



*Esperanza*  
**Cyber Charter School**

## K-12 Language Instruction Program for English Language Learners



(Revised August 2015)

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## It's the Law

The Pennsylvania School Code Chapter 4, Section 4.26 states:

*Every school district shall provide a program for each student whose dominant language is not English for the purpose of facilitating the student's achievement of English proficiency and the academic standards under § 4.12 (relating to academic standards). Programs under this section shall include appropriate bilingual-bicultural or English as a second language (ESL) instruction.*

In April 14, 2009, the Basic Education Circular (BEC), *Educating Students with Limited English Proficiency (LEP) and English Language Learners (ELL)* 22 PA Code 4.26 was issued to clarify the administrative responsibilities of Pennsylvania public/charter schools.

As used here, the term "program" refers to: (1) planned instruction by a qualified ESL /Bilingual teacher, (2) adaptations/modifications in the delivery of content instruction by all teachers based on the student's language proficiency level and the Pennsylvania Language Proficiency Standards (PA ELDS) for ELLs as well as the Pennsylvania academic standards.

On the federal level the US Office for Civil Rights is responsible for enforcing Title VI of the Civil Rights Act of 1964, which prohibits discrimination based on race, color, or national origin. As in *Lau v. Nichols* (1974) the US Supreme Court affirmed the Department of Education memorandum of May 25, 1970 that directed school districts to take affirmative steps to help English Language Learners (ELLs) overcome language barriers. The Supreme Court decision stated that a school district may not compromise a student's right to meaningful education before proficiency in English is obtained.

The Equal Education Opportunities Act of 1974 states that no state shall deny equal education opportunity to an individual on account of race, color, sex, or national origin. The Act prohibits denying equal educational opportunity by the failure of an educational agency to take appropriate action to overcome language barriers that impede equal participation by its students in its instructional programs. An individual denied an equal educational opportunity as defined by this part of the Act may institute a civil action in an appropriate district court of the United States against such parties.

In 1981, the Fifth Circuit Court of Appeals formulated a test to determine school district compliance with the Equal Educational Opportunities Act of 1974 in the *Castaneda v. Pickard* case. The three-part test includes the following criteria:

1. Theory: the school must pursue a program based on an educational theory recognized as sound for ELLs.
2. Practice: the school must implement the program with instructional practices, resources, and personnel necessary to transfer theory to reality.
3. Results: the school must not persist in a program that fails to produce results.

## **Application of the ELL Policies and Procedures**

Esperanza Cyber has deliberately created an ELL program and instructional plan to establish consistent policies and procedures for identifying and servicing their ESL population. The Board of Directors of Esperanza Cyber Charter School recognizes its legal responsibilities to establish consistent policies in order to best service this group of students. These policies apply to all teachers, para educators, and administrators at Esperanza Cyber. With respect to the applicability within our student population, these policies should be followed when servicing any student determined to be an English language learners (ELL).

## **Program Philosophy**

The philosophy of the ESL Program is based on the following principles:

1. Language acquisition takes: approximately one to two years for conversation skills and five to seven years for academic skills comparable to English speakers.
2. Language proficiency is acquired through active, functional, and meaningful participation, not by learning rules about the English language.
3. Language is acquired in an atmosphere of trust, acceptance, high expectations, and support.
4. Acquisition must be built on the students' previous experiences and knowledge.
5. The skills of listening, speaking, reading, and writing, are interdependent and reinforce each other in language acquisition.
6. Teachers, students, and parents working together in an environment of mutual respect will bring forth positive changes in the acquisition process.
7. ESL curriculum must reinforce the general education curriculum to make sure students are supported in their acquisition versus following two totally different curricula.

## Program Mission and Vision

Esperanza Cyber is committed to uphold the PDE mission and vision for the education of English Language Learners.

- *Provide for the maintenance and support of a thorough and efficient system of education which includes the provision of **quality, culturally responsive, and equitable** educational programs for English language learners and assurance of their appropriate participation in all aspects of the educational system.*
- *Ensure that its programs will address the **needs and rights** of English language learners in all its initiatives throughout the entire process of planning and implementation.*
- *Promotes the recognition of English language learners and their parents as **cultural and linguistic assets** to the Commonwealth's global initiatives.*
- *Is committed to using its Standards Aligned System to ensure that English language learners receive core curriculum instruction and achieve **high levels of academic success**.*

## Goals of the Program

The goals of ESL Department at Esperanza Cyber are to provide ELL students with intensive English language and literacy instruction in the four communication domains which are: reading, writing, speaking, and listening. ESL teachers will teach students functional and academic English through explicit English language instruction and act as a resource for teachers in the content areas to help service students with accommodations and modifications. ESL teachers will also assist administrators and guidance counselors with providing appropriate accommodations to ELL students when administering standardized tests. ESL teachers and para educators are responsible for providing support in the content areas through “push in” and “pull out” services and provide appropriate accommodations and modifications to ELL students in content classes. For more information on push in and pull out services, please refer to page 7 of this document which describes the ESL program design. These services are designed collaboratively by the content teacher and the ESL teacher on an ongoing basis. The tools used in modifying and accommodating work for ELL students can be found in the English Language Development Standards K-12 published by the WIDA Consortium. Additional resources can be found, and all ESL staff are encourage to use, at [www.eslportalpa.info](http://www.eslportalpa.info).

## Identification of English Language Learners

Before enrolling in Esperanza Cyber Charter School all students must be given a Home Language Survey inquiring which language is spoken at home. The Home Language Survey is given one time and remains

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in the student's permanent record file through the student's graduation. This is the first step in identifying an English Language Learner. If the language spoken at home is anything other than English primary home language other than English, PHLOTE) more data may be collected about the student and a review of enrollment documents is conducted. The purpose of the investigation is to determine if the student requires support from the ESL program to be successful academically and socially in English in the mainstream classroom. This investigation includes an interview of the student and the parents, a review of documents pertaining to the students prior education, such as report cards and other standardized test scores, a formally assessed English language proficiency test using the W-APT, possible placement in an ELL instructional program, or exempted from a formal ELL proficiency assessment. Additionally, if the student is coming from a Philadelphia district school the School District Data Information System, CASTOR , is accessed and a search for the student's ELL data is conducted, when that system is available. This information is stored in the student description report (report #12) and contains their ELL data. This information could include the amount of time a student has been enrolled in a U.S. school, any ELL testing data, and the student's country of origin.

