



**Regional School Unit 13
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**LAU PLAN
Multilingual Learners
RSU 13**

Purpose

The RSU 13 LAU Plan is a structure to support students who are Multilingual Learners (ML). The plan lays out identification, ongoing assessment, support teams, and committee processes that allow the support necessary for students to achieve. See Appendix A for legal provisions.

Organization

The RSU 13 Director of Curriculum, Assessment, and Instruction shall have administrative oversight of the Multilingual Learner Program and will be the direct supervisor for the Multilingual Learner (ML) endorsed educator. Additionally, the Language Assessment Committee (LAC) will approve and help oversee the structure of the program. The LAC will also ensure that each ML student has an ML file with a plan as well as an established ML Team that will meet twice yearly to discuss supports and assessments.

Language Assessment Committee (LAC)

The ML endorsed educator will form a district-wide Language Assessment Committee (LAC) made up of the ML teacher, the Director of Curriculum, Assessment, and Instruction, a building administrator, content area teacher(s), guidance counselor(s), and other interested district professionals who seek an opportunity to provide input on the program's oversight. Membership should be yearly with the ML teacher and Director of Curriculum, Assessment, and Instruction being a constant over time while other membership may change yearly depending on the need for input on the committee. The purpose of the LAC is to provide the structure for identifying, serving, assessing, and eventually exiting ML students from the language support system as well as to ensure that ML student teams are in place to communicate with parents regarding upcoming testing, test results, and student progress. The LAC meetings will be scheduled and facilitated twice a year, once at the start of the school year and once after testing, by the ML teacher.

Primary Responsibilities of the LAC

1. To ensure a system is in place for identifying Multilingual Learner (ML) students through home language surveys followed up by testing for placement.
2. To ensure there is a documented list of all current ML students and their services as well as files for each student containing programming plans and ML Team recommendations (See the section on Record Keeping).
3. To oversee the system of notifying parents of the date and nature of ML Team meetings, program decisions, and evaluations concerning their children. Furthermore, the LAC will ensure communications will be presented in a language which is comprehensible to the parents.
4. To oversee the administration of assessments for ML students.
5. To monitor students' language and academic progress on an annual basis by looking at the number of students in the program and monitoring progress through the language levels.
6. To use assessment data to determine program effectiveness and recommend any necessary program adjustments.
7. To oversee annual monitoring through an ML student's school career after reclassification.
8. To recommend administration of the WIDA Screener should an ML student's progress come into question after dismissal.
9. To ensure a structure for staff professional development is in place in which the ML teacher shares the stages of language acquisition and how the ML program works with staff and to monitor the effectiveness of this structure.
10. To ensure an appropriate number of qualified teaching staff are providing students with an equitable opportunity to meet their language and learning as well as academic content acquisition needs through facilities and materials of comparable quality to their peers.
11. To recommend revisions and additions to the Regional School Unit 13 LAU Plan for action by the School Board.

Initial Identification and Evaluation**A. Potential ML students will be initially identified by any of the following:**

1. Language Use Survey (See Appendix B for Decision Tree and sample Survey in English....surveys are available in parents' native language)
2. Placement assessment tool (see chart below)

English Language Proficiency Screening Assessment Requirements		
Grade	Screening Assessment	Minimum Score Required to be Non-ML
Pre-K	PreLAS	cutoff score of 77
1 st semester K	Kindergarten W-APT	listening and speaking 29
2 nd semester K/1 st semester 1 st grade	Kindergarten W-APT	listening and speaking 29 reading 14 writing 17
1 st semester K	Kindergarten MODEL	oral language proficiency level 6.0
2 nd semester K/1 st semester 1 st grade	Kindergarten MODEL	composite proficiency level 6.0
2 nd semester 1 st grade-12 th grade	WIDA Screener Online	composite proficiency level 4.5

3. Review of relevant educational documents and student records

B. Process for Reviewing Surveys and Referrals

The ML teacher will review Language Use Surveys, relevant educational documents and student records where applicable. English Language Proficiency Screeners from the table above will be administered to students subsequent to the review of documentation.

