



PUBLIC SCHOOLS OF NORTH CAROLINA

DEPARTMENT OF PUBLIC INSTRUCTION | June St. Clair Atkinson, Ed.D., *State Superintendent*

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TO EC Directors
LEP Coordinators
Regional Accountability Coordinators
Testing Coordinators

FROM Rebecca Garland 

DATE May 2, 2011

GUIDANCE FOR LIMITED ENGLISH PROFICIENT STUDENTS

The North Carolina Department of Public Instruction Divisions of Accountability, Curriculum and Instruction, and Exceptional Children have collaborated to provide detailed guidance on

1. the identification of Limited English Proficient (LEP) students who may also be students with disabilities, and
2. the annual English language proficiency assessment for identified LEP students with Individualized Education Programs (IEPs).

The attached document has been vetted to ensure these practices are in compliance with state and federal laws and policies.

If you have questions regarding this guidance, please contact: Nancy Carolan in Accountability at ncarolan@dpi.state.nc.us or 919-807-3801; Ira Wolfe in Exceptional Children at iwolfe@dpi.state.nc.us or 919-807-3976; or Helga Fasciano in K-12 Curriculum and Instruction at [hfascian@dpi.state.nc.us](mailto:hfacscian@dpi.state.nc.us) or 919-807-3864.

RG/HF/cs

Attachment

c: LEA Superintendents

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AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

North Carolina Procedures for the Identification of Limited English Proficient Students

The North Carolina State Board of Education policy GCS-K-000 (16 NCAC 6D.0106) requires a Home Language Survey (HLS) be administered to all students upon initial enrollment. The HLS is used to help determine if the student is a language minority student. *(The Home Language Survey Process is shown at the end of this document as Appendix A.)*

HLS ADMINISTRATION

Upon initial enrollment in a local education agency (LEA), all students are guided through the Home Language Survey process and have a completed HLS placed on file. The state has provided a sample HLS at <http://esl.ncwiseowl.org/resources/documents/>, which has suggestions for the type of questions to be asked, such as:

1. What is the first language the student learned to speak?
2. What language does the student speak most often?
3. What language is most often spoken in the home?

If review of the survey shows **no** language other than English, the student is not a language minority student. The completed HLS is filed in the student's cumulative folder. Responses to any of the questions on the HLS indicating languages other than English should prompt the school to investigate and determine the student's actual home language.¹

HLS INVESTIGATION

The school district Limited English Proficiency (LEP) coordinator/designee should interview the student and his/her parent/guardian to clarify the home language of the student. Some sample probing questions are:

1. When the child was young and language was developing, what language(s) was/were spoken to the child?
2. How is the language (other than English) used in the home?
3. Are there other student issues (e.g., significant health issues, academic gaps, grade retentions, special services, etc.)?

¹ *Home language is the language normally used by the individual or normally used by the parents of the child or youth. Trained school personnel must research this information to determine and document the student's actual home language at the time of entry into U.S. schools.*

Student's Dominant Language is English

If the process shows the student's dominant language is English, then the student is not a language minority student. The completed HLS is filed in the student's cumulative folder.

Student's Dominant Language is a Language Other Than English

If the investigation reveals that the dominant home language is a language other than English, that language is confirmed on the HLS. The survey is filed in the student's cumulative folder, and the student is scheduled for administration of the *WIDA Access Placement Test (W-APT)*™ according to one of the three procedures described below.

HLS Completed in Another LEA

If an HLS was completed in another North Carolina public school prior to enrolling at the current school, then staff should compare the responses on the two forms for consistency. If inconsistencies are found, the staff will investigate and determine the home language and eligibility of the student for ESL services, as documented by the investigation. Keep in mind that during any investigation, the LEA retains the responsibility to ensure the student has an equal opportunity to have his/her English language and academic needs met. If the investigation documentation indicates the student is a language minority student, and if no W-APT has been previously administered, then the student is scheduled for W-APT administration, according to one of the three procedures described below.

CONSIDERATIONS FOR W-APT ADMINISTRATION

1. IEP Exists (Other Student Issues Documented)

If the student is identified as a language minority student and the investigation reveals that the student has an existing Individualized Education Program (IEP), then the IEP Team, **including ESL staff**, reviews the IEP. The W-APT is administered with any testing accommodations documented in the student's current IEP. The Composite Score is calculated with lowest score(s) from any inaccessible subtest(s).

