

# English Learners in North Dakota: Programming



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## Introduction

All school districts in North Dakota are required to be “on alert” and ready for ELLs who may enroll in their schools. Once faced with addressing the linguistic needs of the ELLs, appropriate programming must be developed to assure linguistic barriers to accessing the core instructional program are properly mitigated.

This guidance will help schools prepare the required policy and plans, choose an appropriate program model, assure ELLs are included in the core educational program and assist parents of ELLs to participate in their children’s education.

## English Language Learner Program Policy

ND state legislation requires that every school district in the state has an English Language Learner (ELL) policy, regardless of whether or not they have ELLs enrolled. The policy needs to ensure that once ELL students are identified, all ELL students have access to a specialized language instructional education program immediately upon registering for school. The policy must commit to providing resources for a core language educational program using state and local funds. The policy must be updated and approved by the local school board once every five years as reported in the MIS01 section of STARS. A sample ELL policy can be found in Appendix A.

## English Language Learner Program Plan Requirements

ND state legislation requires that all school districts report to DPI their plan to identify and serve ELLs in accordance with Title VI of the Civil Rights Act as well as other cases noted in the **Student Rights** document. A district plan will ensure that there is a process in place for identification as well as a plan to begin language instruction educational program (LIEP) services for the student immediately upon enrollment. Along with identification, the plan must include screening procedures and the plan for annual assessment of the students’ English language proficiency. Districts that have ELLs identified must also include in their plan the program models that are being used to instruct the ELL students.

### ELL Program Plan or Lau Plan

The equal access policy for ELL students is often called the Lau Plan (named after the Supreme Court case of Lau v. Nichols). This plan can also be referred to as a district’s ELL program plan. A high-quality Lau, or ELL Program Plan, should include the following components: ELL student identification, language assessment procedures, placement of ELL students, background on the LIEP/program models implemented in the district, ELL program exit criteria, monitoring procedures and program evaluation plans. Other information that districts often describe in their Lau, or ELL Program, Plan include basic district demographics, definitions and acronyms used in the plan, the district’s school board approved ELL policy and parent involvement opportunities. Defining the core LIEP helps to justify the need for federal grants which use the supplement vs. supplant requirement. Sample plans from school districts in ND can be found online at: <http://www.dpi.state.nd.us/bilingul/tech/index.shtm>

## Identification Plan

Schools must write a narrative in the fall MIS01 report regarding the identification plan for ELL students. This may consist of using a Home Language Survey or including questions about the student's linguistic background on the enrollment paperwork. Additional details regarding identifying ELL students can be found in the **Identification and Screening** document which can be found at <http://www.dpi.state.nd.us/bilingul/tech/index.shtm>.

## Assessment Plan

Schools must write a narrative in the fall MIS01 report detailing the practices used to screen ELLs for possible program participation. The narrative must explain how the district complies with the annual assessment of English language proficiency for ELLs as well as the inclusion of ELLs in the state academic achievement assessment. If a district does not employ someone qualified to administer the English language proficiency assessment, then they can hire a consultant to comply with this requirement.

English language proficiency assessment administrators are required to have specialized training. Details on the training requirements can be found in the **Identification and Screening** document referenced above.

## Program Model

School districts, with currently enrolled ELL students, are required to report the type of program models that are being used with ELL students in the Language Instruction Educational Program (LIEP). The program models that are chosen must be research-based and must fit the unique needs of the culturally and linguistically diverse student population. The LIEP must be designed to ensure that students are developing English language proficiency while also preparing students to meet the challenging state academic achievement standards. If a language other than English is used to deliver core instruction, the language should be reported in the MIS01 section of STARS. A table with descriptions of the most common ELL program models can be found in Appendix B.

## Individualized Language Plans

School districts are required to write an annual Individualized Language Plan (ILP) for each ELL student to address their linguistic strengths and needs. The ILP typically includes the appropriate ELL accommodations for instruction and assessment. The ILP manager must hold an ELL or Bilingual Endorsement on their ND teaching license. Many districts write the ILPs in the fall to ensure that appropriate ELL accommodations are used on the state academic achievement assessments. If a district does not employ a highly qualified ELL teacher on staff, they have the option to hire a consultant to assess students and work with staff on a regular basis to assure that the goals and objectives of the Individualized Language Plan (ILP) are being followed. A sample ILP can be found in Appendix C.

