

Promotion, Retention and Exiting of English Language Learners from the English Language Development Program

Background: It is the intent of the Oregon Department of Education (ODE) to support policies and practices that assist each student to attain the highest level of individual achievement possible.

To that goal, the ODE has developed guidelines for promoting, retaining, exiting English Language Learners (also known as Limited English Proficient students) from the district ELD program. The development of these guidelines included comments and in-put from Title III directors and other practitioners.

The State Board of Education in June, 2004 adopted LEP standards which describe a continuous progress in the acquisition of proficiency in the English language. The ELP standards provide a method of organizing instruction which allows each student to progress through the proficiency levels at his/her own individual rate. Instruction is presented in steps of sequential skills called proficiency levels. Students progress from one level to another when they have acquired the skills of that level. Students in the ELD instructional program shall be expected to move through the continuous achievement continuum at a rate that allows them to become proficient within a legitimate period of time, generally five years. Some students may achieve proficiency in less than five years while others may need an additional sixth or seventh year.

Research: Overall, research emphasizes early identification of ELLs who are not making expected gains in the ELD program. However, retaining an ELL student in the ELD program after the student demonstrates proficiency can be beneficial at times. Staff is encouraged to carefully evaluate the risks (both academically and socially) that may be associated with retaining a student in the ELD program. Studies show that simply retaining ELLs in the ELD program without efforts at prevention and special assistance is especially risky. Some studies show that students who are retained in the program and who are not provided appropriate interventions, may develop emotional or behavioral problems, and may be at greater risk of dropping out.

Promoting ELLs before the student has achieved the highest level of proficiency, Advanced - level 5, on the State proficiency assessment, ELPA, also requires special considerations. Members of a school level team are convened to consider students for promotion out of the ELD program. The team is encouraged to consider factors that indicate the student has already demonstrated that s/he can benefit from instruction in the regular education program, without assistance from the ELD program.

For either retention or promotion, provisions need to be made to gauge student growth more than once a year and for local educators to use multiple sources of evidence in making those decisions.

Research suggests a number of complementary strategies schools may employ to facilitate students' achievement in English language proficiency at the expected rate, as outlined above.

Developing clear and rigorous standards for grades K-12: Uniform standards define expectations for successful acquisition of the English language and provide an external check on the teaching and learning process. They give educators a reliable and consistent basis for decisions about student progress. Having a clearly defined set of standards helps teachers concentrate on instruction, makes clear to students and parents proficiency level expectations, and ensures that students progress to the next proficiency level. Most states currently have standards in place for students in grades K-12. Studies of high-achieving schools serving ELLs revealed that integrating learning standards with demanding coursework and high expectations led to a marked improvement in student performance (U.S. Department of Education, 1999). Integrating LEP standards into the ELD curriculum is the first step for schools working to create high-achieving learning environments for their students (Pattison & Berkas, 2000; U.S. Department of Education, 1999).

Using multiple assessments:

The primary aim of assessment is to foster worthwhile learning for all students (Porter, 1995) by guiding classroom instruction - Assessments provide detailed information about students' academic progress, including what they know, what they can do, how they learn, and where they are having problems. These can ensure children's instructional needs are met. McCollum et al., (1999) recommend the use of performance assessments and informal assessment tools (such as rubrics, checklists, and anecdotal records that are positive in tone). They emphasize "what a child can do and his or her achievements, as opposed to what he or she cannot do," to guide instruction and better inform teaching, (American Association of School Administrators, 1992, p. 2). Such assessments provide information about the way children think, what they understand, and the strategies they use in their learning (Darling-Hammond, 1998). Many educators feel that performance-based assessments best reflect new educational standards and methods of instruction (Porter, 1995) and are promising for ensuring equity with assessment. To be truly effective, alternative, performance-based assessments (projects, analysis of student work) should be continuous throughout the school year. Student assessments must be ongoing and feed into daily decisions that teachers make regarding appropriate instruction and student assistance (American Federation of Teachers, 1997). Portfolios are essentially different from other forms of assessment in that they make it possible to document the unfolding process of teaching and learning over time (Wolfe, 1991). They are dynamic ongoing assessment that aids in stimulating thinking and promoting student independence. Implementation of such authentic assessments allows parents, teachers, administrators, students, and other stakeholders to be provided with directly observable products and understandable evidence concerning student performance (Widgeons, 1990). A portfolio must be more than just a collection of test results, journal entries, homework, graphs of student performance, or the products of student activities. It must be systematic, organized evidence which is used by the teacher and the student to measure progress on gaining English language proficiency, linguistic skills and attitudes (Varvus, 1990).