If it is determined that the student was administered an English language proficiency test while enrolled in the previous school, then ESL staff must obtain test results from the other school to determine the student's LEP status. ESL staff must confirm the student's LEP status in the state LEP Consolidated Federal Data Collection (CFDC). (*See Appendix B for LEP identification cut scores.*)

W-APT results are reported to the IEP Team. If the student is not LEP, then the IEP Team indicates this under the "Consideration of Special Factors" in the IEP. If the student is identified as LEP, the IEP Team determines language needs as related to the IEP (e.g., collaboration, training, materials, and native language support). The LEP identification and eligibility for testing accommodations are noted in both the IEP and LEP plan/documentation.

Once identified as limited English language proficient, the student is required by state and federal law to be annually assessed on the state identified English language proficiency test until the student meets the exit criteria. The test currently used by North Carolina for annual assessment is the *Assessing Comprehension and Communication in English State-to-State for English Language Learners* or the *ACCESS for ELLs*[®]. Appropriate testing accommodations for the *ACCESS* administration are noted in both the IEP and LEP plan/documentation.

2. Regular Procedure (No Other Student Issues Documented)

If the student is identified as a language minority, he/she is administered the state-identified English language proficiency screener/test to determine potential LEP identification. According to State Board of Education policy GCS-A-011, to be identified as limited English proficient, students must be assessed using the W-APT. If a language minority student enrolls at the beginning of the school year, he or she must be administered all four subtests (listening, speaking, reading, and writing) of the W-APT, and the parent must be notified within 30 calendar days of enrollment of the student's eligibility for ESL services. If a language minority student enrolls after the beginning of the school year, he or she must be administered all four subtests (listening, speaking, reading, and writing) of the W-APT, and the parent must be notified within 14 calendar days of enrollment. (*Note: Kindergarten students enrolling at or during the first - semester will **only** be administered the listening and speaking portion.*)

If it is determined that the student was administered an English language proficiency test while enrolled in the previous school, then staff must obtain test results from the other school to determine the student's LEP status. ESL staff must confirm the student's LEP status in the state LEP Consolidated Federal Data Collection (CFDC). (*See Appendix B for LEP identification cut scores.*)

If the student is identified as LEP based on performance on the W-APT, then ESL staff documents the identification and the appropriate language instructional program goals in the LEP plan/documentation. The LEP plan/documentation will also indicate appropriate instructional and testing accommodations for which the student is eligible.

Once identified as Limited English Proficient, the student is required by state and federal law to be annually assessed on the state-identified English language proficiency test until the student meets the exit criteria. The test currently used by North Carolina for annual assessment is the *Assessing Comprehension and Communication in English State-to-State for English Language Learners* or the *ACCESS for ELLs*[®].

3. No IEP Exists and Other Student Issues Documented

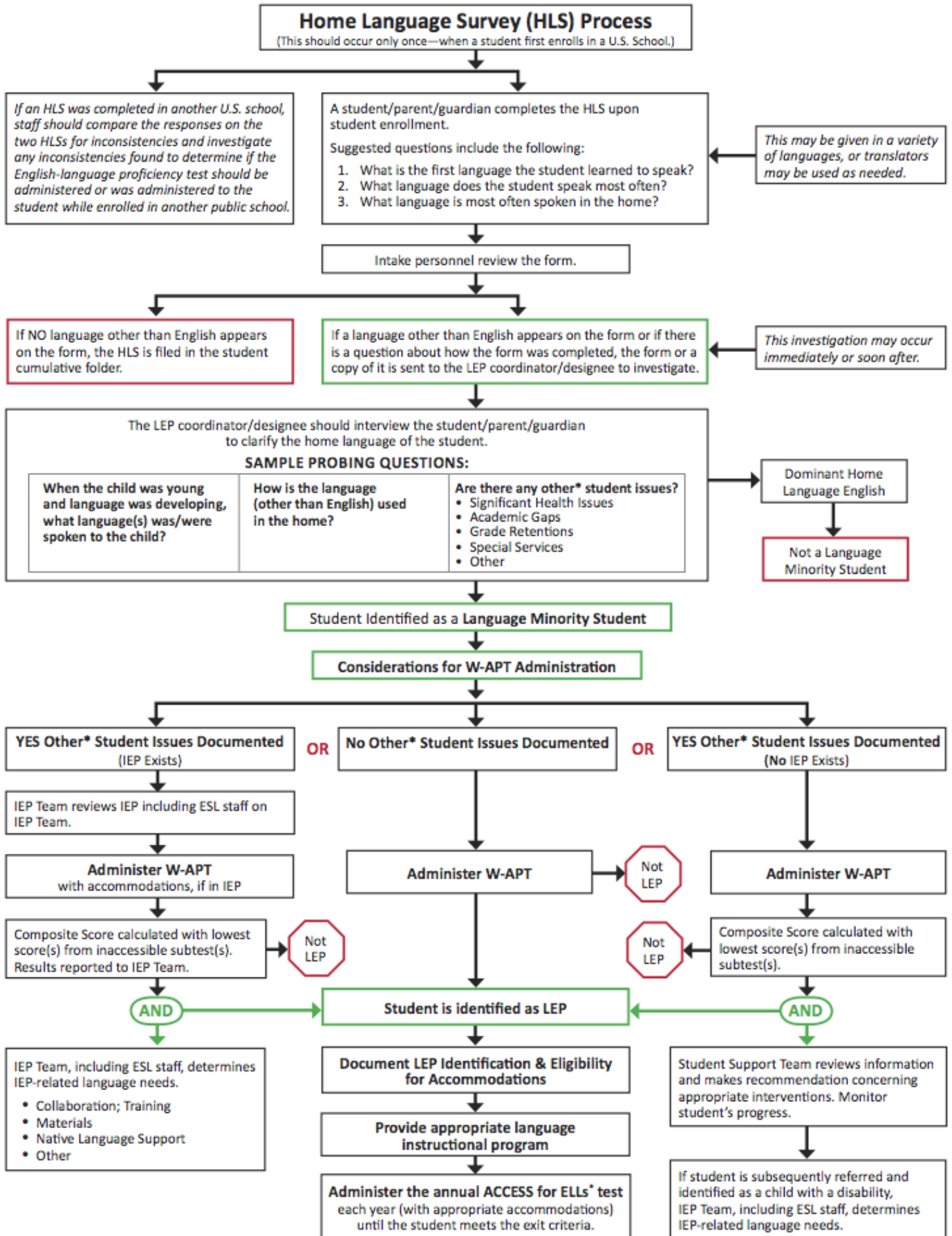
If the student is identified as a language minority student and the investigation reveals other student issues (e.g., a history of special services, grade retention, significant health issues, etc.), the W-APT is administered. Any accessibility issues are documented in the student's cumulative folder along with the results. The Composite Score is calculated with lowest score(s) from any inaccessible subtest(s).