After review of this data, if it is determined that the student requires support from the ESL department, the screening exam entitled the WIDA Access Placement Test or (W-APT) is administered. The W-APT test is provided by the state of Pennsylvania and is used to determine the academic English language proficiency level of students new to a school or to the U.S. school system. The placement test determines appropriate levels and amounts of instructional services. Finally, this exam will help to accurately assign students identified as ELLs to one of the 3 tiers for ACCESS for ELLs proficiency testing.

An exemption from formal assessment is determined if a student meets two of the following three criteria:

1. Final grades of B or better in the core subject areas of Mathematics, Language Arts, Science, and Social Studies.
2. Scores on district or school-wide assessments that are comparable to the Basic performance level on the PSSA.
3. Scores of Basic in Reading, Writing, and Math on the PSSA or an equivalent assessment from another state.

### **Grade Level Placement**

Before making a permanent grade level placement decision for an ELL, the ESL coordinator, ESL teacher, and building administrator will collect information about the child. At a minimum, this

information will include:

- the child's chronological age;
- the child's educational background, including grade level;
- the child's English-language proficiency level;
- and, the child's academic performance (as best as can be determined by school records, work samples or formal/informal assessments).

Under no circumstances will the child be placed in a grade level that is more than one (1) year below his or her chronological age. The school will devise a program that will meet the ESL and content/subject area needs of the student. Retention in a grade is only advisable when a language minority student is lagging behind peers socially and emotionally. Certainly, an ELL student should not be retained solely for the reason of limited English proficiency. These students will need time and additional instruction over the course of several years to acquire English proficiency and content knowledge. Accommodations and adaptations in the regular classroom as well as a close collaborative relationship between the mainstream and ESL programs are necessary

## ESL Program Design

The ESL program at Esperanza Cyber is a unique and individualized experience for every ELL student. As the ELL population is extremely diverse their needs are vast and complex. For example, some ELL students have recently arrived to the United States and require a strong foundation in basic communication skills and contextualized vocabulary in English. Some ELL students, although born in the United States, require assistance because they use another language in their homes and are not yet able to cope adequately with the rigorous demands of academic English in the classroom. Other variables which account for this population's diversity include the ELL student's proficiency and literacy in the first language, the level of prior exposure to English, the age of the student, previous school experience, the student's cultural and emotional context, and the demands of the grade level curriculum. These individual differences need to be reflected in the services which the ELL student receives. *As there is so much diversity within our ELL population, we must determine on an individualized basis how to best service our students.* There is no 'one size fits all' ELL program that would suit all of our ELL learners at Esperanza Cyber. To provide the best service possible to our students we combine components of various ESL program models and match these components to the needs of our students. These program models could include: 1) intensive targeted English language instruction, 2) sheltered content instruction, and 3) push in/ pullout services. We determine these services by conducting a comprehensive data collection on each ELL student, along with an interview



before entering the School. The data collected is analyzed and individualized instructional goals are determined for every student.

Once a student is placed in the ESL program, they receive targeted and intensive English language and literacy instruction. *This instruction could look different for every student based on their needs.* The English as a Second Language (ESL) curriculum is designed to provide individualized learning opportunities to acquire English language skills and to understand American culture. It is created to meet the needs of students regardless of the English language proficiency level they demonstrate upon entering the school system. Instructional lessons, strategies, and activities are designed around classrooms with students of varying intelligences, interests, and learning styles. Differentiated instruction should reflect these needs. Furthermore, designing an academic program around communication, where students use spoken language to learn the second language fosters genuine interaction. Using student's and community culture can become an integral experiential way for ELL students to build language skills while fostering respect and appreciation for the diversity within the classroom and school.

There are 4 levels of ELL instruction at Esperanza Cyber which directly correlate to the ELL proficiency levels outlined by English Language Development Standards written by the WIDA consortium. The courses are as follows:

## **ESL Curriculum**

The ESL curriculum at Esperanza Cyber is modified instruction to meet the individual student needs of those identified for ESL instruction using the K-12 ELA curriculum developed from open education sources. The K-12 ELA curriculum is aligned to PA and Common Core standards. Once it is determined the level of instruction an individual student may need, the ESL teacher will use the grade specific ELA curriculum and modify with the ELL overlay to academic standards. In addition, ELL teachers may also find the voluntary model curriculum in literacy from the PA SAS portal to be helpful in guiding the development of a rich and rigorous learning experience.

## **Intensive and Targeted English Language Instruction for Levels 1 and 2**

NOTE: These leveled courses are in development and will be available for school year 2016.

ESL 1 and ESL 2 students receive English language instruction every day for the entire academic year.

ESL 1 (entering) is a skills based English as a Second Language class which takes a thematic and integrated approach to teaching English as a Second Language. Students are taught the social, instructional, and academic language that is needed to engage with peers, educators, and the Esperanza

Academy core curriculum. ESL 2 (beginning) continues with basic English language instruction and builds on student skills in grammar, reading, writing, speaking, and listening, and addresses specific text types including persuasive, reflective, narrative writing. Fiction and nonfiction texts are integrated throughout both courses.

### **English Language, Literacy, and Academic Content Language for Levels 3-4**

This class will meet for live lessons and the ELL teachers provide instruction in ELL/ELA using the ELA curriculum plans.

ESL 3 (developing) and ESL 4 (expanding) build on students' reading, writing, speaking, and listening skills in an integrated fashion. Students develop strategies to read for meaning and analyze and interpret literature and nonfiction. Students compose reflective, persuasive, and narrative writings, and obtain skills essential to the writing process. Texts in these courses include short stories, poems, plays, novels, and nonfiction. The mechanics and grammar of the English language are woven throughout these courses and embedded in reading and writing exercises. Students learn to analyze and interpret literature and nonfiction as well as to evaluate genres, and identify elements and devices of literature. Research skills and writing research papers are also important components of the course.