Ensuring that teachers have necessary skills: Effective ELD teachers understand the content they are teaching, engage students in learning, and challenge them to greater accomplishments. Neither an articulated curriculum nor sound assessments can help students achieve if they do not have competent teachers to support their learning, and this is especially true in language acquisition. Effective teachers employ several learning methodology to create active learning environments that reflect a shift in the relationships among teachers, students, and linguistic knowledge. Active environments require collaboration and communication, and encourage more analysis, synthesis, and evaluation of information than do traditional classrooms (North Central Regional Educational Laboratory, 2000). Active learning

environments require students to take responsibility for their own learning and develop strategies for learning. (Costello, 1996).

High quality professional development: is intricately linked to improved teaching and learning. Studies conducted by Ronald Ferguson revealed that "every dollar spent on more highly qualified teachers netted greater increases in student achievement than did less instructionally focused uses of school resources" (Darling-Hammond, 1997, p. 8). In addition, reviews of more than 200 studies make it clear that teacher education is critical and more appears to be better than less (Darling-Hammond, 1997). Current information gathered from numerous recent studies also indicates that professional development proved more effective when it involved teachers working with colleagues on integrating standards and revising curriculum, working with diverse populations, and changing forms of student assessment (Cook & Fine, 1997; Darling-Hammond, 1997). Darling-Hammond (1997) recommends organizing teacher professional development around standards for students and teachers, creating and funding mentoring programs for beginning teachers, allocating state and local spending to support high-quality professional development, and embedding professional development in the daily work of teachers through joint planning, study groups, peer coaching, and research.

Expand Learning Options: Not all children learn in the same way, or in the same time. By offering more routes to the standards, educators enable more children to reach them. Examples of expanded learning options include: one-on-one tutoring outside the ELD class, before, after school or summer supplementary programs, and computer-assisted English language development programs.

Criteria for Promotion, Retention, Exiting the ELD Program

The role of the school:

The school establishes a school level team to review each of the following three categories of ELLs.

Exiting

1. Generally, students are exited from the ELD program when:
 - a. they score at the Advanced level, 5 on ELPA;
 - b. they demonstrate a continuous progression in achieving English language proficiency as measured by ELPA: Beginning, level 1, at the end of their first year; Early Intermediate, level 2, at the end of the second year; Intermediate, level 3, at the end of their 3rd year; Early Advanced level 4, at the end of their fourth year; and Advanced, level 5, at the end of their fifth year in the district's ELD program.

Notation: Students exiting the ELD program

- a. are reported on the Spring LEP collection as category 1C - Exiting;
- b. if exited at the end of the school year, the exit date may be the last day of school;
- c. if exited in the fall, the exit date will be the last day of the semester.

Promotion

2. Some students may demonstrate at the Early Advanced, level 4, they have gained English language proficiency allowing them to benefit from participation in the regular education program without assistance from the ELD program. Upon the ELD teacher's recommendation, the school level team is convened to consider students for promotion out of the ELD program. The team is then encouraged to consider factors that support the recommendation. These may include:
 - a. Data from multiple assessments - Assessments that provide detailed information about students' progress in acquiring English language proficiency such as:
 - (1) Performance assessments,
 - (2) Informal assessments such as rubrics, checklists, etc. (that emphasize linguistic abilities of the student rather than core content knowledge), and anecdotal records that are positive in tone, and
 - (3) Portfolio assessments - that meet current research and best practices.
 - b. Narrative written by the school team includes:
 - (1) A description of the student's performance on the state proficiency assessment,
 - (2) The length of time the student has been in the ELD program,
 - (3) The reason/s for promoting the student out of the ELD program based on the student's linguistic performance, and
 - (4) A description of intervention strategies in which the student participated.

