

COLCHESTER SCHOOL DISTRICT LAU PLAN



INTRODUCTION

A Lau Plan, named after the Lau vs. Nichols U.S. Supreme Court Decision of 1974, requires public school districts to provide equitable access to a high quality education for Multilingual Learning (ML) students. A Lau Plan describes the steps each district must take to support ML students throughout their educational experience. Colchester School District's (CSD) Lau Plan was developed by its team of Multilingual Learner-English Language (ML-EL) teachers and the administrators who support that team with input from other members of the district staff.

DEPARTMENT MISSION STATEMENT

The ML-EL department of CSD is dedicated to encouraging and valuing multilingualism by fostering an inclusive and supportive environment for all students. We advocate for maintaining and strengthening students' primary languages while they learn English, recognizing that preserving cultural and linguistic identities is essential for personal and academic growth. Through a rigorous academic curriculum and comprehensible input, we aim to advance academic language development and achievement for our culturally and linguistically diverse students, while also building social-emotional resilience and a strong sense of community.

DEPARTMENT VISION STATEMENT

We envision a district where every ML student thrives academically, socially, and emotionally. By valuing cultural and linguistic identities, providing rigorous instruction, and fostering community, CSD strives to prepare students to achieve their full potential and succeed in a diverse, interconnected world.

DEMOGRAPHICS

CSD has approximately 20 different languages spoken other than English, with students coming with a wide variety of backgrounds and experiences, including the local refugee resettlement, and [United States Committee for Refugees and Immigrants Vermont](#) (USCRI VT) programs. These students are in grades PK-12, ranging in English Language Proficiency (ELP) levels 1-6 based on WIDA ACCESS scores.

Over the last 10 years, CSD has seen a substantial increase in the number of ML students throughout the district, particularly students identified as Students with Limited or Interrupted Formal Education (SLIFE) coming from refugee resettlement backgrounds. CSD has added multiple ML-EL teacher and para educator positions to support this population increase.

LEGAL FOUNDATION FOR PROVIDING EFFECTIVE EDUCATIONAL SERVICES

Federal Legislation:

- Title VI of the [Civil Rights Act of 1964](#) prohibits discrimination on the basis of national origin and other civil rights.
- The [Equal Education Opportunities Act of 1974](#) requires schools to "take appropriate steps" to assure equal access as stipulated in the Lau opinion.
- The [Every Student Succeeds Act](#) (ESSA) (2015) provides for strong accountability for the education of all children and provisions specific to limited English proficient students, especially under Titles I and III of the Act.

Supreme Court Decisions:

- [Lau v. Nichols \(1974\)](#) held that providing the same access to curriculum, instruction, and materials for students of limited English proficiency as is provided to English dominant students is not in effect equitable.
- [Castañeda v. Pickard \(1981\)](#) case precedent requires schools to use a three-pronged approach to assure that they are following the spirit of the above laws vis-à-vis: a practice grounded in sound educational theory; effective implementation of an appropriate program; assurance that the program is working through an evaluation and subsequent program modification to meet this requirement.
- [Plyler v. Doe \(1982\)](#) held that all students in public schools must be appropriately served, including any students who may not be documented as legal immigrants.

Title III Requirements:

School districts must

- Identify ML students in a timely, valid, and reliable manner;
- Offer all ML students an educationally sound language assistance program;
- Provide qualified staff and sufficient resources to instruct ML students;
- Ensure ML students have equitable access to school programs, activities, and services
- Avoid unnecessary segregation of ML students from other students;
- Monitor the progress of ML students in learning English and doing grade-level classwork;
- Remedy any academic deficits ML students incur while in a language assistance program;
- Move ML students out of language assistance programs when they are proficient in English and monitor them to ensure they were not prematurely exited, and
- Evaluate the effectiveness of ML programs.

IDENTIFICATION & SCREENING

In CSD, ML students are identified in accordance with federal and state requirements. The following steps demonstrate the process of identification and screening. ML students should be registered, screened and placed in an appropriate school and grade in less than a week. CSD has a more detailed [Screening and Identification Procedures](#) document outlining the intake and screening process for ML students.

PROCESS

Step 1 Registration: At the time of registration at a school office, all caregivers/guardians of each new student will complete the Home Language Survey (HLS). If any language other than English is indicated on the HLS, the CSD ML intake specialist and the ML-EL teacher assigned to that school are notified. If the HLS is incomplete or unclear, the guardian must be contacted for clarity.

