



Massachusetts Department of  
ELEMENTARY & SECONDARY  
EDUCATION

## ***Transitional* Guidance on Identification, Assessment, Placement, and Reclassification of English Language Learners**

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## Commissioner's Foreword

I am pleased to provide you with updated guidance for key processes related to the identification, instruction, and reclassification of English Language Learners (ELLs). This new document synthesizes several separate documents related to the identification, assessment, placement, and reclassification of ELLs, and provides guidelines for using the results of the Assessing Comprehension and Communication in English State-to-State for English Language Learners (ACCESS for ELLs) assessment to make instructional decisions to support ELLs. Since the ACCESS for ELLs assessment was first administered in spring 2013, guidance related to interpretation and use of ACCESS scores provided in this document is considered *transitional* pending future analysis of data from more than one successive administration of the assessment.

I am confident that the following guidance will provide educators across the Commonwealth with useful support as they work to meet the needs of a diverse and fast-growing student population. I appreciate the continuing work of educators to ensure that ELLs learn English, have access to rigorous academic content, and meet the same challenging expectations for college and career held for all Massachusetts students.

Mitchell D. Chester, Ed.D.

Commissioner of Elementary and Secondary Education

## Introduction

The purpose of this document is to provide comprehensive information and guidance about key processes related to the identification, initial placement, assessment, and reclassification of English Language Learners (ELLs) in Massachusetts. Federal and state law require that such students are provided language services and ensured equitable access to the standards-based instruction provided to all other students. The Board of Elementary and Secondary Education is committed to closing the proficiency gap that now exists between ELLs and their native-English speaking peers so that all students graduate high school college and career ready and are able to compete in the global economy.

This document provides guidance to district and school leaders, educators and other support personnel tasked to provide high-quality education to ELLs in Massachusetts. It also offers resources and sample documents that can be used to meet all federal and state requirements, and most importantly, to ensure ELLs are provided instructional and programmatic supports they need to succeed.

Additional information and resources for the instruction of ELLs in Massachusetts can be found at [www.doe.mass.edu/ell](http://www.doe.mass.edu/ell). For questions about identification, placement and classification of ELLs, please contact the Office of English Language Acquisition and Academic Achievement at [ell@doe.mass.edu](mailto:ell@doe.mass.edu). For questions about ACCESS for ELLs testing, please contact Student Assessment Services at [mcas@doe.mass.edu](mailto:mcas@doe.mass.edu) or by phone at 781-338-3625.

## Background

Federal and state law requires proper identification and annual language proficiency assessment of students whose first language is not English, or who struggle to complete ordinary classroom work in English (G.L. c. 71A; Title III of the *No Child Left Behind Act - NCLB*). The law also requires that students identified as ELLs (also referred to as “students with limited English proficiency,” or “LEP students” in federal laws and guidance, and “English learner” in state law) are provided with opportunities to receive instruction that is appropriate for their individual language proficiency level, allows them to develop English language proficiency, and affords them equal access to rigorous content area instruction and academic achievement alongside their native English speaking peers. In Massachusetts this means that, with limited exceptions, districts are required to provide ELLs sheltered English immersion (SEI) instruction until they are proficient in English. SEI consists of both sheltered content area instruction and English as a Second Language (ESL) instruction. Once proficient in English, ELLs are to be exited from language programs (G.L. c. 71A § 4) and monitored for a period of two years.

In 2012, the Massachusetts Board of Elementary and Secondary Education adopted new regulations and launched an initiative to improve the academic achievement of ELLs and close the persistent proficiency gaps between ELLs and their English proficient peers. Three major components of the Rethinking Equity and Teaching for English Language Learners (RETELL) initiative are designed, in tandem, to strengthen teaching and learning for ELLs: 1) required professional development about sheltering content instruction and promoting language development for ELLs (the SEI Endorsement and related courses for teachers and administrators), 2) a new set of English language development standards (the World-class Instructional Design and Assessment English Language Development

standards – or WIDA ELD standards, and 3) a new annual language proficiency assessment, Assessing Comprehension and Communication in English State to State for ELLs (ACCESS for ELLs).<sup>1</sup>

As a result of these laws and regulations, districts must:

- establish a process and set of criteria to determine whether students are ELLs upon initial enrollment, and if so, establish a process and set of criteria for placing such students in language programs appropriate to their English language proficiency level;
- notify parents or legal guardians<sup>2</sup> of students identified as ELLs of their language status and initial program placement, and inform them of their rights to “opt out” of language programs or to waive state requirements for participation in SEI instruction;
- annually assess the language proficiency of ELLs; and
- establish a process and set of criteria for determining whether ELLs are *still* considered ELLs at the end of each school year, and a method for exiting and monitoring students who have been determined to be proficient in English.

This guidance document provides recommendations and resources for each one of these required processes. *Part 1* describes a recommended process for initial identification and screening of ELLs. *Part 2* explains recommendations for annual assessment, program placement, hours of instruction, exiting criteria and processes, as well as a graphic summary of the processes described in *Parts 1* and *2*. *Part 3* contains related appendices, including a sample home language survey, parent notification and waiver forms; recommended language proficiency screening assessments; information about the WIDA English Language Proficiency Levels and the MEPA Performance levels; and a link to the 2012 MEPA/2013 ACCESS for ELLs “bridge study” estimating the comparability of results on both tests.

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<sup>1</sup> For more information about the RETELL initiative, visit <http://www.doe.mass.edu/retell/>.

<sup>2</sup> Hereafter throughout the document, the term “parent” shall mean parent or legal guardian.

## Part 1: Initial Identification of ELLs

State laws require that ELLs receive instruction that is specifically designed to assist them in learning the English language and subject matter content, and that parents participate in the decision-making process (G.L. c.71A § 4,5). When a new student enrolls in a school district, it is the district's obligation to determine whether the student is an ELL and to place the student in the appropriate instructional program to support content area and language learning (603 CMR 14.02). In order to ensure that ELLs' diverse needs are met, districts must start by properly identifying students who need English language support. The diagram below provides a recommended process for determining whether newly enrolled students are ELLs. A discussion of each step follows this diagram:

**Step 1:** Administer a home language survey to all new enrolling students.

**Step 2:** Assess the English proficiency of any student whose *Home Language Survey* indicates a language other than English is spoken at home or who appears not to speak English.

**Step 3:** Determine whether the student is an ELL using screening test results and make initial placement decisions.

**Step 4:** Notify parents and/or legal guardians of language screening assessment results and initial placement. Inform parents of their rights to “opt out” or to secure an SEI program waiver in a language they understand.

**Step 5:** Code all students determined to be ELLs correctly in all future SIMS reports submitted to the Department.

### Step 1: Administer a Home Language Survey

The primary purpose of a *home language survey* (HLS) is to find out whether a student speaks a language other than English at home and should be assessed for English language proficiency. The HLS also presents an opportunity to collect other useful information about the student that will help district personnel understand the student's personal and educational history in order to plan an appropriate educational program for the student.

When administering the HLS, districts should:

- **Administer the survey to ALL new students.** Districts must administer the survey to the parents of all new students enrolling in pre-K through 12<sup>th</sup> grade. If new students are enrolled at a central intake location, a sufficient number of individuals should be designated and trained in administering the HLS to meet the need at that location. If new students are enrolled directly into schools, an appropriate person must be designated and trained at each school. The individuals administering the HLS should be professionals, such as teachers, principals, or guidance counselors, who have had training in the procedure. It is not appropriate for school secretaries or paraprofessionals to perform this task.

- **Establish a record-keeping system.** HLSs provide useful information about ELLs and should be filed in students cumulative folders as a resource for educators.

For a sample HLS, see Appendix A of this document. Translated versions of this document can also be found online at <http://www.doe.mass.edu/ell/hlsurvey/>.

## Step 2: Assess English Language Proficiency

Every student in the state whose *HLS* indicates that a language other than English is spoken at home must be assessed for English language proficiency. Language screening assessments should be given by qualified district or school personnel trained to administer the specific screening assessment used. Appendix B provides a list of recommended screening language assessments, along with a description of required training for each test.

If a newly enrolled student transferred from another district within Massachusetts, it is possible that he or she participated in the annual language proficiency assessment (ACCESS for ELLs). If so, and if the test was administered within the last **calendar year**,<sup>3</sup> instead of retesting the student, district staff can use ACCESS for ELLs results in the student's records to determine his or her English language proficiency.

## Step 3: Determine ELL or Non-ELL Status & Make Initial Placement Decisions

Use the results of the language screening assessment and other pertinent information to determine whether the student **is** or **is not** an ELL. Because each screening assessment will have different "cut scores" for determining English language proficiency, interpretation of the screening assessment scores and subsequent decision about whether a student is an ELL should be made by a **licensed ESL teacher or administrator** trained to interpret the specific screening test used.

A student identified as an ELL after a language screening assessment should be placed in a language program that will provide sheltered content area instruction in English and English language instruction appropriate for the student's level of English language proficiency - unless the student's parent chooses to "opt out" of such language programs or requests a waiver (see below). For more information about making placement decisions for ELLs, see the section titled *Making Placement and Instructional Decisions for ELLs in Part 2* of this document.

## Step 4: Notify Parents and/or Legal Guardians

Parents should be notified about the screening test results and the placement decisions **no later than 30 days** after the beginning of the school year or within **two weeks** if the student enrolls in the school district during the school year. Such notifications shall be provided in English and in a language that the parents can understand, to the maximum extent practicable.

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<sup>3</sup> The Edwin Analytics system contains a mechanism for requesting historical MCAS data about a recently enrolled student who transferred from another district in Massachusetts. Starting in September 2013, ACCESS data will also be available on the Edwin Analytics platform. For more information about requesting or "claiming" transferred student assessment data from Edwin Analytics, email [edwin@doe.mass.edu](mailto:edwin@doe.mass.edu).



Massachusetts law requires districts to inform parents of their rights to “opt out” of language programs or to request a waiver from the state-mandated sheltered English immersion (SEI) program model.