North Dakota Century Code

**15.1-38-03. English language learner services - Individualized plans.** If a school district determines through assessment that a student requires English language learner services, the school district shall

convene a team to review the student's language and educational needs. The team may develop an individualized language plan and recommend specialized language instruction and related services.

ND Administrative code requires that an ELL teacher writes the ILP for each ELL student. Districts with very few ELL students may choose to hire a consultant to identify, annually assess and write the ILP. The consultant must be in regular contact with the staff that is carrying out the goals and objectives of each student's ILP.

North Dakota Administrative Code

**ARTICLE 67-28 ENGLISH LANGUAGE LEARNER PROGRAMS**

**Section 67-28-01-05 Individualized language plan; parent communication.**

1. The school shall convene a team of persons to review the language and educational needs of each student whose assessment results show the student is eligible for English language learner services. The team may be known as the "language support team." The team shall include a teacher of English as a second language or a bilingual teacher, and a person with the authority to commit resources necessary to deliver the plan. The team may include other individuals involved with the student's instruction, such as a classroom teacher or paraprofessional. The school shall invite the student's parent or guardian to be a team member. The team shall develop an individualized language plan for the student based on the student's language proficiency and academic achievement and on alternative language services being provided.
2. The individualized language plan must be written and implemented. In developing the written individualized language plan, the language support team shall consider:
  - a. The background of the student and a description of the student's needs;
  - b. Goals and objectives for improving English language proficiency and its relationship to academic achievement;
  - c. Specialized language instruction to be provided to the student, including type of service and amount of service time;
  - d. Related services to be provided to the student, if any;
  - e. Appropriate instructional strategies to be used in the general education classroom; and
  - f. Accommodations, if any, for instruction and assessment.
3. While the student is enrolled in the school district, the student's individualized language plan and classification must be reviewed annually until the student has been reclassified as proficient by the language support team.
4. The school district shall inform the student's parent or guardian how they may be involved in their child's program of English language acquisition, including periodic progress reporting. The school district shall provide information at least annually to the student's parent or guardian on the progress of the student's language proficiency and academic achievement and on alternative language services being provided. The information must be provided, to the extent practicable, in a language the parent or guardian can understand.

ELL Staff

All school districts in ND must identify an ELL Director in the MIS01 Fall Report. The ELL Director serves as the first point of contact for DPI and the administrative representative for the district. The ELL Director helps the district

with decision making that may be related to the budget and acts as the supervisor for the district's ELL program. The ELL Director must have their ND administrative license.

Staffing for the LIEP must be adequate to carry out the program model that the district has chosen. Teacher aides (paraprofessionals) may play an important role in assisting the ELL staff in carrying out the goals of the ILP, but they must work under the direct supervision of licensed educators. Long-term instruction should be delivered by qualified ELL teachers rather than teacher aides.

Highly Qualified ELL endorsed staff is also required under ND Administrative code to provide or supervise the program of instruction for ELLs and to supervise the ELP Assessments.

North Dakota Administrative Code

**Section 67-28-01-06 Requirements of English language learner program.**

An English language learner program must:

1. Provide alternative language instruction that is based on research and effective practice;
2. Provide an alternative language curriculum, including materials and resources, that is based on North Dakota English language proficiency and academic content standards, is consistent with the school district's program model, and is appropriate for the identified student population;
3. Use instructional facilities that are comparable to that provided for non-English language learner students, and may not unreasonably segregate English language learners;
4. Provide alternative language instruction by or under the supervision of a licensed teacher who holds an endorsement from the North Dakota Education Standards and Practices Board in English as a second language or bilingual education or a major in teaching English as a second or other language;

**Section 67-28-01-03 Assessment of English language learners; classification.**

1. The assessment process shall follow the North Dakota English language proficiency assessment program. The English language proficiency assessment process must be supervised by a teacher of English as a second language or a bilingual education teacher. A school district may use a screening protocol prior to conducting the assessment. Criteria for the screening protocol may include observation, a checklist, writing samples, and other indicators of language proficiency.

## **English Language Learner Local Program Guidance**

ND Century Code requires the state to provide guidance about the caseload criteria. The state ELL Program Advisory Committee felt strongly about developing recommendations for caseload criteria as well as daily service time recommendations based on a student's ELP level.