If it is determined that the student was administered an English language proficiency test while enrolled in the previous school, then ESL staff must obtain test results from the other school to determine the student's LEP status. ESL staff is to confirm the student's LEP status in the state LEP Consolidated Federal Data Collection (CFDC). (*See Appendix B for LEP identification cut scores.*)

If the student is not identified as LEP based on the W-APT results, staff will record this in the student's cumulative folder. If the student is identified as LEP, a Student Support Team, including ESL staff, reviews information and makes recommendations concerning appropriate interventions. The Student Support Team documents the identification and the eligibility for appropriate testing accommodations. The LEP plan/documentation will also indicate the appropriate language instructional program. This team will monitor the student's progress. If the student is subsequently referred and identified as eligible for special education under the IDEA, the IEP Team, **including ESL staff**, will determine the language needs as related to the student's IEP and documented in the IEP and the LEP plan/documentation.

Once identified as limited English language proficient, the student is required by state and federal law to be annually assessed on the state identified English language proficiency test until the student meets the exit criteria. The test currently used by North Carolina for annual assessment is the *Assessing Comprehension and Communication in English State-to-State for English Language Learners* or the *ACCESS for ELLs*[®]. If the student is referred and identified as eligible for special education under the IDEA, then appropriate testing accommodations for the ACCESS administration are noted in the IEP and LEP Plan/documentation.

Appendix A



Appendix B

North Carolina LEP Identification Criteria

**W-APT Identification Criteria
 for Students with a Home Language other than English**

Grade	Domains	W-APT Score Identifies Student as LEP	W-APT Score Indicating Student is NOT LEP
Kindergarten 1 st Semester	Speaking & Listening	Less than 27	27 or Higher
Kindergarten 2 nd Semester	All Four	Listening & Speaking Less than 27 <i>or</i> Reading less than 14 <i>or</i> Writing less than 17	Listening & Speaking 27 or higher <i>and</i> Reading 14 or higher <i>and</i> Writing 17 or higher
Grade 1 1 st Semester	All Four	Listening & Speaking Less than 27 <i>or</i> Reading less than 14 <i>or</i> Writing less than 17	Listening & Speaking 27 or higher <i>and</i> Reading 14 or higher <i>and</i> Writing 17 or higher
Grade 1 2 nd Semester	All Four	Composite less than 5.0 <i>or</i> Any domain less than 5.0	Composite 5.0 or higher <i>and</i> No domain less than 5.0
Grade 2 -Grade 12 1 st and 2 nd semester	All Four	Composite less than 5.0 <i>or</i> Any domain less than 5.0	Composite 5.0 or higher <i>and</i> No domain less than 5.0