Limited English Proficiency (LEP) Program

Annual Measurable Achievement Objectives (AMAOs)

And

Accountability Procedures

For

Idaho Local Education Agencies (LEAs)

August 2006

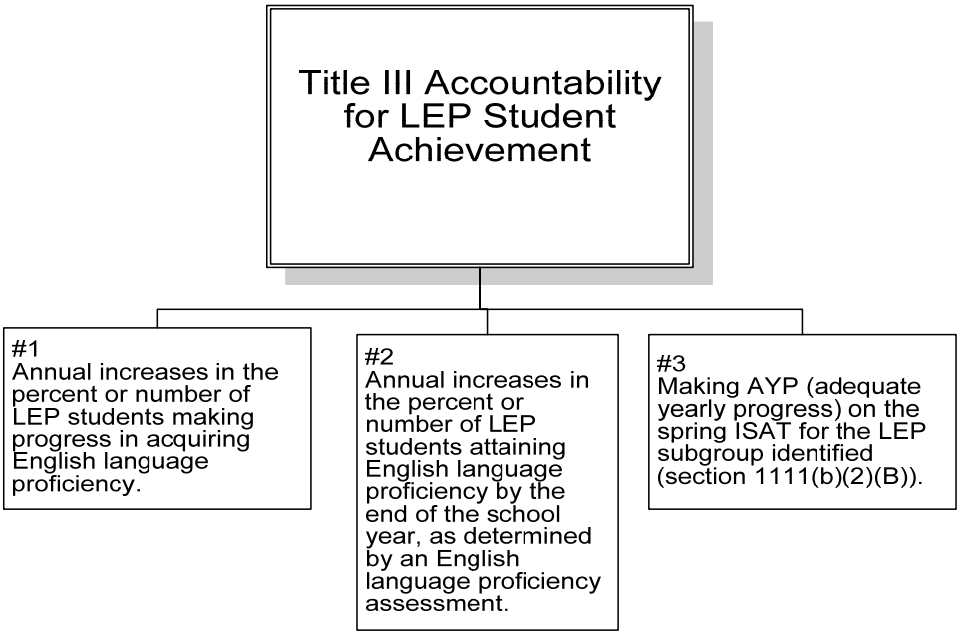
No Child Left Behind, Title III:
Language Instruction for Limited English Proficient and Immigrant Students

Introduction

Title III of the No Child Left Behind (NCLB) Act of 2001, establishes sanctions or consequences for Local Education Agencies (LEAs), or school districts, which do not meet Title III Annual Measurable Achievement Objectives (AMAOs). An AMAO is a performance objective, or target, that all LEAs must meet each year for those students in an LEP program. Part I details NCLB requirements. Part II details the state developed annual objectives/targets and definitions. Part III details the sanctions and procedures for LEAs.

Part I: NCLB Requirements

All LEAs, Title III and non Title III LEAs alike, serving Limited English Proficient (LEP) students[1] are held accountable to demonstrating annual progress and proficiency in English language acquisition (**NCLB, Title III, section 3122(b))**. The AMAO accountability structure set forth in Title III is a 3-tiered structure. The first 2 AMAOs are determined by the Idaho English Language Assessment (IELA) and the 3rd AMAO is based on the AYP determinations.



[1] LEP students are English language learners (ELLs) who are specifically placed in a language development program, based on the home language survey (HLS) and the Idaho ELL Placement Test.

AMAO #1: Annual increases in the percent or number of LEP students making progress in acquiring English language proficiency, as determined by the IELA: **English Language "Progress/Growth".**

AMAO #2: Annual increases in the percent or number of LEP students attaining English language proficiency by the end of the school year, as determined by the IELA: **English Language "Proficiency".**

AMAO #3: LEA determination for making AYP (adequate yearly progress) on the spring ISAT for LEP students (section 1111(b)(2)(B)): "**AYP".**

If an LEA does not meet any one of the 3 measures in any given year, then the AMAOs are not met for that year.

Accountability measures, as set forth in section 3122(b) state that:

A. If a district LEP program fails to make progress toward meeting these objectives for two (2) consecutive years, the State Board of Education will work with the district to develop an improvement plan that specifically addresses the factors that prevented the district from achieving the objectives.

B. If a district LEP program fails to meet these objectives for four (4) consecutive years, the State Board of Education will either require the district to modify the curriculum and LEP program, or will determine if funding should continue and require the district to replace educational personnel.

C. Parental Notification
In addition to providing the general parental notifications, each district that has failed to make progress on the annual measurable achievement objectives for any fiscal year, shall separately inform a parent or the parents of a child identified for participation or participating in such program of such failure within 30 days of notice of failure to reach AMAOs. All notifications sent home to parents, must be translated into the home language, to the extent practicable. In addition, a parent has the right to remove their child from an LEP program at any time, see 3302(a)(A), 3302(b).

