

# Language Instruction Education Programs (LIEPs)



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# I. Introduction

## Legal Requirements

There are a number of federal requirements that place obligations on Local Education Agencies (LEAs) and regulate LEA efforts as they support student's progress towards English language proficiency. These requirements, however, are not contained in a single piece of legislation or law code; they are to be found in Civil Rights legislation, education law, and in a number of legal precedents. Title VI of the Civil Rights Act of 1964 prohibits discrimination based on race, color, or national origin. In May 1970 the U.S. Department of Education issued a memorandum clarifying the Office of Civil Rights' policy on Title VI. This memorandum, upheld by the U.S. Supreme Court in *Lau v. Nichols*, established the LEA responsibility to provide equal educational opportunity to language minority students. This principle was articulated in two successive memoranda: "The Office of Civil Rights' Title VI Language Minority Compliance Procedures" (1985), and "Policy Update on Schools' Obligations Toward National Origin Minority Students with Limited-English Proficiency (LEP)" (1991).

In 1981, the case of *Castañeda v. Pickard* (U.S. Court of Appeals for the Fifth Circuit) established criteria for evaluating whether English language development programs meet the requirements of the Equal Educational Opportunities Act of 1974. Further requirements are found in Titles I and III of the Elementary and Secondary Education Act (1965) as updated by the Every Student Succeeds Act (2015).

In brief, the basic requirements established in Civil Rights legislation, education law and U.S. Department of Education guidance are:

- English learners must be identified and assessed in a timely manner.
- The LEA is required to implement a research-based language instruction education program (LIEP).
- The language program must be staffed by personnel that is sufficiently trained to meet student needs.
- All students must have equal opportunities to meaningfully participate in all school activities without unnecessary segregation.
- The LEA must meet the language needs of English learners also classified under 504/IDEA.
- The LEA must address the language needs of English learners who opt out of services.
- The LEA must monitor the progress of English learners both in the English language development program, but also after exiting services.
- The LEA must evaluate the effectiveness of its language program.
- The LEA must make a reasonable effort to communicate in a meaningful manner with the parents of English learners.



## Identifying English Learners (ELs)

The first step in helping your district or school's students on their path towards English language proficiency is to identify those students in need of support. This process is heavily informed by state and federal regulations. First of all, federal law states that English learners are to be identified in a timely and reliable manner. In Oklahoma, that is interpreted to mean that the identification process must take place within thirty (30) calendar days of the start of school for students enrolling at the beginning of the school year or within thirty (30) days of enrollment for students who arrive within the first thirty days of school. For students enrolling after that initial window, identification must take place within two weeks of enrollment. The identification process consists of three steps, beginning with the Home Language Survey, followed by the administration of a screener assessment, and finally an individualized English Language Academic Plan, or ELAP.

The identification process begins with the Home Language Survey (available in both English and Spanish on the Oklahoma State Department of Education website [here](#)). This form was modified during the 2021-2022 school year, but any Home Language Survey form completed in the 2016-2017 school year or later is considered valid and can "follow" the student throughout their academic career as long as that student remains in the Local Education Agency (LEA – school district or charter school) where the survey was completed. Students are, however, required to complete a new survey if they move to a new LEA or return to an LEA after an absence of more than one year. Completed surveys are to be stored in the student's cumulative folder or be accessible in digital format. The LEA must have a completed Home Language Survey on file or accessible in digital format for every student.

The screenshot shows the 'HOME LANGUAGE SURVEY' form. At the top, it says 'SCHOOL YEAR: [dropdown] HOME LANGUAGE SURVEY' with the Oklahoma State Department of Education logo. Below is a blue header 'STUDENT INFORMATION'. The form includes fields for Student Name (Last, First, Middle), Grade, Date of Birth (MM/DD/YYYY), School, Student ID#, Gender (Male/Female), and a question about Hispanic or Latino culture. It also lists several race categories with checkboxes. A section titled 'The purpose of the following questions is to help determine if a student's exposure to a language other than English may make them eligible to receive additional English Learner (EL) supports.' contains six numbered questions with dropdown menus for answers. The form ends with fields for Date (MM/DD/YYYY) and Parent or Guardian Signature.

In the upper portion of the Home Language Survey there are three questions pertaining to language spoken by the student or in the student's home:

- (1) What is the dominant language most often spoken by the student?
- (2) What is the language routinely spoken in the home, regardless of the language spoken by the student?
- (3) What language was first learned by the student?

If a student or the student's guardian answers *any* of these three questions with a language other than English, then the student should be given a grade-appropriate screener assessment to determine whether or not the student is identified as an English learner. The responses on the Home Language Survey *do not determine* the student's status. The responses only flag which students are to be screened.



The second step in the identification process is the administration of a grade-appropriate screener assessment. Students entering Pre-K rarely possess literacy skills to assess, so they are to be administered a “placeholder” test, the Pre-K Screening Tool (PKST) developed by the Oklahoma State Department of Education. This is a ten-question oral language screener and can be found on the OSDE website [here](#). Students in all other grades take an assessment developed by the WIDA consortium, of which Oklahoma is a member. When screening the youngest children, there are some special rules that apply.

