

HUTCHINSON PUBLIC SCHOOLS



ISD 423

Language Instruction Educational Program (LIEP) Plan

Hutchinson Public Schools

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Collaborators:



Student Access and Opportunity Division
School Support Division

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Overview

Purpose and Audience of the LIEP Plan

The purpose of the LIEP plan is to provide transparency and coordinate support for implementation. The plan's intended audience includes district stakeholders, such as staff, students, parents, and community members.

Asset-based Language

This document uses student-first language including the term “multilingual learner” to describe students who are learning an additional language. The term multilingual learner is actually a broad category that includes students who were never identified for EL status as well as students, those currently receiving EL instruction, and those who used to have EL status. It also includes students whose first language is English as well as students who have English as an additional language. Using asset-based language focuses on what students bring to the learning environment rather than the service they receive (e.g., special education, reading interventions, etc.). Instead, it is recommended to refer to students identified for EL support with terms such as “multilingual learners,” “students with English learner status,” or simply “students” depending upon the context. We do, however, talk about EL programming, EL teachers, and EL classes, etc. Because the acronym “EL” is used in federal law, certain contexts may require use of EL to refer to this group of students in order to disaggregate data on language proficiency. In all other cases, asset-based language is preferred.

Legal Foundations

The Language Instruction Educational Program (LIEP) is a legal requirement for districts with students who are in the process of learning English as an additional language. The goal of the English language (EL) program is to develop students' communicative and academic language skills in English and in the home language. This is to ensure that students will be able to access the same challenging grade-level academic content as their peers. Methods of instruction in the EL program must be research-based and include instruction by ESL-licensed teachers.

LIEP plans must be aligned to **Minnesota Statutes 2022, section 124D.61(2)**, which requires a district enrolling one or more English learners to have “a written plan of services that describes programming by English proficiency level made available to parents upon request. The plan must articulate the amount and scope of service offered to English learners.”

District and charter school LIEP plans must also meet federal legal requirements. **The Equal Opportunity Act (EEOA) of 1972** requires districts to remove language barriers to achievement and ensure equal participation of students in instructional programs.

The Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act of 2015, Section 3116(b)(4)(C),

This Act requires that district plans be developed in consultation with “teachers, researchers, school administrators, parents and family members, public or private entities, and institutions of higher education.” Therefore, the LIEP plan must be collaboratively developed and include the perspectives of district stakeholders. Additionally, the Supreme Court case (**Castaneda v. Pickard 1981**) clarified that EL programs must be based on sound educational theory, reasonable calculations of effectiveness, and be regularly evaluated and adjusted as needed. The LIEP plan outlines how the district or charter school fulfills these requirements.

[Every Student Succeeds Act](#)

The Learning English for Academic Proficiency and Success (LEAPS) Act - HF 3062

The LEAPS Act revises many state statutes that increase an emphasis on supporting English Learners. The statute includes a definition and accountability reporting of SLIFE students (Students with Limited Interrupted Formal Education). The act also includes opportunities for students to achieve a bilingual or multilingual seal on their High School diplomas if they demonstrate certain levels of language proficiency on native or world languages. It also promotes cultural competence and the requirement of educators to be skilled in developing English language proficiency of their English learners.

[Learning English for Academic Proficiency and Success \(LEAPS\) ACT - HR 3062](#)

Every Student Succeeds Act (ESSA) of 2017

Districts must provide “appropriate language assistance” services to English learners that both increase English proficiency and enable students to master the same challenging academic curriculum as non-EL students. Accountability systems are combined to include progress towards English language proficiency with other academic indicators to emphasize support and services for English learners. The Act requires a school to inform families about their children’s education as English Language Learners (ELs). Schools must inform families in an understandable manner and, to the extent practicable, in their native languages. [U.S. Department of Education's official ESEA Web site](#)

Executive Order 13166: Improving Access to Services for Persons With Limited English Proficiency (2000)

Federally conducted and federally assisted programs “must take reasonable steps to ensure meaningful access to their programs and activities by LEP persons,” according to the guidelines set forth by the Department of Justice.

<https://www.justice.gov/crt/executive-order-13166> (full text)

Office for Civil Rights - Enforcement Policy of 1991

This document clarifies enforcement points of an EL program:

- 1) EL teachers must be adequately trained and be evaluated by someone who is familiar with EL teaching methods.
- 2) Exit criteria for students in the program should be based on objective standards.
- 3) Schools may not have “no double service” policies. Students who have a need can have both EL services and special education services.
- 4) EL students cannot be categorically excluded from special programs, such as gifted/talented education.
- 5) All language minority students must be assessed for fluency.
- 6) Parents are to be provided with information related to school in a language that they understand.
- 7) EL students are to receive instruction from qualified staff.

<http://www.ed.gov/about/offices/list/ocr/docs/lau1991.html>

Congress - Civil Rights Restoration (1988)

If any part of an institution or agency receives federal funding, the entire entity is prohibited against discriminatory practices. If any part of the organization violates civil rights laws, federal funding may be withdrawn.

Fifth Circuit Court - Castañeda v. Pickard (1981)

The adequacy of a district's EL program will be evaluated by a three-part test:

- 1) Is the program based on sound educational theory or is it considered by experts in the field to be a legitimate strategy?
- 2) Are the programs, practices, and resources available to implement the strategy effectively?
- 3) Does the school district evaluate and adjust its EL programming to ensure the effectiveness of its strategy?

[Fifth Circuit Court - Castañeda v. Pickard \(1981\) \(full text\)](#)

Supreme Court - Plyler v. Doe (1981)

Under the Fourteenth Amendment, all students have the right to free public education and must be appropriately served, regardless of their status as citizens, documented immigrants, or undocumented immigrants. It is not the role of school systems to enforce immigration law. Furthermore, it is not an acceptable argument to deny educational services to undocumented students because of the burden it may place on school systems.

[Supreme Court - Plyler v. Doe \(1981\) \(full text\)](#)

Supreme Court - Lau v. Nichols (1974)

The Supreme Court ruled that districts must help limited-English proficient students overcome educational barriers through equitable (not equal) access to facilities, textbooks, teachers, and curriculum.