### ELL Service Levels

All students who are identified as ELL must be served in the LIEP. The amount of service time will vary depending on factors such as the amount of literacy the student has in their first language, the current grade level assignment and the student's level of English language proficiency as determined by the ELP screening tool (W-APT or MODEL). There are many factors to consider when determining service time for ELLs. Decisions must be carried out with attention to the student's least restrictive environment. ELL students are expected to meet the same

challenging state academic achievement standards as their mainstream peers, therefore schools must assure that ELLs have access to core instruction. Limited segregation, i.e., newcomer center, is only permissible in the short-term. The benefits of the language instruction educational program must outweigh the adverse effects of segregation.

The North Dakota State ELL Program Advisory Committee (for list of members, see beginning of document) has developed the following guidelines for recommended daily service time for ELLs with an ELL Endorsed teacher.

<b>English Language Proficiency Level</b>	<b>Recommended LIEP Service Time</b>
Newcomer	4-6 units of English language instruction educational services
Level 1 – Entering	3-4 units of English language instruction educational services
Level 2 – Beginning	2-3 units of English language instruction educational services
Level 3 – Developing	1-2 units of English language instruction educational services
Level 4 – Expanding	1 units of English language instruction educational services
Level 5 – Bridging and Level 6 – Reaching	up to 1 unit of English language instruction educational services

A unit is defined as a class period. In the elementary grades, this might be 30 minutes per unit. At the secondary level a unit would typically be a class period. A class that is taught in a 75-90 minute block may count as two units at the secondary level.

An ELL newcomer is defined as “recent immigrants who have little or no English proficiency and who may have had limited formal education in their native countries” (<http://www.cal.org/resources/digest/0312short.html>). Due to the needs of this subgroup of ELL students, newcomer programs have been developed to bridge the gap between newcomers’ needs and more traditional LIEPs. Kindergarten students who have little or no exposure to English before entering school may also qualify for newcomer programs based on their similar needs of adjusting to English and American school culture.

### ELL Caseload Criteria

ND Administrative Code requires that NDDPI addresses student caseload criteria. The ELL Program Advisory Committee discussed caseload criteria in depth and considered all types of ELL students and the various sizes of ELL programs throughout the state. Factors that were considered in determining caseload criteria were the specific aspects of the ELL program requirements such as: writing ILPs, annually assessing ELP for all ELLs and monitoring exited students. Other factors for districts to consider regarding caseload criteria are the other professional or teaching responsibilities of the ELL teacher, ELL program administrative duties, the number of buildings that the ELL teacher travels between and the amount of ELL service that is recommended for each student. The recommendation for caseload criteria is a maximum of 40 students per ELL teacher. This will be monitored through the number of ELL students assigned to each ELL teacher’s license number in the LEP/ELL student detail record in STARS.

The recommended caseload criteria and service time guidance would indicate that districts with approximately 20 ELL students should consider hiring a full time specialized ELL teacher on site to instruct ELLs, facilitate communication with ELL parents and prepare mainstream staff to make instruction comprehensible for ELLs in the

regular classroom. Districts with very large numbers of ELLs may choose to make use of co-teaching methods or hire content specialists who also hold their ELL endorsement to teach language development in the context of academic content courses.

### Instructional Materials and Resources

Materials, resources and instructional facilities for ELLs must be comparable to those available for non-ELL students. The general fund must supply ELL staff with the materials that they need to provide a core language instruction educational program. Additional materials to supplement the core LIEP may be purchased with Title III or other supplemental funds (supplement not supplant clause). (NDDPI does not make recommendations on specific language development materials from publishing companies. However, WIDA has a protocol (PRIME) that measures the representation of WIDA's English language development standards within published materials. More information can be found at <http://prime.wceruw.org/>).

### **English Language Learners' Participation in Assessment**

All ELL students must participate in the annual English language proficiency assessment due to Title I and Title III requirements. Additional training requirements for ELP test administrators can be found in the **Identification and Screening** section of the guidance. ELLs must also participate in the state academic achievement assessment program including the North Dakota State Assessment (NDSA) and the North Dakota Alternate Assessments 1 & 2 (NDAA1 and NDAA2).

### Title III

Local Education Agencies must annually assess the English language proficiency for each of the ELL students (K-12) in the district.

Each plan submitted under subsection (a) shall...

(3) describe how the eligible entity will hold elementary schools and secondary schools receiving funds under this subpart accountable for –

- (A) meeting the annual measurable achievement objectives described in section 3122;
- (B) making adequate yearly progress for limited English proficiency children, as described in section 1111(b)(2)(B); and
- (C) annually measuring the English proficiency of limited English proficient children, so that such children served by the programs carried out under this part develop proficiency in English while meeting State academic content and student academic achievement standards as required by section 1111(b)(1).