Students entering the first semester of kindergarten (from initial enrollment through December 31 of the student’s kindergarten year) should only be administered the listening and speaking domains of the WIDA Screener for Kindergarten. For these students to be considered proficient, the student must obtain a result of 5. Students with a screener result of 4.5 or below are identified as English learners. When administering the WIDA Screener for Kindergarten to students preceding their initial enrollment in kindergarten, the earliest recommended testing window is from mid-April to June.

Students in the second semester of kindergarten (January 1 or later of the kindergarten year), or the first semester of first grade are to be administered all four domains of the WIDA Screener for Kindergarten or Kindergarten MODEL. In order to be considered proficient, the student must participate in all four domains and obtain a result of 5 on the WIDA Screener for Kindergarten or a 4.8 on the Kindergarten MODEL. Students with lower results are identified as English learners.

Students in the second semester of first grade through the twelfth grade should be given the WIDA Screener appropriate to the student’s grade level. The WIDA Screeners are designed for “grade level clusters,” grouping together grades 2-3, 4-5, 6-8, and 9-12. Students in the first semester of the first grade in the cluster should be given the prior grade level cluster’s placement test. For example, a student in the first semester of fourth grade should be given the WIDA Screener for the 2-3 cluster. This is because a student who has just begun a particular grade has not yet acquired the language skills associated with that grade.

## **The English Language Academic Plan (ELAP)**

The English Language Academic Plan is designed to convey key information both to an identified English learner’s parents and to the student’s teachers. Much like an Individualized Education Plan (IEP), ELAPs should be developed by certified staff. The current ELAP form is available on the OSDE website [here](#). The LEA must complete an ELAP for each identified English learner. The ELAP can follow the student for the entire year but should be updated each year to reflect the most recent testing data and updated goals.

In conjunction with a completed parental notification letter, the ELAP fulfills the district reporting requirements for identified English learners outlined in Title I of Every Student Succeeds Act (ESSA). This information includes the reasons for the child’s identification as an English learner and the need for placement in a language instruction program; the



level of the child’s English language proficiency and how that level was assessed; how the program will help the child learn English and meet age-appropriate academic achievement standards; and finally, the exit requirements for the program, the expected rate of transition out of the program, and the expected graduation rate for the child’s cohort in the program. In the case of a child with a disability, the ELAP will also detail how the language program will meet the objectives of the child’s IEP, as described in section 614(d) of the Individuals with Disabilities Education Act.

Among the sections of the ELAP form, there is a section establishing the English language development goals for the year, broken down into the four language domains of listening, speaking, reading, and writing. The goals in this section should be based on the WIDA “Can do” descriptors specific to the student’s level of English language proficiency. These descriptors and an explanation of their uses can be found on the WIDA website [here](#). The ELAP also contains sections where any classroom or assessment accommodations are to be listed.

The completed ELAP is to be shared with parents and the LEA must make a reasonable effort to ensure that parents understand their child’s educational status and the relevant services provided by the LEA. To this end, OSDE has created an “Understanding the ELAP” document available in both English and Spanish on the OSDE website [here](#).

Finally, on the last page of the ELAP form there is a space where parents can sign to opt their children out of supplemental services. Note that this only regards supplemental services; opting out does not change the student’s status as an English learner, nor does it exempt the student from English language proficiency assessments.

## Indicating Instructional Strategies in the LEA’s Student Information System (SIS)

Beginning with the 2023-2024 school year, LEAs are required to indicate the Instructional Strategy chosen to address the language needs of each English learner, as indicated on the **ELAP**. The Instructional Strategy options available in student information systems correspond to those listed on the **ELAP template**, the **LIEP template** and the end-of-year **Language Instruction for English learners and Immigrant Students Annual Performance Report** on Single Sign-On. Student information systems are usually provided by a vendor contracting with the LEA and, therefore, the wording in each student information system may be slightly different. Nevertheless, SIS communicates with the state-operated student database known as the WAVE. The WAVE codes corresponding to these instructional strategies are listed below:





WAVE Code	Instructional Strategy
S1	Transitional Bilingual
S2	Dual Language or Two-Way Immersion
S3	English as a Second Language or English Language Development
S4	Content Classes with Integrated ESL Support
S5	Newcomer Programs
S6	Other

## II. The Language Instruction Educational Program (LIEP)

### Types of Programs

The Language Instruction Educational Program, or LIEP, is the district-level plan for supporting students who qualify as English Learners. Beginning in the 2022-2023 school year, in end-of-year reporting districts must identify the primary intervention strategy or strategies in place as well as the type of program supporting each individual student.