[Supreme Court - Lau v. Nichols \(1974\) \(summary\)](#)

Equal Education Opportunities Act of 1974

States may not deny equal educational opportunities to students due to race, color, sex, or national origin. Educational agencies must take appropriate action to ensure that language barriers do not impede students' participation in instructional programs.

[Equal Education Opportunities Act of 1974 \(summary\)](#)

U.S. Department of Health, Education, and Welfare - May 25 Memorandum (1970)

This document clarifies a school district's responsibility towards English learners: "where 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 the instructional program to the students."

<http://www2.ed.gov/about/offices/list/ocr/docs/lau1970.html>

Title VII of the Elementary and Secondary Education Act of 1968 (Bilingual Education Act)

The Bilingual Education Act authorizes funding to support educational agencies who serve students with limited English proficiency. This funding may also be used to provide professional development and research opportunities related to serving English learners. The Act was reauthorized and restructured in 1994 as part of the "Improving America's Schools Act." In 2001, Title VII was replaced in the re-authorization of ESEA and the No Child Left Behind Act, and is now Title III "Language Instruction for Limited English Proficient and Immigrant Students."

Title VI of the Civil Rights Act of 1964

Title VI prohibits discrimination by recipients of federal funds against anyone on the grounds of national origin, color, or race. This has been interpreted to include the prohibition of denial of equal access to education because of limited proficiency in English.

[Title VI of the Civil Rights Act of 1964 \(full text\)](#)

Acronyms and Definitions

ACCESS: WIDA ACCESS for ELLs; annual assessment of English language development for English learners

EL: English learner. See definitions in the Minnesota Statute 124D.59(2) and the Every Student Succeeds Act Statute 8101(20). (At times, the terms **ELL** and **LEP** sometimes used interchangeably.)

ELD: English language development – often refers to state’s ELD standards outlining benchmarks for progress toward English language proficiency. (**ESL** is sometimes used interchangeably.)

ELP: English language proficiency

ILP: Individual Language Plan – tool for documenting and communicating differentiated EL instruction

LEA: Local Educational Agency (refers to districts and charter schools)

LEAPS: Learning English for Academic Proficiency and Success

LIEP: Language instruction educational program. May be commonly referred to as the “EL program”

LTEL: Long-Term English Learner

MARSS: Minnesota Automated Reporting Student System

MDE: Minnesota Department of Education

MEP: Migrant Education Program

ML: The term multilingual learner is a broad category that includes students who were never identified for EL status as well as students, those currently receiving EL instruction, and those who used to have EL status. It also includes students whose first language is English as well as students who have English as an additional language.

MNLS: Minnesota language survey – formerly known as the home language questionnaire, it is part of Minnesota’s standardized procedures. All districts must include this in their enrollment packets.

RAEL: Recently-Arrived English Learner (often referred to as “Newcomers”)

SLIFE: Student(s) with limited or interrupted formal education

WIDA: The WIDA™ Consortium - Minnesota has adopted the WIDA ELD standards, Screener and ACCESS for ELLs standardized assessment

WIDA Screener: Assessment used to determine EL program eligibility.

Academic Language: Generally refers to the types of language proficiencies that are necessary for learners to perform successfully in academic contexts. It includes language that is more demanding and complex and is used in textbooks, classrooms, on tests, and in content disciplines; also known as CALP.

Social Language: Refers to the language of everyday communication in oral and written forms; also known as BICS

Resource and Notes

The LIEP Plan uses the following symbols to distinguish which sections are required and optional. The symbol is displayed next to applicable sections within the LIEP plan and demonstrates the most restrictive requirement:



Required of the LIEP Plan: Required of LIEP plans by state and federal statute



Minnesota’s Standardized Procedures: Addresses ESSA requirements all districts must follow



Required of Programs: Meets other state and federal requirements of programs for English learners; also addresses compliance with the federal Office for Civil Rights



Optional Best Practice: Not required but recommended practices to support progress toward proficiency; may include additional considerations or coordination across programs

EL Identification Procedures

In our district, all families go to the central enrollment office to complete the enrollment packet with staff support. To be eligible for EL services, a student must meet the entrance criteria according to Minnesota's standardized procedures as follows:

1. All families fill out a Minnesota language survey (MNLS) prior to starting school. The student's MNLS indicates:
 - a. The language(s) the student learned first;
 - b. The language(s) the student speaks;
 - c. The language(s) the student understands; and
 - d. The language(s) the student has consistent interactions in.

NOTE: All parents complete an MNLS, as part of the enrollment process. This information is kept in each student's cumulative (CUM) folder. Interpreters are available upon request. Enrollment staff are regularly trained on these procedures.

2. If a language other than English is indicated for 1a-d above, the student will be referred to the EL team to be screened for English language proficiency to determine whether or not the student is eligible for English language development instruction (step 4).
3. Once the MNLS has been analyzed and indicates a language other than English, the student takes the:
 - a. WIDA ACCESS Placement Test (W-APT, Kindergarten and first semester 1st grade only) *Students with an overall score of 29 or 30 do not qualify for EL services, OR
 - b. WIDA Screener (second semester 1st grade through grade 12) to determine their entrance level of English into the EL Program and must have an overall score between 1 and 4.4. If scoring 4.5 or above with all language domains 4.0 or above, the student is not eligible for EL program services.
4. When available by file or in MARSS, the EL team reviews information provided from the previous school/district about EL status or English language proficiency (ELP) assessment. Any information existing regarding past EL identification or services is used to update information gathered during steps 1-3 above.

EL Identification Procedures resources

- [English Learner Education webpage](#)
- English Learner Identification
 - o Minnesota Language Survey Administration
 - o Screening for English Language Proficiency

Depending on district size, the process to gather information from other districts may range from calling the district to sending for files. Obtain copies of past EL proficiency results swiftly. If assessment results are not obtained by the date the student is scheduled for W-APT or WIDA Screener testing, assess with the W-APT or WIDA Screener. Students who enroll after the initial 30 days of school, follow the same guidelines for taking the appropriate screener but within 10 days of enrollment.