**Section 3116(a)(3) No Child Left Behind Act of 2001**

### Title I

Local Education Agencies must include ELLs in their academic content assessments in reading/language arts, mathematics and science.

Each state plan shall demonstrate that the State education agency, in consultation with local educational agencies, has implemented a set of high-quality, yearly student academic assessments that...

(ix) provide for –

(III) the inclusion of limited English proficient students, who shall be assessed in a valid and reliable manner and provided reasonable accommodations on assessments administered to such students under this paragraph.

### **Section 1111(b)(3) No Child Left Behind Act of 2001**

The accommodations used on the state academic achievement assessments should also be used in the classroom in order for students to have practice using the accommodation prior to state testing. ELL students who qualify for Special Education services have an Individualized Education Plan (IEP). The team that develops the IEP makes decisions about the accommodations and state assessment (NDSA, NDAA1 or NDAA2) will be used with the student.

NDSA accommodations for ELL students are described in detail in the NDSA Test Coordinator's Manual which can be found online at: <http://www.dpi.state.nd.us/testing/assess/index.shtm>. Students who have been enrolled in US schools for less than 12 months can be exempted from the Reading/Language Arts section of the state assessment by coding these students as "4" or "Yes, LEP/IMM" in the assessment report.

Students who have exited the ELL Program within the last two years are coded as "3" or "Yes, Former LEP." Students who have exited from the ELL Program do not qualify for ELL accommodations on the NDSA. Additional codes for ELL students participating in the state assessment include "1" for "Not LEP" (students who were ELL previously but have been exited for more than 2 years) and "2" for "Yes, LEP." The "2" or "Yes, LEP" is only used for current LEP student who do not fall into the "3" or "4" special LEP categories.

Beginning in the 2011-12 school year, the Alternate ACCESS for ELLs will be available for grades 1-12 (<http://www.wida.us/assessment/alternateaccess.aspx>). The Alternate ACCESS for ELLs English language proficiency assessment is intended for students with significant disabilities who are on an IEP and participate in the NDAA1. More information on the ACCESS and Alternate ACCESS assessments can be found at: <http://www.dpi.state.nd.us/bilingul/standards/index.shtm>.

## **English Language Learners' Participation in Special Programs**

Meeting the ELL criteria does not disqualify a student from other special programs. Special programs may include Title I, Title III, Gifted & Talented and Special Education. Schools should take steps to ensure that ELL students have equal access, and are represented proportionately, in all special programs.

### Title III

Districts and consortia can apply for Title III supplemental funds in the consolidated application in STARS. Districts, groups of districts and Regional Education Agencies may pool their resources to form a consortium in order to qualify for Title III funding. More information on the ND Title III program can be found at: <http://www.dpi.state.nd.us/bilingul/nochild/index.shtm>

## Title I

ELL students often meet the targeted criteria for Title I reading or math services. ELL students that meet the Title I targeted criteria must be served in the Title I programs and in the LIEP. Targeted criteria must use universal assessments (i.e., an assessment that is given to all students) to determine eligibility. English language proficiency scores (WAPT, MODEL, and/or ACCESS) cannot be used to disqualify a student from additional services like Title I.

In order to determine that the linguistic and academic needs of an ELL student are being met, a team consisting of an ELL teacher, general education teacher and Title I teacher should meet to determine the most appropriate services. This may include a student going to multiple teachers for services. More information about Title I programs and serving LEP students can be found at:

<http://www.dpi.state.nd.us/title1/targeted/general/facts/ldstudnts.pdf>

## Gifted & Talented

Selection criteria for Gifted & Talented programs must not discriminate on the basis of language. Many Gifted & Talented programs use assessments to determine eligibility. These assessments must account for linguistically and culturally diverse students.

### **Policy Update on Schools' Obligations Toward National Origin Minority Students with Limited-English Proficiency**

#### (Gifted/Talented Programs and Other Specialized Programs)

The exclusion of LEP students from specialized programs such as gifted/talented programs may have the effect of excluding students from a recipient's programs on the basis of national origin, in violation of 34 C.F.R. § 100.3(b)(2), unless the exclusion is educationally justified by the needs of the particular student or by the nature of the specialized program.