When choosing an appropriate LIEP, the district must consider each English Learner's proficiency level, grade level, educational background, and language background. While the resources available to the LEA, will be a consideration, all LEAs must provide the necessary supports for ELs to reach English language proficiency. LIEPs, therefore, must be designed and calculated to ensure that ELs attain both English proficiency and are able to participate in mainstream content classes within a reasonable length of time. While LIEPs may require that ELs receive separate instruction for a limited period of time, OSDE expects LEAs to limit unnecessary segregation of ELs to a minimum. Therefore, ELs should always be placed in mainstream classes in subjects such as physical education, art and music, as well as lunch, recess, assemblies and extracurricular activities. It is imperative that LEAs comply with all civil rights requirements.

The principal strategies recognized by the state of Oklahoma are:

#### A. Transitional Bilingual

Students are taught core content and language fluency in their native language for varying periods of the day with the remainder of time focused on English language acquisition. The goal is to transition students to native English instruction within two to five years with no loss of content instruction. Classes may be self-contained or combined. Unlike Dual Language programs (described below), Transitional Bilingual programs are considered subtractive; native language instruction is gradually phased out of content as a student's English language proficiency increases and a student is eventually promoted out of the Transitional Bilingual program.



### When **Transitional Bilingual** Programs are Appropriate:

Transitional Bilingual programs are particularly well suited for the secondary level among students that have already acquired significant content knowledge in their native language. These programs also offer a degree of flexibility appropriate for working with more transient student populations – students who may move in and out of the school district during a school year, or over the course of a year or two. Students exiting Transitional Bilingual programs may transition to Dual Language programs, English as a Second Language / English Language Development programs, or, exceptionally, to programs centered around Content Classes with Integrated ESL Support.

### Essential Features of an Effective **Transitional Bilingual** Program:

Transitional Bilingual programs are designed to respond flexibly to students who are fluent in their home language, but who are at differing levels of English proficiency. Typically, initial content and literacy instruction will take place in the students' home language, combined with systematic ESL instruction. Teachers will leverage students' home language literacy skills in order to support language and literacy development in English and grade-level-appropriate content learning.

Key features include:

1. Clear articulation of the role and use of students' home language together with English to support language and literacy development and mastery of grade-level content;
2. As students are learning English, engagement in age-appropriate learning tasks in their home language that are cognitively challenging and encourage critical thinking;
3. To the greatest extent possible, integration of Transitional Bilingual students in the life of the school;
4. High academic expectations for all students.

### Advantages:

Skills learned in the native language can subsequently be transferred easily to a second language. Transitional Bilingual programs ensure that students master educational content in their home language and assist them in becoming proficient in English, thus allowing the transfer of skills to an all-English learning environment.

Transitional Bilingual programs can start or end at any grade level. They have the flexibility to support more transient populations, since program design allows students to enter at any time and exit at any time according to individual performance.

The greater use of the home language allows for increased parent participation in supporting the child's learning. In studies, students who received the strongest





opportunity to develop their home language skills showed a growth in their English reading skills that was greater than that of the norming population.<sup>1</sup>

#### Disadvantages:

Transitional Bilingual programs require that all students grouped together speak the same home language and have attained literacy in that language.

Many LEAs in Oklahoma lack the critical number of English learners who speak the same language to make such programs viable.

#### Foundational Practices:

Administrators, teachers, and staff in the Transitional Bilingual program should understand and support the mission and goals of the program. All program personnel should understand the rationale behind transitional bilingual education and be able to implement the chosen program model faithfully. Personnel and support staff should also demonstrate socio-cultural competence. Programs should be made up of diverse teams of linguistically and culturally aware educators who can support and learn from each other as they negotiate the similarities and differences across instruction in two languages and cultures.

A strong commitment at the **district level** is essential for the success of the program. OSDE strongly recommends the following practices to support Transitional Bilingual programs:

- carefully review demographic data to consider trends in linguistic populations;
- provide assessments and assessment instruments to assess students in both languages whenever possible;
- allocate appropriate and equitable funding for teacher hiring, training and retention, as well as for curriculum, classroom materials, program planning, and parent/family engagement;
- provide training related to socio-cultural competence;
- ensure that the needs of the Transitional Bilingual program are met equitably across all district departments and offices (student services, curriculum, professional development, human resources);
- provide ongoing professional development specifically designed for Transitional Bilingual administrators, teachers, and staff;

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<sup>1</sup> Ramirez, Yuen and Ramey, *Final Report: Longitudinal Study of Structured English Immersion Strategy, Early-Exit and Late-Exit Transitional Bilingual Education Programs for Language-Minority Children: Executive Summary* (San Mateo, CA: Aguirre international, 1991).





- establish a user-friendly information center for parents, including trained bilingual/multicultural staff who can meet with parents to explain the program and parent options;
- provide written materials explaining the features of the program available to parents in all relevant languages.

At the **school site level**, it is important to have culturally and linguistically knowledgeable school leaders. The program coordinator, instructional coaches, and teacher leaders should have knowledge of second language development as well as bilingual education theory and research. They should also have the ability to navigate cross-cultural differences and intergroup experiences, the awareness of how to build equity across languages, and familiarity with instructional methodologies and effective classroom practices in a Transitional Bilingual setting.