 **Attention!** EL identification should never cause a delay in a student's enrollment into classes. A temporary schedule can be developed while the school is determining eligibility.

 **Other needs?** Steps to determine eligibility for additional services (e.g.: Special Education, Reading interventions, gifted/talented) should not be delayed because of English learner status.

 **Interpreters:** Clearly state how the parents report their preferred language(s) and how they can request an interpreter.

SLIFE Identification Criteria

Students with limited interrupted formal education (SLIFE) are an important group of English learners who need special consideration in identification, programming, and graduation pathways. The definition of Students with Limited or Interrupted Formal Education (SLIFE) ([Minn. Stat. § 124D.59, Subd. 2a](#)) is an English learner with an interrupted formal education who meets **three of the following five requirements**:

1. comes from a home where the language usually spoken is other than English, or usually speaks a language other than English;
2. enters school in the United States after grade 6;
3. has at least two years less schooling than the English learner's peers;
4. functions at least two years below expected grade level in reading and math; and
5. may be preliterate in the English learner's native language.

Upon enrollment and qualification for EL services, the EL teacher, student, and parent/guardian (with an interpreter, if requested) will complete the EL Educational History Interview Form. Question number 2 will indicate potential SLIFE status. Transcripts from previous schools will also be reviewed for indicators, if available. *Local Reading Assessment* is used to show reading grade level correlation, while *Local Math Assessment* is used to show grade level correlation in math. Assessments are provided in the student's home language whenever possible. A home language assessment (for example, [Native Language Literacy Assessment-NLLA](#)) is also administered to determine home language proficiency. An annotation of SLIFE status will be entered into the student information system and reported to MDE by June 1 each year.

SLIFE resources

[MDE SLIFE webpage](#) – See example interview forms and other guidance

[MDE LEAPS Act webpage](#)

[Student Support Data Collection](#) – Program coordinators should work with [SSDC Coordinators](#) to identify and verify the total number of SLIFE eligible students annually and finalize counts by June 1.

Immigrant Identification Criteria

Upon enrollment the EL teacher, student, and parent/guardian (with an interpreter, if requested) completes a locally created *Intake Form*. The intake form asks questions to determine if the student meets the following criteria to qualify for the Immigrant Children and Youth Grant:

1. a child who is aged 3 through 21;
2. was not born in any State or any U.S. territory;
3. has not been attending one or more schools in any one or more states for more than three full academic years (on a cumulative basis)

An annotation of immigrant status is entered into the student information system and reported to MDE by June 1 each year.

Note: eligible students are not required to be eligible for English learner status, though the vast majority of eligible students also qualify for English learner status.

Immigrant Children and Youth resources  [Immigrant Children and Youth webpage](#)

Migratory Children and Families

At certain times of year, migratory families may move into district boundaries. Because migratory children have particular needs due to the migratory lifestyle and high mobility rates, the district's Migrant Liaison is well connected with new families and the community. The migrant liaison is in close contact with Tri-Valley Opportunity Council (TVOC) to support qualification for migratory services. District staff do not discriminate based on race, language or culture. Staff submit recruitment requests to TVOC only when conversations with the family confirm the purpose for their move was to seek agricultural work for economic necessity. Refer to the [TVOC website](#) for more information.

Once a student is identified by TVOC and is given an official Certificate of Eligibility (COE), the migrant liaison contacts food service staff to ensure the student receives free meals. The liaison speaks with the family to confirm eligibility for [McKinney Vento](#) and communicates with the counselor, the student's home base district and the Midwest Migrant Education Resource Center (MMERC) to ensure instruction meets the requirements of the home base district. The liaison has access to the Migrant Student Information Exchange (MSIX) national database to gather and update student academic and health information.

Migrant Education Program

Minnesota offers a [summer migrant education program](#). During the school year, districts have certain obligations:

1. Each district should assign a migrant liaison. Enter their contact information into [MDE-ORG](#).
2. Work with food service to give migratory children access to free meals.
3. Confirm homeless eligibility ([McKinney-Vento](#)).
4. Access and enter information in MSIX to support inter-/intrastate coordination.

 The [MMERC lending](#) library sends free learning materials for use in classrooms with migratory students.

Note: All districts may enroll migratory children temporarily in the spring and/or fall before or after doing agricultural work. Thus, staff working with students all need to advocate for migratory children and families.

Contact [TVOC](#) for information about and for access to MSIX.

Dual Identification

The EL Coordinator and the Special Education Coordinator together review special needs and referrals for EL identified students. The EL program does not substitute for other educational services for which a student may qualify. Likewise, neither special education services nor tiered reading interventions may substitute for EL services.

If a student demonstrates possible need for special education services, staff do not delay in beginning the process for special education evaluation, as there is no wait-time requirement for multilingual or EL identified students to be evaluated for special education service. Furthermore, students who are being evaluated for special education support must demonstrate a disability in both languages; identification must not solely be the result of being a culturally or linguistically diverse student. If a team documents evidence that the student's ability/achievement/behavior is significantly below that of a comparable peer, disability screening may be appropriate. If a student is found to qualify for both EL and Special Education services, the teams will collaborate

with grade level/content-area teachers in all stages of the process of scheduling and programming.

Dual-identification resources

[English Learner Disability Resources. MDE](#)

[English Learner Companion to Promoting Fair Evaluations](#)

[January 7, 2015 Dear Colleague Letter](#)



Gifted and Talented Identification

Students and parents can self-select to be part of the Gifted and Talented/Enrichment program. However, a specific invitation will be made for students identified as English Learners and other multilingual learners who have shown exceptional abilities through multiple avenues including:

- Student interviews,
- Creative work,
- Performance-based evaluations, or nonverbal instruments,
- Nominations or referrals from parents and school staff,
- Summative data; including written evaluations in English and home languages and nonverbal GT assessments,
- Formative data; such as student work samples and problem-or project-based portfolios, and
- Anecdotal data; including classroom observations, home visits, and interviews with parents, teachers, and peers.

The Gifted and Talented/Enrichment program aims to include the same percentage of EL-identified students and multilingual learners as the general population.