- **“Opt out” Requests.** Parents of ELLs may notify the district of their wish to have their child “opt out” of language programs. In such cases, the district must inform the parent of the services the child would have received if enrolled in the district’s language programs, as well as the type of support that will be provided to the student if the parent decides to “opt out”. If parents of ELLs decide to “opt out” of language programs, districts must place the student in an English language mainstream classroom and maintain appropriate documentation of the parent “opt out” notice in the student’s file. However, federal and state law requires that districts provide instructional support to ensure *all* ELLs, including those whose parent(s) has chosen to “opt out” of language programs, have access to the curriculum and meet the same academic standards as their native English speaking peers (Title VI of the Civil Rights Act of 1964; Equal Educational Opportunities Act of 1974, 20 USC §1703(f); G.L. c. 71A § 7). Districts are also required to annually assess the language proficiency of all ELL students. Therefore, in practice, a parent’s choice to “opt out” means their child will not receive separate English as a Second Language (ESL) instruction focused on language development, but the district still must ensure that it continues to meet the student’s English-language and academic needs .

Districts can meet their obligation to provide equitable access to the curriculum and English language development to ELLs whose parents have chosen to “opt out” in a variety of ways. For example, districts could place such students in classrooms where they receive sheltered content area instruction with a teacher qualified to teach ELLs<sup>4</sup>, provide additional literacy and language support through reading specialists qualified to teach ELLs, or establish structured opportunities for the students’ content area teachers to plan content area instruction in collaboration with a licensed ESL teacher. Districts must also keep a record of how such students are provided meaningful access to the curriculum and how such students are progressing academically. Finally, ELL students whose parents have “opted out” of language programs must still be classified as “ELL” (or “Limited English Proficient” – LEP) on district reports and participate in the state’s

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<sup>4</sup> Under Department regulations adopted in June 2012, starting on July 1, 2016, core academic teachers (including pre-school teachers) in public schools who are assigned to teach ELLs must have the appropriate content area license and an SEI Endorsement. The following teachers are “core academic teachers” for purposes of providing SEI instruction: teachers of students with moderate disabilities; teachers of students with severe disabilities; subject-area teachers in English, reading or language arts; mathematics, science; civics and government, economics, history, and geography; and early childhood and elementary teachers who teach such content. Core academic teachers at Commonwealth charter school teachers are not required to hold an educator license but they will be required to hold an SEI Endorsement if they teach ELLs. Under the same regulations, during the SY 13 through SY 16 school years, core academic teachers of ELLs will be assigned to cohort years during which they will be required to earn the SEI Endorsement either by participating in an SEI Endorsement course or via another pathway. (Teachers who hold the ESL license need not take the course; they will qualify for the SEI Endorsement upon application.) For more information about the regulatory requirements and earning the SEI Endorsement, see *Guidelines for the Sheltered English Immersion (SEI) Teacher and SEI Administrator Endorsements* available at <http://www.doe.mass.edu/retell/sei-guidelines.pdf>. Regulatory provisions regarding the SEI Endorsement may be found on pages 4 – 8.

annual language proficiency assessment, ACCESS for ELLs. Parents must be notified of their child’s participation in such assessments, as well as assessment results.

- **Waiver Requests.** Parents may also request a program waiver to allow their child to attend a different program from the state-mandated sheltered English immersion program model (G.L. c. 71A § 5). Such waivers may be considered based on parent request, providing the parent annually visits the school and provides written informed consent. Parents must be informed of their right to apply for a waiver and provided with program descriptions *in a language they can understand*.

For more information about the waiver process and sample waiver forms, see Appendix D. Additionally, Appendix C contains a sample *Parent Notification Form* that includes sample language districts can use to inform parents about their “opt out” and waiver options.

### **Step 5: Code all students determined to be ELLs correctly in the SIMS data collection.**

Data for the Department’s Student Information Management System (SIMS) is collected three times each year (i.e., in October, March, and June). All students identified as ELLs should be appropriately coded as “Limited English Proficient (LEP)” on SIMS Data Element *DOE025* in all SIMS reports submitted to the Department. The following SIMS Data Elements are also relevant to students identified as ELLs:

- *DOE021*: LEP Students in their first year in U.S. schools
- *DOE022*: Immigration status
- *DOE023*: Country of Origin
- *DOE024*: First (Native) Language

For more information about how to complete ELL-related SIMS Data Elements, see the *SIMS Data Handbook* available at <http://www.doe.mass.edu/infoservices/data/sims/DataHandbook.pdf>.

## Part 2: Annual Assessment, Placement, and Reclassification of ELLs

### Transition to ACCESS for ELLs

State and federal laws require annual assessment and reporting of ELLs' progress in learning subject matter content and language (G.L. c. 71A § 7; Title III of NCLB § 3213 (a)(2)(H)). In June 2012, Massachusetts adopted the WIDA English Language Development Standards as the state's English language development standards. Additionally, in the 2012-2013 school year, the state retired the Massachusetts English Proficiency Assessment (MEPA) and made ACCESS for ELLs the state's English language proficiency assessment. *Table 1* below highlights differences between MEPA and ACCESS for ELLs tests.<sup>5</sup>

**Table 1. MEPA and ACCESS for ELLs Results Reporting**

	MEPA	ACCESS for ELLs
Performance/ Proficiency Levels	Levels 1–5	Levels 1–6 ( <i>Entering, Emerging, Developing, Expanding, Bridging, and Reaching</i> )  <i>Also reported to educators as a decimal: Levels 1.0–6.0</i>
Criteria	The performance of each student on the MEPA–Reading/Writing test and the MELA-O Listening and Speaking assessment. Scores based on the MEPA Performance Definitions <sup>6</sup>	The performance of each student on four subsections (Speaking, Listening, Reading, and Writing) of the on-demand ACCESS for ELLs assessment. Scores based on the WIDA language proficiency levels and corresponding Performance Definitions. <sup>7</sup>
Scores Reported	<ul style="list-style-type: none"> <li>• Scaled score (400-550)</li> <li>• Overall performance level (1–5)</li> <li>• Whether student's performance is close to, or at, a proficient level in Speaking, Listening, Reading, and Writing</li> </ul>	<ul style="list-style-type: none"> <li>• Scaled subscore (100-600) and Proficiency level (1–6) in each of the following:               <ul style="list-style-type: none"> <li>– Listening, Speaking, Reading, and Writing</li> <li>– Oral Language (Listening+Speaking)</li> <li>– Literacy (Reading+Writing)</li> </ul> </li> <li>• Overall (Composite) Score</li> </ul>

The transition to ACCESS for ELLs has several implications for Massachusetts educators. First, relative to MEPA, ACCESS for ELLs results contain additional information regarding each student's

<sup>5</sup> For more information about ACCESS for ELLs score reports and how to interpret them, see the *ACCESS for ELLS Interpretive Guide for Score Reports – Spring 2013* (<http://wida.us/assessment/ACCESS/>) and the *Focus on Language Growth* WIDA Bulletin ([www.wida.us/get.aspx?id=640](http://www.wida.us/get.aspx?id=640))

<sup>6</sup> MEPA Performance Definitions are provided in Appendix G.

<sup>7</sup> WIDA Performance Definitions are provided in Appendix E and on pages 8–9 of the 2012 *Amplification of the WIDA ELD Standards* (<http://wida.us/standards/eld.aspx>).

English language development. For example, the composite literacy, comprehension, and oral language scores; and performance based on individual WIDA standards (i.e., language of mathematics, social studies, science, and language arts). This information provides comprehensive data on each student's performance that can be used to make more effective placement and instructional decisions for ELLs. Additionally, ACCESS for ELLs proficiency levels are reported as a decimal (e.g., Level 3.5) making it possible to determine the student's relative position within a proficiency level (e.g., Level 3.7 is closer to Level 4 than to Level 3). MEPA performance levels were reported only as a whole number (e.g., Level 3), making this determination impossible without a table of performance level cut scores for each grade.

While the two tests (MEPA and ACCESS for ELLs) measure similar language constructs, they differ in how the oral language assessment is administered and in how results are described and reported. Therefore, it is important to be aware that the ACCESS for ELLs proficiency levels do not directly correspond to MEPA's performance levels, and it is not possible to make a simple comparison between a student's performance on MEPA and his or her performance on ACCESS for ELLs. To address the need to determine score comparisons, the Department undertook a "bridge study" to determine estimates of the corresponding scores between the two tests and has posted a report containing these tables to <http://www.doe.mass.edu/mcas/access>.

As educators interpret ACCESS for ELLs scores, it will be important to become familiar with the WIDA language proficiency levels and instructional tools in order to make effective decisions regarding ELL student placement and instruction. For more information about the WIDA Proficiency Levels, see Appendix E: *WIDA Performance Definitions* and Appendix F: *K-12 CAN DO Descriptors*. Educators can also compare the WIDA language proficiency levels with former performance levels described in Appendix H: *MEPA Performance Levels*.

## Making Placement and Instructional Decisions for ELLs

Under state and federal law, English language learners must be taught to the same academic standards and be provided the same opportunities to master such standards as other students (G.L. c. 71A § 7; Equal Educational Opportunities Act, 20 USC § 1703(f); Title III of NCLB § 3102). The law also requires that instruction provided to ELLs is meaningful and appropriate for their individual English language proficiency level. The following steps are recommended for evaluating the educational needs of ELLs and making placement and reclassification decisions to ensure they are provided with equal educational opportunities.

### Step 1: Establish a school-based ELL placement and reclassification team

In order to make effective instructional and assessment decisions for ELLs, districts should consider establishing a school-based team charged with reviewing relevant ELL data and making instructional decisions for each student. School-based teams should be composed of educators, administrators, and/or support service staff who regularly interact with the student; for example:

- the student's ESL or bilingual education teacher,
- the student's sheltered content area teachers,
- school guidance counselors, psychologists or special education teachers, if the student receives such services,

- the school's assistant principal or principal.

Districts should also consider consulting with parents when making instructional and assessment decisions for ELLs. Students' parents can provide a wealth of information regarding the students' linguistic, academic and sociocultural background that may not be otherwise accessible to educators.

Districts may also find it useful to collect relevant data and information for each student in an individual student record that can be used by the school-based team. This student record could contain general information about the student such as the student's first language, number of years in U.S. schools, previous educational experiences, language assessment results, and/or content area assessment results, English language proficiency level, grade level, special education status (if applicable), as well as student writing samples, teacher observation notes, grade and progress reports, and any other information related to the students general performance in school.<sup>8</sup>

## Step 2: Review relevant data to determine the student's language classification

A student's language classification is a serious matter and should be not taken lightly. Students should only be classified as ELLs (or "Limited English Proficient – LEP") when the results of language screening assessments or annual language proficiency assessments indicate that they are not fully proficient in English. Proper classification of ELLs allows districts to ensure that all students who are not proficient in English receive instruction that promotes their language development and academic achievement.