**The following chart is a breakdown example of instructional time in both languages for students whose home language is Spanish:**

Instructional Time			
Grade Level	Spanish	English	Daily English
Kindergarten	90%	10%	45 minutes
First Grade	50%*	50%*	3 ½ hours
Second Grade	10%*	90%*	6 hours
*Reflects percentage at the END of the academic school year.			

## B. Dual Language or Two-way Immersion

Students are taught content and language fluency in two languages. The goal is fluency in two languages, and programs can last the duration of enrollment.

### When Dual Language or Two-way Immersion Programs are Appropriate:

Dual Language or Two-way Immersion programs can be effective for students at differing levels of proficiency in English and in the second language of instruction. These programs will typically include roughly equal numbers of students whose primary language is English and students whose primary language is the partner language. There may be some students who are already proficient in both languages. At least one third of students in the program should be proficient in English at the outset of the program, and one third proficient in the partner language.



## Essential Features of an Effective **Dual Language or Two-way Immersion** Program:

Dual Language or Two-way Immersion programs are designed to allow students to master academic content and to become bilingual, biliterate, and culturally competent. While there is a great deal of flexibility on how such programs can be designed and implemented, the key features should include:

1. Structuring daily instructional time so that roughly 50% takes place in English and 50% in the partner language;
2. Ensuring regular, intentional, and planned activities that allow students to integrate language skills/practice with content instruction;
3. Maintaining high academic expectations for all participants;
4. Students entering the program as early as possible (kindergarten or even PreK) and continuing in the program at least through elementary school.

### Advantages:

The primary advantage of **Dual Language or Two-way Immersion** programs is the development of bilingualism and biliteracy. Reaching proficiency in both English and the partner language enhances cognitive abilities, communication skills, and ultimately future career prospects.

These programs tend to foster a heightened degree of cultural awareness and appreciation through immersion in the language and traditions associated with the partner language. Through exposure to culturally diverse experiences students develop a greater awareness of the variety of human experience and a heightened social perspective.

Research suggests that bilingualism improves cognitive skills, such as problem-solving, critical thinking, and creativity. Dual-language immersion encourages students to switch between languages, which enhances cognitive flexibility and strengthens executive functions.

Improved cognitive skills in turn often translate into improved academic achievement.

### Foundational Practices:

While the research is clear that quality Dual Language or Two-way Immersion programs enhance student outcomes, choosing to implement the model is only the first step. Effective programs share three features necessary for the creation of a successful, sustainable program:

1. Shared leadership;
2. Collaboration;
3. High levels of community engagement.



Given the complexities of the dual language instructional cycle, the workload of designing, delivering instruction and assessing program success and sustainability is best addressed by a collaborative team.

Since one of the main goals of such programs is the creation of enhanced cultural awareness and a heightened sense of perspective through multiculturalism, community and family engagement are paramount. Effective program leadership must engage with the community and seek community input in order to articulate clear, shared goals.

Instructional time is usually divided evenly between English and the partner language. In other words, content instruction and literacy instruction occur in both languages. The most common approach is to provide instruction in one language in the morning and in the other during the afternoon. This approach is often combined with the use of partner teachers, one teacher for each language. In this case, content is usually divided as well. For example, math would be taught in one language by one teacher, while science would be taught in the other language by the other teacher.

Dual language programs should utilize high-quality, rigorous curriculum and instructional materials in both English and the partner language. Curriculum should consider students' cultural and linguistic background and embed language development throughout lessons. Academic coursework should align with both the Oklahoma Academic Standards and the WIDA ELD Standards Framework. For the partner language should align with partner language standards such as the WIDA Spanish Language Development Standards. District and site administrators, teachers, paraprofessionals, interventionists, and instructional coaches should establish clear content and language goals across grade levels and ensure alignment with the standards. The same staff should collaborate on developing curriculum maps that are sensitive to the students' bilingual development, as well as the tools for curriculum and program effectiveness.

### C. English as a Second Language (ESL) or English Language Development (ELD)

Students are provided supplemental individual or small-group instruction outside the general education classroom (e.g., "pull-out" or ESL classes) with no native language support in either setting. Supplemental instruction can target both language fluency and core content. The goal is to increase student success in mainstream, non-ESL supported general education classes which ELs should transition to in a reasonable amount of time.

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#### When English as a Second Language or English Language Development Programs are Appropriate:

English as a Second Language or English Language Development programs based on a “pull-out” model where English language instruction takes place in a setting removed from the regular classroom offer a degree of flexibility that makes them particularly appropriate in schools and districts where a variety of languages are represented and where students enter the school system with varying degrees of English language proficiency.

#### Essential Features of an Effective **English as a Second Language** Program:

The primary goal of **ESL/ELD** programs is to develop the student’s English language skills as rapidly as possible to a point where the student can function in the mainstream classroom with minimal support. Students are “pulled out” of mainstream classes, avoiding interruptions of core content classes, for individualized or group lessons taught in English and focusing on language instruction. When students are grouped together, they should be grouped by level of English language proficiency. ESL specialists teach specific language skills and can address specific language gaps.

