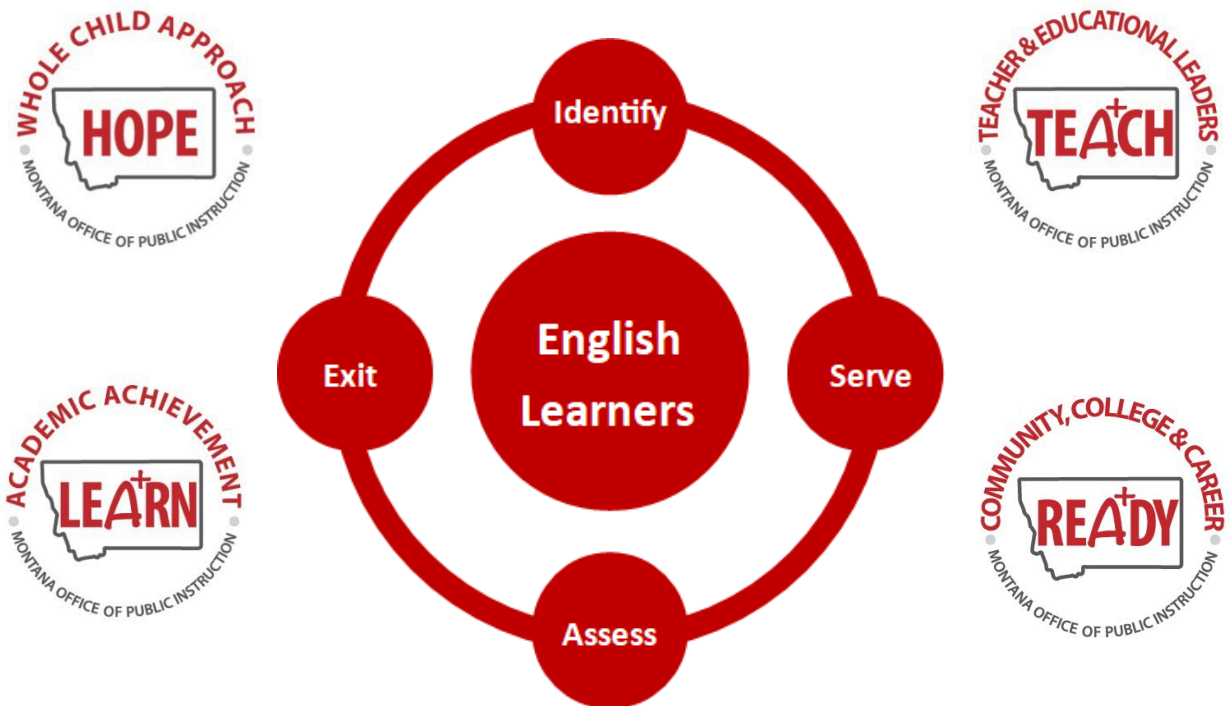


# MONTANA OFFICE OF PUBLIC INSTRUCTION

## ENGLISH LEARNER GUIDANCE FOR SCHOOL DISTRICTS

Effective August 1, 2022



The “Montana English Learner Guidance for School Districts” describes the Office of Public Instruction’s (OPI) policies and procedures required to serve English Learner (EL) students in the state of Montana. These requirements fall under the authority of both state and federal laws and regulations, which are defined further throughout this manual.

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## INTRODUCTION

This manual is designed to provide guidance to school districts and to define the state policies for serving English language learner students in Montana’s accredited schools. The state Board of Public Education establishes and maintains standards for all public schools in Montana and those private schools seeking accreditation ([§20-2-121, MCA](#)).

English Learners (ELs) are school-aged children whose academic English proficiency, or lack thereof, affects their academic achievement and ability to participate equally in academic programs such as mathematics, reading/language arts, science, and social studies. Proficiency in a language is a measure of a person’s ability to understand and communicate in that language or in a person’s preferred mode of communication. The purpose of this document is to outline the requirements for determining the identification of ELs and their respective English proficiency. This document further provides guidance to school districts to offer support for ELs in both social and instructional situations so they may succeed in school settings ([ARM 10.53.301–311](#)).