Gifted/Talented resources

[Book: Identifying Gifted and Talented English Language Learners: Grades K-12](#) (Iowa Department of Education)

EL Placement Procedures

1. Students identified for EL status during the identification process will be placed into EL program instructional levels based on the following:
 - a. WIDA Screener scores are used to inform initial placement.
 - b. The professional judgement of K-12 ESL-licensed teachers based on in-class student performance also informs placement until performance data and ACCESS results are available.
 - c. Additional information, such as time in U.S. schools, prior education history, proficiency and literacy levels in students' home language(s), also inform placement.
2. When a student's EL program instructional services have been determined, the EL staff member responsible mails a notification letter to the family within the required timeframe ([See MDE guidance document](#)). The letter notifies parents of their child's eligibility to receive EL support.

3. The school begins providing EL services and enters into MARSS:
 - a. the student's status as "EL-Yes",
 - b. the home (primary) language, and
 - c. the date the student first received EL services in the district.

Placement in an LIEP

Place students into instructional levels based on language proficiency (and other factors such as time in country and SLIFE status) and not content-area proficiency. Assessments such as the Minnesota Comprehensive Assessment (MCA) or the Northwest Evaluation Association (NWEA) tests are not appropriate for EL programming decisions.

Keep documentation, in the student's CUM folder, of any changes in program placement based on the student's past school records, additional assessment data, or parent requests.

Parental Notification

Ensure the parent letter meets all state requirements under [Statute 124D.60](#). Districts receiving Title I must also meet all federal requirements under [Statute 1112\(e\)\(3\) and \(4\)](#). A sample compliant letter can be found on [TransACT.com](#).

Make sure that letters are mailed in a language accessible to the family and that if a print letter is not accessible, that it be relayed to parents in an accessible format (e.g., oral interpretation).

Clustering

Students will be clustered in mainstream classrooms into groups of up to 7 students with similar proficiency levels in order to better provide co-teaching instruction. Every attempt will be made to ensure that each newcomer student is placed in a class with at least one or two students with a similar linguistic and cultural background.

Description of the EL Program

The EL program provides EL instruction using various instructional models and appropriate instructional materials. The EL program integrates language and content to support students' achievement of English language proficiency and meet state academic standards. All EL instruction will be aligned to grade-level standards, and all grade-level instruction will include supports that allow for access and promote language acquisition.

Classroom teachers have primary responsibility for all students, including those with English learning needs. Staff will be trained in the alignment of ELD and content standards through professional development. In addition:

- EL licensed teachers provide direct English language instruction to students in four domains of instruction: Speaking, Listening, Reading and Writing;
- EL licensed teachers collaborate with classroom/content area teachers and student support staff, to support students' success based on each student's English learning needs;
- All staff provide culturally responsive resources and services to EL students and their families;
- EL teachers align their program with the district's curricula in English literacy, [Minnesota's ELD Standards](#), and [Minnesota state content standards](#).

The EL teacher participates in mainstream curriculum writing and lesson planning with a focus on language scaffolding and targeted supports. Instruction focuses on developing English communication and academic language skills through listening, speaking, reading, and writing for success in school. The mainstream curriculum is supported through the [WIDA language proficiency standards](#). Along with EL instruction, students receive content-area assistance or instruction, as coordinated by the EL teacher with the general classroom teachers.

★ ***Staff collaborate to implement the LIEP***

- **Administrators:** All building principals prioritize and clarify that teachers are integrating language and content in all contexts and are expected to align their instruction to grade-level content and English language development standards. Principals show support for new multilingual learner programming through professional development, clustering/placement decisions, commitment to equity, hiring of multilingual/multicultural staff, and supporting diversity/multiculturalism. Principals provide collaboration time for EL teachers, bilingual liaisons/EAs and classroom teachers to work together.
- **Mainstream Teachers:** All mainstream teachers receive ongoing professional development on integrating language and content, providing language supports, and integrating culturally responsive pedagogy. Teachers identify language objectives for every lesson that include language forms, functions, and target vocabulary. Classroom teachers collaborate with EL teachers and bilingual liaisons to provide emotional, linguistic and academic support for new multilingual learners. All mainstream teachers collaborate regularly with the EL teacher. Teaching teams discuss student well-being, overall academic achievement, language development, and common learning targets and supports. Teachers will also receive professional development on how to integrate home languages into instruction. Strategies include: use of bilingual texts, bilingual resources for pre teaching, and bridging charts.
- **EL Teachers:** All EL teachers align their instruction to grade level expectations and learning standards from ELA, Math, Science, or Social Studies. The WIDA English Language Development Standards Framework integrates language development with core academic content areas—Language Arts, Mathematics, Science, and Social Studies—ensuring students learn content and language together. EL Teachers advocate for multilingual learners and families. They coordinate schedules and support services for multilingual learners.
- **Social Worker/Counselor:** Social Workers/Counselors work with multilingual families to provide needed support services (e.g., translation, interpretation, community resources, etc.).
- **EL Support Staff:** The district's EL support staff endeavor to assist students with English language development and grade-level content through both large group, small group, and individual support. The staff works in cooperation with EL and classroom teachers who provide guidance and supervision. Support staff members communicate and collaborate with EL, classroom, and content teachers and other district staff on a regular basis and, in cases where support staff are bilingual, with parents as well.

Instructional Strategy Resources

[GLAD Strategies for Multilingual Learners](#)

[SIOP Strategies](#)

[ELL Strategies & Best Practices | Colorín Colorado](#)

◆ **Program Models**

The following program models are the main modes of instruction in our district's EL program:

A) Co-Teaching: EL instruction for intermediate and advanced students (English language proficiency) is provided via co-teaching opportunities in the classroom. Co-teaching is scheduled into content classes based on student need. Home language supports are encouraged and utilized in instruction. Co-teaching teams use a common planning template and identify one or two preferred co-teaching models: parallel teaching, team teaching, station teaching, or alternative teaching. Assessments are reviewed by co teaching teams before and after application in order to identify target content and language and identify next steps. Co-teaching teams also clarify staff beliefs, norms, roles and responsibilities for topics including: parent communication, behavior management, feedback, instruction, and student grouping.