State law requires districts to annually assess ELLs' language proficiency and academic achievement to determine whether such students are able to do regular school work in English, and to *remove* the English learner classification once ELLs demonstrate the ability to do regular school work in English (G.L. c.71A § 4, 7). The process of removing a students' ELL classification is also known as "reclassification". Because ACCESS for ELLs is the state's mandated language proficiency assessment, ACCESS for ELLs results must be considered when making language classification decisions. However, school-based teams must also consider other relevant data to determine whether students can perform ordinary classroom work in English, and whether or not such students' ELL classification should be removed.

- **ACCESS for ELLs Results.** School-based teams must review annual ACCESS for ELLs results when making placement or classification decisions for ELLs. *Table 2* outlines recommendations for using ACCESS for ELLs data to maintain or remove students' ELL classification:

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<sup>8</sup> Certain documents should be kept in students' folders for accountability reasons. Please see Coordinated Program Review Procedures, School District Information Package, ELE in Public Schools Mass. Gen. Laws c. 71A, School Year 2013-2014, p. 37 (<http://www.doe.mass.edu/pqa/review/cpr/instrument/chapter71A.pdf>)

**Table 2. Transitional language classification recommendations based on ACCESS for ELLs results (except ELL students in Kindergarten)**

ACCESS for ELLs Overall (or Composite) Score	Language Classification Recommendations
Level 1 – <i>Entering</i> Level 2 – <i>Emerging</i> Level 3 – <i>Developing</i>	Students performing at Levels 1–3 require significant support to access content area instruction delivered in English. Such students should remain classified as ELLs.
Level 4 – <i>Expanding</i>	Students performing at Level 4 typically require continued linguistic and instructional supports to access content area instruction delivered in English. Nevertheless, some Level 4 students may be ready for reclassification if they meet the following two criteria: <ul style="list-style-type: none"> <li>a) scored at least <i>Proficient</i> (240) on the MCAS ELA test;</li> <li>b) demonstrate the ability to perform ordinary class work in English, as indicated by one or more of the measures listed on <i>Other Relevant Data</i> (described below).</li> </ul>
Level 5 – <i>Bridging</i>	Students performing at Level 5 may have acquired enough English language skills to be considered English proficient. Level 5 students who meet the following criteria should no longer be classified as ELLs: <ul style="list-style-type: none"> <li>a) earning an Overall Composite score of at least 5, and Reading and Writing scores of at least 4 on ACCESS for ELLs;</li> <li>b) demonstrate the ability to perform ordinary class work in English, as indicated by one or more of the measures listed on <i>Other Relevant Data</i> (described below).</li> </ul> <p>However, increasingly complex and varied language demands on ELLs in late elementary, middle, and high school may support the decision by school-based teams to maintain the ELL classification of a Level 5 student.</p>
Level 6 – <i>Reaching</i>	<p><b>By the time a student reaches Level 6, he or she should no longer be classified as an ELL.</b> Students in Level 6 have achieved English language proficiency comparable to that of their English- proficient peers functioning at the “proficient” level in state assessments and can be expected to perform ordinary class work in English.</p>

In most cases, it is recommended that students designated as ELL in pre-school and kindergarten continue to be designated as ELL until they complete grade 1 (at minimum), in order to gather more substantial data on their literacy skills and other data needed to support a reclassification decision.

- **Other Relevant Data.** School-based teams must also evaluate and consider a range of evidence of the student's performance, including a review of:
  - the student's scores on locally-administered reading and other academic assessments, such as DIBELS, GRADE, DRA, Terra Nova, Stanford 9, and/or other District Determined Measures (DDMs);
  - the student's scores on locally-administered diagnostic language assessments;
  - the student's academic grades;
  - the written observations and recommendations documented by the student's classroom teachers;
  - the *WIDA Performance Definitions* (Appendix E) which describe the criteria used to define performance at each WIDA proficiency level, and the *CAN DO Descriptors* (Appendix F), which provide examples of realistic expectations of ELLs for each of the four language domains and five levels of English language proficiency; and
  - the student's performance on MCAS content area tests.

Unless an ELL student did not participate in MCAS ELA testing either because he or she is a student in kindergarten through grade 2, or is a first-year ELL student and was not required to participate, or participated instead in the MCAS-Alt, the most recent MCAS ELA results should serve as a key indicator of the student's likelihood of performing ordinary class work in English. Those results should be used to support and validate the preliminary decisions made each spring about the student's instructional programming and ELL classification.

It will also be important to determine the level of support, if any, needed by the student during instruction in other content areas, and whether scores of Warning/Failing on MCAS mathematics and science and technology/engineering tests are the result of language-based considerations. If the student's MCAS results provide evidence to contradict the instructional or classification decisions made earlier based on the student's ACCESS for ELLs test results and other district data, seek additional consultation and input from ESL teachers and general education teachers familiar with the student to make final determinations.

### Step 3: Plan an instructional program for the student

After reviewing student data related to language proficiency and ability to perform ordinary class work in English, school based teams may decide to maintain the students' status as an ELL student or to reclassify the student as a former ELL. The following section outlines instructional programming recommendations for both ELLs and reclassified ELLs (former ELLs).

### Instructional Programs for ELL Students

Chapter 71A of the Massachusetts General Laws (G.L. c. 71A) requires that students classified as ELLs be educated in a sheltered English immersion (SEI) program, unless a program waiver is sought for another program model, such as Transitional Bilingual Education (TBE). This requirement applies to all districts that enroll ELL students, regardless of the number. SEI programs in grades K-12 shall consist of two components:

- **Sheltered Content Instruction.** Sheltered content instruction (also called Sheltered English Immersion or SEI) includes approaches, strategies and methodology to make the content of lessons more comprehensible and to promote the development of academic

language needed to successfully master content standards. Sheltered content instruction must be taught by qualified content area teachers.<sup>9</sup> It must be based on district-level content area curriculum that is aligned to the Massachusetts Curriculum Frameworks and that integrates components of the WIDA ELD standards frameworks. Entering and Emerging students (Levels 1 and 2) will find this instruction more challenging than students at higher levels of English proficiency levels (i.e., Developing, Expanding, and Reaching – Levels 3, 4, and 5, respectively). Therefore, districts can group Entering and Emerging students together and provide additional support during sheltered content instruction (i.e., sheltered content instruction delivered by an ESL teacher with appropriate content area license, or co-teaching between an ESL teacher and a sheltered content area teacher).

- **English as a Second Language (ESL) instruction.** ESL instruction provides explicit, direct, and systematic instruction to learn the English language that is intended to promote second language acquisition and English language proficiency. It includes learning outcomes in the four language domains: speaking, listening, reading, and writing. ESL instruction must be tailored to the students' English language proficiency levels. In order to prioritize language needs, districts may group students of different ages and native language groups within the same ESL classroom (G.L. c. 71A § 4). For example, districts may choose to group students within the following levels for targeted ESL instruction: Levels 1-2, Levels 2-3, Levels 3-4, Levels 4-5 and/or Levels 3-5. ESL instruction should be based on district-level ESL curriculum that is aligned to the Massachusetts Curriculum Frameworks and integrates components of the WIDA ELD standards frameworks.

SEI programs in pre-schools are not currently required to provide separate ESL instruction to ELLs. In such settings, ELLs' instructional and linguistic needs shall be supported by mainstream or regular education pre-school teachers qualified to teach ELLs, who are subject to the requirement to obtain the SEI Teacher Endorsement (see footnote 4). However, the Department encourages pre-school programs to consider incorporating systematic English language instruction to promote young ELLs' language development.

### Recommended Hours of Instruction

Pursuant to G.L. c. 71A, districts must promote and support the rapid acquisition of English language proficiency by ELL students. Thus, districts must ensure that all ELL students receive ESL instruction and/or language support corresponding to their needs. For example, Emerging and Entering students (Levels 1–3) should receive proportionally more ESL instruction than those at higher performance levels.

Districts should use the following guidelines to plan instructional programs for ELL students enrolled in an SEI program:

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<sup>9</sup>See footnote 4.



**Table 3. Recommended hours of instruction for ELLs based on ACCESS for ELLs results (full-day Kindergarten through grade 12)**

<b>ACCESS for ELLs Overall (Composite) Score</b>	<b>Recommended Minimum Hours of ESL Instruction</b>	<b>Recommended Hours of Sheltered Content Instruction</b>	<b>Recommended Hours for Specials/Electives (e.g., physical education, art, music)</b>
<b>Entering (Level 1) and Emerging (Level 2)</b>	2.5 hours per day to a full day of direct ESL instruction, delivered by a licensed ESL teacher.	Other hours as available outside of ESL instruction, delivered by a teacher qualified to teach ELLs <sup>10</sup> and licensed in the appropriate content area.	The same hours of instruction as former ELLs and native English speaking grade-level peers.
<b>Developing (Level 3)</b>	1-2 hours per day of direct ESL instruction, delivered by a licensed ESL teacher.	ELA or Reading instruction, delivered by a teacher qualified to teach ELLs.	
<b>Expanding (Level 4)</b>	2.5 hours of direct ESL instruction per week, delivered by a licensed ESL teacher.	Other hours as available for math, science and social studies instruction, delivered by a teacher qualified to teach ELLs.	
<b>Bridging (Level 5)</b>	2.5 hours of direct ESL instruction per week, delivered by a licensed ESL teacher.	The same hours of content area instruction as native English speaking peers delivered by a teacher qualified to teach ELLs and licensed in the appropriate content area.	
<b>Reaching (Level 6)</b>	Students at Level 6 should no longer be classified as ELLs and should participate in the general education program alongside native English speaking peers. Their progress must be monitored for two years after their ELL classification was removed. Such students should also receive additional supports and services if needed.		

### Half-day Kindergarten and Pre-School Students

For students enrolled in half-day Kindergarten programs, the hours of ESL and sheltered content instruction should be proportional to those outlined on Table 3. For an “entering”-level student, this would translate into approximately 1.25 hours to a full day of ESL instruction delivered by a licensed ESL teacher, and other hours as available for sheltered content area instruction delivered by a teacher qualified to teach ELLs<sup>11</sup> and licensed in the appropriate content area.

<sup>10</sup> Core academic teachers must possess an ESL license or hold the SEI Endorsement to be qualified as teachers of ELLs (for more information, see previous footnote 4). This applies throughout levels 1 through 5.