The landmark Elementary and Secondary Education Act (ESEA) of 1965 was reauthorized as the Every Student Succeeds Act (ESSA) in December 2015. ESSA requires that all children have fair, equal, and significant opportunity to obtain a high-quality education and reach, at a minimum, proficiency on challenging academic content standards. With this vision, emphasis on educational services, assessment, and accountability have been heightened to serve ELs and close achievement gaps under the authority of Title I and Title III ([ESEA Section 1111\(b\)\(2\)\(B\)\(vii\)\(III\)](#)). A key purpose of Title I under ESSA is to promote educational excellence and equity so that all students master the knowledge and skills required for college and career readiness by the time they graduate high school. Further requirements for ELs are defined under Title VI of the Civil Rights Act of 1964 (Title VI), Equal Educational Opportunities Act of 1974 (EEOA), Montana Code Annotated (MCA), and Administrative Rules of Montana (ARM). These laws, regulations, and state policies require the OPI and school districts to ensure that all students have equal access to education and educators take the appropriate action(s) to help ELs overcome language barriers that impede equal participation in instructional programs.

The following state assessments are used to satisfy the state and federal requirements for the annual assessment of the English language proficiency of ELs:

- ACCESS for ELLs, an online assessment for Grades 1–12;
- Kindergarten ACCESS for ELLs, a paper-based assessment for Kindergarten; and
- Alternate ACCESS for ELLs, a paper-based assessment for ELLs in Grades 1–12 who have significant cognitive disabilities.

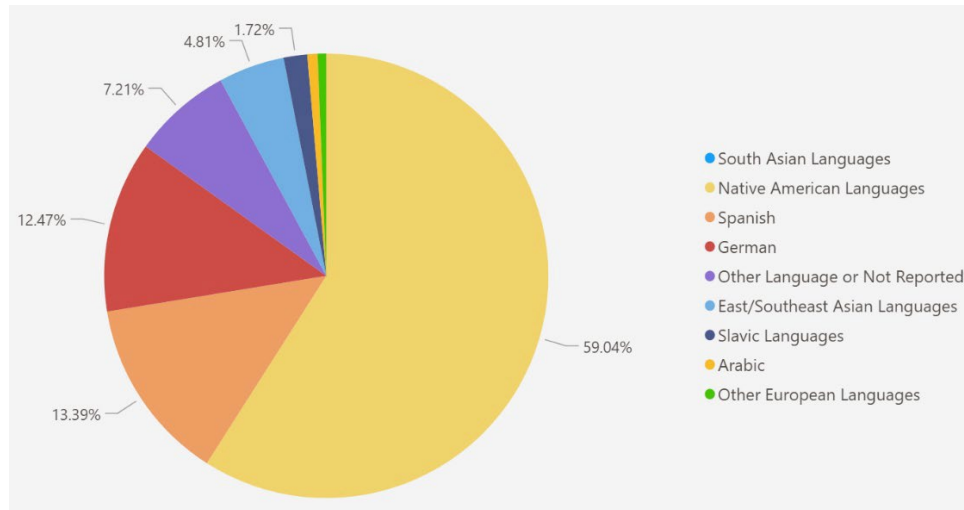
This guidance document paves a path for school districts to create a positive, whole-school environment that welcomes the student, his or her family and culture, provides appropriate learning experiences, and conveys high expectations that will open the door to quality education. School districts are encouraged to use this guidance to understand the state’s policies and procedures for identifying and serving ELs. There are also options available for further training and technical assistance to serve ELs.

## STATE CONTEXT

Montana is a geographically large, rural state with distinct and unique regional and cultural differences that are reflected in its diverse English learner population. With these vast differences in community composition, it is vitally important for educators to employ differentiated and culturally responsive teaching practices that are attuned to the unique needs of their local English learners. **Figure 1** shown below illustrates the composition of Montana’s English learner population by “language of impact,” i.e. the language that plays a significant role in their home or community and family heritage. The “language of impact” information reported in **Figure 1** is collected through Montana’s state-specific data collection, which is used to study “heritage languages” more deeply (see [ACRONYM GLOSSARY: Table 5](#)). Under the federal reporting categories, the “home primary language” indicates the specific language normally used by the student or normally used by the parents of the student other than English in their home. If having a “home primary language” other than English were the sole criteria, American Indian students

who are primarily English-speaking would not be appropriately represented in this reporting, but the law recognizes that students don't need to be active speakers of the native language to be affected by the language in their communities. The "language of impact" is the language other than English that influences the student's English language development. For more information on this collection, visit the [AIM Data Dictionary Website](#).