#### Advantages:

The advantages of “pull-out” **ESL/ELD** programs include the ability to customize instruction, to provide an intensive focus on language, and to build student confidence.

In these programs students can receive specialized instruction tailored to the needs of the individual student in one-on-one lessons, or to common needs in small groups of learners.

Since “pull-out” lessons are dedicated to language acquisition only, and not to academic content, focus is placed exclusively on developing English language proficiency. This focused approach accelerates English language acquisition, especially in the areas of grammar and fluency, building student confidence in all-English settings. Engaging in language activities in a “safe space,” away from their mainstream peers can have a positive impact on the English learner’s overall academic performance.

“Pull-out” programs often group students from diverse linguistic and cultural backgrounds, providing students with an opportunity to connect with peers who share similar experiences. This can lead to a sense of community among learners. Teachers can also incorporate culturally relevant materials and activities, fostering a sense of pride in the students’ heritage languages and cultures.



### Disadvantages:

The primary disadvantage of this model of language instruction is that students are separated from their peers, which leads to reduced instructional time in content classes and may in some instances be perceived as stigmatizing. Scheduling “pull-out” ESL lessons, avoiding pulling students out of core content classes, and scheduling conflicts for teachers can be challenging.

### Foundational Practices:

It is essential that the LEA establish a clear vision for its **English as a Second Language / English Language Development** program and that this vision articulates how the program will support student needs and how it parallels the other elements in the student’s education. The areas of responsibility and collaboration of ESL teachers and academic content teachers should be clearly delineated. OSDE strongly recommends that personnel teaching in the English as a Second Language program be ESL certified.

In establishing times for individual or group lessons, dedicated times must not interfere with core content instruction. Students should be grouped by level of English language proficiency, grade level, strengths, previous literacy and school experiences, and needs.

When choosing curricular materials, select materials that align with the WIDA ELD Standards Framework and that capitalize on students’ full range of language ability (both in English and their first language). Curricular materials should also provide a positive representation of students’ racial/ethnic, linguistic, and cultural backgrounds.

Finally, it is essential that the LEA designate spaces that are conducive to learning.





Learning Environment		
<p><b>Physical Space</b></p> <ul style="list-style-type: none"> <li>• Clean, safe, well-lit, organized</li> <li>• Includes sufficient equipment and resources to support small group instruction</li> <li>• sufficient to accommodate the learning community (teacher and students).</li> </ul>	<p><b>Supports</b></p> <ul style="list-style-type: none"> <li>• Clear, scaffolded/supported presentation of learning routines and behavioral expectations</li> <li>• Handouts and resources to support positive discourse, high expectations for achievement, and promotion of social awareness and relationship management</li> </ul>	<p><b>Sustaining Environment</b></p> <ul style="list-style-type: none"> <li>• Instructional materials that are culturally relevant and representative of students' backgrounds, depicting students' cultures in a balanced way, connected to student experiences, etc.</li> <li>• Books and media available in both English and students' native languages</li> <li>• "Word rich" environment</li> </ul>

#### D. Content Classes with Integrated ESL Support

Students are provided core content instruction with no native language support in mainstream classes utilizing integrated ESL strategies (e.g., teachers trained in ESL methods, use of EL paraprofessionals, etc.) The goal is to provide appropriate EL supports in the general education classroom to the level appropriate for student success.

When Content Classes with Integrated ESL Support are Appropriate:

For many LEAs in the state **Content Classes with Integrated ESL Support** will be the default choice of instructional strategy for English learners. This approach is the most efficient in terms of allocation of teaching resources and student learning time. It is therefore a viable option for working within strict budget limitations. This approach does require, however, that students already possess functional English language skills in order to meaningfully access content instruction.



## Essential Features of Content Classes with Integrated ESL Support:

English learners attend mainstream, core content classes where they engage in the authentic language of the classroom. The needs of the English learners are met through a variety of supports provided by the classroom teacher ranging from pre-teaching vocabulary, “scaffolding,” the use of visual aids, graphic organizers, and cooperative learning activities. Some activities, such as oral presentations and/or written assignments, may be tailored to the students’ abilities or to reenforce emerging linguistic abilities.

Students may also receive “push-in” support from supplemental teachers or paraprofessionals with ESL training, or in some cases from bilingual paraprofessionals.

### Advantages:

Integrating language support in content classes gives English learners the opportunity to learn academic language and content simultaneously. This fosters language acquisition in an authentic context, providing learners with opportunities to practice language skills while engaging with content curriculum. In turn, this promotes language development across various domains: listening, speaking, reading, and writing.

Integrating language instruction with content classes enables English learners to access the same curriculum as their peers, thus avoiding segregation into separate language-focused classes. This helps to prevent English learners from feeling isolated from their classmates.

When English learners are immersed in content classes alongside their peers, they are more likely to be actively engaged in authentic learning experiences ranging from group projects to discussions and collaborative activities. This inclusive environment fosters positive relationships among students in an environment that is conducive to academic achievement.