B) Sheltered instruction: Middle and High School EL programs include options for enrolling in ELA or Social Studies classes with English language development support. Students are clustered by proficiency level and grouped for instruction with teachers licensed in ESL and the targeted content area. Home language supports are encouraged and utilized in instruction.

C) Push-in instruction is used to provide service to intermediate and advanced students in situations where co teaching is not possible. Ideally, push-in occurs when students are working in small-group instruction (in any content area).

D) Pull-out instruction is used for beginner/newcomer students and is aligned to grade-level instruction. Students are never removed from core, large group instruction. Pull-out only occurs during independent reading time or intervention time.

◆ **Amount and Scope of Instruction**

Elementary: Daily Instruction Model (based on WIDA ELP levels)

Proficiency Level	Level 1 Entering	Level 2 Beginning	Level 3 Developing	Level 4 Expanding
K-1	30-60 minutes with EL teacher	30-60 minutes with EL teacher	30-60 minutes with EL teacher	30 minutes with EL teacher
	30-60 minutes with para for content support	30-60 minutes with para for content support	30-60 minutes with para for content support	
2-3	30-60 minutes with EL teacher	30-60 minutes with EL teacher	30 minutes with EL teacher	30 minutes with EL teacher
	30-60 minutes with para for content support	30-60 minutes with para for content support	30-45 minutes with para for content support	

4-5	30-60 minutes with EL teacher 30-60 minutes with para for content support	30-60 minutes with EL teacher 30-60 minutes with para for content support	30 minutes with EL teacher 30-45 minutes with para for content support	30 minutes with EL teacher
Elementary Service Models	Pull-Out Push-In	Pull-Out Push-In	Pull-Out Push-In	Pull-Out Push-In
Classroom supports	SIOP Strategies	SIOP Strategies	SIOP Strategies	SIOP Strategies

Secondary: Daily Instruction Model (based on WIDA ELP levels)

6-8 Service Minutes	1 period with EL teacher 2-3 periods with para for content support	1 period with EL teacher 2-3 periods with para for content support	1 period with EL teacher 1 period with para for content support	1 period with EL teacher Sheltered Inst. Push-In Pull-Out
6-8 Service Models	Sheltered Inst. Push-In Pull-Out	Sheltered Inst. Push-In Pull-Out	Sheltered Inst. Push-In Pull-Out	Sheltered Inst. Push-In Pull-Out
9-12 Service Minutes	1-2 ELD periods with EL teacher 2-3 periods with para for content support	1 ELD period with EL teacher 2-3 periods with para for content support	1 ELD period with EL Teacher up to 2 periods with para for content support	1 ELD period with EL Teacher
9-12 Service Models	<i>Pull-out Push-In</i>	<i>Pull-out Push-In</i>	<i>Pull-out Push-In</i>	<i>Pull-out Push-In</i>
Classroom supports	SIOP Strategies	SIOP Strategies	SIOP Strategies	SIOP Strategies

*Students at level 5 = exit and monitor

*Students at level 6 = mainstream

Determining Amount and Scope of Instruction

Students are scheduled for services based upon WIDA screeners, ACCESS results, and other appropriate assessments. Students at lower proficiency levels will receive prioritized instructional time and will integrate home language whenever possible to support content learning.

Consultation with Non-Public Schools

In the event that a local non-public school has concerns about potential English Learners in their school, the district can help the non-public school in adding the Minnesota Language Survey (MNLS) that the district currently uses to their non-public enrollment documentation. This would allow the non-public school to see which students have another language in their environment. Additionally, the district could assist the non-public school in the selection of a screener that would enable the non-public school to understand the proficiency level of the student.

The school district is not required to support English learners within non-public schools unless one of the following have happened:

1. The non-public has qualified for Title III and based upon the Comprehensive Needs Assessment (CNA) of the non-public school, the public and non-public schools agree to provide this service.
2. The public district and the non-public school have agreed to share-time the students. In this scenario, the district may deliver EL services within the public school setting.

Programming for Recently Arrived English Learners/Newcomers

For detailed information about how our district identifies and serves students who are new-to-country, please see [Appendix A](#).

Long Term English Learners (LTEL)

Although there is no official definition for LTEL identification, students who have been officially classified as EL for at least five years may be considered LTEL. Since students in this category often have oral proficiency in English, our focus is on literacy skills, especially writing across the curriculum, to ensure they are succeeding academically.

These LTEL supports may include collaborating with a counselor to discuss academic trajectory options, and an assigned teacher advisor with specific training in identifying rigorous coursework and post-secondary options for LTELs.

Long-term English Learners Resources

- [Ferland, L. \(2019\). Research in action: Ramping up support for long term English learners. Educational Leadership. ASCD.](#)
- [Olson, L. \(2010\). Reparable Harm: Fulfilling the unkept promise of educational opportunity for California's long term English learners.](#)



Staffing to Support Students with EL Status

While there is no mandated staff-to-student ratio, many successful programs keep their ratios to about 1 to 45 at the elementary level and about 1 to 25 at the secondary level. As programming varies across the state to meet the needs of each district's particular students, the staff-to-student ratio can be adjusted to ensure the needs of students with EL status are sufficiently addressed. All EL teachers will hold a current tiered Minnesota K-12 English as a Second Language (ESL) teaching license. Ongoing professional development around supporting the needs of students with EL status and their families is required of all EL teachers, content

teachers, and paraprofessionals who work with EL-identified students, which may include the annual [Minnesota English Learners Education Conference](#) (MELEd) or school wide EL professional learning.

All teachers are responsible for designing and delivering instruction that meets the needs of all students, including ELs. They are also accountable for designing instruction to be delivered by paraprofessionals.



If the district receives Title III grant funding, refer to [Critical Element 3: Staffing and Professional Development](#) and [Critical Element 4: Parent, Family and Community Engagement](#) for requirements in these areas.

☀ **Individual Language Plans (ILPs)**

The district will use an ILP for all EL students. Supports will be identified, especially for students with specific needs and services including LTEL, MEP, RAEL, and dual identified English learners. The ILP will document academic/language achievement/growth, supports, adaptations, and include the multilingual learner portrait. A plan is developed for each student and updated annually. Throughout the school year, student progress is monitored and tracked by collecting and compiling data which details the specific program model being utilized, as well as the student's academic language progress as indicated by observation and samples of student work.