- c. Parents are notified in writing and a conference is scheduled and held with parents to inform them of the recommendation to promote the student out of the ELD program and the evidence that supports the recommendation. Parent in-put is a factor in the decision to promote students out of the ELD program.
- d. Students may be promoted at any time during the school year, provided the school team has the necessary documentation, including parent agreement. Students:
 - (1) Are entered in the LEP Spring collection of the current academic year as category C - Exited.
 - (2) Are required to take the ELPA during the district's testing window.
 - (3) Would not be required to re-enter the program if ELPA score is below a 5, given the documentation collected by the School Level Team supports the decision for promotion to the regular education program.
 - (4) May remain in their current schedule until the end of the semester to avoid fracturing the student's schedule and risk loss of academic credit at the high school level.

State funding will continue until the end of the semester when the student is no longer receiving assistance from the ELD program and is fully enrolled in the regular education program.

Retention

- 3. Some students may demonstrate a need for continuing services in the ELD program after scoring at the Advanced, level 5 on ELPA. Upon the ELD teacher's recommendation the school level team is convened to consider students for retention in the ELD program. The team is encouraged to consider factors that support the retention recommendation. These may include:
 - a. Data from multiple assessments - Assessments that provide detailed information about students' progress in acquiring English language proficiency and the skills not yet learned. Assessments may include:
 - (1) Performance assessments;and
 - (2) Informal assessment such as rubrics, checklists, (that emphasize linguistic abilities of the student rather than core content knowledge), and anecdotal records that are positive in tone highlighting what the student is able to do and what s/he still needs to learn.
 - b. Narrative written by the school level team includes:
 - (1) a description of the student's performance on the state proficiency assessment over time;
 - (2) the length of time the student has been in an ELD program;
 - (3) the documented reason/s for keeping the student in the program based on the student's linguistic needs;
 - (4) a description of intervention strategies recommended by the school level team to be implemented the year following the retention in the ELD program - that will ensure

rapid success in transitioning to the regular education program without assistance from the ELD program; and

- (5) Placement level in the ELD program in the academic year following the retention,
 - (6) A description of the mediation of other factors that may be directly affecting the student's need for retention in the program, such as:
 - (a) Lack of credible documentation that details student's lack of progress in acquiring the English language,
 - (b) Miss-assigned teacher or long-term substitute with minimum knowledge of the content to be taught,
 - (c) Absence of articulated curriculum or adequate instructional materials,
 - (d) Absence of intervention strategies or expanding learning options that target specific needs.
- c. Parents are notified in writing and a conference is scheduled and held with parents to inform them of the recommendation to retain the student in the ELD program and the evidence that supports the recommendation. This conference is held prior to making the final decision. Parents' in-put is a factor in the decision to retain students in the ELD program. Parents have the right to refuse services in the ELD program and they should be so informed in the retention notification. Copy of this notification is kept in the student's cumulative file.
 - d. Records for students retained in the ELD program are entered in the Spring LEP collection as category 1B - Continuing ELP student.
 - e. Students are required to take the ELPA during the district's testing window.
 - f. State funding will continue for students who are retained in the ELD program only if students are enrolled in the district's ELD program.

The role of the ODE:

In partnering with LEA's, the ODE seeks to support and work with districts striving to meet AMAO goals. Currently, the agency supports districts by reviewing and revising ELD standards, providing supporting materials and research, and disseminating information to the field. Among the ODE's routine responsibilities is to monitor district compliance with state and federal law; these opportunities are also used to provide technical assistance to the field.

The ODE recognizes the policy outlined in this document is new and different, and will collect evidence from school districts about its implementation. Likewise, the ODE and districts will work in partnership to ensure these guidelines benefit all ELL students, and that they continue to review current research as it pertains to the practices expressed herein.