### Disadvantages:

Implementing content classes with integrated ESL support requires well-trained teachers who possess both content knowledge and expertise in second language acquisition. Teachers must be skilled at differentiating instruction, adapting materials, and employing effective ESL strategies. This may require extensive professional development.

English learners in a content class may present varying levels of English language proficiency, making it challenging for teachers to cater to the diverse needs of all students.





Integrating ESL support within content classes requires additional instructional time to address language development alongside content objectives. This can potentially reduce the amount of time dedicated to content topics.

#### Foundational Practices:

Content teachers in this type of LIEP must be familiar with basic principles of second language acquisition and should be familiar with the English language proficiency goals established in the WIDA standards.

Clearly, teachers must provide comprehensible input for all learners. Working with English learners this will entail “scaffolding” when speaking to the class – providing cues to meaning, such as illustrations or graphics – and avoiding colloquial or idiomatic expressions.

The classroom should be a language-rich environment with such features as word walls, labels, and access to books and reference materials. When introducing new material, the teacher explicitly pre-teaches new vocabulary and language features that will appear in the material being introduced.

Speaking and writing exercises are constructed in such a way as to allow English learners to participate fully, but also to participate at an accessible level that will also foster language development. Some examples of this would be extensive use of sentence stems and frames, low-stakes writing assignments, and/or differentiated oral and written assignments.

Dedicated ESL teachers or paraprofessionals may provide additional in-class support to English learners.

#### E. Newcomer Programs

Students new to the U.S. are placed in classes that primarily emphasize English language acquisition. Instruction can be in English or can utilize a student’s native language. The goal is to move the student toward English language proficiency as quickly as possible. For extensive OSDE guidance on Newcomer Programs, click [here](#).

#### When **Newcomer** Programs are Appropriate:

Newcomer programs are designed to support English learners who have recently arrived in the U.S. and have little or no experience of the American education system. These programs target instruction and support to help English learners acquire a degree of English language proficiency that will allow them to be integrated into mainstream content classes. Some core content material may be taught in the students’ primary language. In such cases, newcomer programs are most effective when the students involved share a primary language.

Newcomer programs can be effective at targeting foundational literacy and numeracy skills for students with little formal education, bridging academic gaps.



## Essential Features of an Effective Newcomer Program:

Classes consist only of newcomer English learners. Students are evaluated not only on their language needs, but also to determine levels of numeracy and literacy in the student's primary language. Instruction targets English language proficiency, and core content material, usually in the student's primary language, in order to address any learning gaps.

Newcomer programs will often use specialized curricula and teaching strategies that are tailored to the specific needs of English learners in order to establish a strong foundation for English language acquisition.

Students typically participate in newcomer programs for one to two years before transitioning to a traditional LIEP.

## Advantages:

Newcomer programs provide a supportive environment that promotes cultural and social integration. They create opportunities for ELs to interact with peers who share similar experiences, fostering a sense of community.

Newcomer programs typically have small class sizes, enabling teachers to provide more individualized instruction to each student. This allows educators to target specific language needs and academic gaps, tailoring lessons to students' abilities and learning styles.

Newcomer programs help ease the transition into the American education system and into a mainstream education setting. They provide guidance and resources to English learners and their families, including information about school policies, procedures, and community resources, facilitating seamless integration into the school community.

## Disadvantages:

While newcomer programs provide support, they also isolate English learners from their non-EL peers. Segregation limits opportunities to interact with native English speakers and to participate fully in the life of the school. This may ultimately hinder language acquisition and social integration, lengthening the cultural adjustment period.

Some English learners may feel stigmatized by participation in a newcomer program. Being separated from their native English-speaking peers may inadvertently affect English learners' self-esteem and sense of belonging. Schools should take steps to minimize any negative perceptions associated with newcomer programs.



Maintaining specialized newcomer programs requires dedicated resources that may be beyond the financial reach of some LEAs. These programs require qualified teachers and instructional materials, which can strain a school's budget.

### Foundational Practices:

Newcomer programs can take many forms, but all newcomer programs should share some basic practices. Many newcomers have had formal education prior to arriving in the US school system and possess varying degrees of literacy and numeracy in their native languages, but some students will have limited or interrupted formal education. The receiving LEA must assess both the student's level of proficiency in English, and also the student's literacy and numeracy skills in the student's native language. Many benchmark assessments are available in common languages, but this may require the involvement of bilingual personnel. With this information in hand, the LEA can tailor instruction for the newcomer, in many cases combining instruction focused on English language proficiency with instruction in core content subjects in the student's native language.

Ultimately the success of a newcomer program is measured in terms of allowing the newcomer student to be integrated fully into the mainstream classroom and the full life of the school and community. To this end it is essential to foster a welcoming, inclusive environment. This will include recognizing signs of trauma that the student may have been subject to, awareness of culture-bound attitudes towards education and/or socialization, overcoming a period of culture shock, and lowering the affective barrier to education experienced by many newcomers. Again, OSDE has developed extensive guidance on these topics, available [here](#).