C. Assessment Procedures and Annual English Language Proficiency Test Administration

All Multilingual Learners in Maine public schools, as well as publicly-funded Multilingual Learners in non-public schools, must be administered ACCESS for MLs (or Alternate ACCESS, if applicable) annually. RSU 13 affirms that it will ensure that all students who are Multilingual Learners are administered this required assessment annually, including those whose parents/guardians have declined ESOL services. Assessments will be administered by a certified ML endorsed educator. Based on this testing, students will be classified as needing ML services within “Level 1-4” or not needing ML services at a Level 4.5.

D. Initial Intake Meeting

An initial intake meeting will be documented (See Appendix C) and attended by a guidance counselor, the ML teacher, parents, school administration, and the student will be held to

address the student's overall strengths and needs and determine the best placement and support for the student. It may also be appropriate to invite the student's teacher(s). State approved accommodations and alternate assessments for local and state tests will be discussed and utilized as needed for ML students.

E. Record Keeping

Any testing results, a copy of the Individual Language Acquisition Plan (ILAP), and any additional data collection required as documented in the student's ILAP will be filed in the student's folder located at each school. This information will be made available to parents/guardians in their native language if necessary.

Placement and Programming for ML students

When a student is determined as being an ML student, a structured Individual Language Acquisition Plan (ILAP See Appendix D) will be developed by the ML Student Team comprised of: the ML teacher, the student, parents, teachers, a building administrator, and the guidance counselor. Additional members specific to the individual ML student's situation may include, speech & language therapist, RTI teacher, and tutors. The ILAP will be kept in the student's folder at each school and updated annually. This team will help ensure that ML students have equitable access to appropriate coursework as well as academic and extracurricular programs that will support their growth.

A. The following will be considered when creating or updating the student's ILAP:

1. Determining an appropriate grade placement.
2. The number of hours of direct self-contained instruction to be provided by the ML teacher and tutors.
3. Any specific materials to be used.
4. Specific subject area goals for the student.
5. Progress monitoring tools used by either content area teachers and/or the ML teacher to monitor progress.
6. Need for Extended School Year Services.
7. Need for accommodations and/or alternate assessment for MEA testing and local assessments.
8. Yearly screening results, which will be followed by a second meeting later in the school year to discuss the student's progress.
9. Additional learning opportunities and extracurricular programming that will support the student's progress.

Evaluation of Student Progress

The ML Student Team will meet at least once a year to monitor each ML student's goals and assess progress and programming by reviewing the student's testing and ILAP. The team will make recommendations inclusive of classroom and testing accommodations to support student growth through their language acquisition.

There are three types of meetings that are considered ML Student Team meetings: the initial Intake Meeting, a Progress Monitoring meeting for a change in programming or to follow up on the status of placement during a new school year, and an Annual Meeting in which testing is reviewed. The Intake Meeting and Progress Monitoring Meeting are typically held in the early fall as necessary, and the Annual Meeting is held after the ML screening assessment results are available in the spring.

Reclassification Criteria

1. When a Multilingual Learner meets Maine's definition of English language proficiency on ACCESS for MLs/Alternate ACCESS (currently an overall composite proficiency level of 4.5, or level P2 on Alternate ACCESS), the student will be exited from Multilingual Learner status.
2. RSU 13 will continue to monitor the academic performance through classroom and local standardized assessment scores of all former Multilingual Learners to ensure that English language support services are no longer needed.
3. If educators suspect that a student is no longer proficient in English, the WIDA Screener Online will be re-administered to determine Multilingual Learner status.
4. A student who scores below an overall composite score of 4.5 will be reentered into Multilingual Learner status, provided English language acquisition support services, and administered ACCESS for MLs/Alternate ACCESS annually until exiting again.

Requesting a Change in Identification

If a student has been identified by a school in Maine as a Multilingual Learner (ML) but a teacher, school administrator, parent/guardian, or the student himself/herself (over the age of 18) believes this identification to be incorrect, a request for change in identification may be made.

To initiate this request, a letter or email (in any language) must be submitted to the student's district superintendent. If the superintendent approves the request, the superintendent will complete a [Request for Change in ML Identification](#).