LEP students cannot be categorically excluded from gifted/talented or other specialized programs. If a recipient has a process for locating and identifying gifted/talented students, it must also locate and identify gifted/talented LEP students who could benefit from the program.

In determining whether a recipient has improperly excluded LEP students from its gifted/talented or other specialized programs, OCR will carefully examine the recipient's explanation for the lack of participation by LEP students. OCR will also consider whether the recipient has conveyed these reasons to students and parents.

Educational justifications for excluding a particular LEP student from a specialized program should be comparable to those used in excluding a non-LEP peer and include: (1) that time for the program would unduly hinder his/her participation in an alternative language program; and (2) that the specialized program itself requires proficiency in English language skills for meaningful participation.

Unless the particular gifted/talented program or program component requires proficiency in English language skills for meaningful participation, the recipient must ensure that evaluation and testing procedures do not screen out LEP students because of their limited-English proficiency. To the extent

feasible, tests used to place students in specialized programs should not be of a type that the student's limited proficiency in English will prevent him/her from qualifying for a program for which they would otherwise be qualified.

**(Office for Civil Rights Memorandum, 1991)**

## Special Education

Districts must make certain that ELL students are being placed in the Special Education program because of a present disability and not due to cultural or linguistic differences. Interpreters can be specially trained to assist in the evaluation of an ELL student for Special Education services. When an ELL student is being evaluated for Special Education, an ELL teacher or consultant must serve on the IEP team to help ensure that cultural and linguistic differences are not the reason for the student's educational issues.

Service time in the LIEP cannot be counted towards Special Education service minutes, but can be indicated in the "related services" section of the Individualized Education Plan (IEP). ELL students with an IEP qualify for Special Education and ELL/LEP accommodations on state academic achievement assessments (NDSA, NDAA2). ELL students with an IEP also qualify for Special Education accommodations on the annual English language proficiency assessment (ACCESS). Details regarding these accommodations can be found in the ACCESS for ELLs® District and School Test Administration Manual. This manual ships with the secure ACCESS tests and can also be found by logging onto WIDA's Online Training Course and clicking on the Training Toolkit Documents.

## **Program Evaluation**

All school districts that have LEIPs must monitor their programs to ensure that they are effectively meeting the needs of their ELL students. Districts that participate in the Title III program are held accountable for Annual Measureable Achievement Outcomes (AMAOs). ELL students are expected to make annual gains in their overall English language proficiency, districts are expected to exit students from their program and the LEP subgroup must make AYP on the state academic achievement assessment.

Districts can conduct ELL program evaluation internally or hire an outside consultant. Districts can use assessment data, grades and data from monitored student worksheets to evaluate their programs. Other evaluation criteria may include school climate and school level support for ELLs, effectiveness of professional development activities, maintenance of ELL student data and effectiveness of parent involvement and communication.

## **Parent Involvement**

Parent involvement and notification are required by state & federal law and supported by research as a critical factor in a student's school success. Parents of some ELLs may be unfamiliar with the US educational system, have work hours that do not align with a school schedule, or do not speak English. Schools should make every effort to help parents overcome the barriers that keep them from participating in their child's education. Schools are required to provide information to parents in a language and format that they understand. A chart listing state and federal parent involvement and notification requirements can be found in Appendix D.

# English Learner Program Funding

## Title III

The first step in applying for Title III funds is to complete the Title III Intent to Apply as a district or consortium. This is due on August 1<sup>st</sup> of each year. Allocations for the grant are determined by the total number of ELL students during the month of October of the previous school year for each district. Each applicant must have a minimum grant award of \$10,000 to qualify for funding. Districts who do not meet the \$10,000 minimum on their own can apply with a group of schools in a consortium. The application will be available in the consolidated application in STARS beginning in the 2012-13 school year. The Title III application will be due on the last Friday of August along with the rest of the consolidated application. More information on the Title III program can be found at:

<http://www.dpi.state.nd.us/bilingul/nochild/index.shtm>

## State ELL Funding

North Dakota funds ELL students who test at a level 1.0-3.9 based on a weighted factor payment system. Levels 1.0-1.9 are funded at an additional 30%, levels 2.0-2.9 are funded at an additional 20% and levels 3.0-3.9 are funded at an additional 7% for up to three years. In order for the student to qualify for payment, STARS enrollment for each ELL student must include the LEP/ELL checkbox, an ELP assessment score for the previous 12 months and an ILP date within the school year.