Part II: State Defined AMAO Targets and Definitions

The State Board of Education, Idaho's SEA, has adopted the following definitions and will calculate AMAOs as indicated below. If a district does not meet any one measure, then the AMAOs are not met.

1. English Language Progress/Growth ("Progress"): On an annual basis, 55% (fifty-five percent) of LEP students within a cohort[2] will achieve progress, as measured on the IELA, within each LEA.

Progress is defined as advancing one level of language proficiency per year, as indicated by the Idaho English Language Assessment (IELA). Students at the Fluent level will be considered as making progress if they are not exited and maintain their level of English proficiency. The IELA details 5 levels of English proficiency (see Attachment A for English language development level descriptors) and assesses the domains of listening, speaking, reading, writing and comprehension (listening + reading) in grades K-12. The 5 English language development levels as defined for Idaho are:

(1) Beginning
(2) Advanced Beginning
(3) Intermediate
(4) Early Fluent
(5) Fluent

The AMAO growth target of 55% is informed by three considerations:

First, research suggests that it is inaccurate to assume that all students will progress at the same rate[3]. Second, because the proficiency levels are relatively broad categories, students starting a year near the top of a category are much more likely to progress to the next level than students who begin a year near the bottom of a category. Third, according to second language development research, it is likely that progress from the Intermediate level may require more time than progress between any of the other levels, as this is the time when students are making the transition from social to academic language.

If Idaho's data consistently over time reflects this growth within proficiency levels and/or the "plateau" at the intermediate level, then Idaho anticipates adding a

---

[2] *Idaho will determine AMAOs for 2 "cohort" groups (grouping of students) (1) an unmatched cohort, which will include every student tested each year and a (2) matched cohort which will include only those students who were tested in the prior and current years.*

[3] Edward De Avila, Ph.D. November, 1997

provision for a growth measurement within proficiency levels (scale score point growth) to the AMAO defined as "progress".

2. English Language Proficiency ("Proficiency"): On an annual basis, 20% of LEP students within an LEA will achieve "proficiency" on the IELA (as defined below) in order to begin transition out of a language development program.

A student is defined as "proficient" in English on the IELA, if both the following are met:
- the student tests at the overall **Fluent** level on the IELA; **and**
- the student tests at a certain level or above (to be defined on score reporting) within each domain (listening, speaking, reading, writing) assessed on the IELA.

LEP students will be considered for a transition/exit out of LEP services once they reach this definition of "proficiency", however scoring proficient alone is not sufficient for exiting out of the program. The recommended exiting criteria for LEAs in Idaho details that students should:

1. Score at the Fluent level overall and at a certain level or above on each domain tested on the IELA**;**

AND one of the following:

2. Receive an Idaho Reading Indicator (IRI) score of at least a 2, or an Idaho Standards Achievement Tests (ISATs) score that meets the "Basic" level;

OR

3. Demonstrate access to mainstream content curriculum in one of the following ways:

- Elementary: Consistent proficient scores on grade level benchmark unit assessments; or
- Secondary: Core content area GPA (non-modified) of 2.0; or
- Qualified teacher observations that are based on language proficiency benchmarks and criteria, with supporting portfolio of student classroom work.

A student should not necessarily be kept in an LEP program if they are deemed "proficient" on the IELA, but are not yet at the "proficient" level on the ISAT. These are two different measures of achievement and have two different definitions.

Taking into consideration the State recommended exit criteria, LEAs will be required to detail their district exit criteria on their annual LEP Plans which are approved by the local school boards and submitted to the LEP Program manager

June 30th of each year. The LEA exit plan for LEP students must meet state and federal guidelines.

3. AYP: AYP will be determined by annual spring ISAT data, as provided by the State Department of Education (SDE) for the LEP subgroup at the LEA level, where the LEA failed to make AYP in any target area because of the LEP subgroup.

Part III: LEA sanctions and procedures

The accountability measures for each LEA are determined by the results of the annual spring IELA and ISAT assessments of LEP students. Sanctions are determined by consecutive years of not meeting the AMAOs set forth above (1. progress, 2. proficiency, and 3. AYP).

Any type of improvement plan or restructuring should be seen as an opportunity for an LEA to thoroughly evaluate their programs and assess what steps need to be taken or changes that need to be made so that the LEA is able to better serve the LEP population.

Accountability and sanctions are applicable to all districts with LEP students, whether Title III funding is received or not, unless otherwise indicated below. Title III funding is the federal allocation for language acquisition, emergency immigrant, and consortia funding.