A request for change in identification form must be submitted within 90 days of enrollment*. The final decision will be made by the ML identification review committee at the Maine Department of Education within two weeks of receipt of the request. The superintendent is responsible for informing the student's parent/guardian of the Department's final decision in the parent's/guardian's preferred language and format, written or oral. Oral notifications must be followed by written notice. The Department's decision may be appealed in light of additional evidence.

Please note that students who were properly identified as MLs and have not yet reached the Maine DOE's definition of English language proficiency (a composite proficiency level of 4.5 on ACCESS for MLs) are not eligible for a change in ML identification.

Communication with Parents/Guardians

RSU 13 will ensure meaningful communication with parents/guardians in a language they can understand and to adequately notify parents of information about any programs, services, or activities not limited to language assistance programs, special education and related services, IEP meetings, grievance procedures, notices of nondiscrimination, student discipline policies and procedures, registration and enrollment, report cards, requests for parent permission for student participation in district or school activities, parent-teacher conferences, parent handbooks, and gifted and talented programs.

Meaningful and Equitable Access to Academic and Extracurricular Programs

Multilingual Learners are entitled to equitable access to all academic and extracurricular programs that their schools offer, such as college preparatory classes, Advanced Placement, dual enrollment, Gifted and Talented, Career and Technical Education, pre-kindergarten, athletics, academic/career counseling, performing and visual arts, clubs, honor societies, and others.

RSU 13 affirms that it will take all necessary measures to ensure that students who are Multilingual Learners have equitable access to all programming.

Equitable Personnel, Facilities, and Materials

Multilingual Learners must be provided with sufficient, qualified teaching staff to meet their language learning and academic content acquisition needs, as well as facilities and materials of comparable quality to those of their peers. RSU 13 affirms that an ESOL-endorsed, certified teacher will provide direct language acquisition support to all students who are Multilingual Learners. Facilities and materials will be of a comparable level of quality to those provided to all other students.

Special Education and ML Students

Limited English proficiency is not a disability as defined by the Americans with Disabilities Act of 1994 of Maine Unified Special Education Regulation (MUSER). If an ML student is referred for a special education evaluation, a culturally and linguistically non-biased evaluation that complies with state and federal regulations will be used.

ML students will not be placed in any Special Education program unless a disability and adverse effect is well documented (including assessment of the student's native language skills). If it is suspected that a student may have a disability affecting his/her education, an appropriate procedure for Special Education services will be followed.

Adopted: February 2, 2012
Revised: December 8, 2017
Revised: December 18, 2020
Adopted: January 7, 2021

APPENDIX A

Legal Foundation

RSU 13's LAU Plan abides by the Maine Department of Education's Legal Provisions for the Education of English Language Learners. The following cite legal provisions leading to the necessity of a Lau Plan:

- ***Every Student Succeeds Act (2015)*** provides for strong accountability for the education of all children and for certain provisions specific to limited English proficient students, especially under Titles I and III of the Act. NCLB also provides funds to states and local schools and universities to carry out the intent of the Act.
<http://www.ed.gov/policy/elsec/leg/esea02/index.html> (full text)
<https://www2.ed.gov/policy/elsec/leg/essa/index.html> (U.S. Department of Education's official ESSA website)
- ***Title VI of the Civil Rights Act of 1964*** prohibits discrimination on the basis of national origin (and other civil rights).
<http://www.usdoj.gov/crt/cor/coord/titlevistat.htm> (full text)
- ***Equal Education Opportunities Act of 1974*** requires schools to "take appropriate steps" to assure equal access as stipulated in the Lau opinion below.
<http://www.law.cornell.edu/topics/education.html>