**Figure 1. Languages of Impact for Montana EL Students, 2019-2020**



It is difficult to define ELs as a group, other than to say that they are students who currently lack the academic English necessary to be successful in school. ELs speak dialects of English as well as languages other than English. They come from every socioeconomic class in American society. They may or may not be literate in their home primary language (the specific language spoken by the student or their parents/guardians at home) and may or may not have received any formal schooling in their home language upon enrollment in a Montana school district. ELs may be born in the United States or internationally and could be impacted by a language other than English that influences the student's English language development.

**ELs in Montana include:**

- American Indian children who are impacted by the heritage language of their family and/or community, such as Piikani (Blackfeet) or Apsáalooke (Crow).
- Hutterite children who learn German as their first language.
- American-born children of immigrants who learn their native language in the home from their parents or guardians.
- Children who come to the United States with their parents or alone (as immigrants, as children of international professors and students at the university level, as migrant workers, as international exchange students and as refugees).
- Children who are adopted internationally by American parents.

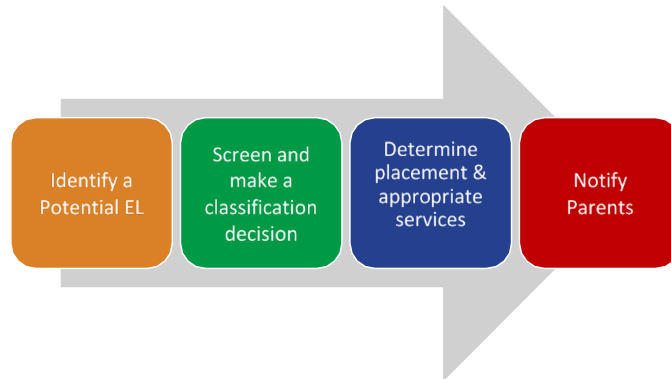
**Montana observes the following federal definition to describe ELs, as an individual:**

- (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) who is a Native American or Alaska Native, or a native of the outlying areas; and 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 challenging State academic standards
  - (ii) the ability to successfully achieve in classrooms where the language of instruction is English; or
  - (iii) the opportunity to participate fully in society (see ESEA Section 8101(20)).

## CRITERIA FOR IDENTIFICATION OF ENGLISH LEARNERS

Figure 2. Criteria for the Identification of ELs



These guidelines are the result of discussions with representatives of school districts in Montana with significant populations of ELs. School districts need to have a process for identifying ELs in their schools that is clearly understood by all administrative, instructional, and counseling staff. As of spring 2001, statewide assessment results must be disaggregated by academic English language proficiency and other student subgroup categories. This data is collected for reporting purposes and in order to provide appropriate support to ELs so that they are served in a standardized and equitable fashion consistent with their individual needs.

## RESPONSIBILITIES OF SCHOOL DISTRICTS

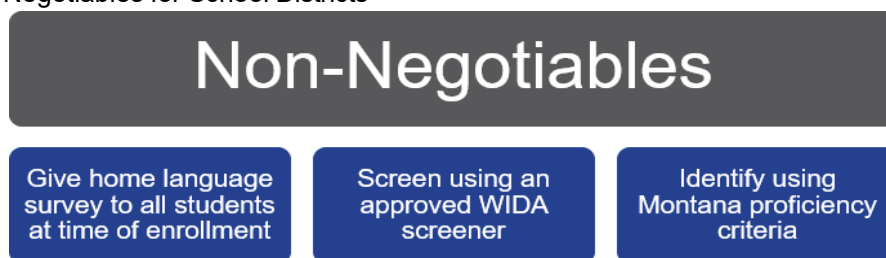
Under state and federal law, all public and accredited non-public school districts are required to identify students who are eligible for language assistance, to provide a sound program of instruction, to assess their English proficiency annually, and to notify parents of their initial placement in, progress within, and exit from the language program.