Step 2. Initial Intake: The CSD ML intake specialist reviews the survey, conducts any necessary interviews with the guardians, contacts the ML-EL teacher at the previous school if needed, and determines if the student should be screened for ML-EL services.

Step 3. Screening: If it is determined that the student requires screening and is in kindergarten or first grade, the ML-EL teacher assigned to that school completes the WIDA screener. If the student is in Grades 2-12, the CSD ML intake specialist or school ML-EL teacher completes the WIDA Screener, based on availability. Additional screeners may be given in the first month of the student being in school.

Step 4. Student Plan Development: If it is determined that the student qualifies for ML-EL services based on the screener, the student is enrolled in the appropriate school and grade as quickly as possible. The ML-EL teacher assigned will develop an ELL Student Plan (ELL SP).

Step 5. Notification & Placement: Caregivers/Guardians will receive notification of student screener results and ML-EL status determination and their ELL SP within 15 days of their start date, in a language and method that they can understand. Caregivers/Guardians will be given an opportunity to ask questions, share their concerns, and or to decline services.

Step 6: Local Documentation & Data Collection: Original copies of the HLS, screening forms, assessment results, and all other documents used to determine eligibility will be placed in the student's file and entered into ELlevation by the ML-EL teacher. If the registrar does not receive ML-EL documentation, the CSD ML intake specialist will check in with the previous school's ML-EL department.

Step 7. State Documentation: The CSD central office specialist uploads the HLS into the online form provided by the State Title III Coordinator with an indication that a service plan has been developed and whether caregivers/guardians have accepted or denied services.

LANGUAGE ASSISTANCE PROGRAM

In CSD, once students are identified as eligible for ML instruction, designated as an ML student, a plan is developed to give them access to a Language Assistance Program (LAP) that meets their English language acquisition and academic content learning needs.

To determine the programming best suited for each ML, the ML-EL teacher shall consider:

- English proficiency level based on the WIDA Screener or previous WIDA ACCESS scores;
- Grade level;
- Educational background;
- Native language background;
- Other assessment data;
- Acculturation into U.S. society;
- Length of time in U.S. schools; and
- Socioemotional needs.

CSD uses the WIDA English Language Development Standards to define the social, instructional, and academic language that students need to engage with peers, educators, and the curriculum in schools. Instructional programming for ML students is evidence-based and reflects the WIDA Standards.

Caregivers/Guardians will receive notification of student screener results and ML-EL status determination, and their ELL SP within 15 days of their start date, in a language and method that they can understand. Caregivers/Guardians will be given an opportunity to ask questions, share their concerns, and opt-out of services. All ELL SPs will be reviewed in the spring after the previous year's WIDA Score Reports have been received. In the fall, these plans will be shared with classroom teachers, and notification of continued ML status will be sent to caregivers/guardians within 30 days of the start of the school year.

The following chart provides a brief overview of evidence based ML programs offered in CSD. Each program requires a ML-EL teacher with specialized training in meeting the needs of ML students who hold an endorsement in teaching ML-EL in the state of Vermont. ML students may receive instruction through more than one program service model to best meet their individual needs.

Program Service Option	Characteristics and Description
Newcomer Classes	<ul style="list-style-type: none"> Classes are designed for students who are new to United States (US) schools and who score below a 2.0 on the WIDA Screener or WIDA ACCESS. These classes develop basic oral language and literacy skills, sheltered content and support with adjusting to the culture of US schools.
Congruent/Parallel Teaching	<ul style="list-style-type: none"> ML-EL teachers pull students out of mainstream classrooms to offer language support that parallels the content and skills being worked on in the mainstream class. The ML-EL teacher emphasizes literacy and oral language development for academic purposes.
Push-in/pull-aside	<ul style="list-style-type: none"> ML-EL teachers and instructional assistants support ML students in mainstream classrooms during content classes, collaborating with other educators to address specific needs.
English Language Development (ELD)	<ul style="list-style-type: none"> ML-EL teachers provide “Designated ELD” classes with focused instruction on the WIDA ELD standards to assist MLs in developing critical English language skills necessary for academic content learning in English. ML-EL teachers provide ML students explicit instruction about the English language, including academic vocabulary needed to access content instruction.
Sheltered English Instruction (SEI)	<ul style="list-style-type: none"> ML-EL students, in a secondary content class, are taught academic content in English by a content certified teacher who has received training in SEI. The instruction focuses on the academic content and the content teacher uses instructional strategies such as differentiated instruction, visual aids, cooperative learning, and explicit vocabulary instruction. ML-EL teachers collaborate/consult with content teachers to ensure language needs are met.