## III. The LIEP Template

Beginning with the 2022-2023 school year, LEAs are required to provide details of their Language Instruction Education Program each year on a template provided by OSDE. This template is sub-divided into the five sections described below, each of them designed to ensure that the LEA meets its legal requirements with regard to services provided to English Learners. The completed template is to be saved as a .pdf file and uploaded with the LEA's Title I application in the Grants Management System (GMS) on Single Sign-On. The template can be found [here](#).

### Assurances

The first of the five sections of the LIEP template contains a series of assurances. By checking the box at the beginning of this section, the LEA superintendent certifies that the LEA is meeting the legally requirements listed.



## I. Assurances

(ESSA, Secs. 1112, 3116; Civil Rights Act, Title VI; IDEA, Sec. 614; 20 U.S.C. 33, Sec. 1414)

By checking this box, the Superintendent certifies that:

1. The LEA has adopted and employs processes and procedures for the timely and reliable identification of English learners;
2. The LEA, within 30 days of the beginning of the school year,<sup>1</sup> informs parents of an English learner identified for participation or participating in such a program, of
  - a. the reasons for identification as an English learner,
  - b. the child's level of English proficiency,
  - c. the methods of instruction used in the program in which their child is participating and the methods of instruction used in other available programs,
  - d. how the program will meet the educational strengths and needs of their child,
  - e. how such a program will specifically help their child learn English and meet age-appropriate academic achievement standards for grade promotion and graduation,
  - f. the specific exit requirements, including the expected rate of transition into classrooms that are not tailored for English learners, and the expected rate of graduation from high school,
  - g. in the case of a child with a disability, how such program meets the objectives of the individualized education program of the child,

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<sup>1</sup> or within two weeks of identification when a student enrolls after the initial 30 days of the school year.

- h. information pertaining to parental rights that includes written guidance
      - i. detailing the parents' right to have their child immediately removed from such program upon their request;
      - ii. detailing the options that parents have to decline to enroll their child in such program or to choose another program or method of instruction, if available; and
      - iii. assisting parents in selecting among various programs and methods of instruction.
3. In making a determination of eligibility for support under IDEA, limited English proficiency is not a determining factor;
4. The LEA strictly avoids any unnecessary segregation of English learners in the language assistance program;
5. The LEA duly notifies parents of dual-identified EL/SPED students of how the language assistance program intends to meet the objectives of the student's IEP;
6. The LEA duly documents parents' decision to opt a child out of a language assistance program;
7. The LEA ensures that every EL student in the district participates annually in the state ELP assessment;
8. The LEA adheres to state policy regarding the process and criteria for exiting English learners from the language assistance program;
9. The LEA monitors the academic progress of former English learners for at least two years after the student exits the language assistance program;
10. The LEA is not in violation of any State law, including State constitutional law, regarding the education of English learners;
11. The LEA will, if applicable, coordinate activities and share relevant data under the plan with local Head Start and Early Head Start agencies, including migrant and seasonal Head Start Agencies, and other early childhood education providers.



## Language Instruction

The second section of the LIEP regards the language program itself. In this section the LEA indicates the type or types of language instruction programs implemented in its schools. After indicating the type(s) of program implemented, the LEA then provides a description of that program in the expandable text box provided.

There are also text boxes where the LEA should describe its processes for evaluating the effectiveness of its language instruction program and for monitoring the progress of identified English learners towards proficiency. These topics will be addressed below.

The final page of the Language Instruction section of the LIEP, and all subsequent sections, consists of a planning table meant to assist LEAs with the implementation of action steps to address any areas deemed in need of improvement.



### II. Language Instruction

Area(s) in need of improvement			
Structure(s) (i.e., schools, administrative units, etc.)			
Evidence-based Action Steps: Describe the evidence-based action steps to be taken to achieve the goal.			
Action Steps	Possible Funding Source(s)	a. Timeline for Implementation	Position/Role Responsible
		b. Method for Monitoring	
		a.	
		b.	
		a.	
		b.	
Supplemental Supports: What supplemental actions steps will be implemented for specific subgroups?			
Students with Disabilities			
Neglected and Delinquent			
Early Childhood			

## Parent and Family Involvement

The Every Student Succeeds Act of 2015 (ESSA) requires LEAs to consult with various stakeholders, including parents and families, when developing and implementing language instruction education programs. This section of the LIEP template provides a space for indicating the stakeholders that participated in this consultation, as well as a text box for describing the LEAs strategies for promoting parent, family, and community engagement in the education of English Learners. As with the Language Instruction section, this section too contains a planning table for identifying and implementing action steps for improvement.

## Professional Development

The 1981 Fifth Circuit Court of Appeals case *Castañeda v. Pickard* established three criteria for determining whether an LEA met the requirements of the Equal Educational Opportunities Act of 1974 (EEOA). LEAs serving English learners must meet the following requirements: (1) have an English language program based on sound educational theory; (2) effectively implement the program with resources for personnel, instructional materials, and space; and (3) after a trial period, the program must be proven effective in overcoming language barriers.