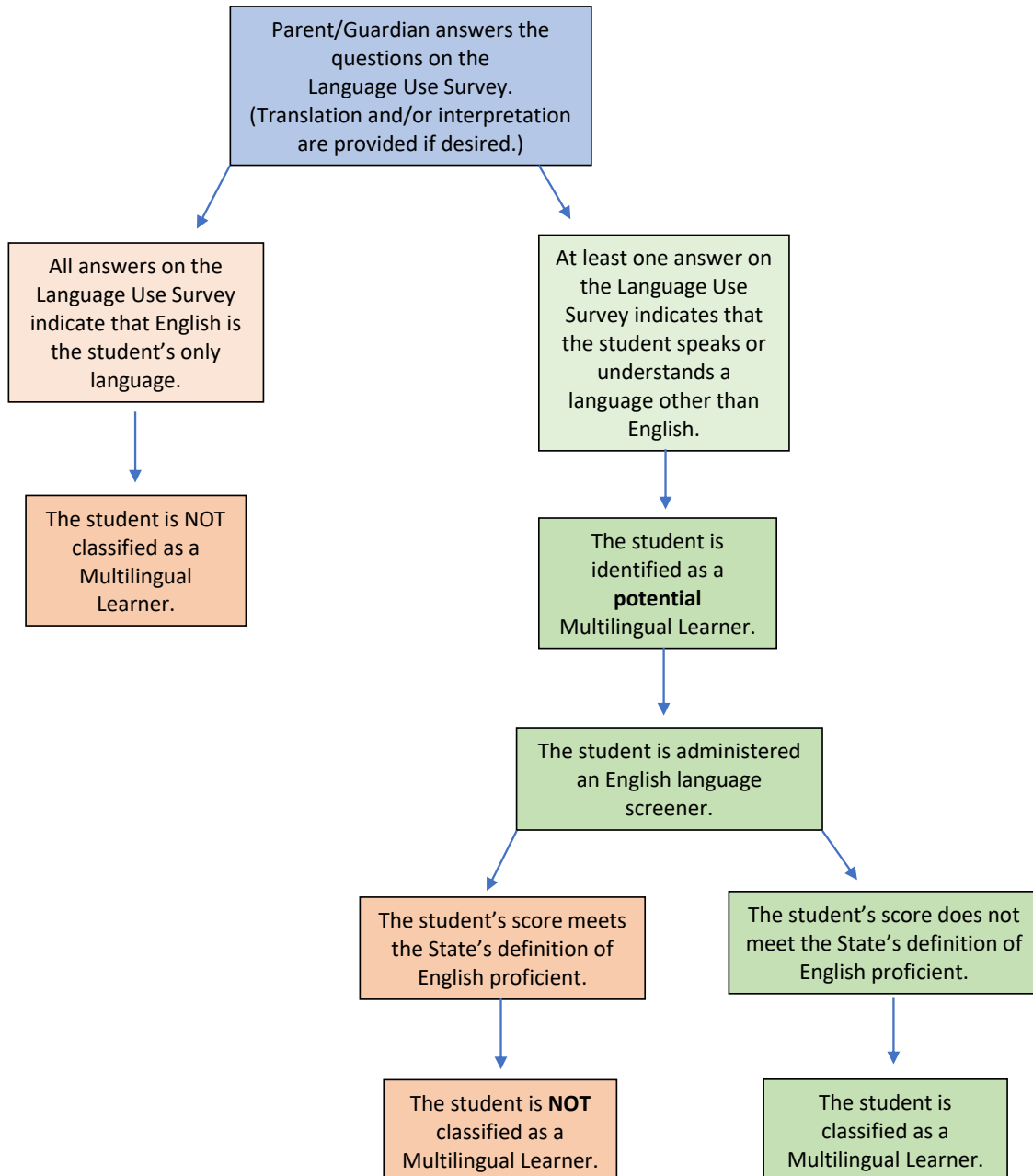
Supreme Court Decisions

- ***Lau vs. Nichols (1974)*** ruled that providing the same access to curriculum, instruction, and materials for students of limited English proficiency as is provided to English dominant students is not in effect equitable:
http://www.law.cornell.edu/supct/html/historics/USSC_CR_0414_0563_ZS.html
- ***Plyler vs. Doe (1981)*** ruled that all students in public schools must be appropriately served, including any students who may not be documented as legal immigrants:
http://www.law.cornell.edu/supct/html/historics/USSC_CR_0457_0202_ZO.html
- ***Castañeda vs. Pickard (1981)*** case precedent requires schools to use a three-pronged approach to assure that they are following the spirit of the above decisions vis-à-vis: a practice grounded in sound educational theory; effective implementation of an appropriate program; assurance that the program is working through an evaluation and subsequent program modification to meet this requirement.
<https://web.stanford.edu/~hakuta/www/LAU/IAPolicy/IA1bCastanedaFullText.htm>