<sup>11</sup> See footnote 4.

Because pre-school programs are not required to offer ESL classes, mainstream or regular education pre-school teachers qualified to teach ELLs shall be responsible for supporting the instructional and linguistic needs of ELLs in such programs. Nevertheless, the Department encourages pre-school programs to consider incorporating systematic English language instruction to promote young ELLs' language development.

### **Instructional Programs for Reclassified ELL Students (former ELLs)**

After evaluating the available student data, if the school-based team determines there is sufficient evidence of a student's English language proficiency and the ability to perform ordinary classroom work in English without significant instructional support, the team should remove the student's ELL classification and change the student's language proficiency status in the next SIMS district report. The district must:

- remove the student's coding as LEP on the SIMS report to the Department (i.e., SIMS: *DOE025* – record 00 under "LEP"). Typically, this decision will be made before the start of the following school year, in time for the October SIMS data collection);
- notify the parent/guardian of the change in the students classification;
- update all school/district records; and
- design and implement a process for routinely monitoring the students' academic progress for two years.

Districts can design a monitoring process that is based on their specific language program and other local characteristics. Such monitoring processes may include:

- regular, structured meetings between an ESL teacher and the students' sheltered content instruction teachers and/or the school-based language assessment team to discuss the student's academic progress and progress in developing English language proficiency;
- regular analysis of student work using the WIDA CAN DO Descriptors and Performance Definitions;
- regular observations of student participation and performance; and
- conversations with parents about student's academic performance and English language development.

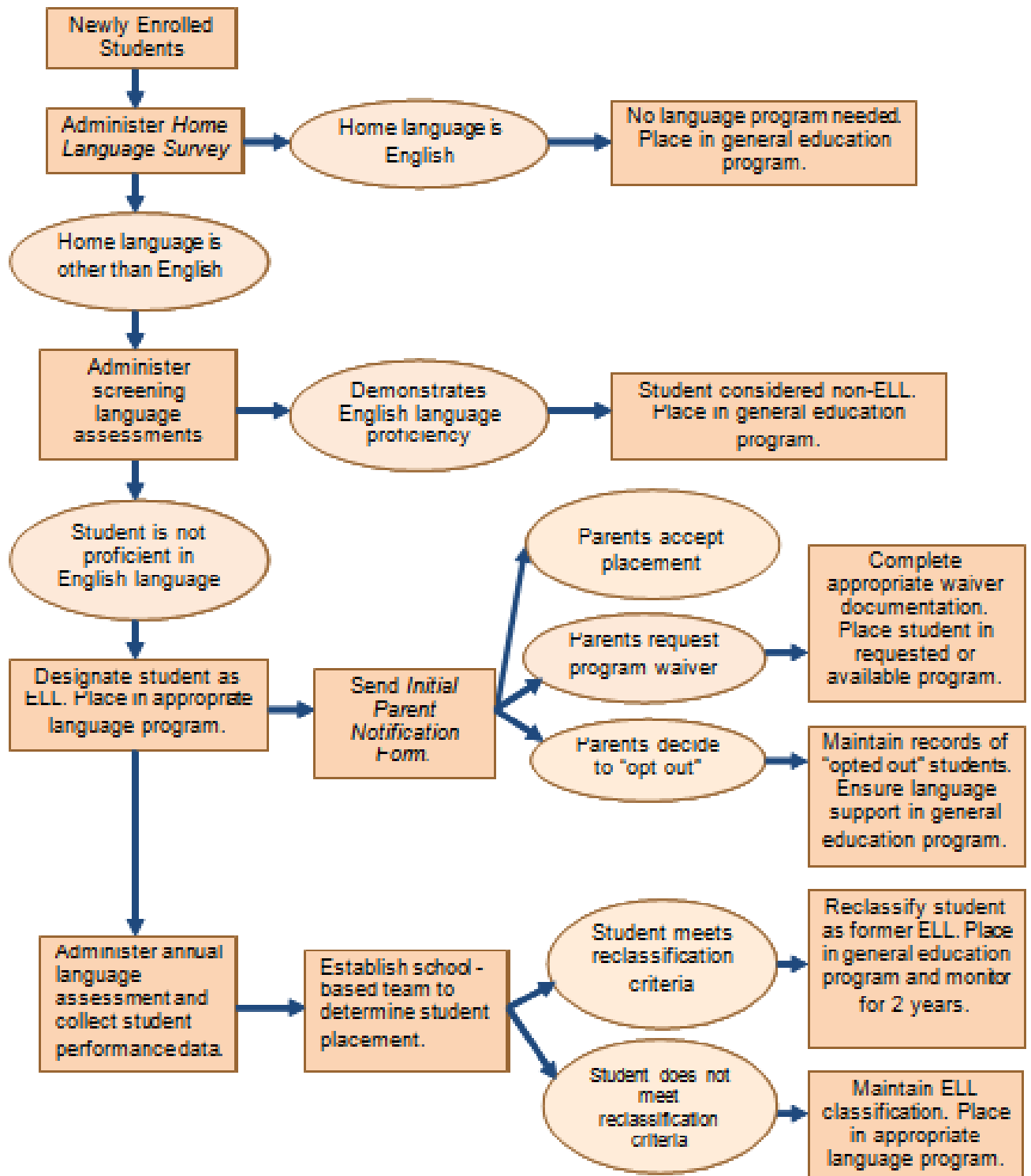
In addition, schools serving former ELLs should consider:

- assigning reclassified students (students whose ELL classification has been removed), at least initially, to teachers qualified to teach ELLs and licensed in the appropriate content area (this will enhance the likelihood of continued growth in their English language proficiency and content learning);
- providing regular, structured times during the school day or week for sheltered content area and ESL teachers to plan instruction collaboratively for reclassified ELL students;

- providing additional opportunities for the student to participate in small group instruction and learning throughout the school day, as well as after school and during the summer; and
- designing and providing additional individualized learning support and opportunities to check on academic progress.

If a former ELL student fails to make academic progress after his or her ELL classification has been removed, as measured by his or her grades and content area assessments; and if a school-based team familiar with the student determines that this failure is due to lack of English proficiency, the student must be re-classified as an ELL, and the instructional programming for such a student redesigned consistent with this guidance.

## Summary: Decision Guide for Language Program Processes





## Part 3: Appendices



## Appendix A: Home Language Survey

State and federal law require that *all* schools determine the language(s) spoken in each student's home in order to identify their specific language needs. This information is essential in order for schools to provide meaningful instruction for all students. If a language other than English is spoken in the home, the District is required to do further assessment of your child. Please help us meet this important requirement by answering the following questions. Thank you for your assistance.

### Student Information

First Name \_\_\_\_\_ Middle Name \_\_\_\_\_ Last Name \_\_\_\_\_ F  M   
 Gender  
 Country of Birth \_\_\_\_\_ Date of Birth (mm/dd/yyyy) \_\_\_\_\_ Date first enrolled in ANY U.S. school (mm/dd/yyyy) \_\_\_\_\_

### School Information

Start Date in New School \_\_\_\_\_ / \_\_\_\_\_ /20 \_\_\_\_\_ Name of Former School and Town \_\_\_\_\_ Current Grade \_\_\_\_\_  
 (mm/dd/yyyy)

### Questions for Parents/Guardians

<b>What is the native language(s) of each parent/guardian? (circle one)</b> _____ (mother /father /guardian) _____ (mother/ father / guardian)	<b>Which language(s) are spoken with your child?(include relatives -grandparents, uncles, aunts,etc. - and caregivers)</b> _____ seldom / sometimes /often /always _____seldom / sometimes /often /always
<b>What language did your child first understand and speak?</b>	<b>Which language do you use most with your child?</b>
<b>Which other languages does your child know? (circle all that apply)</b> _____ speak / read / write _____ speak / read / write	<b>Which languages does your child use? (circle one)</b> _____seldom /sometimes /often /always _____seldom /sometimes/often/always
<b>Will you require written information from school in your native language?</b> Y <input type="checkbox"/> N <input type="checkbox"/>	<b>Will you require an interpreter/translator at Parent-Teacher meetings?</b> Y <input type="checkbox"/> N <input type="checkbox"/>
<b>Parent/Guardian Signature:</b> X _____	_____ / _____ /20 <b>Today's Date (mm/dd/yyyy)</b>

## Appendix B: Recommended Language Proficiency Screening Assessments

The following language assessments are recommended for determining students' initial language proficiency. The Department also recommends that language screening assessments be *administered* by qualified district or school personnel trained in the specific assessment used, and that test score interpretation and placement in language programs be made by a **licensed ESL teacher or administrator** trained to interpret the specific screening test used. The table below provides a description of recommended tests and suggested training for each assessment:

Language Assessment	Characteristics	Training Requirements	Contact Information
WIDA-ACCESS for ELLs Placement Test (W-APT)	<ul style="list-style-type: none"> <li>▪ Free to all authorized users from WIDA Consortium member states (for login information, see <a href="http://www.doe.mass.edu/news/news.aspx?id=7139">http://www.doe.mass.edu/news/news.aspx?id=7139</a>)</li> <li>▪ Assesses all language domains and WIDA ELD Standards</li> <li>▪ Scores are aligned with the WIDA English Language Proficiency Levels used for ACCESS for ELLs statewide tests</li> <li>▪ Grade bands: K, 1-2, 3-5,6-8, 9-12</li> </ul>	It is recommended, but not required, that W-APT administrators be trained for the full ACCESS for ELLs. However, reading the W-APT Test Administration Manual(s) and Scored Student Writing Samples should be sufficient for reliably administering and scoring the W-APT. Test administrators who have completed ACCESS for ELLs test administrator training should also review sound files and train on the writing rubric by examining the scored writing samples in the training package.	WIDA Consortium 1-866-276-7735 <a href="mailto:help@wida.us">help@wida.us</a> <a href="http://www.wida.us/assessment/W-APT/">http://www.wida.us/assessment/W-APT/</a>
WIDA Measure of Developing English Language (MODEL)	<ul style="list-style-type: none"> <li>▪ Available for purchase</li> <li>▪ Can be used as an interim progress monitoring assessment</li> <li>▪ Assesses all language domains and WIDA ELD Standards</li> <li>▪ Scores are aligned to the WIDA English Language Proficiency Levels used for ACCESS for ELLs</li> <li>▪ Grade bands: K, 1-2, 3-5,6-8, 9-12; recommended for students in K</li> </ul>	Test administrators should review the WIDA MODEL Test Administration Manual, Training CD-ROM, and DVD. The Manual contains all the information needed to administer and score the test. The CD-ROM includes information about administering and scoring the test. The DVD provides additional administration guidance and footage of test administration.	