STAFFING & SUPPORT

In CSD, ML students have qualified teaching staff who meet their language learning and academic content acquisition needs, as well as high quality facilities and materials. All ML-EL teachers hold a Vermont Educator's License with the appropriate endorsement for teaching ML students.

The LAP models of the Lau Plan are staffed by highly qualified ML-EL teachers. The number of service minutes recommended for each student varies based on their English proficiency level based on the WIDA Screener or previous WIDA ACCESS scores as outlined below.

WIDA Screener or ACCESS Score	Recommended Range of Number of Minutes Served Per Day by a Licensed ML-EL Teacher
1.0-1.9	30-90 minutes
2.0-2.9	25-90 minutes
3.0-3.9	25-45 minutes
4.0-4.2	25-45 minutes
4.2 <	Students at this level can be considered for alternate reclassification and Monitoring status. Students who meet this criteria but are not reclassified to monitoring status may receive some direct instruction in specific domain areas.

In addition to these evidence-based LAPs:

- ML students may be eligible for additional support, such as Title I Reading/Math (K-5) or Strategic Reading/Math based on academic need and ELD; and or,
- Students at WIDA ACCESS levels 1.0 - 2.9 at the Colchester Middle School & Colchester High School may also receive paraprofessional support in their content classes.

PROFESSIONAL DEVELOPMENT OPPORTUNITIES

In addition to having highly qualified licensed ML-EL teachers, CSD provides professional learning opportunities for teachers to enhance their understanding of ML students, in order to provide differentiated, equitable instruction for learners at varying English proficiency levels.

These professional learning opportunities may include:

- An optional summer graduate course called “Making Content and Systems Accessible for Multilingual Learners” to help educators deepen their understanding of strategies that support language acquisition and how the WIDA ELD standards relate to their work with ML students;
- Workshops and trainings developed by ML-EL teachers given during inservice days and staff meetings on a variety of topics related to working with ML students; and
- All content and mainstream teachers and staff can be given access to the ELlevation platform and the WIDA Secure Portal to allow them to complete professional development models and courses on best instructional practices for ML students.

ACCESS TO CURRICULAR & CO-CURRICULAR PROGRAMS

CSD provides meaningful access to ML students both inside and outside of their classrooms. ML students are given access to the academic and co-curricular programs, such as:

- Grade-appropriate curricula so graduation requirements are achieved;
- Advanced Placement courses at the high school, with advocacy from ML-EL teacher;
- Career and technical education programs at the regional technical learning centers, which have their own licensed ML-EL teachers to support students;
- Athletics;
- Art;
- Music; and
- Dual Enrollment.

CSD offers professional development to content teachers to help them develop strategies to include ML students and language access in their curriculum. The district encourages teachers to access the WIDA and ELLevations professional development modules to enhance their understanding of how to support ML students in their classrooms.

Despite CSD ML-EL teachers' dedicated efforts to support ML students' attendance in out-of-school programming, systemic barriers, such as lack of community transportation, persist.

CREATING AN INCLUSIVE ENVIRONMENT

CSD provides meaningful access to the curriculum and school activities for ML students while maintaining an inclusive environment.

As a midsize ML-EL program, ML students spend the majority of their time in their mainstream classrooms with support from the classroom teacher, ML-EL teacher, paraprofessionals, and/or interventionists. Depending on their linguistic and academic needs, some students are pulled out for Designated ELD classes, during which they receive explicit language instruction essential to their English language acquisition. These groups are based on need and may vary throughout the school year. Additional pull-out support instruction, such as Title I Reading/math or Strategic Reading/Math, may be provided. Instruction may include non-ML students, to increase opportunities to practice English language skills in an inclusive environment.

ADDRESSING MULTILINGUAL LEARNERS WITH DISABILITIES

While acknowledging that it can sometimes be difficult to distinguish linguistic and cultural differences from disability, CSD strives to ethically evaluate and service ML students who are dually identified as needing special education services.