### **Literature Studies (bridging)**

These students are about to reach grade level proficiency in English and are approaching grade level literacy in the core content areas. These students will likely meet the state's exit criteria for ELL support services by the end of the academic year. Literature Studies is an optional capstone course designed for students who need targeted support in their reading and writing in academic English. Using rigorous literature and nonfiction texts, students in this class work to hone their literacy skills and become college ready.

### **Sheltered Instruction**

While ELL students receive their own specialized English language arts class, every ELL student has access to the regular, grade appropriate, core curriculum as it is offered to native English speakers. ELL students are supported in their content area classes with the help of the ESL teacher who helps deliver accommodations and modifications to the ELL students. These teachers *push in* to the online classes and work closely with the content area teacher to progress monitor the student in each class and help determine individualized goals for each student for the course. At times, ESL teachers provide *pull out* services in the form of tutoring to our ELL students if the students require a review of a complex topic or theme, require a smaller testing environment, or need additional edits on a written assignment. The ESL

teachers meet regularly with the content teachers with whom they work to jointly develop appropriate accommodations and assessments for the ELL students in their courses.

The push in and pull out learning opportunities are used with the same purpose in the Cyber school as they may be seen in a traditional, brick and mortar classroom. The ESL teacher or the content teacher can identify a need for more intensive language support and determine how best to serve that need, by either (1) co-teaching in live lessons with the content teacher, (2) providing written modifications or accommodations to written lesson components, (3) providing 1:1 tutoring, or (4) pulling the child out to a full-time ESL class.

### Resource, Tutoring, and After-School Support

In addition to a targeted English class, and support in content classes, ELL students have access to their own writing and homework help which is staffed by teachers and para educators from the ESL department. These supports run both before, during and after the school day and are extremely valuable to our students as they allow them to get the individualized help they require to complete assignments and keep up with the rigor of the mainstream classes. Tutoring can occur virtually using the live lesson class application, or students can schedule visits to the Learning Center to meet with his or her teacher face to face.

Finally, because our ELL's are in every content area class, our mainstream teachers get continuous professional development on how to best provide on-going targeted support for our students while maintaining high standards within the common core curriculum.

### Scheduling

*The schedule of ESL instruction varies by grade level and the language development and proficiency of the student.* Students will receive services as a core subject (English/Language Arts) and this will be reflected within their schedules. Monitored students may require support from the ESL teacher and will receive it as needed. Students will receive appropriate daily time allotment during school hours, dependent on proficiency levels and after school hours if requested.

The ESL teacher will meet daily with ELLs to provide instruction in language acquisition skills according to these guidelines, which can be adjusted based upon individual students needs in consultation with the classroom teacher.

ELL Levels	Time Allotted
Entering: 1.0 – 1.9	60-90 minutes daily

Emerging: 2.0 – 2.9	60-90 minutes daily
Developing: 3.0 – 3.9	60-90 minutes daily
Expanding: 4.0 – 4.9	30-60 minutes daily or support as needed
Bridging: 5.0 – 5.9	Monitor
Reaching: 6.0	Monitor

## Grouping

For the purpose of ESL instruction, students may be grouped according to language proficiency levels. At the beginning of each school year, staff members will be informed of the students who qualify for ESL services. This is an on-going process throughout the course of the year.

## Progress Monitoring

ESL teachers monitor the English language and academic progress of students currently receiving ESL instruction, as well as monitor students who were exited from ESL instruction for a period of two years after the students' exit from the ESL program. ESL teachers monitor students' progress throughout the year when report cards are issued and standardized test scores are received. When monitoring exited students, the ESL teacher will coordinate with designated staff the completion of the Post-Exit ELL Monitoring Form. To determine student progress toward achieving English proficiency and the academic standards, the ESL teacher will use multiple measures, including:

1. Review of report cards each marking period;
2. Communication with regular education teachers to discuss student progress
  - a. Use curriculum-based assessment tools used by the regular education classroom teacher;
3. Communication with regular education teachers for classes in which ELLs are receiving a grade of C or lower;
4. Results of school-wide assessments;
5. And, results of PSSA (Pennsylvania System of School Assessment).

## Staffing and Professional Development

Staff development opportunities will be provided and encouraged by the School. All new teachers will receive ESL training as a part of the onboarding and induction process. In addition, professional development opportunities will be offered through the School's professional development program for new and veteran teachers throughout the year. ESL staff and others can attend training sessions provided by outside sources, such as local Intermediate Units, PaTTAN, WIDA, online courses or webinars.

## Communication with Parents

The School will ensure that parents are aware of the options, programs, policies, and procedures of the ESL program. School related documents may be provided by TransACT ([www.transact.com](http://www.transact.com)), a document translation service provided by PDE. Communication with the parents of English Language Learners, who may also be learning English, will be clear and presented in a mode and/or language they understand.

Parents are provided notice of placement in a core ESL and/or a Title III supplemental ESL program

- Within 30 days of the beginning of the school year
- Within 14 days of enrollment during the school year
- Must be in the parent's preferred language and mode of communication
- Must include identification, assessment results, placement, instructional model, and how the program will address the student's educational needs.

The district provides orientation for ESL families and students. Services include:

- Translated forms for student enrollment;
- Translators and translated materials for kindergarten registration;
- Translated copy of Student Code of Conduct (includes the Parent/Student Handbook);
- Open House for students and families;
- School conferences held for every grade level at the end of the marking periods (translators are available for these conferences).

## Grading

The BEC (April 2009) stipulates that ELLs must be graded using the same grading system as all other students. Grading for ELLs will be accomplished with a high degree of collaboration between the ESL teachers and the classroom teachers. If there is a concern that an ELL should receive an unsatisfactory grade, the classroom teacher, ESL teacher, and the ESL Coordinator will meet to determine the final grade.

## Kindergarten

Students will be screened with the W-APT to determine fluency and placement. The regular classroom teacher will administer the current kindergarten assessment(s) to those students attaining the score of 15 or higher on the Kindergarten W-APT. The ESL teacher will complete a report of student progress within each of the ESL curriculum domains for those students.