Language Assessment	Characteristics	Training Requirements	Contact Information
LAS Links and Pre-LAS English Language Proficiency Assessment	<ul style="list-style-type: none"> <li>▪ Available for purchase</li> <li>▪ Assesses all language domains</li> <li>▪ Pre-LAS assesses pre-literacy skills</li> <li>▪ LAS Links grade bands: K-1, 2-3, 4-5, 6-8, 9-12</li> <li>▪ Pre-LAS grade bands: pre-K-grade 1</li> <li>▪ Paper-based and computer-based options</li> </ul>	<p>Test administrators should schedule a webinar or face-to-face training with the publisher prior to administering the test.</p> <p>Test administrators should schedule a webinar or face-to-face training with the publisher prior to administering the test.</p>	<p>CTB/McGraw-Hill 20 Ryan Ranch Road Monterey, CA 93940 (800) 538-9547 Fax: (800) 282-0266 <a href="http://www.ctb.com">www.ctb.com</a></p>
LAS Links Placement Test	<ul style="list-style-type: none"> <li>▪ Available for purchase</li> <li>▪ Assesses all language domains</li> <li>▪ Grade bands: K-1, 2-3, 4-5, 6-8, 9-12</li> <li>▪ Paper-based</li> </ul>		
IDEA Proficiency Test (IPT)	<ul style="list-style-type: none"> <li>▪ Available for purchase</li> <li>▪ Speaking &amp; Listening tests: IPT I (grades K-6), IPT II (grades 6-12)</li> <li>▪ Reading and Writing tests: Early Literacy IPT (grades K-1), IPT 1 (grades 2-3), IPT 2 (4-6), IPT 3 (grade 7- 12)</li> <li>▪ Paper-based and computer-based options</li> </ul>	<p>IPT test administrators should complete the online in-service training available for the specific IPT test they will administer. This training is composed of four modules, and is continually available online. The training has interactive quizzes throughout to monitor learning, and a Final Quiz at the end to assess to assess whether trainees have mastered information needed to administer the IPT Test. In order to obtain the Certificate of Achievement and be qualified to administer the tests, trainees must score at least an 80% on the Final Quiz. Trainees who do not score at least an 80% can review the course material again and retake the Final Quiz.</p>	<p>Ballard and Tighe Publishers 480 Atlas St. Brea, CA 92621 (800) 321-4332</p> <p><a href="mailto:info@ballard-tighe.com">info@ballard-tighe.com</a></p> <p><a href="http://www.ballard-tighe.com/products/la/iptFamilyTests.asp">http://www.ballard-tighe.com/products/la/iptFamilyTests.asp</a></p>

Language Assessment	Characteristics	Training Requirements	Contact Information
MAC II Test of English Language Proficiency	<ul style="list-style-type: none"> <li>▪ Grade levels: K-12</li> <li>▪ Assesses all language domains and comprehension</li> </ul>	Contact publishing company for test administrator training.	Questar Assessment, Inc. 4 Hardscrabble Heights P.O. Box 382 Brewster, NY 10509 (800) 800-2598 <a href="http://www.questarai.com">www.questarai.com</a>

# Appendix C: Parent Notification Form

**Name of District** Public Schools  
 School Year **2000-2000**  
 Initial / Annual Parental Notification<sup>12</sup> of  
 English Language Education (ELE) and Title III Program Placement

Dear Parent(s)/Guardian(s):

In order to identify students who are English language learners, state and federal regulations and guidance state that school districts must assess the English language proficiency of all students whose home language is other than English. Such students must be tested in reading, writing, speaking and listening. Your child has been tested in these areas. This letter explains whether your child is eligible for an English Learner Education (ELE) program. If so, it will also explain the program your child will receive and, if applicable, the additional services your child will receive as a result of the district receiving certain federal funds (Title III). The purpose of Title III is to help ensure that limited English proficient students master English and meet the same challenging state academic achievement standards that all children are expected to meet. If your child has additional education needs that require Special Education Services, Title III programs and services shall meet the objectives of the Individualized Education Program (IEP).

**SECTION I - ELE Program Placement (complete for students assessed for English proficiency in all districts)**

The following are the results of this English language assessment(s):

Student Information			
First Name _____		Middle Name _____	Last Name _____
Current School Name _____		Grade _____	Start Date in ELE Program _____
Assessment Tool	Domain	Results	Date of Assessment
	<input type="checkbox"/> S <input type="checkbox"/> L <input type="checkbox"/> R <input type="checkbox"/> W		day / month / year
	<input type="checkbox"/> S <input type="checkbox"/> L <input type="checkbox"/> R <input type="checkbox"/> W		day / month / year
	<input type="checkbox"/> S <input type="checkbox"/> L <input type="checkbox"/> R <input type="checkbox"/> W		day / month / year
	<input type="checkbox"/> S <input type="checkbox"/> L <input type="checkbox"/> R <input type="checkbox"/> W		day / month / year
Continuing ELL Students and/or Transfer Students		Results	Date of Assessment
Speaking (ACCESS for ELLs test):			day / month / year
Listening (ACCESS for ELLs test):			day / month / year
Reading (ACCESS for ELLs test):			day / month / year
Writing (ACCESS for ELLs test):			day / month / year

<sup>12</sup> Note to districts: This notification is an annual requirement, and should be sent not later than thirty days from the beginning of the school year, or, for students who have not been identified for placement in a language instruction educational program prior to the beginning of the school year, the notification must be carried out within 2 weeks of the child being placed in the program. Section I must be completed in all districts; Section I and II must be completed in all districts that receive Title III funds for students who receive Title III services. Additional parental notification requirements apply related to AMAO reports in districts receiving Title III funds.

MCAS (if applicable):		day / month / year
<b>English Language Proficiency Level based on language assessment data and other measures:</b>		
<input type="checkbox"/> L1 – Entering	<input type="checkbox"/> L4 – Expanding	
<input type="checkbox"/> L2 – Beginning	<input type="checkbox"/> L5 – Bridging	
<input type="checkbox"/> L3 – Developing	<input type="checkbox"/> L6 – Reaching	
<b>ELE Program - The school district proposes to place your child in the indicated program:</b>		
<input type="checkbox"/> <b>Sheltered English Immersion Program (SEI)</b> – a program that incorporates strategies to make content area instruction more comprehensible to ELLs and to promote language development. This type of instruction is based on students’ language proficiency levels. As part of the SEI program, your child is enrolled in (check all that apply): <ul style="list-style-type: none"> <li><input type="checkbox"/> <b>English as a Second Language (ESL) classes:</b> direct English language instruction focused on developing speaking, listening, reading, and writing skills in English.</li> <li><input type="checkbox"/> <b>Sheltered content instruction classes:</b> content area instruction that integrates sheltering strategies to make content comprehensible and develop content area academic language. The student receives sheltered content instruction in (check all that apply): <ul style="list-style-type: none"> <li><input type="checkbox"/> Mathematics</li> <li><input type="checkbox"/> ELA</li> <li><input type="checkbox"/> Social Studies</li> <li><input type="checkbox"/> Science</li> </ul> </li> </ul>		<input type="checkbox"/> <b>Dual Language Education Program (DLEP)/Two-way bilingual Program</b> (where available) – a program that develops students language skills in two languages (English + another language). This program includes native English speaking students and students who are native speakers of the other language.
<b>Alternate ELE Program</b> – If you believe that your child should be placed in a program other than the SEI program (if indicated above), you have the right to request a <i>waiver into</i> an alternate program. Please contact district staff for further information. You may request a specific waiver for your child to be enrolled in:		
<input type="checkbox"/> <b>Transitional Bilingual Education (TBE)</b> – a program where content instruction is initially taught in the native language of the student, and English. As the student develops English language proficiency, instruction is increasingly taught in English. This type of program is only allowed after a waiver for TBE has requested by at least 20 parents of students in the same grade level and such waiver been granted, or if the student’s school has an approved Level 4 Turnaround Plan that includes a TBE program.		
<b>Program placement and or method of instruction for student whose assessment indicates that s/he is not an English Language Learner (ELL):</b>		
<input type="checkbox"/> <b>General Education</b> – The general education mainstream classroom. <b>Your child was <u>not</u> found to be an English language learner and therefore does <u>not</u> require a specific ELE program.</b>		

You also have the right to opt out of the language program chosen for your child, and other programs for English Language Learners offered by the district. Federal and state laws require that the district provide your child with support so he or she can understand instruction taught in English and develop his or her English skills. This means that if you choose to opt out, your child’s teachers will support your child in the regular classroom. But if you opt out of language programs, **your child will not receive specific English as a Second Language (ESL) instruction focused on language skills.** We think ESL instruction would help your child learn English and succeed in school, so we recommend that you allow your child to be part of our language programs. This type of instruction is especially

important if your child is just beginning to learn English or struggles to understand, speak, read or write in English. If you decide to opt out of language services for your child, please inform district staff (*add contact information here*).

**SECTION II - Exit Criteria**

<p><b>Specific ELE/Title III Exit Requirements: When your child demonstrates proficiency in English, he or she will no longer be classified as an ELL. Therefore, he or she will be exited from the ELE program and will not be eligible for ELE/Title III services.</b> Students who are no longer classified as <b>English Language Learners</b> must be monitored by the district for <b>two years</b> to ensure that they are succeeding academically. The district must provide language support services to such students and/or recommend re-entry to the ELE program, if these students struggle to meet grade-level academic expectations due to lack of English language proficiency. <b>Your child will continue to receive ELE support services until he or she meets the following criteria:</b></p>		
<input type="checkbox"/> Obtains an Overall Composite score of at least 4 on ACCESS for ELLs , and scores <i>Proficient</i> (240 or above) on the MCAS ELA test,  OR  <input type="checkbox"/> Obtains an Overall Composite score of at least 5, and Reading and Writing scores of at least 4 on ACCESS for ELLs;	<p>AND</p>	<input type="checkbox"/> Demonstrated ability to perform ordinary classroom work in English, as indicated by: <i>(include information about other relevant data)</i>
<p>Final classification:</p> <input type="checkbox"/> The student met the criteria. He or she is no longer considered an English Language Learner. His or her academic performance will be monitored for two years.  <input type="checkbox"/> The student has not met the criteria. He or she is still considered an English Language Learner, and will be placed in the _____ program offered by the district.		
<p>Comments:</p>		

The school district staff is available to speak to you or meet with you about your child's placement and the school's ELE and/or Title III programs. We strongly encourage you to call us if you have any questions. Please contact us through the district contact person listed below. Thank you.