The Office for Civil Rights designates that the following procedures should be used by school districts to ensure that their programs are serving ELs effectively. **School districts must:**

- identify students who need assistance;
- develop a program which, according to experts, has a reasonable chance for success;
- ensure that necessary staff, curricular materials, and facilities are in place and used properly;
- develop appropriate evaluation standards, including program exit criteria, for measuring the progress of students; and
- assess the success of the program and modify it where needed.

Additionally, federal law affords children a legal right to education regardless of their immigration status. Eligibility for school enrollment in Montana is based on residency in the school district, not national origin. Children who do not speak English cannot be required to present documents that are not required by any other student while enrolling in school. As schools are not agents of immigration, it is not incumbent upon them to determine a student's immigration status. For further information, please refer to the following [Memoranda on Schools' Obligations toward National Origin Minority Students who are Limited English Proficient](#).

**Figure 3.** Non-Negotiables for School Districts



**Consistent with the Office for Civil Rights, students are entitled to:**

- be placed in a classroom appropriate to their age and grade level;
- receive English language instruction regardless of the number of ELs in the school and for as long as it is needed;
- be given tests free of cultural bias and to be tested in their primary language, if possible, for assessment purposes or special education evaluation;
- be placed in special education classrooms only if there is a disability and not because of English language proficiency;
- attend regular classes in art, music, and physical education as well as extracurricular activities, vocational training, and gifted and talented programs; and
- full participation in mainstream classrooms when the student is proficient in English.

### **PARTICIPATION OF NON-PUBLIC SCHOOLS**

Non-public schools are encouraged to serve their English learner students in the same manner as public schools in the spirit of the Civil Rights Act and ESSA. Non-public schools may opt to partner with a public school district or consortium of districts receiving a Title III subgrant for additional EL support materials. However, schools are only eligible for Title III subgrants after providing evidence that they are fulfilling their basic responsibilities to their EL students under Title I ([ESSA 1111\(b\)\(2\)](#)), including standardized identification and annual assessment of EL proficiency. Students at non-public schools may not be included in a public district's assessment roster for legal privacy reasons; these schools must independently manage their own administration of ELP assessments. Non-public schools interested in such a partnership should arrange a consultation with the public district's leadership during the spring and contact the [OPI's Private School Ombudsman](#) for more information.

### **IDENTIFICATION OF ELS**

Montana school districts and the OPI work in partnership to ensure that all data are collaboratively collected, maintained, and reported. See the [AIM Data Collection Schedule](#) for specific dates and specific data points. This dual responsibility to maintain accurate records of EL status, home language, and language of impact ensures a clear picture of the child. This understanding is imperative to inform our systems, resources, and outreach efforts so we can better work with families and our local communities across Montana. Without these timely, accurate, and consistent data collections, we cannot paint a quality picture of Montana's linguistic diversity. Reporting these data with fidelity ultimately allows us to deliver high-quality EL resources based on local need, increase the distribution of and access to EL resources for schools, and support any required EL program or policy decisions.

