

**160-4-5-.02 LANGUAGE ASSISTANCE: PROGRAM FOR ENGLISH LEARNERS (ELs).**

**(1) DEFINITIONS.**

(a) **English Learners (ELs)** – students whose primary or home language is other than English and who are eligible for services based on the results of an English language proficiency assessment

(b) **English language proficiency** – the level of language competence necessary to participate fully and learn successfully in classrooms where the primary language of instruction is English

(c) **English to Speakers of Other Languages (ESOL)** – an educational support program provided to help ELs overcome language barriers and participate meaningfully in schools' educational programs

(d) **Georgia Department of Education** – the state agency charged with the fiscal and administrative management of certain aspects of K-12 public education, including the implementation of federal and state mandates. Such management is subject to supervision and oversight by the State Board of Education.

(e) **Home Language Survey** – a questionnaire administered upon enrollment to each student's parent or guardian for the purpose of determining whether a language other than English is used by the student or used in the student's home

(f) **Language Assessment Conference (LAC)** – a meeting held to determine appropriate placement of ELs with borderline proficiency scores

(g) **Language assistance services** – supplemental language support programs that promote academic language development for students with limited English proficiency

(h) **Local Educational Agency (LEA)** – local school system pursuant to local board of education control and management

(i) **School** – any school or special entity as defined in State Board Rule 160-5-1-.03 Identification and Reporting of Schools

(j) **State-adopted English proficiency measure** – an English language proficiency test administered annually to all English learners (ELs) in Georgia for the purposes of determining the English language proficiency level of students; providing districts with information that will help them evaluate the effectiveness of their ESOL programs; providing information that enhances instruction and learning in programs

for English learners; assessing the annual English language proficiency gains using a standards-based assessment instrument; and providing data for meeting federal and state requirements with respect to student assessment

(k) **State-adopted English proficiency screening measure** – a formal measure of social and academic English language proficiency that assesses students’ need for initial placement in supplemental language assistance services

(l) **Student Record** – the state’s required end-of-year student data collection

**(2) REQUIREMENTS.**

(a) Eligibility for entry into and exit from language assistance.

1. Prior to entry into a school in Georgia, each student’s parent or guardian shall complete a Home Language Survey or an equivalent to determine if a language other than English is used in the home or is the student’s native language or first language. All students whose native language, first language or language of the home includes a language other than English shall be assessed for English language proficiency using the state-adopted English proficiency screening measure.

2. Initial eligibility for language assistance services shall be determined by the student’s score on the state-adopted English proficiency screening measure.

i. Students who have an English language proficiency score below proficient on the state-adopted English proficiency screening measure shall be determined to be English learners (ELs) and shall be eligible for language assistance services. Coding guidance for ELs can be found in the ESOL/Title III Resource Guide.

ii. Students who have an English language proficiency score at or above proficient on the state-adopted English proficiency screening measure shall be considered English proficient and shall not be eligible for language assistance. Coding guidance for non-ELs is located in the ESOL/Title III Resource Guide.

3. All ELs shall be assessed annually on the state-adopted English proficiency measure to determine English language proficiency. Students who score at the developing level or below on the state-adopted English proficiency measure shall continue to be eligible for language assistance services.

4. Exiting from ESOL services.

i. Students who score at the proficient level on both the state-adopted English proficiency measure and on the state reading assessment shall be considered English proficient.

ii. If the LEA does not administer a state reading assessment for the student, the student shall be considered English proficient if the student scores at the proficient level on both the state-adopted English proficiency measure and on the literacy (reading and writing) sub-score of the state-adopted English proficiency measure.

iii. Students who score at the proficient level on either the state-adopted English proficiency measure or the state reading assessment but not both shall have their continued eligibility for language assistance determined through a Language Assessment Conference (LAC). The LAC shall be attended by the student's classroom teacher(s), the teacher providing language assistance services, and other relevant parties selected from the following: parent, principal or designee, counselor, school psychologist, or lead teacher. The LAC shall be conducted in accordance with the ESOL/Title III Resource Guide.

iv. Students who are considered English proficient shall not be eligible for continued language assistance services and shall be exited from language assistance services.

v. Each LEA shall monitor students that are considered English proficient for two years after exit from language assistance services. These students shall be considered EL Monitored. Coding guidance for Monitored ELs is located in the ESOL/Title III Resource Guide. The monitoring process shall consist of a documented review of report card grades, state assessment results, classroom performance and teacher observations for the purpose of ensuring the successful transition to the general classroom. Additional guidance can be found in the ESOL/Title III Resource Guide.

(b) Language assistance service delivery models.

1. LEAs and schools shall provide English language assistance to all ELs. Such assistance shall be provided through the state-funded ESOL program or placement in a locally-developed language assistance program approved in advance by the Georgia Department of Education. Approved instructional delivery models include:

i. Pull-out model – students are taken out of a general education class for the purpose of receiving small group language instruction from the ESOL teacher,

ii. Push-in model (within reading, language arts, mathematics, science or social studies) – students remain in their core academic class where they receive content instruction from their content area teacher along with targeted language instruction from the ESOL teacher,

iii. A cluster center to which students are transported for instruction – students from two or more schools are grouped in a center designed to provide intensive language assistance,

iv. A resource center/laboratory – students receive language assistance in a group setting supplemented by multimedia materials,

v. A scheduled class period – students at the middle and high school levels receive language assistance and/or content instruction in a class composed only of ELs,

vi. An innovative delivery model approved in advance by the Georgia Department of Education through a process described in the ESOL/Title III Resource Guide.

(c) Language assistance curricula and assessment.

1. Language assistance curricula in the state-funded ESOL program shall consist of plans of instruction which are adapted to the English language proficiency of students and are designed to develop: 1) listening, speaking, reading, writing and American cultural concepts and 2) the language of academic instruction used in language arts, mathematics, science and social studies.

2. All ELs receiving language assistance shall be assessed annually for language proficiency. ELs shall also participate in state assessments pursuant to Georgia State Board of Education rule 160-3-1-.07 Testing Programs--Student Assessment.

(d) Funding.

1. Students identified as eligible for language assistance services who are served by the state-funded ESOL program shall receive at least five segments per week (or yearly equivalent) of English language instruction using ESOL curricula in allowable service delivery models. For purposes of funding, ESOL-served students in grades K-3 shall be counted for a maximum of one segment at the ESOL weight; grades 4-8 students for a maximum of two segments at the ESOL weight; and grades 9-12 students for a maximum of five segments at the ESOL weight.

i. The class is limited to the maximum size specified in State Board of Education Rule 160-5-1-.08 Class Size.

ii. The state-funded ESOL program teacher shall hold necessary and appropriate ESOL endorsement or ESOL certification issued by the Georgia Professional Standards Commission.

**Authority** O.C.G.A. § 20-2-156

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