---

Name of Instructor/Coordinator, Title  
Telephone Contact/Email Contact

## Appendix D: G.L. c. 71A School District Program Waivers for ELLs

### Requirements and Procedures

General Laws Chapter 71A requires that all children in Massachusetts public schools who are English learners be instructed through the use of sheltered English immersion during a temporary transition period not normally intended to exceed one school year, unless the student is placed in a two-way bilingual program or wishes to “opt out” and be placed in a general classroom not tailored for English learners. Kindergarten English learners shall be educated either in sheltered English immersion or English language mainstream classrooms with assistance in English language acquisition, including, but not limited to, English as a second language. English learners who wish to participate in a transitional bilingual program or receive some other type of language support may not do so unless they have received a waiver from the requirements of G.L. c. 71A.

Local schools shall be permitted but not required to place in the same classroom English learners of different ages but whose degree of English proficiency is similar. Local schools shall be encouraged to mix together in the same classroom English learners from different native-language groups but with the same degree of English fluency. Once English learners acquire a good working knowledge of English and are able to do regular school work in English, they shall no longer be classified as English learners and shall be transferred to English language mainstream classrooms.

Section 5 of G.L. c. 71A provides for waivers for individual students under certain conditions if the parent or guardian **annually** applies for the waiver by visiting the student’s school and providing written informed consent. At the time of the visit, parents are to be provided with “*a full description in a language they can understand*” of the educational materials to be used in the different educational program choices and all the educational opportunities available to the student. Foreign language classes for students who already know English, two-way bilingual programs for students in kindergarten through grade 12, and special education programs for physically or mentally impaired students do not need waivers to participate in such classes or services.

The decision to issue a waiver is made by school district officials, under guidelines established by, and subject to the review of, the local school committee. The district’s guidelines may, but are not required to, contain an appeals process for parents whose waiver requests are denied by school officials. However, the final decision on waiver requests remains with the district.

Individual schools in which 20 students or more of a given grade level receive a waiver shall be required to offer such students classes in bilingual education or other generally recognized educational methodologies permitted by law. In all other cases, such students must be permitted to transfer to a public school in which such a class is offered.

**The circumstances under which a parental exception waiver may be applied for are as follow:**

- c) Children who already know English: the child already possesses good English language skills, as measured by oral evaluation or standardized tests of English vocabulary comprehension, reading, and writing, in which the child scores approximately at or above the state average for his grade level or at or above the 5th grade average, whichever is lower; or
- d) Older children: the child is age 10 years or older, and it is the informed belief of the school principal and educational staff that an alternate course of educational study would be better suited to the child's overall educational progress and rapid acquisition of basic English language skills; or
- e) Children with special individual needs: the child already has been placed for a period of not less than thirty calendar days during that particular school year in an English language classroom and it is subsequently the informed belief of the school principal and educational staff that the child has such special and individual physical or psychological needs, above and beyond the child's lack of English proficiency, that an alternate course of educational study would be better suited to the child's overall educational development and rapid acquisition of English. A written description of no less than 250 words documenting these special individual needs for the specific child must be provided and permanently added to the child's official school records, and the waiver application must contain the original authorizing signatures of both the school principal and the local superintendent of schools. Waivers granted under this section cannot be applied for until after thirty calendar days of a given school year have passed, and this waiver process must be renewed each and every school year. Any such decision to issue such an individual waiver is to be made subject to the examination and approval of the local school superintendent, under guidelines established by and subject to the review of the local school committee and ultimately the state board of education. The existence of such special individual needs shall not compel issuance of a waiver, and the parents shall be fully informed of their right to refuse to agree to a waiver.

The following pages showcase sample *Program Waiver Application Forms* that districts may adapt, based on locally-established school committee guidelines.

## Sample Waiver Form 1

Name of school district  
School year  
**G.L. c.71A School District Program Waiver Application Form for English Learners**  
*Child's level of English*

### A. Student information

Name of student:	
Date of birth:	
Student's level of English:	State average for student's grade level:
Student's grade level:	Fifth-grade average:
Date parent(s) or legal guardian(s) visited school:	

### B. Parent or Guardian Informed Consent

Parents or guardians must review and sign the Parent or Guardian Informed Consent Form (*Attachment A*). This form must be provided in a language that the parent or guardian understands. The signed Informed Consent Form should be attached to this form.

### C. Determination Regarding Waiver Request

#### 1. Waiver request approved (school officials must sign here)

Based on the Student's level of English documented above, in which the child scores approximately at or above the state average for his grade level or at or above the 5th grade average, whichever is lower, the student will be placed in (*describe language support services to be provided*) on (*date*).

\_\_\_\_\_  
School principal (signature and date)

\_\_\_\_\_  
Educational staff (signature and date)

#### 2. Waiver request denied (school officials must sign here)

Based on the Student's level of English documented above, this waiver request is denied because the student's level of English does not meet the lower of:

- State average for student's grade level
- Fifth grade average

\_\_\_\_\_  
School principal (signature and date)

\_\_\_\_\_  
Educational staff (signature and date)

**D. Appeals process (optional).** If the waiver is denied and if the district guidelines contain an appeals process, did the parent(s) or legal guardian(s) appeal the decision? If yes, what was the final determination of the school officials? Please attach relevant documentation.



**Sample Waiver Form 2 (Older Students)**

Name of school district  
School year

**G.L. c.71A School District Program Waiver Application Form for English Learners**

**A. Student information**

Name of student:
Date of birth:
Date parent(s) or legal guardian(s) visited school:

**B. Parent or Guardian Informed Consent**

Parents or guardians must review and sign the Parent or Guardian Informed Consent Form (*Attachment A*). This form must be provided in a language that the parent or guardian understands. The signed Informed Consent Form should be attached to this form.

**C. Determination Regarding Waiver Request**

**1. Waiver request approved** (school officials must sign here)

Based on the Student’s level of English documented above, in which the child scores approximately at or above the state average for his grade level or at or above the 5th grade average, whichever is lower, the student will be placed in (*describe language support services to be provided*) on (*date*).

\_\_\_\_\_  
School principal (signature and date)

\_\_\_\_\_  
Educational staff (signature and date)

**2. Waiver request denied** (school officials must sign here)

Based on the Student’s level of English documented above, this waiver request is denied because the student’s level of English does not meet the lower of:

- State average for student’s grade level
- Fifth grade average

\_\_\_\_\_  
School principal (signature and date)

\_\_\_\_\_  
Educational staff (signature and date)

**D. Appeals process (optional)**

If the waiver is denied and if the district guidelines contain an appeals process, did the parent(s) or legal guardian(s) appeal the decision? If yes, what was the final determination of the school officials? Please attach relevant documentation.

**Sample Waiver Form 3 (Students with Special Needs)**

Name of school district  
School year

**G.L. c.71A School District Program Waiver Application Form for English Learners**

The existence of such special individual needs shall not compel issuance of a waiver, and the parents shall be fully informed of their right to refuse to agree to a waiver.

**A. Student Information**

Name of student:	Date of birth:
Date student was placed in an English language classroom:	Date parent(s) or legal guardian(s) visited school:
Date waiver applied for:	

**This waiver process must be renewed each and every school year.**

**B. Parent or Guardian Informed Consent**

Parents or guardians must review and sign the Parent or Guardian Informed Consent Form (*Attachment A*). This form must be provided in a language that the parent or guardian understands. The signed Informed Consent Form should be attached to this form.

**C. Determination Regarding Waiver Request**

**1. Waiver request approved** (school staff must sign and complete *Attachment B*)

This child has been placed in an English language classroom for not less than 30 calendar days. It is our informed belief that this child has special and individual physical or psychological needs above and beyond the child’s lack of English proficiency and that an alternate course of educational study would be better suited to the child’s overall education development and rapid acquisition of English. This child will be placed in (*describe educational setting to be provided*) on (*date*).

\_\_\_\_\_  
School principal (signature and date)

\_\_\_\_\_  
Educational staff (signature and date)

**2. Waiver request denied**

This child has been placed in an English language classroom for not less than 30 calendar days. It is our informed belief that this child has special and individual physical or psychological needs above and beyond the child’s lack of English proficiency and that an alternate course of educational study would **not** be better suited to the child’s overall education development and rapid acquisition of English.

\_\_\_\_\_  
School principal (signature and date)

\_\_\_\_\_  
Educational staff (signature and date)

**D. Appeals process (optional):** If the waiver is denied and if the district guidelines contain an appeals process, did the parent(s) or legal guardian(s) appeal the decision? If yes, what was the final determination of the school officials?

## ***Attachment A: Sample Parent/Legal Guardian Informed Consent Form***

*School District  
School Year*

### **G.L. c.71A Program Waiver Parent or Legal Guardian Informed Consent Form\***

I am knowingly and voluntarily requesting that my child receive a waiver from the requirements of G.L. c.71A. I understand that if school officials grant my waiver request my child will receive bilingual instruction or some other type of language support rather than sheltered English immersion instruction. Upon my personal visit to the school, school officials provided me with a full description in a language that I understand, of the educational materials to be used in the different educational program choices and of all the educational opportunities available to my child.

For a child with special needs: I understand that the existence of special individual needs shall not compel issuance of a waiver, and I have been fully informed of my right to refuse to agree to a waiver.

Based on this information, which I have read and understood, I am requesting a program waiver for my child for the XXXX-XXXX school year. I have been fully informed of my right not to apply for or agree to a program waiver.

\_\_\_\_\_  
Child's name

\_\_\_\_\_  
Parent or Guardian signature

\_\_\_\_\_  
Parent or Guardian signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

*\*If the Parent or Legal Guardian Informed Consent Form is provided in a language other than English, attach that form to the waiver application.*

**Attachment B: Additional Documentation for Students with Special Needs**

*School District*  
*School Year*

**G.L. c.71A Program Waiver**

**Approved G.L. c.71A Program Waiver for Students with Special Individual Needs**

**Instructions:** A written description of no less than 250 words documenting that the child has been placed for a period of not less than thirty calendar days in an English language classroom and has special and individual physical or psychological needs, above and beyond the child's lack of English proficiency, and that an alternate course of educational study would be better suited to the child's overall educational development and rapid acquisition of English.