North Dakota Century Code

### **CHAPTER 15.1-27**

#### **STATE AID**

#### **15.1-27-03.1. (Effective through June 30, 2012) Weighted average daily membership - Determination.**

- e. 0.30 the number of full-time equivalent students who:
  - (1) On a test of English language proficiency approved by the superintendent of public instruction are determined to be least proficient and placed in the first of six categories of proficiency; and
  - (2) Are enrolled in a program of instruction for English language learners;
- h. 0.20 the number of full-time equivalent students who:
  - (1) On a test of English language proficiency approved by the superintendent of public instruction are determined to be more proficient than students placed in the first of six categories of proficiency and therefore placed in the second of six categories of proficiency; and
  - (2) Are enrolled in a program of instruction for English language learners;
- l. 0.07 the number of full-time equivalent students who:
  - (1) On a test of English language proficiency approved by the superintendent of public instruction are determined to be more proficient than students placed in the second of six categories of proficiency and therefore placed in the third of six categories of proficiency;
  - (2) Are enrolled in a program of instruction for English language learners; and
  - (3) Have not been in the third of six categories of proficiency for more than three years;

## Contact Information

For clarification or more information about the English Language Learners Program in North Dakota please refer to the contacts below.

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## **Appendix A**

### **District English Language Learner Policy Sample**

**School District A**  
**English Language Learner Policy**  
Month, Year

It is the policy of the School District A to provide the appropriate educational services allowing all students enrolled to achieve success. Students are guaranteed equal educational opportunities despite different racial, cultural, or language backgrounds. Students who have been identified as lacking the necessary language proficiency to achieve in the classroom because of a non-English language background are provided necessary services.

The district ensures that students are provided the appropriate educational services through a district plan that specifically outlines identification, assessment, services, personnel, and parent involvement. The plan shall describe the process of identification of students who are Limited English Language Proficient (LEP) or English Language Learners (ELL) that is consistent with state and federal requirements. It shall include the participation of identified students in state assessments such as those used to measure English language proficiency and academic achievement. The plan shall include the instructional model chosen, method of developing individualized language plans, and an assurance of the oversight of a licensed and endorsed (ELL or bilingual) teacher in assessment, instructional planning, and parent communication.

Parents or guardians of the student shall be notified upon identification and be informed of student's needs, services available, and annual progress in English and academic achievement. Parents or guardians shall be communicated with, to the extent practicable, in the language they can understand.

## **Appendix B**

### **Program Model Descriptions**

	<b>Focus</b>	<b>Students</b>	<b>Delivery</b>	<b>Staff</b>
<b>Dual Language</b>	Develop literacy in both the native language and in English (Biliteracy/Bilingualism)	ELLs with same native language	Instruction is delivered in both languages	Bilingual Teacher
<b>Two-way Immersion</b>	Develop literacy in both the native language and in English (Biliteracy/Bilingualism)	ELLs with same native language and Native English speakers who want to learn in the native language of the ELLs in the program	Instruction is delivered in both languages	Bilingual Teacher
<b>Transitional Bilingual</b>	Develop literacy in English with some native language support	ELLs with same native language	Instruction begins using the native language with a fast transition to using English for instruction	Bilingual Teacher
<b>Developmental Bilingual</b>	Develop strong literacy in English while developing some skills in the native language	ELLs with same native language	Instruction begins using the native language with a gradual transition to using English for instruction. Lower grades may use more of the native language for instruction than intermediate grades	Bilingual Teacher or Teaching Aide
<b>Heritage Language</b>	Develop literacy in English with some Heritage language preservation or support	ELLs with same native language	Instruction is content based and is delivered in both languages	Bilingual Teacher
<b>Sheltered Instruction</b>	Develop English language proficiency and grade level content knowledge	ELLs and can include Native English speakers	Instruction uses rigorous content standards, language standards and specific strategies and techniques to teach English and content together	ELL Teacher
<b>Structured English Immersion</b>	Develop English language proficiency	ELLs with same native language	Instruction uses English and adjusts to the proficiency level of the students – students may use native language with each other to clarify concepts	ELL Teacher with some knowledge of students' native language
<b>Specially Designed Academic Instruction Delivered in English</b>	Develop English language proficiency and content knowledge	ELLs and can include Native English speakers	Instruction in English designed specifically to provide intermediate or advanced ELL students with access to the regular curriculum	ELL Teacher
<b>Content-based ELL</b>	Develop English language proficiency and content knowledge	ELLs	Instruction that uses content materials to develop English language proficiency	ELL Teacher
<b>Pull-out ELL</b>	Develop English language proficiency	ELLs	Instruction using English to learn about English	ELL Teacher
<b>Other – Push-in ELL</b>	Develop English language proficiency	ELLs and other students who need assistance with academic English	Instruction in English using co-teaching and planning to make the lesson comprehensible, provide additional language support within the classroom related to the mainstream lesson or bilingual staff may provide native language support in the mainstream classroom	Bilingual/ELL Teacher/Bilingual Teaching Aide and Mainstream Teacher
<b>Other – Newcomer</b>	Develop beginning English language skills, introduce core academic skills and provide support for acculturation to the US and school	New ELLs to the US educational system with an entry level of English language proficiency or ELL students with Severely Interrupted Formal Education	Instruction is delivered in English with native language support from Bilingual staff and peers when possible – units designed for students to succeed in US schools and transition students to regular classrooms within a year	ELL Teacher
<b>Other – Extended Instructional Day</b>	Focus varies, based on student needs	ELLs	Instruction is delivered outside of the regular instructional school day	Bilingual or ELL Teacher