This information is shared with relevant stakeholders which may include students, families, administration, core instructors, cultural liaisons, and school social workers or psychologists. Students are fully integrated into core curriculum and instruction while receiving EL support. They also have complete access to all programs in the school and work on the same skills as all mainstream students.

Grading English Learners

It is very important that classroom teachers take an individualized approach to teaching, assessing, grading, and promoting English Learners. High standards are essential; however, reasonable and flexible grading policies must exist. To be fair to ELs at different proficiency levels, grading modifications are generally needed. This means that students at beginning proficiency levels should be graded pass/fail, or progressing/exempt, with care taken to establish appropriate goals and objectives. Those at the intermediate level should be graded against their own progress. ELs at the advanced and transitional levels should be graded using mainstream norms, but with continued language supports so as to ensure success. Performance-based assessment is also a viable grading method for English Learners. The Office for Civil Rights takes the position that this is the classroom teacher's responsibility.

Testing Students

The school system will follow the state's assessment guidelines for testing English Learners for state-mandated testing.

Recently Arrived English Learner (RAEL): A RAEL is a K-12 student who has been identified as an English learner in Minnesota and who has been enrolled in a school in one of the 50 states in the United States or the District of Columbia for less than 12 months at the time of testing. A student can only be identified as an RAEL one time. Starting in 2018, all RAELs must take the appropriate Mathematics, Reading, and Science MCA or MTAS and all domains of the ACCESS or Alternate ACCESS for ELLs. ***There are no testing exemptions for RAELs.***

Year 1 RAELs are not included in any test-based accountability indicators but are included in other accountability indicators.

Year 2 RAELs are not included in the Academic Achievement indicator but are included in all other accountability indicators.

Year 3 RAELs are included in all accountability indicators.

For a complete overview of exemptions and accommodations for English learners, see the English Learner section of the ***Procedures Manual for the Minnesota Assessments***.

Promoting/Retaining English Learners

Students should not be retained, even though they might not be on grade level, because of a language barrier (Title VI of the Civil Rights Act of 1964). Neither retention or social promotion can close the gap alone. Effective programming must include accessibility to grade level content and standards, appropriate interventions, effective instruction, collaboration, encouraging pre-kindergarten, as well as empowering families to be involved with their child's education and encouraging the development of L1 language and literacy skills at home. Recognizing that each EL's situation is unique and requires a different approach, EL teachers should be an integral part of any decision-making team.

Grade Placement of English Learner

Placing ELs at a lower grade because they do not speak English may be considered against their civil rights. Students should be placed in a grade level appropriate to their age within one year. Any variation must be determined by looking at a variety of materials and conferencing with parents and teachers. This process must be documented and maintained in cum files.

Referrals for Special Education Services

The normal process of second language acquisition and acculturation should never be confused with learning disabilities or cognitive processing issues. Any special education referral requests should follow the district's established procedure, including the use of instructional interventions, and should also include a language assessment in the student's first language, if appropriate. There is no established minimum years of service necessary prior to a referral for Special Education. If an LEP student is identified as needing special education services once a thorough evaluation has been made using both languages, the IEP should take into account the second language acquisition process and the cultural background of the student. The EL teacher should be involved throughout this process.

■ Assessment and Ongoing Identification Procedures

Annually, all students with EL status take the ACCESS. The ACCESS test is a language proficiency assessment that measures listening, speaking, reading and writing skills of ELs. The ACCESS test provides scores based on a 1 – 6 scoring scale. Teachers administering the ACCESS (and W-APT and WIDA Screener) will complete all online training and quizzes annually, in order to correctly administer the assessment. The results of the ACCESS are used to:

1. Determine the English language proficiency needs for each student;
2. Determine which language domains need additional instruction;
3. Measure sufficient language growth over time; and
4. Determine continuation in or exit from EL program supports.

Ongoing Identification

English Language Development Program Entrance and Continuing English Learner Eligibility

Transitioning students from one year to the next

The EL teachers will evaluate ACCESS data as it becomes available in the summer to determine each student's EL eligibility for ongoing language instruction.

- If ACCESS results show between 1.0 and 4.4 overall (composite), the student continues to qualify for EL services.
- If ACCESS results show at least a 4.5 composite with two or more domains lower than 3.5, student continues to qualify for EL services.
- If ACCESS results show a 4.5 composite with one domain lower than 3.5, the student may exit the EL program. However, students may remain in the EL program only if staff can provide evidence that the student needs continued supports in the domain in which the student scored below 3.5 (listening, speaking, reading or writing). Staff will establish additional criteria and measures to justify the student's continued placement in the EL program. The following additional measures could be used:
 - Speaking: Minnesota Modified Student Oral Language Observation Matrix (MN SOLOM) or Writing: Test of Emerging Academic English (TEAE) Writing Rubric
 - WIDA MODEL for listening, speaking, reading and writing

■ EL Program Exit Procedures

Students will qualify for the EL Program until they meet MDE exit criteria (when ELs reach a level of English proficiency that allows them to fully access the grade level curriculum) on the ACCESS test. If ACCESS results are 4.5 overall with no more than one domain lower than 3.5, they must be exited and reclassified in MARSS to EL-N by the beginning of the school year and no longer receive EL services. Upon exit, the EL staff will call or send a notification letter to the family (in a language and format accessible to the family) within 30 calendar days. The letter will explain:

- Which assessment was used
- Description of how scores informed placement
- Where to access written policies and procedures/information

Monitoring Exited Students

Students who are exited from EL services are monitored for 2 years following their exit. If, at any point during this 2 years, it is decided by a team (including, at a minimum, a core teacher, EL teacher, the student and student's parents, and administrative representation) that the student should again receive EL services, based on data/evidence of an EL need, the district can rescreen a student utilizing the WIDA Screener. The results of the screener will be analyzed similarly to a new student and, if the student is found to be eligible for services based upon those scores, they may receive EL services again.