This written description of the special individual needs for this child must be permanently added to the child's official school records, and the waiver application must contain the original authorizing signatures of both the school principal and the local superintendent of schools.

\_\_\_\_\_  
School principal                      date

\_\_\_\_\_  
District superintendent      date

## Appendix E: WIDA Performance Definitions

### WIDA Performance Definitions Listening and Reading, Grades K-12

At each grade, toward the end of a given level of English language proficiency, and with instructional support, English language learners will process...

	Discourse Level	Sentence Level	Word/Phrase Level
	Linguistic Complexity	Language Forms and Conventions	Vocabulary Usage
<b>Level 6 – Reaching</b> Language that meets all criteria through Level 5, Bridging			
<b>Level 5 Bridging</b>	Rich descriptive discourse with complex sentences  Cohesive and organized related ideas	Compound, complex grammatical constructions (e.g., multiple phrases and clauses)  A broad range of sentence patterns characteristic of particular content areas	Technical and abstract content-area language, including content-specific collocations  Words and expressions with shades of meaning across content areas
<b>Level 4 Expanding</b>	Connected discourse with a variety of sentences  Expanded related ideas	A variety of complex grammatical constructions  Sentence patterns characteristic of particular content areas	Specific and some technical content-area language  Words or expressions with multiple meanings across content areas
<b>Level 3 Developing</b>	Discourse with a series of extended sentences  Related ideas	Compound and some complex (e.g., noun phrase, verb phrase, prepositional phrase) grammatical constructions  Sentence patterns across content areas	Specific content language, including expressions  Words and expressions with common collocations and idioms across content areas
<b>Level 2 Emerging</b>	Multiple related simple sentences  An idea with details	Compound grammatical constructions  Repetitive phrasal and sentence patterns across content areas	General content words and expressions, including cognates  Social and instructional words and expressions across content areas
<b>Level 1 Entering</b>	Single statements or questions  An idea within words, phrases, or chunks of language	Simple grammatical constructions (e.g., commands, Wh- questions, declaratives)  Common social and instructional forms and patterns	General content-related words  Everyday social and instructional words and expressions

...within sociocultural contexts for language use.

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**WIDA Performance Definitions Speaking and Writing, Grades K-12**

At each grade, toward the end or a given level of English language proficiency, and with instructional support, English language learners will produce...

	Discourse Level	Sentence Level	Word/Phrase Level
	Linguistic Complexity	Language Forms and Conventions	Vocabulary Usage
<b>Level 6 – Reaching</b> Language that meets all criteria through Level 5, Bridging			
<b>Level 5 Bridging</b>	Multiple, complex sentences  Organized, cohesive, and coherent expression of ideas	A variety of grammatical structures matched to purpose  A broad range of sentence patterns characteristic of particular content areas	Technical and abstract content-area language, including content-specific collocations  Words and expressions with shades of meaning across content areas
<b>Level 4 Expanding</b>	Short, expanded, and some complex sentences  Organized expression of ideas with emerging cohesion	A variety of grammatical structures  Sentence patterns characteristic of particular content areas	Specific and some technical content-area language  Words and expressions with expressive meaning through use of collocations and idioms across content areas
<b>Level 3 Developing</b>	Short and some expanded sentences with emerging complexity  Expanded expression of one idea or emerging expression of multiple related ideas	Repetitive grammatical structures with occasional variation  Sentence patterns across content areas	Specific content language, including cognates and expressions  Words or expressions with multiple meanings used across content areas
<b>Level 2 Emerging</b>	Phrases or short sentences  Emerging expression of ideas	Formulaic grammatical structures  Repetitive phrasal and sentence patterns across content areas	General content words and expressions  Social and instructional words and expressions across content areas
<b>Level 1 Entering</b>	Words, phrases, or chunks of language  Single words used to represent ideas	Phrase-level grammatical structures  Phrasal patterns associated with common social and instructional situations	General content-related words  Everyday social and instructional words and expressions

...within sociocultural contexts for language use.

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## Appendix F: WIDA K-12 CAN DO Descriptors

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

Level 6 Reaching					
	Level 1 Entering	Level 2 Beginning	Level 3 Developing	Level 4 Expanding	Level 5 Bridging
<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>

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## Appendix G: MEPA Performance Levels

<b>Grades K-2</b>	
<p><b>Level 1:</b> A student at this performance level has not yet developed simple written and spoken communication in English. Errors (lexical, phonological, syntactic, semantic)<sup>13</sup> consistently interfere with communication, and comprehension is mostly demonstrated either non-verbally, through a few basic words, or in a language other than English. A student performing at this level:</p>	
<i>Speaking</i>	<ul style="list-style-type: none"> <li>▪ Speaks using a few basic words with frequent errors; little or no command of isolated vocabulary; responds inappropriately to most questions; is seldom intelligible.</li> </ul>
<i>Listening</i>	<ul style="list-style-type: none"> <li>▪ Recognizes and comprehends only a few basic spoken words with consistent need for repetition and clarification; may demonstrate minimal comprehension of simple speech either non-verbally, through a few basic words, or in a language other than English.</li> </ul>
<i>Reading</i>	<ul style="list-style-type: none"> <li>▪ Recognizes only a few letters of the alphabet and reads a few simple, high-frequency words, with visual and graphic support</li> </ul>
<i>Writing</i>	<ul style="list-style-type: none"> <li>▪ Writes only a few letters of the alphabet and may attempt a few basic words, but these are seldom recognizable.</li> </ul>
<p><b>Level 2:</b> A student at this performance level has developed simple written and spoken communication in English. Errors often interfere with basic comprehension and communication, although the meaning is sometimes retained. Limited lexical, syntactic, phonological, and discourse features of English are present. A student performing at this level:</p>	
<i>Speaking</i>	<ul style="list-style-type: none"> <li>▪ Speaks using single words and a few basic phrases; gives short responses to simple questions, often using graphic, visual, or gestural support; performs very basic language functions; word choice is often inappropriate or incorrect; is sometimes intelligible but generally difficult to understand.</li> </ul>
<i>Listening</i>	<ul style="list-style-type: none"> <li>▪ Recognizes some sounds of the English language; comprehends some basic spoken vocabulary, phrases, and simple questions, with frequent need for repetition and clarification.</li> </ul>
<i>Reading</i>	<ul style="list-style-type: none"> <li>▪ Recognizes many letters of the alphabet; reads and comprehends some simple written words and phrases, often with visual or graphic support; recognizes some basic features of written English appropriate for the specified grade.</li> </ul>
<i>Writing</i>	<ul style="list-style-type: none"> <li>▪ Writes some letters of the alphabet, a few basic words, and may attempt phrases or simple sentences, but with little or no control of standard English writing conventions.</li> </ul>

<sup>13</sup> *Lexical:* pertaining to the words or vocabulary of a language

*Phonological:* pertaining to the pattern and distribution of speech sounds in a language and the rules governing pronunciation

*Syntactic:* pertaining to the rules for the formation of phrases and sentences from words in a language

*Semantic:* pertaining to the meaning of words and symbols in a language



<p><b>Level 3:</b> A student at this performance level communicates in English and uses the language in the school context. Errors may still impede communication and comprehension; however, the overall meaning is usually retained. A limited range of lexical, syntactic, phonological, and discourse features are used, and oral and written communication, although somewhat inconsistent, is usually accurate and understandable. A student performing at this level:</p>	
<i>Speaking</i>	<ul style="list-style-type: none"> <li>Speaks using common words and phrases, and basic grammar and sentence structure, including some high-frequency academic language of the content area appropriate for a student in that grade; attempts sentences with some complex grade-appropriate language structures, with occasional errors and frequent pauses in conversation; is often intelligible.</li> </ul>
<i>Listening</i>	<ul style="list-style-type: none"> <li>Recognizes most sounds of the English language and comprehends most sentences and questions during interpersonal communication, with occasional need for clarification and repetition; comprehends some grade-level appropriate academic vocabulary, discourse, and texts read aloud.</li> </ul>
<i>Reading</i>	<ul style="list-style-type: none"> <li>Recognizes many letters of the alphabet; reads and comprehends some simple written words and phrases, often with visual or graphic support; recognizes some basic features of written English appropriate for the specified grade.</li> </ul>
<i>Writing</i>	<ul style="list-style-type: none"> <li>Writes some letters of the alphabet, a few basic words, and may attempt phrases or simple sentences, but with little or no control of standard English writing conventions.</li> </ul>
<p><b>Level 4:</b> A student at this performance level is moderately fluent in English and uses the language in the school context with few or minor errors. The student usually demonstrates control of many lexical, syntactic, phonological, and discourse features, with continued support and assistance as needed; and oral and written communication is mostly accurate and usually understandable. A student performing at this level:</p>	
<i>Speaking</i>	<ul style="list-style-type: none"> <li>Speaks with occasional errors using mostly grade-level appropriate words, phrases, sentences, and expressions, and is mostly intelligible; demonstrates general control of standard spoken English conventions, such as vocabulary and grammar.</li> </ul>
<i>Listening</i>	<ul style="list-style-type: none"> <li>Recognizes nearly all sounds of the English language and comprehends most oral communications, including most grade-level appropriate academic discourse, with infrequent need for clarification and repetition; recognizes and comprehends most grade-level appropriate vocabulary, including high-frequency academic language of the content area.</li> </ul>
<i>Reading</i>	<ul style="list-style-type: none"> <li>Recognizes a range of common written words and high-frequency academic language appropriate for the grade level; comprehends most grade-level appropriate texts with language of varying linguistic complexity, on familiar and closely related new topics across most content areas; is aware of many grade-level appropriate features of written English.</li> </ul>
<i>Writing</i>	<ul style="list-style-type: none"> <li>Writes short sentences and paragraphs, using words and phrases correctly to provide detail; demonstrates modest (adequate) control of standard English writing conventions appropriate for a student in the grade level.</li> </ul>