In compliance with federal law and known best practices for supporting dually identified ML students, CSD commits to:

- Identifying and evaluating ML students who may have a disability in a timely manner;
- Attempting to avoid inappropriate identification of ML students as students with disabilities based on their level of English proficiency by considering needs and language skills, as well as appropriate and ethical testing measures;
- Including ML teachers, interpreters and others knowledgeable about learning needs an ML student's Individualized Education Program team;
- Inviting ML caregivers/guardians to participate in the special education planning and evaluation process and communicate all information including parental rights in a language they can understand and a form they prefer (written or oral); and
- Simultaneously providing both the language assistance and special education related services that ML students with disabilities are entitled to.

DECLINING/OPTING OUT OF ML SERVICES

CSD, all ML students are entitled to ML services. During the intake process, if students are found eligible for ML services the ML-EL teacher personally discusses the benefits of the services with the caregivers/guardians and provides them with written documentation of the ML services that their child is eligible to receive, in a language they can understand. The caregivers/guardians are also made aware, both in conversation and in writing, that they have the right to decline these services. If they choose to decline, opting-out of services, a written refusal of services letter will be kept on file. This decision must be made and documented annually.

If the caregivers/guardians decide to decline ML services for their child, the student is still required to take the WIDA ACCESS assessment annually until they score at least a 5.0 overall. CSD is still responsible for helping students who have opted out of services to access the mainstream curriculum. These students, whose families decline services, should be monitored by the classroom teachers. ML-EL teachers should consult with classroom teachers to support students by differentiating instruction to support students' English language development and proficiency .

Caregivers/guardians who have declined ML services have the right to opt back in at any time. They can do so in writing or through a conversation with the students' ML-EL teacher.

MONITORING ENGLISH LANGUAGE PROFICIENCY

CSD shall provide an ML program to assist ML students in attaining ELP, and to achieve state academic standards - standards all students in the district are expected to meet.

Instructional programs for ML students shall be evaluated annually to determine whether appropriate progress is being made to acquire ELP and academic skills. This evaluation shall consider ways to reduce language barriers, and to identify instructional changes that lead to successful learning.

DATA REPORTING

The district will share the following ML program data with the Vermont Agency of Education every year:

- Description of ML programs and activities;

- Aggregated data (numbers and percentages) of ML students in the programs and activities who meet state growth indicators towards achieving ELP;
- Disaggregated data (numbers and percentages) of ML students with a disability;
- Number and percentage of ML students who exit and or reclassify upon meeting state reclassification standards;
- Number and percentage of ML students who reclassified, meeting state academic standards for each of the first two years after they are no longer receiving services; and
- Any other state-required ML information (i.e., number of qualified ML-EL teachers).

DISTRICT PROGRAM EVALUATION

Annually, the MLD team shall monitor the following information related to instructional and extracurricular learning:

- Scores on WIDA ACCESS;
- STAR Reading and Math assessments;
- Additional local reading, math, and SEL assessment data, available in Panorama;
- Grades in content courses;
- Reclassification and exit rates;
- Graduation and dropout rates for grades;
- Participation rates in advanced courses (e.g., Advanced Placement);
- Enrollment rates in preschool;
- Enrollment rates in Special Education services;
- Attendance rates;
- Participation in extracurricular programs;
- Suspension rates; and
- Student to ML-EL teacher staffing ratios.

The district will review the ML programming using the following criteria, striving to meet student needs and continually improve:

- ML program services;
- ML students' participation in standards-based, grade-level instruction;
- Staffing;
- Professional learning, using walkthrough tools, and effectiveness of professional learning;
- Student performance of English language acquisition, including English language proficiency levels, and achievement of language proficiency within a reasonable period of time, as outlined in the Vermont State Plan;

- Student performance of academic content, including comparable access to opportunities that lead to college and career readiness, mastery of grade-level content/course proficiencies, performance in the content areas, and graduation, drop-out, and retention rates; and
- Modification of programs if/when performance data indicates ML students are not reaching proficiency within a reasonable period of time.

ENGLISH LANGUAGE PROFICIENCY GOALS

Students who have been identified as eligible for ML instruction take the WIDA ACCESS assessment annually to determine their level of ELP. Goals for developing ELP will be based on the time typically needed to attain ELP:

WIDA Level	Years to Attain Proficiency
Level 1	5 years
Level 2	4 years
Level 3	3 years
Level 4	2 years
Levels 5 & 6	0 years, proficiency attained

IDENTIFYING AREAS FOR PROGRAM IMPROVEMENT

The ML teachers regularly assess ML students’ ELP growth to ensure alignment program goals. If during the district program evaluation, it is found that the ML program educational goals are not met, the team will evaluate concerns and may address concerns by:

- Restructuring programming;
- Reallocating personnel and resources;
- Providing additional, focused professional development; or
- Other research-based interventions that support best practices for ML students.