Appeals process

AMAOs will be calculated according to LEP student growth on the IELA and AYP. The appeals process for AYP takes place through the Department of Education. If an LEA believes that there has been an error in the calculation of AMAOs, then the LEA may contact the State LEP Program, however there will be no formal appeals process. Student scores may not be contested. Testing discrepancies (i.e. a student has taken 2 different grade level tests; a student has taken only a portion of the test) will be taken into consideration by the testing vendor when tests are scored and student reports are generated. The testing vendor may or may not contact the LEA directly to resolve the discrepancy.

AMAO Sanctions					
School Year	**2006-2007**	**2007-2008**	**2008-2009**	**2009-2010**	**2010-2011**
Improvement Year	Baseline Data from spring 2006	LEP Improvement 1	LEP Improvement 2	LEP Improvement 3	LEP Improvement 4
LEA Responsibility		Alert Status Parental Notification	1.Develop/augment Improvement Plan specific to LEP 2.Implement Improvement Plan Parental Notification	1.Continue School Improvement Plan 2. Review Plan and outcomes for adequacy Parental Notification	Corrective Action Plan * Title III LEAs could lose funding Parental Notification
SEA Responsibility		Technical Assistance	Technical Assistance	Technical Assistance	Technical Assistance

A. If a district LEP program fails to make progress toward meeting these objectives for two (2) consecutive years, the State LEP Program will work with the district to develop an improvement plan that specifically addresses the factors that prevented the district from achieving the objectives.

Many of the LEAs have already begun to develop school improvement plans due to LEP student achievement in Math and Reading (AYP). The State LEP Program will work with LEAs to significantly augment these school improvement plans, focusing on LEP student growth, rather than require development of new, independent plans.

Baseline: The spring 2006 IELA assessment will give Idaho the baseline data to begin looking at LEP student growth.

LEP Improvement YEAR 1: Data from the spring 2007 IELA will provide information regarding what LEAs will be in LEP Improvement Year 1.

- Once notified, LEAs will be on alert status for this year.
- LEAs must send parental notification home to parents of LEP students indicating that the LEA did not meet AMAOs.

LEP Improvement YEAR 2: Data from spring 2008 will provide information regarding what LEAs will be in LEP Improvement Year 2.

- LEAs must either (1) significantly augment their AYP LEA improvement plan, or (2) formulate a new LEA improvement plan, both based on the same SDE school/LEA improvement plan model.

- The State LEP program will provide technical assistance first to the LEAs that have not previously developed an improvement plan, and then to those LEAs that already have an improvement plan on file.

- The LEAs will have until December 31 of each year that the LEA is in needs improvement to complete their improvement plan. The LEAs will have until May 31 of each year to demonstrate in writing the implementation of the plan within the LEA.

- Those LEAs that meet AMAOs in Year 2 will not be required to submit improvement plans.

- LEAs must send parental notification home to parents of LEP students indicating that the LEA did not meet AMAOs and must detail the process that the LEA is going through to remedy the situation.

LEP Improvement YEAR 3: Data from spring 2009 will provide information regarding what LEAs will be in LEP Improvement Year 3.

- The LEAs that are in LEP Improvement Year 3 must continue to implement their LEA improvement plan. The LEA must review the plan for outcomes and adequacy by December 31. The LEAs will have until May 31 to demonstrate in writing the changes made to the implementation of the school improvement plan within the LEA.

- Those LEAs that did not meet AMAOs in Year 2 but did meet AMAOs in Year 3 will continue to be required to submit documentation of implementation of their improvement plans by May 31 of that year.

- The State LEP program will continue to provide technical assistance first to the LEAs that have not previously developed an improvement plan, and then to those LEAs that already have an improvement plan on file.

- LEAs must send parental notification home to parents of LEP students indicating that the LEA did not meet AMAOs detailing the process that the LEA is going through to remedy the situation.

B. If a district LEP program fails to meet these objectives for four (4) consecutive years, the State LEP Program will either require the district to modify the curriculum and LEP program, or will determine if funding should continue and/or require the district to replace educational personnel.

LEP Improvement YEAR 4: Data from spring 2010 will provide information regarding what LEAs will be in LEP Improvement Year 4.

Title III LEAs

⇒ LEAs that receive Title III funds must submit a new corrective action plan that details how the LEP program and curriculum will be significantly modified. Input from staff, parents and community members is required. Further guidance from the State LEP program will detail what the corrective action plan must include.

⇒ LEAs must submit their corrective action plan by May 31 and written documentation of implementation of the corrective action by December 31 of the following school year.