<p><b>Level 5:</b> A student at this performance level communicates effectively in English in the school context with few errors. The student demonstrates control of most lexical, syntactic, phonological, and discourse features, and oral and written communication is accurate and understandable. A student performing at this level:</p>	
<i>Speaking</i>	<ul style="list-style-type: none"> <li>Speaks with grade-level appropriate fluency, including academic language of the content area; generates innovative language in social and academic settings, varying speech to fit audience and intent; can sustain interpersonal interaction; demonstrates control of most standard spoken English conventions; is almost always intelligible.</li> </ul>
<i>Listening</i>	<ul style="list-style-type: none"> <li>Comprehends most extended and prolonged oral communication, including grade-level appropriate academic discourse, with little need for clarification or repetition; recognizes and comprehends most grade-level appropriate vocabulary, including high-frequency academic language of the content area.</li> </ul>
<i>Reading</i>	<ul style="list-style-type: none"> <li>Comprehends most grade-level appropriate texts with language of varying linguistic complexity on familiar and new topics across all content areas; draws conclusions and makes interpretations from text; demonstrates a beginning awareness of implied ideas; is aware of most grade-level appropriate features of written English.</li> </ul>
<i>Writing</i>	<ul style="list-style-type: none"> <li>Writes and edits texts as required of a student in the specified grade; demonstrates control of most grade-level appropriate standard English writing conventions; uses descriptive words and phrases to provide detail and fit the audience and purpose.</li> </ul>
<b>Grades 3-12</b>	
<p><b>Level 1:</b> A student at this performance level has not yet developed simple written and spoken communication in English. Errors (lexical, phonological, syntactic, semantic) consistently interfere with communication, and comprehension is mostly demonstrated either non-verbally, through a few basic words, or in a language other than English.</p>	
<i>Speaking</i>	<ul style="list-style-type: none"> <li>Speaks using a few basic words with little or no command of isolated vocabulary; responds inappropriately to most questions; is seldom intelligible.</li> </ul>
<i>Listening</i>	<ul style="list-style-type: none"> <li>Recognizes and comprehends only a few basic spoken words and sounds of the English language, with consistent need for repetition and clarification; may demonstrate minimal comprehension of simple speech either non-verbally, through a few basic words, or in a language other than English.</li> </ul>
<i>Reading</i>	<ul style="list-style-type: none"> <li>Recognizes only a few basic features of written English and reads a few simple written words with graphic or visual support.</li> </ul>
<i>Writing</i>	<ul style="list-style-type: none"> <li>Writes only a few simple words, and may attempt a few phrases or short sentences, but these are seldom recognizable.</li> </ul>

<p><b>Level 2:</b> A student at this performance level has developed simple written and spoken communication in English. Errors often interfere with basic comprehension and communication, although the meaning is sometimes retained. Limited lexical, syntactic, phonological, and discourse features of English are emerging. A student performing at this level:</p>	
<i>Speaking</i>	<ul style="list-style-type: none"> <li>Speaks using single words and a few basic phrases; gives short responses to simple questions, often using graphic, gestural, or visual support; uses basic vocabulary in the context of social interaction, with little use of grade-level appropriate academic language; word choice is often inappropriate or incorrect for the situation or context; is sometimes intelligible, but comprehensibility remains difficult.</li> </ul>
<i>Listening</i>	<ul style="list-style-type: none"> <li>Recognizes some sounds of the English language and comprehends basic spoken vocabulary, phrases, and some simple questions with frequent need for repetition and clarification.</li> </ul>
<i>Reading</i>	<ul style="list-style-type: none"> <li>Reads and understands simple written words, phrases, and some simple sentences; demonstrates an awareness of some features of written English; comprehends some simple below grade-level texts.</li> </ul>
<i>Writing</i>	<ul style="list-style-type: none"> <li>Writes one or more simple sentences with some awareness of purpose and audience; demonstrates little control of grade-appropriate standard English writing conventions.</li> </ul>
<p><b>Level 3:</b> A student at this performance level communicates in English and uses the language in the school context. Errors may still impede communication and comprehension; however, the overall meaning is usually retained. A limited range of lexical, syntactic, phonological, and discourse features of English are used, and oral and written communications, although somewhat inconsistent, are usually accurate and understandable. A student performing at this level:</p>	
<i>Speaking</i>	<ul style="list-style-type: none"> <li>Speaks using common words, phrases, and basic grammar and sentence structure, including some high-frequency academic language of the content area; attempts sentences with some complex language structures, with errors and frequent pauses in conversation; is often intelligible.</li> </ul>
<i>Listening</i>	<ul style="list-style-type: none"> <li>Recognizes most sounds of the English language and comprehends most sentences and questions during interpersonal communication, with occasional need for clarification and repetition; comprehends some grade-level appropriate academic vocabulary, discourse, and texts read aloud.</li> </ul>
<i>Reading</i>	<ul style="list-style-type: none"> <li>Reads and comprehends words and texts of limited linguistic complexity and on familiar topics; recognizes common written words and some high-frequency academic language of the content area; is aware of many features of written English.</li> </ul>
<i>Writing</i>	<ul style="list-style-type: none"> <li>Writes sentences and short, simple paragraphs with limited detail and linguistic complexity relative to what is required for a student in the specified grade; edits and revises to fit an audience; demonstrates limited control of grade-level appropriate standard English writing conventions.</li> </ul>

<p><b>Level 4:</b> A student at this performance level is nearly fluent in English and uses the language in the school context with few or minor errors. The student usually demonstrates control of many lexical, syntactic, phonological, and discourse features, with continued support and assistance as needed; and oral and written communication is mostly accurate and usually understandable. A student performing at this level:</p>	
<i>Speaking</i>	<ul style="list-style-type: none"> <li>Speaks using mostly grade-level appropriate words, phrases, sentences, and expressions, and demonstrates general control of standard spoken English conventions, such as vocabulary and grammar, with occasional errors; is mostly intelligible.</li> </ul>
<i>Listening</i>	<ul style="list-style-type: none"> <li>Recognizes nearly all sounds of the English language and comprehends most oral communications, including most grade-level appropriate academic discourse with infrequent need for clarification and repetition; recognizes and comprehends most grade-level appropriate vocabulary, including high-frequency content acad. language.</li> </ul>
<i>Reading</i>	<ul style="list-style-type: none"> <li>Reads and comprehends most grade-level appropriate texts, including main ideas and details, primarily on familiar topics across most content areas, with some assistance; recognizes and comprehends most common grade-level appropriate vocabulary and academic words; is aware of many features of written English.</li> </ul>
<i>Writing</i>	<ul style="list-style-type: none"> <li>Writes &amp; edits a variety of sentences and paragraphs using original words and phrases to provide detail to suit the audience and purpose; uses a limited range of high-frequency content area academic language; demonstrates moderate control of grade-level appropriate standard writing conventions, with some assistance required.</li> </ul>
<p><b>Level 5:</b> A student at this performance level communicates effectively in English in the school context with few errors. The student demonstrates control of lexical, syntactic, phonological, and discourse features, and oral and written communication is primarily accurate and understandable. A student performing at this level:</p>	
<i>Speaking</i>	<ul style="list-style-type: none"> <li>Speaks with grade-level appropriate fluency, including content area academic language; generates innovative language in social and academic settings, varying speech to fit audience and intent; can sustain interpersonal interactions; demonstrates control of most standard spoken English conventions; is almost always intelligible.</li> </ul>
<i>Listening</i>	<ul style="list-style-type: none"> <li>Comprehends spoken language within the context of nearly all extended and prolonged oral communication, including grade-level appropriate academic discourse, with little need for clarification or repetition; recognizes and comprehends most grade-level appropriate vocabulary, including high-frequency content academic language.</li> </ul>
<i>Reading</i>	<ul style="list-style-type: none"> <li>Comprehends most grade-level appropriate texts on familiar and new topics, with language of varied linguistic complexity across all content areas; draws conclusions and makes interpretations from text; demonstrates an understanding of abstract or implied ideas; is aware of most features of written English.</li> </ul>
<i>Writing</i>	<ul style="list-style-type: none"> <li>Writes &amp; edits expanded texts (multi-paragraph) of varying lengths, with detail and linguistic complexity comparable to other students in the same grade; accurately uses a range of content area academic language; demonstrates control of most standard English writing conventions, with only occasional assistance.</li> </ul>

## Appendix H: Glossary of Key Terms

<p><b>Assessing Comprehension and Communication in English State-to-State for English Language Learners (ACCESS for ELLs)</b></p>	<p>A secure large-scale English language proficiency assessment given to Kindergarten through 12th graders who have been identified as English language learners (ELLs). It is given annually in WIDA Consortium member states (including Massachusetts) to monitor students' progress in acquiring academic English.</p>
<p><b>English Language Learner (ELL)</b></p>	<p>A student who does not speak English or whose native language is not English, and who is not currently able to perform ordinary classroom work in English (G.L. c. 71A § 2 (d)). The federal definition adds “whose difficulties in speaking, reading, writing or understanding the English language may deny the student the ability to meet state proficiency level on state assessments...or the opportunity to participate fully in society.” (No Child Left Behind Act, Title IX, § 9101 (25)).</p> <p><i>Also known as English Learner or Limited English Proficient (LEP) student (No Child Left Behind) and English learner (G.L.c. 71A).</i></p>
<p><b>Reclassification or re-designation</b></p>	<p>The process of changing an English Language Learners' language status after he or she has demonstrated the ability to perform ordinary classroom work in English (G.L.c.71A § 4).</p>
<p><b>Rethinking Equity and Teaching for English Language Learners (RETELL)</b></p>	<p>A state-wide initiative launched by the Massachusetts Board of Education in 2012 to strengthen teaching and learning of English Language Learners in Massachusetts.</p>
<p><b>Sheltered English Immersion (SEI)</b></p>	<p>An English language acquisition process for young children in which nearly all classroom instruction is in English but with the curriculum and presentation designed for children who are learning the language.G.L.c. 71A § 1. In Massachusetts, SEI is composed of both sheltered content instruction and English as a Second Language (ESL).</p>
<p><b>Waiver Of Requirement of SEI</b></p>	<p>A waiver, applied for by a parent, that, if granted by authorized administrator, exempts a student from participation in sheltered English immersion for one of the reasons set forth G.L. c. 71, §5, in favor of another course of educational study.</p>

<p><b>WIDA English Language Development (ELD) Standards</b></p>	<p>An English language proficiency standards framework developed by the WIDA consortium and composed of five standards that represent the social, instructional, and academic language that students need to engage with peers, educators, and the curriculum in schools.</p>
<p><b>World-class Instructional Design and Assessment (WIDA)</b></p>	<p>A multi-state consortium which aims to advance academic language development and academic achievement of linguistically diverse students through high quality standards, assessments, research, and professional development for educators.</p>