## **Appendix C**

### **Sample Individualized Language Plan**

# Sample Student ILP

Student Name \_\_\_\_\_ School \_\_\_\_\_ Grade \_\_\_\_\_ Date \_\_\_\_\_  
(annual review required)

<b>Language support team</b> NDAC § 67-28-01-05(1) & NCLB Title III §3302(a)(5)	
ELL Teacher (required)	Administrator or designee (required)
Classroom teacher	Paraprofessional
Parent (invitation required)	Expected Graduation Year

<b>Student Needs (ELP and Academic)</b> NDAC § 67-28-01-05(1)	
Most Recent ELP Score (ACCESS, W-APT or MODEL)	Test Date
Most Recent Academic Achievement Scores	Test Date

<b>ILP Considerations</b> NDAC § 67-28-01-05(2a) & NCLB Title III §3302(a)(4)
Student background, school history (text box)
Student strengths and needs (Text box)

<b>Language Goals and Objectives</b> NDAC § 67-28-01-05(2)(b) & NCLB Title III §3302 (e)(1)(A-B)
Goals and Objectives for Improving ELP as they apply to grade level standards (text box)

# Sample Student ILP

Student Name \_\_\_\_\_ School \_\_\_\_\_ Grade \_\_\_\_\_ Date \_\_\_\_\_  
 (annual review required)

<b>Specialized language instruction (check all that apply)</b> NDAC § 67-28-01-05(2)(c) & NCLB Title III §3302(a)(3)			
	Program Model	Service Time (min per day or week)	Service Provider
<input type="checkbox"/>	Dual Language		
<input type="checkbox"/>	Two-way Immersion		
<input type="checkbox"/>	Transitional Bilingual		
<input type="checkbox"/>	Developmental Bilingual		
<input type="checkbox"/>	Heritage Language		
<input type="checkbox"/>	Sheltered Instruction		
<input type="checkbox"/>	Structured English Immersion		
<input type="checkbox"/>	Specially Designed Academic Instruction Delivered in English		
<input type="checkbox"/>	Content-based ELL		
<input type="checkbox"/>	Pull-out ELL		
<input type="checkbox"/>	Other – Push-in ELL		
<input type="checkbox"/>	Other - Newcomer		
<input type="checkbox"/>	Other – Extended Instructional Day		
<input type="checkbox"/>	Other (describe in text box here)		

<b>Related services (check all that apply)</b> NDAC § 67-28-01-05(2)(d)		
	Program Model	amount of service time (indicate minutes per day or week)
<input type="checkbox"/>	Title I Support (reading or math)	
<input type="checkbox"/>	Special Education	
<input type="checkbox"/>	Tier Level Support (RTI)	
<input type="checkbox"/>	Intervention Program	
<input type="checkbox"/>	Tutorial	
<input type="checkbox"/>	Vocational Resource	
<input type="checkbox"/>	Reading Recovery	
<input type="checkbox"/>	Special Education	
<input type="checkbox"/>	Other (describe in text box here)	

# Sample Student ILP

Student Name \_\_\_\_\_ School \_\_\_\_\_ Grade \_\_\_\_\_ Date \_\_\_\_\_

(annual review required)