Exit Considerations ■

Minnesota's Standardized criteria for exit is provided in the example and available in [MDE guidance documents](#). Note that the guidance states that additional criteria may be used for students with 3 of 4 domains at or above 3.5. It is only to be used to demonstrate a student's continued need for EL services. No additional criteria is needed to exit a student who has 3 of 4 domains at or above 3.5. See [Additional Criteria Decision Tree](#).

If the district uses additional criteria, the LIEP plan must include the measures it will use to determine that a student needs continued support in the LIEP. Specific criteria and measures must be identified for each domain (listening, speaking, reading and writing). The assessments below are recommended; however, the district may use any valid and reliable English language development assessment.

EL Exit Procedures Resources ■

[English Language Development Program Entrance and Continuing English Learner Eligibility Writing Rubric for Minnesota Test of Emerging Academic English \(TEAE\)](#)
[Minnesota Modified Student Oral Language Observation Matrix \(MN SOLOM\)](#)

Program Evaluation and Adjustment

A committee will be formed and meet annually to discuss the multilingual education program and current needs of the students, their families and communities. This committee will include a representation of all stakeholders, including students, parents, community members, grade-level/content teachers, administrators, and multilingual learner teachers and support staff. This committee will focus on analyzing the program components, student progress based on various levels of assessments, and collection of parent input.

Students are assessed annually to ensure appropriate EL services are being provided. These assessments primarily include ACCESS testing, which is given each spring to all students receiving EL instruction. Additionally, the teacher monitors progress in all four language domains. In using this data, classroom and EL teachers make an informed decision on how to best serve the students. Data which is collected from each student is confidential.

The district meets annually to review data related to current and exited English learners in order to:

- Use data available from the state (ACCESS, Progress Indicator, MCA, Graduation, Demographic, etc.) to improve programming and instruction.
- Identify data that is only available at the local level (student work, formative assessments, perception data, etc.)
- Differentiate analysis for particular groups (LTEL, SLIFE, Former EL)

Program Evaluation Resources

[MPS EL Program Guide](#) (with guiding questions for amount and scope of instruction)

[CLAMS \(Committee on Language Acquisition Model Selection\) from Scanlan and López 2015](#)

[Carnock, Janie Tankard. \(2017\). Rethinking data for English learners in the ESSA era. Rethinking America.](#)

◆ Family and Community Communication Procedures

Our district values transparency with families and the community and accommodates their preferred modes of communication. They are notified via multiple modes to ensure they are aware of their right to request it at any time:

- The LIEP plan is available on our district's English learner program page.
- Each year EL staff will send notifications to families describing service and inviting them to access the LIEP plan via the district webpage.
- At least once annually, we solicit input on the program, services and updates to the LIEP plan.

Families and their broader communities are an integral part of our framework, mission and vision. By creating a positive relationship with families, we build trust that we will best serve their children. When we meaningfully partner with families and communities we can:

- Involve them in their child's education
- Empower them to become active participants in using strategies to assist their children
- Build greater understanding of EL programming and its supports
- Bolster community understanding of the process and involvement in assisting schools to create an EL program that is responsive to the ever-changing academic needs of multilingual children and their families.

To match the increased focus on meaningful family and community engagement called for by ESSA, each school incorporates professional development for staff to promote culturally sophisticated and welcoming environments for families and community partners at sites.

In partnership with the EL Department, educators have opportunities to meaningfully strengthen family and community partnerships and be a welcoming environment for all families.

Communication Procedures ◆

The district LIEP and Language Access Plans are available online and by paper on request.

[English Learners - Hutchinson Public Schools](#)

[Language Access Plan - Hutchinson Public Schools](#)

Liaison and home language outreach for school activities and events

It is a federal requirement to provide families access to information. (See Department of Justice Fact Sheet 2015). Bilingual liaisons, whenever possible, should proactively contact families to explain upcoming events and encourage participation. Liaisons are also available for conferences and school events by request. The language line can be used with families if an interpreter for a particular language is not available. All letters home are translated into the languages necessary for our multilingual students and their families.

Family surveys will be conducted annually to determine if current modes of communication continue to be the most effective practices for families.

Parent/teacher conferences

Our district recognizes the importance of trained interpretation rather than using family members. Interpreters are available for families during conferences. A bilingual liaison or EL teacher contacts the family to arrange for the conference time and day. EL teachers report to families of multilingual students using report cards, and a conference format is used through each parent-teacher conference.

Beyond parent teacher conferences, staff work with schools to host two-way communication events and activity nights. The follow activities build community and allow us to share information and gain feedback about multilingual programming, assessments, and resources for families:

- Families and staff call upon the school's EL department to facilitate ongoing communication.
- An annual EL family night is held to welcome families into the district, solicit parent feedback on the program and answer questions.
- EL staff share information about the assessment, classification, placement, program, services, and any changes proposed for their children in the EL program.
- Families also receive information about their rights and responsibilities.
- Other topics that can be shared with families include: community activities, extracurricular options, academic support/homework help, state testing, school calendar and events, bilingual seal testing, the parent portal, vaccinations, education benefits application, legal support resources, etc.

Registration (secondary)

Families will be contacted in writing to explain student registration for classes for the upcoming year. Interpreters are available for any questions about the registration process. Documents need to be translated and be provided in both English and the family's home language.

For clarity regarding SEA and LEA civil rights obligations to limited English proficient parents, see the U.S. Departments of Education and Justice Joint Dear Colleague Letter of Jan. 7, 2015, at Section J. ([Dear Colleague Letter: English Learner Students and Limited English Proficient Parents, January 7, 2015](#)).

Family and Community Engagement Resources

[A Parent or Guardian's Guide to School](#)

[Family, School and Community Engagement](#)

[Culturally Responsive School Leadership: A Synthesis of the Literature](#) (Khalifa, Gooden, and Davis, 2016)

Appendix A: Programming for Recently Arrived English Learners (RAEL)/Newcomers

Definition of RAEL (from MDE) and Newcomers

A recently arrived English learner (RAEL) is a K-12 student who has been identified as an English learner in MN and who has been enrolled in a school in one of the 50 states in the U.S. or District of Columbia for less than 12 months. A student can only be identified as RAEL one time. (RAEL identified students are uniquely included in accountability under ESSA. See MDE RAEL definition for specifics. “Newcomer” is more broadly defined as students who are new-to-district and new-to-country.