## Grades 1-5

The grade that the regular education teacher assigns should reflect appropriate modifications to instruction and assessment. A grade of “N” should not be used in regular education unless for reason of excessive absenteeism, documented unwillingness to participate in class, and/or consistent failure to do homework assignments with communication to parents. During the initial periods of language acquisition and development, students may be graded on a pass/fail basis. The ESL teacher will grade what he/she teaches. This will be different based on the proficiency level of the student. The teacher(s) providing the instruction will decide the reading/writing grade after reviewing the child’s progress.

## Report Card Procedures

The student’s level of success in the ELL program will be determined through the use of formal and informal authentic assessment monitored by both the ESL and classroom teachers and input from the guidance counselor and parents.

1. For ENTERING and EMERGING ELLs, the ESL teacher or classroom teacher will assign the grades for Language Arts and Reading. Collaboration between the teachers is encouraged.
2. For DEVELOPING, EXPANDING, and BRIDGING ELLs, the classroom teacher or the ESL teacher will assign the grades for Language Arts and Reading depending on which teacher sees the student the most for these subjects. Collaboration between the teachers is encouraged based upon the needs of the student and when modifications and accommodations need to be made to ensure the student’s success.
3. The classroom teacher will assign the grade for Math, Social Studies and Science unless the ESL teacher has certification in any of these areas and is instructing the student in a replacement Math, Social Studies or Science class. Input may be shared between the teachers, and modifications and

accommodations must be made as necessary for the student.

4. At the elementary and intermediate levels, when modifications and accommodations are made in the instruction for a student, the expectations of the student or the methods of assessing, the appropriate comment should be made on the report card to note that the performance of the student was dependent on any or all of these considerations.

5. It is permissible to assign a NO GRADE GIVEN to an elementary or middle school student ENTERING ELL when the classroom teacher or ESL teacher determines that the English proficiency of the student is not sufficient to enable them to communicate their knowledge orally or in writing and the teacher cannot professionally evaluate the student's learning. In cases where the course is for credit (i.e., the high school) and/or the student is struggling greatly to attain a passing grade despite the modifications and accommodations made, the assignment of the student may need to be reevaluated or more adaptations may need to be made. This consideration should be determined with collaboration among the classroom teacher, the ESL teacher, and the counselor.

PLEASE NOTE: A student should not receive NO GRADE GIVEN for more than two marking periods upon entering the district except in extremely rare cases where the classroom teacher, the ESL teacher, and the building administrator would agree after assessing the situation.

## Retention

ELLs will not be retained because of limited language proficiency. Content area instruction and assessment must be aligned with the corresponding standards and adapted to meet the needs of the students. ELLs may be retained due to excessive absenteeism, documented unwillingness to participate in class, and/or consistent failure to do homework assignments. All retention candidates will be referred to the IST process. An instructional evaluation must be completed in addition to a current language proficiency survey. A conference with the student's parents, building principal, the ESL teacher, and if necessary a translator should be held before the student is retained.

## Exiting ELLs

In order to meet the required state exit criteria for Pennsylvania's English language instructional programs for ELLs, LEAs must use **both of the required exit criteria** listed below. In addition, LEAs must ensure that students meet **one of the two additional exit criteria** listed below to exit from an English language instructional program:

### Required Exit Criteria:

1. Score of BASIC on the annual Pennsylvania System of School Assessment (PSSA) math or PSSA reading. PSSA exam scores must be from the most recent academic school year.

#### *Special Circumstances:*

- *For students transferring from other states, the results of academic achievement assessments used for accountability in other states may be considered when the academic proficiency level is comparable to BASIC on the PSSA assessments.*
- *For students that are in a grade that is not assessed with a PSSA each of the remaining exit criteria must be met to exit (Required Exit Criteria #2, Additional Exit Criteria #1, Additional Exit criteria #2).*

2. Score of 5.0 or above on an ACCESS for ELLs Kindergarten assessment (accountability score) or score of 5.0 on a Tier C ACCESS for ELLs assessment.

- Cut-off score flexibility is available in special circumstances.

#### *Special Circumstances:*

- *Following the scoring criteria in the table below, the W-APT may be administered between June and September to students who scored below the minimum cut-off for program exit on the January administration of the ACCESS in order to demonstrate sufficient progress to justify exit.*

**NOTE:** The W-APT may only be administered to a student once in any school year.

### **Grade Level ACCESS Score Required W-APT Scores\***

Grade K: Cut-off score flexibility not allowable for Kindergarteners

Grades 1-5: 4.6-4.9 (ACCESS), 5.0 in each domain (W-APT)

**NOTE:** A student must score 5.0 or above in each domain (listening, speaking, reading and writing). A composite proficiency score will not be used.

- *A score of PROFICIENT on the reading PSSA assessments can be used along with the other required criteria outlined in this policy (Required Exit Criteria #1 and Additional Exit Criteria #1 or #2) to justify exit for students who achieve a composite proficiency score of 4.5 to 4.9 on the January administration of the ACCESS. In this case, W-APT scores are not necessary to demonstrate progress from the time of ACCESS administration to the end of the school year.*



### **Additional Exit Criteria:**

1. Final grades of C or better in core subject areas (Mathematics, Language Arts, Science and Social Studies).
2. Scores on school-wide assessments that are comparable to the BASIC performance level on the PSSA Math AND PSSA Reading assessments.

### **Monitoring ELLs**

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If students meet the exit criteria, they will be monitored for two consecutive, academic years. Student monitoring will occur formally at the end of each marking period and informally throughout the school year. Monitoring will consist of the following measures of student progress: grades, test scores, student performance, and teacher observations. The monitoring form will be distributed and reviewed by the ESL coordinator and maintained in the student's file.

If monitoring reveals limited English proficiency, non-remedial academic deficits, or other indications a student was released from services too soon, the ESL teacher will meet with the classroom teachers and re-evaluate the student's needs. A plan of action will be formulated that may include remaining in the mainstream classroom with additional adaptations and modifications, receiving additional academic support services, or returning to daily ESL services. This information will be maintained in the student's file.

