



Montana  
**Office of Public Instruction**  
Denise Juneau, State Superintendent

# **CRITERIA FOR IDENTIFICATION OF LIMITED ENGLISH PROFICIENCY**

These guidelines are the result of discussions with representatives of school districts in Montana with significant populations of English language learners/limited English proficient (LEP) students. School districts need to have a process for identifying the LEP students in their schools that all instructional and counseling staff understand. With the passage of "No Child Left Behind," funding for serving LEP students changed from a competitive program to a formula program administered by the Office of Public Instruction (OPI); districts receive funding based on the numbers of LEP students identified in their districts. Additionally, an annual assessment of LEP students in the four domains of listening, speaking, reading and writing is required in ESEA Title I. As of spring 2001, statewide assessment results have been disaggregated on the basis of limited English proficiency and other categories. Both for this purpose and in order to provide appropriate accommodations, it's important to be clear on criteria for identifying students as LEP.

Montana observes the following federal definition of limited English proficiency:

Limited English Proficient means an individual:

- (A) who is aged 3 through 21
- (B) who is enrolled or preparing to enroll in an elementary or secondary school;
- AND -
- (C)
  - (i) who was not born in the United States or whose native language is a language other than English; or
  - (ii)
    - (I) who is an American Indian or Alaska Native, or a native of the outlying areas; and
    - (II) who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or
  - (iii) who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant;
- AND -
- (D) whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual
  - (i) the ability to meet the State's proficient level of achievement on state assessments described in section 111(b) (3);

- (ii) the ability to successfully achieve in classrooms where the language of instruction is English; or
- (iii) the opportunity to participate fully in our society.

It is important to note that the definition addresses both language and academic achievement. While language impact affects entire communities, academic achievement varies from student to student. LEP students are those students who are not achieving academically due to the level of their English language proficiency.

International exchange students, for the purposes of NCLB accountability, are not identified as limited English proficient in AIM, but still may need language accommodations.

The guidelines represent a summary of acceptable practices that districts may use in establishing their processes. The process may vary within districts depending on the level of English proficiency of the students, e.g. a newly arrived immigrant students or a fourth grade American Indian student. Given that reading comprehension depends on the language knowledge that a reader bring to the process of reading, which involves much more than decoding – in fact, LEP students are often very good at decoding, while not comprehending well – it is useful to look at assessment of reading comprehension. Particularly for more proficient students, in order to avoid the pitfalls of a one-time assessment, an on-going check of English proficiency that involves multiple measures, such as comprehension, writing, and reading is appropriate.

Keeping in mind that both language impact (language other than English) and achievement must be considered, a district process could include:

- \* Home language survey;
- \* English language proficiency test, which should include oral comprehension, speaking, and reading;
- \* Writing assessment;
- \* Observation scale;
- \* Running record;
- \* Developmental reading assessment(s);
- \* Checklist of reading proficiency carried out in conjunction with a district reading program;
- \* Reading score on state assessment;
- \* Cloze test; and
- \* WIDA-ACCESS Placement Test (W-APT) located at <http://WIDA.us/assessment/w-apt/>.

The LEP identification process should include appropriate measures at varying grade levels, i.e., the process for identifying kindergarten students will be different for those in upper grades. Districts can utilize classroom procedures in place to develop a balanced process that encompasses elements listed above.

## Montana's Definition of "Proficient" for LEP Students

In order to determine when LEP students become proficient, districts will take into account multiple measures which include:

- ◇ At a minimum, an overall score of 5.0 along with a rating of 4.0 in literacy (reading and writing) on the ACCESS English Language Proficiency Assessment; and
- ◇ Input from additional measures of reading, writing, or language development available from school assessments.

This recommendation is based on input from school district staff members that serve LEP students across the state, a review of practices in other states, and input from psychometricians. It is important for districts to review the results of the ACCESS assessment and take them into consideration to update AIM to reflect accurate student LEP status.

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