Identification of math and literacy skills in home language and/or English

All newcomer students may be assessed in their home language for reading proficiency and math, as determined by the EL teacher.

Orientation for New Multilingual Students and Families

Initial enrollment: All families who are new to the district should go to Central Enrollment to register for school. Central enrollment will have a list of interpreters to call when needed. Families will complete paperwork and students will be placed in a school and given a start date within three days of enrollment with or without transcripts.

Home visit option: EL teachers may offer to do a home visit for newcomer families. The family will be asked beforehand if they are interested in receiving a home visit from the EL teacher. If they agree, the EL teacher will arrange a time to visit and may bring staff including: bilingual liaison, school social worker, EL coordinator, outreach liaison.

Supporting Initial Acclimation to School: EL teachers and bilingual liaisons will meet newcomer students on the first day of attendance. Students will receive a building tour. They will be introduced to a same language “buddy” who will have the same lunch period as the student. Students will receive help at the end of the day on getting home (catching the bus, meeting parent, walking, etc.) for the first week of school from the main office. The EL teacher will make sure that the student has met the social worker/counselor and received school supplies, as needed. The EL teacher will advocate for the student if they need anything additional to participate in school activities (PE uniforms, tennis shoes, boots, winter gear, etc.) The district will make every effort to provide curriculum materials in the students’ home language, if available (anchor texts, independent reading texts, etc.).

Arrival Materials: Elementary newcomers may receive a picture chart that identifies their teachers/administration and provides important data about the school (bilingual liaisons’ phone number, map, school address, attendance policy). Secondary newcomers will receive the school planner/handbook and a copy of their schedules. All newcomers will receive a supply list translated into the family’s home language, information on free and reduced priced lunch application (FRPL), busing information, health immunizations and free clinics, parent portal (computer and app). Parents will receive help during formal intake meetings (secondary) or with the bilingual liaisons (elementary), as needed.

Academic programming

Progress Report: All students, including Newcomers, will receive a progress report card each trimester. This progress report is created for parents and students in their primary language(s).

Newcomer Plan: Newcomers may receive a “Newcomer Plan” that includes their schedule and identified language supports throughout the day. The Newcomer Plan is developed by the EL teacher in collaboration with the classroom teacher. The Newcomer Plan is shared with all the students’ teachers and support staff, including bilingual EA’s.

Placement and Scheduling: Schools will include EL teacher input for student placement. The EL teacher will work with the secretary or classroom teacher to create the student's schedule. Ideally the student will be placed in a classroom with a student from the same language background or with another student receiving EL instruction. It is recommended that schools cluster students receiving EL instruction; therefore, the newcomer student can join a clustered classroom.

Counseling/social work support: After the EL teacher introduces the newcomer student to the school social worker/counselor, the social worker/counselor may follow up with the student and/or family in order to determine additional needs (e.g.: trauma support, basic necessities, community orientation, etc.).

Additional academic services (Special Education, Tier 2/3 support, Speech, etc.):

Newcomer students who have been identified for additional services need to receive those services. SpEd/Speech: EL identified students need to also receive Special Education/Speech services in accordance with their IEPs. IEP documents that need to be translated should be a top priority when a student arrives so that services can be provided. (Short documents can be translated in house; however, longer IEP documents should be translated outside of school hours and paid for from district funds that may be reimbursed by the state. The EL coordinator can help with this process.)

Multi-Tiered System of Support

Tier 2 Support: Newcomer students should receive tier 2 services if a literacy/numeracy need is identified.

Tier 3 Support: Newcomer students should receive tier 3 services if a literacy/numeracy need is identified and the EL teacher recommends appropriate supports for language.

Secondary: Secondary aged students who are newcomers will meet with the academic counselor to discuss options for pathways towards graduation. The discussion will include: four/five/six year plan options, "aging out" requirements (school until 22 or 23), Adult Basic Education (ABE) opportunities, Alternative Learning Center (ALC) options, potential Internships, PSEO, and post-secondary preparation, etc. Students will also have the option to take the Accuplacer or another post-secondary placement test.

Additional Instructional Supports: Targeted Services (Before or After School and Summer programming): As other multilingual learners, newcomers may be referred to targeted services before or after school program options. (Receiving EL services are an automatic qualifier for targeted services.) EL teacher input should be included in the decision making process.

School-based support services: Schools will develop their own school-based services to assist newcomer students in integrating into mainstream culture and for maintaining their home culture.

Physical area in the school for working with peers: Schools should try to identify a "safe space" where new multilingual learners can go when they need to take a break or feel like there is a "home" for them within the school. Language fatigue and culture shock will tire students. (Students may also go through a "silent period" for a number of months when they do not produce oral and/or written language.) Teachers should also be aware that after the "honeymoon" period (in which students are excited about their new home and school) is over, students will often need even more understanding. Even though the Newcomer student has been in school for a number of months, they will still need emotional and academic support.

Home language support: Whenever possible and when the EL teacher determines there is a need, bilingual liaisons/EAs will work with provide home language supports for Newcomer students in classrooms. They can pre-teach, provide bridging charts, translate materials, provide support in home language, and/or interpret during lessons. Before scheduling bilingual liaison/EA support in the classroom, the EL teacher, classroom/content area teacher, and the bilingual liaison/EA will meet to determine roles and responsibilities.

Visual support in schools: When possible, schools should have translated signs around the building that provide a welcoming environment for all students and families, including especially new multilingual learners. Classroom teachers should make every effort to have bilingual labels posted in the classrooms and have pictures/books that represent children and families from that students' home cultures.

Additional Resources

- [Center for Applied Linguistics](#)
- [Secondary Newcomer Programs in the U.S](#) (Database)
- [Short & Boyson, B. A. \(2010\). Helping Newcomer Students Succeed in Secondary Schools and Beyond.](#)
- [MDE RAEL Document](#)