### **Special Education and the ELL.**

ELLs identified as needing special education services may continue to receive ESL services as determined by their Individualized Education Plans, or IEP's. ESL services will be noted in the section of specially designed instruction in the student's IEP. Copies of the Home Language Surveys will be attached in the IEP folders. The ESL teacher will provide ESL instruction and the special education teachers will provide special education services.

### **Facilities and Materials**

Materials for ELLs will be ability level appropriate, sufficient in quality and quantity, and comparable to those provided for non-ELLs. Materials will be ordered on a yearly basis. The ESL programs will be equipped with technology comparable in quality and quantity to that provided for non-ELLs. The ESL services will be provided in the students' school buildings.

## **Program Evaluation**

The program will be evaluated based on the academic success of the Limited English Proficient students. Students' group and individual scores on achievement tests and the PSSA will be aggregated yearly. Report card grades, attendance, rate of participation in extracurricular activities, and discipline rates will be used to evaluate the program.

## Appendix A: Modifications Checklist

### Modifications Checklist English Language Learners

#### I. Environmental/Behavior Management

- ☐ assign preferential seating
- ☐ clarify rules

#### II. Instructional Materials

- ☐ use adapted/modified text and supplemental materials
- ☐ provide adapted handouts
- ☐ highlight materials
- ☐ identify answer locations
- ☐ use visual aids
- ☐ allow use of software/hardware

#### III. Presentation of Materials

- ☐ simplify language
- ☐ emphasize critical information
- ☐ demonstrate concepts/use manipulatives
- ☐ provide a preview of lesson
- ☐ pre-teach vocabulary
- ☐ use individual/small group instruction
- ☐ use specialized curriculum

#### IV. Pacing/Time Demands

- ☐ extend time requirements
- ☐ omit assignments

#### V. Assignments

- ☐ shorten segments
- ☐ adapt worksheets/packets
- ☐ give directions in small distinct steps
- ☐ use visual backup for oral directions
- ☐ read directions to students
- ☐ allow copying from handout/text
- ☐ modify note taking
- ☐ use alternative assignments
- ☐ record or type assignments
- ☐ limit large amounts of written work

#### VI. Reinforcement and Follow Through

- ☐ give immediate feedback
- ☐ use positive reinforcement
- ☐ use concrete reinforcement
- ☐ check often for understanding/review
- ☐ arrange for tutoring
- ☐ plan cooperative learning experiences
- ☐ provide language experience
- ☐ have student repeat directions
- ☐ make/use vocabulary aids
- ☐ teach study skills
- ☐ use study guides
- ☐ repeat review/drill
- ☐ peer check

#### VII. Evaluation Methods

- ☐ administer tests orally
- ☐ modify format
- ☐ administer test individually
- ☐ request only selected test items be answered
- ☐ provide additional test time
- ☐ allow testing in ELL room

#### VIII. Grading

- ☐ modify grading system
- ☐ modify weights of course components

#### IX. Communication Factors

- ☐ communicate with parents
- ☐ encourage student to use complete sentences
- ☐ model appropriate speech behaviors
- ☐ allowed increased response time
- ☐ discreetly repeat directions
- ☐ use verbal, gestural, or physical prompt
- ☐ give verbal as well as written directions

## Appendix B: Post Exit Monitoring Form

### Post-Exit ELL Monitoring Form (Elementary)

Pages 1 and 3 to be completed by the appropriate ESL/Bilingual Education Staff

<b>Student Name</b>			
<b>Grade in 1<sup>st</sup> year of monitoring</b>		<b>Academic Year</b>	
<b>Name of classroom teacher</b> (1 <sup>st</sup> year of monitoring)			<i>The classroom teacher is responsible for completing this form at quarterly intervals and returning it to the ESL/Bilingual Education teacher for review.</i>
<b>Name of classroom teacher</b> (2 <sup>nd</sup> year of monitoring)			
<b>Name of ESL/Bilingual Ed teacher</b> (1 <sup>st</sup> year of monitoring)			<i>The ESL teacher is responsible for reviewing this form each time that it is completed by the classroom teacher.</i>
<b>Name of ESL/Bilingual Ed teacher</b> (2 <sup>nd</sup> year of monitoring)			
<b>ESL Coordinator</b> (Responsible for ensuring that this form is completed each quarter and maintained in the student's academic record)			

Exiting ACCESS for ELLs <sup>®</sup> Results:							
Composite	Listening	Speaking	Reading	Writing	Literacy	Comprehension	Oral Language

PSSA Results (Below basic, Basic, Proficient, Advanced):			
	Reading	Mathematics	Writing
<b>1<sup>st</sup> Year of monitoring</b>			
<b>2<sup>nd</sup> year of monitoring</b>			

	1 <sup>st</sup> year of monitoring		2 <sup>nd</sup> year of monitoring	
<b>Is the student receiving any special services?</b> (any academic services/programs in addition to the standard academic program)	<b>NO</b>	<b>YES</b>	<b>NO</b>	<b>YES</b>
If yes, describe the services (1 <sup>st</sup> year):	↓		↓	↓
If yes, describe the services (2 <sup>nd</sup> year):				

Report Card Results:								
	1 <sup>st</sup> year of monitoring				2 <sup>nd</sup> year of monitoring			
	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>
<b>LA</b>								
<b>Math</b>								
<b>Science</b>								
<b>Social Studies</b>								

Student Name: \_\_\_\_\_

1 <sup>st</sup> Year of Monitoring	Teacher's Initials:	1st	2nd	3rd	4th	Quarter			
						1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>
Rate the student's performance in each of the following areas (1 = never 2 = seldom 3 = sometimes 4 = often 5 = always)									
1. The student completes assignments on-time. ....									
2. The student communicates effectively with teacher. ....									
3. The student participates effectively in class projects. ....									
4. The student participates effectively in class discussions. ....									
5. The student is able to work independently. ....									
6. The student attends class regularly. ....									
7. The student displays effort and enthusiasm in class. ....									
8. The student requires additional assistance with assignments. ....									
9. The student shows evidence of difficulty with language. ....									
10. The student has discipline problems that interfere with his/her academic progress. ....									
						1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>
Have ESL strategies been implemented to respond to the language needs of the former ELL?									
Do you recommend that this student be considered for reclassification as an ELL?									
If you have additional comments, attach them to this form when you return it into the ESL teacher. Make sure you identify which monitoring year and quarter you are commenting on.									