⇒ The State LEP program will make the determination whether Title III funding will be continued and/or require that staff be terminated.

Non Title III LEAs

⇒ LEAs that do not receive Title III funds must also submit a corrective action plan that details how the LEP program and curriculum will be significantly modified. Input from staff, parents and community members is required. Further guidance from the State LEP program will detail what the corrective action plan must include.

⇒ LEAs must submit their corrective action plan by May 31 and written documentation of implementation of the corrective action by December 31 of the following school year.

- Those LEAs that did not meet AMAOs in Year 3 but did meet AMAOs In Year 4 will continue to be required to submit documentation of implementation of their improvement plans by May 31 of that year.

- The State LEP program will continue to provide technical assistance to all LEAs in LEP Improvement Year 4.

- LEAs must send parental notification home to parents of LEP students indicating that the LEA did not meet AMAOs detailing the process that the LEA is going through to remedy the situation.

LEP Improvement Year 4+
If a district continues to miss the AMAO targets after 4 consecutive years, the district must continue to implement its corrective action plan and provide documentation of implementation by December 31 and May 31. In addition, the State LEP Program will continue to work with the district to determine the best course of action.

C. Parental Notification
In addition to providing the general parental notifications, each district that has failed to make progress on the annual measurable achievement objectives for any fiscal year, shall separately inform a parent or the parents of a child identified for participation or participating in such program of such failure within 30 days. All notifications sent home to parents, must be translated into the home language, to the extent practicable. In addition, a parent has the right to remove their child from an LEP program at any time, see 3302(a)(A), 3302(b).

Attachment A:
Idaho English Language Development Level Descriptors

Level 1 - Beginning
Students performing at mastery of this level of English language proficiency begin to demonstrate basic communication skills. They can understand brief, very simple speech on familiar topics, with visual support. They can respond to simple social talk and academic instruction by using gestures or a few words or phrases, or very simple subject-predicate sentences. With assistance, they can read very brief text with simple sentences and familiar vocabulary, supported by graphics or pictures. They can write words, phrases and very simple sentences. They exhibit frequent errors in pronunciation, grammar, and writing conventions that often impede meaning.

Level 2 - Advanced Beginning
Students performing at mastery of this level of English language proficiency communicate with increasing ease in a greater variety of social and academic situations. They can understand brief, simple speech on mostly familiar topics, and need visual support. They can engage in basic social talk and academic instruction by using phrases or simple subject-predicate sentences. With assistance, they can read brief text with simple sentences and mostly familiar vocabulary, supported by graphics or pictures. They can write phrases and simple sentences. They exhibit frequent errors in pronunciation, grammar, and writing conventions that often impede meaning.

Level 3 - Intermediate
Students performing at mastery of this level of English language proficiency begin to expand the complexity and variety of their communication skills. They can understand speech on familiar and some unfamiliar topics, and may need some visual support. They can engage in social talk and academic instruction using increasingly detailed sentences. They can independently read simple text with mostly familiar vocabulary, and can read more complex text supported by graphics or pictures. They can write simple texts with support. They exhibit fairly frequent errors in pronunciation, grammar, and writing conventions that may impede meaning.

Level 4 - Early Fluent
Students performing at mastery of this level of English language proficiency communicate adequately in complex, cognitively demanding situations. They can understand social and academic speech at their grade level, and may need some visual support for unfamiliar topics. They can engage in social talk and academic instruction using detailed sentences and expanded vocabulary. They can write texts near grade level. They exhibit some errors in pronunciation, grammar, and writing conventions that usually do not impede meaning.

Level 5 - Fluent
Students performing at mastery of this level of English language proficiency communicate effectively with various audiences on a wide range of topics, though they may need further enhancement and refinement of English language skills to reach the native level of their peers. They can understand a variety of social and academic speech at their grade level. They can engage in social talk and academic instruction

using varied sentence structures and vocabulary appropriate to the context. They can independently read grade-level text, including technical text. They can write expanded texts appropriate to their grade level. They may exhibit a few errors in pronunciation, grammar, and writing conventions that do not impede meaning.

Beginning was chosen to reflect the skill level of English learners as they are just beginning to learn English; it refers to the mastery level after roughly six months of English language development (ELD) instruction.

Advanced Beginning was chosen for the second level because Objectives at that level generally reflect advancement of skills above the Beginning level rather than lack of skills below the Intermediate level.

Intermediate tends to be a major benchmark in ELD progress; English learners with proficiency at this level can learn in various content areas in a mainstream classroom as long as the teacher provides appropriate support.

Early Fluent and **Fluent** reflect the practice of considering English learners at these levels for redesignation as Fluent English Proficient status (based on a variety of appropriate measures).