MONITORING & EXITING ENGLISH LEARNERS

The English proficiency level of ML students is monitored by taking the WIDA ACCESS assessment once a year until students reach a composite score of 5.0. A lead representative from the M-EL teachers organizes and coordinates the administration of the WIDA ACCESS test with oversight from district administrators. All test administrators are required to take the appropriate WIDA Assessment Training Certification courses each school year before they administer the assessment. The ML-EL teachers keep a list of all students required to take the assessment and ensure that they all complete the four domains of the assessment. When a ML student meets Vermont's definition of ELP on the WIDA ACCESS, the student is exited from ML status. Students may also be considered for the alternate exit pathway when they have reached a WIDA ACCESS composite score of greater than 4.3, but less than 5.0. When students are exited from ML service, that change in status is communicated verbally and in writing in a language the family understands, prior to the start of the next school year.

Once students have exited from ML services, they should be monitored by the ML teachers for 2 years. The classroom teachers of these monitored students report on student progress and proficiency twice annually, using a Progress Monitoring Form in the ELlevation data system. The assigned ML teacher monitors the needed forms and checks in with classroom teachers regarding progress and possible needs. After two years of monitoring showing no academic concerns, the student is officially fully exited from the ML program.

If there is concern about lack of progress or proficiency:

- The ML teacher and classroom teacher collaborate to determine gaps;
- Students can be included in ML services as needed to focus on specific language skills;
- The ML teacher may push into one of the monitored student's content classes if there are already other students receiving ML services in that class; and
- The ML teacher can continue to support the student and family with interpretation and translation needs, as needed.

If an exited ML student is not progressing despite these additional supports, the student may be re-evaluated using a valid, reliable, and grade-appropriate assessment (e.g., the WIDA screener) to determine if the student should be provided additional ML program services. If a student re-enters the ML program, the district shall document the reasons and obtain consent from the student's caregivers/guardians.

MEANINGFUL COMMUNICATION WITH CAREGIVERS/GUARDIANS

CSD maintains consistent, meaningful dialogue with families from intake through graduation.

During the intake process, caregivers/guardians with a home language other than English are provided an interpreter to support the intake process, during which they fill out the HLS, which identifies any additional languages spoken. It is then the goal of the district to notify caregivers/guardians in their preferred language about any essential information.

This essential information includes, but is not limited to, information regarding: LAPs, special education and related services, IEP meetings, grievance procedures, notices of nondiscrimination, student discipline policies and procedures, registration and enrollment, report cards, requests for caregiver/guardian permission for student participation in district or school activities, caregiver/guardian-teacher conferences, caregiver/guardian handbooks, and any other school and program choice options.

CSD currently uses a variety of methods for multilingual language services, such as [Language Line](#) or Associates of [Africa Living in Vermont](#) (AALV), multilingual telecommunication devices, and in-person interpreters. Multilingual communication methods are used for the intake process, family conferences and other important meetings, to the extent possible.

The ML teachers typically call families through Language Line to coordinate attendance at meetings and school and community events. When relaying important information to families, ML teachers call or text families using teleinterpreting or translation services/software to ensure the families are receiving the information.

There are no interpreters, translators or liaisons employed by CSD. All interpreting services come from an external source: Language Line or Associates of Africa Living in Vermont (AALV). These organizations provide training to their interpreters and translators to support schools and other public organizations.

Additionally, CSD has just purchased an Instant Language Assistant (ILA) Pro, a type of tablet that uses Artificial Intelligence to translate conversations in real time. These tablets will be used to support registration and provide translation supports at large events, such as graduation.

ADDITIONAL RESOURCES

[CSD Guidelines for Use of Translation and Interpretation](#)

[CSD Special Education Referral and Determination Checklist for Students Who Receive ML Services](#)

[Supporting Multilingual Learners With Disabilities](#)

[Tier 1 for MLs Teacher Reflection Form](#)

[US Department of Education Comparison of Language Differences versus Disabilities](#)

[Vermont Agency of Education Powerpoint: "Multilingual Learners and Special Education: Using Language Line Solutions for Tele Interpreting](#)