2 <sup>nd</sup> Year of Monitoring	Teacher's Initials:	1st	2nd	3rd	4th	Quarter			
						1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>
Rate the student's performance in each of the following areas (1 = never 2 = seldom 3 = sometimes 4 = often 5 = always)									
1. The student completes assignments on-time. ....									
2. The student communicates effectively with teacher. ....									
3. The student participates effectively in class projects. ....									
4. The student participates effectively in class discussions. ....									
5. The student is able to work independently. ....									
6. The student attends class regularly. ....									
7. The student displays effort and enthusiasm in class. ....									
8. The student requires additional assistance with assignments. ....									
9. The student shows evidence of difficulty with language. ....									
10. The student has discipline problems that interfere with his/her academic progress. ....									
						1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>
Have ESL strategies been implemented to respond to the language needs of the former ELL?									
Do you recommend that this student be considered for reclassification as an ELL?									
If you have additional comments, attach them to this form when you return it into the ESL teacher. Make sure you identify which monitoring year and quarter you are commenting on.									

Student Name: \_\_\_\_\_

**To be completed by appropriate ESL staff**

<b>1<sup>st</sup> year of monitoring</b>	<b>1<sup>st</sup></b>	<b>2<sup>nd</sup></b>	<b>3<sup>rd</sup></b>	<b>4<sup>th</sup></b>
I received and reviewed this form. (ESL staff member initials)	_____	_____	_____	_____

**Complete the following items only if the information on this form indicates that the former ELL is struggling:**

<b>I have collaborated with the classroom teacher to incorporate instructional strategies to respond to the language needs of the former ELL. (if the answer is "Yes", describe the collaboration in the comments section)</b>		
<b>1<sup>st</sup></b>	<b>Yes No</b>	<i>Comments:</i>
<b>2<sup>nd</sup></b>	<b>Yes No</b>	<i>Comments:</i>
<b>3<sup>rd</sup></b>	<b>Yes No</b>	<i>Comments:</i>
<b>4<sup>th</sup></b>	<b>Yes No</b>	<i>Comments: requirement</i>

**NOTE:** A student may not be recommended for reclassification if collaboration between the ESL and classroom teacher has not taken place.

	<b>1<sup>st</sup></b>	<b>2<sup>nd</sup></b>	<b>3<sup>rd</sup></b>	<b>4<sup>th</sup></b>
I recommend that this student be reclassified as an ELL.				
If a recommendation is made to reclassify, have the parents been notified?	<b>YES</b>			<b>NO</b>

<b>2<sup>nd</sup> year of monitoring</b>	<b>1<sup>st</sup></b>	<b>2<sup>nd</sup></b>	<b>3<sup>rd</sup></b>	<b>4<sup>th</sup></b>
I received and reviewed this form. (ESL staff member initials)	_____	_____	_____	_____

**Complete the following items only if the information on this form indicates that the former ELL is struggling:**

<b>I have collaborated with the classroom teacher to incorporate instructional strategies to respond to the language needs of the former ELL. (if the answer is "Yes", describe the collaboration in the comments section)</b>		
<b>1<sup>st</sup></b>	<b>Yes No</b>	<i>Comments:</i>
<b>2<sup>nd</sup></b>	<b>Yes No</b>	<i>Comments:</i>
<b>3<sup>rd</sup></b>	<b>Yes No</b>	<i>Comments:</i>
<b>4<sup>th</sup></b>	<b>Yes No</b>	<i>Comments:</i>

**NOTE:** A student may not be recommended for reclassification if collaboration between the ESL and classroom teacher has not taken place.

	<b>1<sup>st</sup></b>	<b>2<sup>nd</sup></b>	<b>3<sup>rd</sup></b>	<b>4<sup>th</sup></b>
I recommend that this student be reclassified as an ELL.				
If a recommendation is made to reclassify, have the parents been notified?	<b>YES</b>			<b>NO</b>



## Appendix C: WIDA Can Do Descriptors

**Figure 5M: CAN DO Descriptors for the Levels of English Language Proficiency, PreK-12**

For the given level of English language proficiency, **with support**, English language learners can:

	Level 1 Entering	Level 2 Beginning	Level 3 Developing	Level 4 Expanding	Level 5 Bridging	Level 6 Reaching
<b>LISTENING</b>	<ul style="list-style-type: none"> <li>Point to stated pictures, words, phrases</li> <li>Follow one-step oral directions</li> <li>Match oral statements to objects, figures or illustrations</li> </ul>	<ul style="list-style-type: none"> <li>Sort pictures, objects according to oral instructions</li> <li>Follow two-step oral directions</li> <li>Match information from oral descriptions to objects, illustrations</li> </ul>	<ul style="list-style-type: none"> <li>Locate, select, order information from oral descriptions</li> <li>Follow multi-step oral directions</li> <li>Categorize or sequence oral information using pictures, objects</li> </ul>	<ul style="list-style-type: none"> <li>Compare/contrast functions, relationships from oral information</li> <li>Analyze and apply oral information</li> <li>Identify cause and effect from oral discourse</li> </ul>	<ul style="list-style-type: none"> <li>Draw conclusions from oral information</li> <li>Construct models based on oral discourse</li> <li>Make connections from oral discourse</li> </ul>	
<b>SPEAKING</b>	<ul style="list-style-type: none"> <li>Name objects, people, pictures</li> <li>Answer WH- (who, what, when, where, which) questions</li> </ul>	<ul style="list-style-type: none"> <li>Ask WH- questions</li> <li>Describe pictures, events, objects, people</li> <li>Restate facts</li> </ul>	<ul style="list-style-type: none"> <li>Formulate hypotheses, make predictions</li> <li>Describe processes, procedures</li> <li>Retell stories or events</li> </ul>	<ul style="list-style-type: none"> <li>Discuss stories, issues, concepts</li> <li>Give speeches, oral reports</li> <li>Offer creative solutions to issues, problems</li> </ul>	<ul style="list-style-type: none"> <li>Engage in debates</li> <li>Explain phenomena, give examples and justify responses</li> <li>Express and defend points of view</li> </ul>	
<b>READING</b>	<ul style="list-style-type: none"> <li>Match icons and symbols to words, phrases or environmental print</li> <li>Identify concepts about print and text features</li> </ul>	<ul style="list-style-type: none"> <li>Locate and classify information</li> <li>Identify facts and explicit messages</li> <li>Select language patterns associated with facts</li> </ul>	<ul style="list-style-type: none"> <li>Sequence pictures, events, processes</li> <li>Identify main ideas</li> <li>Use context clues to determine meaning of words</li> </ul>	<ul style="list-style-type: none"> <li>Interpret information or data</li> <li>Find details that support main ideas</li> <li>Identify word families, figures of speech</li> </ul>	<ul style="list-style-type: none"> <li>Conduct research to glean information from multiple sources</li> <li>Draw conclusions from explicit and implicit text</li> </ul>	
<b>WRITING</b>	<ul style="list-style-type: none"> <li>Label objects, pictures, diagrams</li> <li>Draw in response to a prompt</li> <li>Produce icons, symbols, words, phrases to convey messages</li> </ul>	<ul style="list-style-type: none"> <li>Make lists</li> <li>Produce drawings, phrases, short sentences, notes</li> <li>Give information requested from oral or written directions</li> </ul>	<ul style="list-style-type: none"> <li>Produce bare-bones expository or narrative texts</li> <li>Compare/contrast information</li> <li>Describe events, people, processes, procedures</li> </ul>	<ul style="list-style-type: none"> <li>Summarize information from graphics or notes</li> <li>Edit and revise writing</li> <li>Create original ideas or detailed responses</li> </ul>	<ul style="list-style-type: none"> <li>Apply information to new contexts</li> <li>React to multiple genres and discourses</li> <li>Author multiple forms/ genres of writing</li> </ul>	

Variability of students' cognitive development due to age, grade level spans, their diversity of educational experiences and diagnosed learning disabilities (if applicable), are to be considered in using this information.

## Appendix D: Para Professional Duties

The instruction for an English Language Learner must take place through direct instruction of the student. In the ENTERING through DEVELOPING stages, an instructional assistant may be scheduled to support the ELL through this procedure:

The ESL paraprofessional is to:

- work under the supervision of the ESL teacher;
- maintain a high level of ethical behavior and confidentiality in a paraprofessional role alongside the ESL teacher and classroom teachers;
- have an understanding of ESL strategies, practices, and materials;
- provide support for ELLs in a well-organized way to ensure the learning environment benefits the students;
- be culturally sensitive, aware, and open to the needs of ELLs;
- assist in the acculturation of ELLs to life in the school, the community, and the United States;
- help ELLs be organized, independent, and confident by sharing appropriate strategies and resources;
- communicate effectively with students and teachers;
- and, collaborate with the ESL teacher regarding student academic skills (observed while pushing into the classroom).

Within the ESL classroom the ESL paraprofessional is to:

- provide independent study, enrichment work, and tutorial/remedial support as assigned by the ESL teacher;
- aid in developing and strengthening the ELL's English at the BICS (social language) and CALP (academic language) levels;
- assist with academic/behavioral programming;
- help keep administrative records and required reports and documentation;
- and, help with inventory of classroom resources and testing materials.

Within the content-area classroom the ESL paraprofessional is to:

- ensure students are understanding teacher directions;
- take notes on content lessons to review with students during tutorial periods;
- assist with assessments by reading tests aloud, rewording questions, explaining specific vocabulary that interferes with understanding, and writing responses verbatim that are orally given by the students who cannot yet write in English;
- communicate special needs or problems of the ELLs to the teacher;
- be an advocate for the ELLs;
- and, help ELLs achieve academic standards and reach content-area benchmarks.

As an integral entity of the ESL program, the ESL paraprofessional is to:

- be respected and employed as an ESL paraprofessional;
- participate in staff development and other activities to improve job performance as directed by the administration;
- stand in for the ESL teacher or lead support classes as necessary and as certifications and clearances allow;
- and, participate in parent-teacher conferences and special program meetings when the ESL or classroom teacher deems appropriate and necessary.

Acceptable and desirable qualifications for an ESL paraprofessional who does not possess an endorsement would be:

- experience in a second language setting;
- experience in a non-English speaking culture;
- experience working effectively with children in an instructional setting;
- a knowledge of instructional methods for communication skills and content areas;
- and, a working knowledge of ESL, ELLs, and second language acquisition.



## Appendix E: Home Survey

### Home Language Survey

The Office of Civil Rights (OCR) requires that school districts/charter schools/full day AVTS identify limited English proficient (LEP) students in order to provide appropriate language instructional programs for them. Pennsylvania has selected the Home Language Survey as the method for the identification.

#### School: **Esperanza Cyber Charter School**

Student's Name: \_\_\_\_\_

1. What is/was the student's first language? \_\_\_\_\_

2. Does the student speak a language(s) other than English?  
(Do not include languages learned in school.)

Yes

No

If yes, specify the language: \_\_\_\_\_

3. What language(s) is/are spoken at home? \_\_\_\_\_

4. Has the student attended any United States school in any 3 years during his/her lifetime?

Yes

No

If yes, complete the following:

Name of school	State	Dates attended
_____	_____	_____
_____	_____	_____
_____	_____	_____

#### *English Second Language (ESL) Services*

5. Is the student receiving ESL services now?

☐ Yes

☐ No

6. Has the student been removed or promoted from ESL services?

☐ Yes

☐ No

When? (date) \_\_\_\_\_

Person completing this form (if other than parent/guardian):

\_\_\_\_\_

Parent/Guardian Signature: \_\_\_\_\_

\*The school district/charter school/full day AVTS has the responsibility under the federal law to serve students who are limited English proficient and need English instructional services. Given this responsibility, the school district/charter school/full day AVTS has the right to ask for the information it needs to identify English Language Learners (ELLs). As part of the responsibility to locate and identify ELLs, the school district/charter school/full day AVTS may administer tests and ask for information about ELL students who are enrolled in the school as well as students who are applying.

