EL courses at this level.
  - c. Satisfactory mainstream and EL grades.

- d. EL teacher recommendation with input from mainstream teachers.
  - e. Student and parent notification prior to student reclassification.
3. Exception  
Parents have the right at any time to request that their child be withdrawn from the EL program. To do so, they must sign an EL Waiver of Services form and submit it to the EL office.
4. When a decision is made to move an EL student into the mainstream program, the school will notify the EL office before taking any action. The EL office will then notify the parents in writing and give them the opportunity to respond.

G. High School Diploma by Examination

1. With the exception of Section G2 below, an individual may obtain a high school diploma by examination if the individual:
- a. Has not obtained a high school diploma;
  - b. Resides in the State of Maryland;
  - c. Is not subject to compulsory school attendance under Maryland law; and
  - d. Has withdrawn from a regular full-time public or private school program.
2. An individual is not subject to the requirements of Section G1 above if the individual participates in a GED Option Program administered by the Maryland State Department of Education that creates a pathway to a high school diploma by examination for currently enrolled high school English learner students under the age of 21 years who have experienced interrupted education and have a lower level of English proficiency than their peers.

Approved:

*original signed by*

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Theresa R. Alban  
Superintendent