APPENDIX B

Multilingual Learner Identification Decision Tree (from MDOE)

The parent(s)/guardian(s) of all students enrolling in a district for the first time must complete the [Language Use Survey](#). The entire identification process must be completed within thirty days of enrollment from the beginning of the school year or within two weeks of enrollment during the school year. Note that if a parent/guardian refuses to complete the Language Use Survey, districts are still required under federal law to identify all Multilingual Learners. In such cases, the “School Use Only” section of the Language Use Survey must indicate observed or student-reported use of a primary or home language other than English before an English language proficiency screener can be administered. See [Serving Maine’s Multilingual Learners](#) for additional guidance.



Link to Language Use Survey in other languages:

<https://www.maine.gov/doe/learning/englishlearners/policy/survey>

Dear Parent/Guardian:

Maine welcomes families of all cultural and linguistic backgrounds. Speaking more than one language is a valuable asset, and we encourage families to maintain their languages while learning English. Students who speak or understand another language may be entitled to support to improve their English in order to meet Maine’s challenging academic standards. The following questions, required for all students from pre-kindergarten through grade 12, will help your school determine whether your child may benefit from English language support services.

- If a language other than English is indicated, your child will be administered an English language screener.
- Depending on your child’s score, your child may be classified as a Multilingual Learner and eligible for English language support.
- If you would like this letter and the survey below to be provided in another language, or if you would like an interpreter, your school will fulfill those requests.
- If you have questions about this survey, please contact your school principal.

Be assured that your answers will be used only for educational purposes. The completed survey will be kept in your student’s permanent file, and only school staff will have access to it. No school employee may inquire about the immigration status of any member of your family.

Thank you for providing this information, and I wish your student great academic success.

Sincerely,
April Perkins
Director of ESOL and Bilingual Programs, Maine Department of Education

LANGUAGE USE SURVEY

Student’s Name: _____
School: _____

Date of Birth: _____
Anticipated Grade: _____

Please do not leave any question unanswered.

1. What language(s) did your child **first** speak or understand?
2. What language(s) does your child **most easily** speak or understand?
3. What language(s) do people use with your child daily?

Parent/Guardian Signature: _____ Date: _____

School Use Only	
Post-enrollment Identification: If no language other than English is indicated by a parent/guardian on this survey, an English language screener may be administered only if this section is completed by a teacher.	
Describe evidence that the student’s English language development has been affected by a primary or home language other than English:	
Teacher Signature: _____	Date: _____

PLACE THE ORIGINAL OF THIS COMPLETED DOCUMENT IN THE STUDENT’S PERMANENT RECORD FOLDER

APPENDIX C
[Initial Intake Meeting](#)

APPENDIX D
[ILAP Template](#)

(Be sure this includes a disclaimer of rights for parents to decline services or request a translator.) (Put in live link and copy and paste form in too later.)



Appendix E: Multilingual Learner Exemption Guidance

N/A	Not applicable
Yes	Student is required to participate
Optional	Student is not required to participate based on ELA/literacy exemption for newly arrived multilingual learners. Student may participate based on the SAU, school, and family decision.

ELA/literacy Exemption Clarification	
Assessment (General)	Alternate Assessment
NWEA Reading session Fall 2022	MCAA ELA/literacy Spring
Maine Through Year Assessment Spring 2023	

** A NWEA administration would be considered completing a fall and spring administration during a single academic year.

Newly arrived multilingual learners identified Enrollment Start Dates <u>[all students must be screened within 30 days of enrollment]</u>	ACCESS for ELLs Winter 22	ELA/literacy content assessment 21-22	ACCESS for ELLs 22-23	ELA/literacy content assessment 22-23	Mathematics and Science content assessments 22-23
2/4/22 - 2/3/23	Optional (window closed on 3/18/22)	Optional; newly identified MLs w/ US School Entry Date 2/4/22 - 6/10/22)	Required	Optional	Required
2/4/23 - 6/15/23			Optional (window closes on 3/3/23)	Optional	Required