# Encuesta de Idioma usado en el Hogar

La oficina de Derechos Civiles (OCR) requiere que las escuelas charter identifiquen los estudiantes con una competencia de inglés limitada para poder proveer programas educativos para ellos. El estado de Pensilvania ha seleccionado esta Encuesta de Idioma usado en el Hogar como método para la identificación.

## Escuela: Esperanza Cyber Charter School

Nombre del Estudiante: \_\_\_\_\_

1. Cuál es el primer idioma del estudiante? \_\_\_\_\_
2. ¿El estudiante habla otro idioma aparte del inglés?  
(Por favor no incluya idiomas aprendidos en la escuela) SI NO

Si habla otro idioma, especifique aquí: \_\_\_\_\_

¿Qué idioma/s se habla en su casa? \_\_\_\_\_

3. ¿Su estudiante ha asistido una o varias escuelas en los Estados Unidos en algunos tres años de su vida?  
SI NO

Si haya contestado si, por favor completa lo siguiente:

Nombre de escuela	Estado	Fechas
_____	_____	_____
_____	_____	_____
_____	_____	_____

### *Español segunda lengua (ESL) Servicios*

4. Es el estudiante que recibe servicios de ESL ahora? ☐ SI ☐ NO
5. El estudiante ha quitada o promovido desde servicios de ESL? ☐ SI
6. Cuando? (fecha) \_\_\_\_\_

Nombre de la persona que ha llenado esta planilla si Ud. no es el padre o tutor legal del estudiante:

Firma de Padre/Tutor Legal: \_\_\_\_\_

\*La escuela chárter tiene las responsabilidad bajo la ley federal a servir a los estudiantes que tengan una competencia de inglés limitada y necesitan servicios de inglés educativos. Con esta responsabilidad, la escuela charter tiene el derecho de pedir la información necesitada para identificar “English Language Learners” (los estudiantes aprendiendo el inglés). Como parte de la responsabilidad de localizar y identificar los estudiantes, la escuela charter puede hacer pruebas o pedir información sobre los estudiantes como segundo idioma quienes están inscritos en la escuela y también de los estudiantes que van a inscribirse en la escuela charter.

## Appendix F: Parent Brochure

### Appendix N

## Educating Students with Limited English Proficiency: The Law



### English Language Learner (ELL):

A child whose native language is not English, from an environment where a language other than English is dominant.

### Federal Law

- **OCR Title VI Civil Rights Act (1964):** "No person shall, on the grounds of race, color or national origin, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal Financial assistance."
- **Equal Educational Opportunities Act (1974):** This act states that schools need to take appropriate measures to overcome language barriers that impede students' participation in programs.
- **No Child Left Behind Act (2001):** This act makes federal funding for states dependent on student progress. According to the act: "States that do not meet their performance objectives for LEP students could lose up to ten percent of the administrative portion of their funding for all ESEA state administered formula grant programs."

### State Code

- **22 Pa. Code §4.26, BEC (2001):** Every school district shall provide a program for each student whose dominant language is not English for the purpose of facilitating the student's achievement of English proficiency and the academic standards under § 4.12 (relating to academic standards). Programs under this section shall include appropriate bilingual-bicultural or English as a second language (ESL) instruction.

It requires that the school district or charter school provide a program for every student who is limited English proficient or an English language learner. Such a program **MUST** include:

- Standards-based English as a second language instruction at the appropriate proficiency level,
- Content area instruction aligned with the corresponding standards and adapted to meet the needs of the students, and
- Assessment processes that reflect the academic standards and instruction.



### Case Law

**Lau vs. Nichols (1974):** The court ruled that giving all students the same desks, books, teachers, and lessons does not mean that they have equal opportunity, especially if there are students who do not speak English.

**Castañeda v. Pickard (1981):** The Fifth Circuit Court established a three-part test to determine if school districts are complying with the *Equal Educational Opportunities Act of 1974*. The requirements include:

1. **Theory** - The school must implement a program based on sound educational theory or, at a minimum, a legitimate experimental program design.
2. **Practice** - The school district must put into practice the educational program they have designed. They must allocate the necessary personnel and practices to transfer theory to practice.
3. **Results** - The school must stop programs that fail to produce results.

**Plyler v. Doe (1982):** The court ruled that schools cannot deny students access simply because they are undocumented (illegal) aliens. In other words, the schools are not agencies or agents for enforcing immigration law.



## Resources

### Pennsylvania Department of Education

- General Information: (717) 783-6788
- Bureau of Teaching & Learning Support: (717) 787-8913

### Web Sites

- **Pennsylvania Department of Education:**  
Main site: [www.pde.state.pa.us](http://www.pde.state.pa.us)  
ESL site: [www.pde.state.pa.us/esl](http://www.pde.state.pa.us/esl)
- **Office of English Language Acquisition – U.S. Dept. of Education:** [www.ed.gov/oela](http://www.ed.gov/oela)
- **Title VI – 1964 Civil Rights Act:**  
[www.usdoj.gov/crt/cor/coord/titlevistat.htm](http://www.usdoj.gov/crt/cor/coord/titlevistat.htm)
- **Equal Education Opportunity Act of 1974:**  
[www.usdoj.gov/crt/cor/byagency/ed1703.htm](http://www.usdoj.gov/crt/cor/byagency/ed1703.htm)
- **No Child Left Behind - Title III:**  
[www.ed.gov/policy/elsec/leg/esea02/pg39.html](http://www.ed.gov/policy/elsec/leg/esea02/pg39.html)
- **Pennsylvania Intermediate Units:**  
[www.paiu.org](http://www.paiu.org)
- **Pennsylvania ESL Portal:**  
[www.eslportalpa.info](http://www.eslportalpa.info)



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DEPARTMENT OF EDUCATION



If you have any questions about this publication,  
or for additional copies, contact:

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<http://www.pde.state.pa.us/esl>

## Educating Students with Limited English Proficiency

# The Law

## Information for Parents



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