<b>Appropriate Instructional Strategies</b> NDAC § 67-28-01-05(2)(e)			
<input type="checkbox"/>	Slow down and repeat instructions	<input type="checkbox"/>	Highlight target vocabulary with bold print
<input type="checkbox"/>	Modify linguistic complexity	<input type="checkbox"/>	Add visual support
<input type="checkbox"/>	Small group instruction	<input type="checkbox"/>	Printing accepted (no cursive)
<input type="checkbox"/>	Offer note-taking assistance	<input type="checkbox"/>	Pre-teach, limit and simplify vocabulary
<input type="checkbox"/>	Provide copies of teacher notes	<input type="checkbox"/>	Primary language support
<input type="checkbox"/>	Other		

<b>Accommodations for Instruction and Assessment</b> NDAC § 67-28-01-05(2)(f)			
<input type="checkbox"/>	Administer test in small group	<input type="checkbox"/>	No True/False questions
<input type="checkbox"/>	Modify linguistic complexity	<input type="checkbox"/>	Correlate study guides directly with test
<input type="checkbox"/>	Simplify test directions	<input type="checkbox"/>	Simplify vocabulary syntax
<input type="checkbox"/>	Use word bank chunks with 5 words or less (all words used only once)	<input type="checkbox"/>	All tests and quizzes read aloud to student
<input type="checkbox"/>	Allow extra time	<input type="checkbox"/>	Add visual support
<input type="checkbox"/>	No "none of the following except" questions	<input type="checkbox"/>	Give only 3 options on multiple choice
<input type="checkbox"/>	Write answers directly on test	<input type="checkbox"/>	Word to word bilingual dictionary
<input type="checkbox"/>	Read aloud test directions, questions and options	<input type="checkbox"/>	Other

## **Appendix D**

### **Parent Involvement Requirements**

<b>Title III Parent Involvement Requirements</b>	<b>State Parent Involvement Requirements</b>
<p>Inform parents how they can be active participants in assisting their children to:</p> <ul style="list-style-type: none"> <li>• learn English</li> <li>• achieve at high levels in core academic subjects</li> <li>• meet the same challenging state academic achievement standards as all other children</li> </ul>	<p>The school district shall inform the student's parent or guardian how they may be involved in their child's program of English language acquisition, including periodic progress reporting.</p>
<p>Inform parents regarding their child's participation in a Language Instructional Education Program:</p> <ul style="list-style-type: none"> <li>• the reasons for identification and placement in the ELL program</li> <li>• the child's level of English language proficiency</li> <li>• the method of ELL instruction, including descriptions of alternative language instruction programs</li> <li>• a description of how the program will meet the educational strengths and needs of the student</li> <li>• a description of how the program will help the child learn English and meet academic achievement standards</li> <li>• the program exit requirements, including the expected rate of transition and the expected rate of graduation from secondary school</li> <li>• the way in which the LEL program will assist to meet the objectives of an Individualized Education Program for a child with a disability</li> <li>• the parent rights, including written guidance that: <ul style="list-style-type: none"> <li>○ Specifies the right that parents have to have their child immediately removed from a language instruction educational program upon their request</li> <li>○ Describes the options that parents have to decline to enroll their child in such program or to choose another program or method of instruction, if available and</li> <li>○ Assists parents in selecting among various programs and methods of instruction, if more than one program or method is offered</li> </ul> </li> </ul>	<p>The school shall invite the student's parent or guardian to be a team member on the individualized language plan team.</p>
<p>LEAs must inform parents of a child identified for participation in a language instruction educational program supported by Title III not later than 30 days after the beginning of the school year. For a child who enters school after the beginning of the school year, the LEA must inform parents within two weeks of the child's placement in such a program.</p>	<p>The school district shall provide information at least annually to the student's parent or guardian on the progress of the student's language proficiency and academic achievement and on alternative language services being provided.</p>
<p>School districts are required to provide notice to the parents of LEP children participating in a Title III language instruction educational program of any failure of the program to make progress on the annual measurable achievement objectives described in section 3122 of Title III. This notice is to be provided no later than 30 days after this failure occurs.</p>	
<p>The required notices described must be provided in an understandable and uniform format and, to the extent practicable, in a language that the parent can understand.</p>	<p>The information must be provided, to the extent practicable, in a language the parent or guardian can understand.</p>