Since the *Castañeda v. Pickard* decision requires LEAs to both choose a program and effectively implement it, any LEA serving one or more EL students is required to implement local professional development initiatives aligned with the chosen model of intervention.

In this section of the LIEP template, the LEA will describe the professional development provided to staff, the process for evaluating the effectiveness of that professional development, and the material support provided for the implementation of the program.

A planning table is also included for identifying and implementing action steps for improvement.

## Civil Rights Requirements

The final section of the LIEP template provides a space for the LEA to describe its methods and processes for meeting the remaining Civil Rights requirements for meeting the needs of English Learner students. These include a description of how the LEA ensures that progress towards English language proficiency develops in conjunction with progress in the core instructional program, a description of how the LEA ensures that English Learners have access to all curricular and extra-curricular activities, and that English Learners are making linguistic gains that will allow them to exit the language program in a reasonable amount of time. Furthermore, the LEA will also describe its procedures for identifying and serving gifted English Learners, and for avoiding the unnecessary segregation of English Learners. Finally, this section includes a planning table for identifying and addressing areas in need of improvement.

## Submitting the LIEP Template

Once completed, the LIEP template document should be saved as a .pdf file and uploaded under the appropriate tab of the LEA's Title I application, as part of the Consolidated Application in the Grants Management System (GMS). The deadline for submission coincides with the deadline for submission of the Consolidated Application.

## IV. Program Evaluation

The third of the three criteria for meeting the requirements of the Equal Educational Opportunities Act of 1974 (EEOA) as established by the 1981 Fifth Circuit Court of



Appeals in the *Castañeda v. Pickard* decision is that the LEA's Language Instruction Education Program must be proven effective in overcoming language barriers. Effectiveness is demonstrated through program evaluation, regardless of the type(s) of intervention adopted by the LEA.

## Setting Objectives

Meaningful program evaluation must be based on measurable objectives that can be compared from year to year. Given the wide variety of English language programs across the state and the variety of challenges faced by LEAs, there is no single defined set of objectives that are appropriate for all programs. In consultation with teachers and community stakeholders, each LEA should articulate the goals most relevant to the local program. OSDE provides several suggestions in the LIEP Evaluation Template (below), ranging from improving test scores and meeting growth targets to increasing the involvement of ELs in extracurricular activities or increasing the number of ESL certified staff. These are sample suggestions for illustrative purposes. The LEA is free to formulate objectives that are not on this list. It is important, however, that the objectives be easily measured and verified from year to year.

## Analyzing Data

Objective program evaluation is data driven. Having set measurable objectives that are verifiable using available data, the LEA should analyze the relevant data annually to determine whether the objectives are being met. Data should be broken down by school site, grade level, and demographics to better target any interventions deemed necessary.

## Determining Action Steps

After analyzing the relevant data and the evaluation team should identify areas where improvement is needed and discuss possible interventions for improving outcomes. The LIEP Evaluation Template (excerpts shown below and the full version is available [here](#)) provides model tables for outlining the steps necessary for implementing interventions, including determining the steps to be taken and establishing a timeline for implementation. A person should also be designated to oversee the process and ensure that steps are taken in accordance with the established timeline. When determining action steps and timelines, the evaluation team should also contemplate any additional supports that specific subgroups of students may need to reach the identified goals.



## Language Instruction Education Program (LIEP) Evaluation Template

### LEA Name or Letterhead

<b>LEA Superintendent</b>			
<b>LEA EL Director:</b>			
<b>Phone:</b>		<b>Email:</b>	
<b>Date of Evaluation:</b>			

### Evaluation Team

Team Member Name	Position

Superintendent Certification	
<b>Supt. Signature:</b>	<b>Date:</b>







**Annual Measurable Objectives**

Examples of Measurable Objectives for evaluating the effectiveness of the Language Instruction Education Program include, but are not limited to:

- Improvement in WIDA ACCESS scores
- a set percentage of students meeting target growth expectations
- improvement in OSTP scores
- a set percentage of course completion (especially of core courses)
- meeting grade or grade point average goals
- reduction in disciplinary actions, meeting graduation rate targets (including years to graduation)
- limiting the dropout rate to an established percentage
- meeting participation targets for extended day/summer school
- number/percentage of students obtaining the Seal of Biliteracy
- meeting targeted college acceptance rates
- rates of involvement of ELs in extracurricular activities or Gifted and Talented programs
- number of teachers with ESL certification or endorsement.

Objective	Met	Not met	Comments
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	



### Action Steps

For each Measurable Objective that was not met, complete the following table with strategies and a timeline for improving performance.

<b>Area in need of improvement:</b>		
<b>Action Steps</b>		
Action Steps	Timeline for Implementation	Person(s) Responsible
<b>Supplemental Support for Specific Subgroups</b>		

<b>Area in need of improvement:</b>		
<b>Action Steps</b>		
Action Steps	Timeline for Implementation	Person(s) Responsible
<b>Supplemental Support for Specific Subgroups</b>		