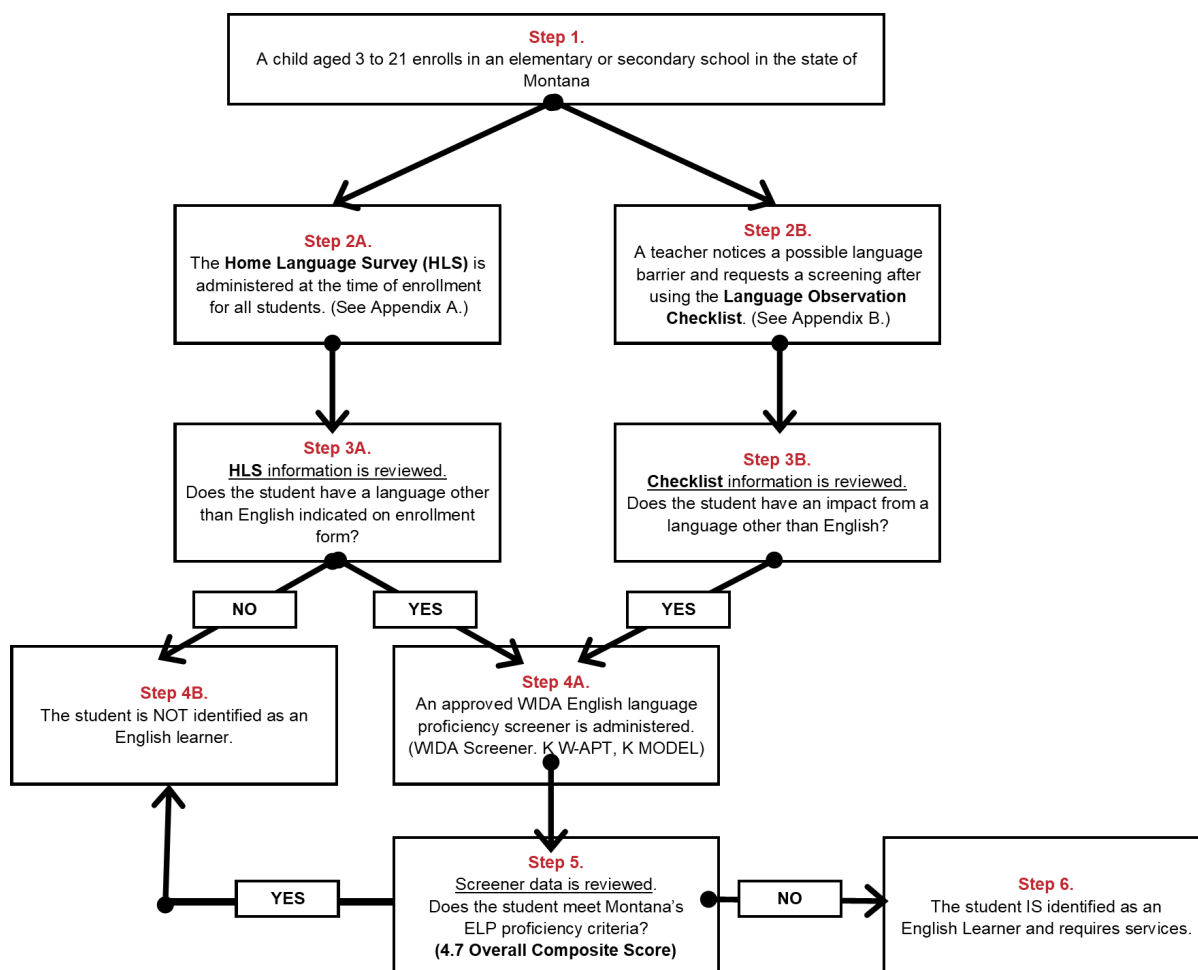
Under federal law, all school districts are required to identify students who are eligible for language assistance (**Figure 4**). School districts must use the guidance from the OPI to identify ELs and annually monitor individual progress in acquiring academic English consistent with all state and federal laws and regulations ([ARM 10.56.104](#)). Additionally, the district clerk must request an EL record transfer in AIM for all students transferring into the school district using the steps outlined in the [EL Tool Guide](#) and provide continuity of services for those students identified in another district.

## PRE-SCREENING

The first step in the identification process is to gather data on languages spoken at home, for all students, at the time of enrollment. This data is gathered using Montana's approved **Home Language Survey (HLS)** found in [Appendix A](#). If the HLS indicates that a language other than English is spoken in the home or if the student has significant exposure to another ancestral language, the student must be screened for possible identification as an EL using one of the approved WIDA screeners. If the HLS indicates that only English is spoken in the home, but the teacher has an indication that the student's academic language development may have been impacted by another language, the teacher may look at the student's overall academic performance and administer the **Language Observation Checklist** found in [Appendix B](#). If this checklist indicates that a student is not proficient when compared to their English-speaking peers in reading, writing, or oral language, then the student should be referred for formal identification assessment using an approved WIDA screener (see **Figure 4**).

In communities where there is a community-wide language of impact, care should be taken to assess the academic English language proficiency (foundational skills in reading and writing, listening, and speaking) of kindergarten students upon enrollment in school.

**Figure 4.** Identification Process





## PRE-SCREENING STUDENTS WITH SIGNIFICANT COGNITIVE DISABILITIES

Special care should be taken in the screening of students with significant cognitive disabilities who are potential ELs. ELs with significant cognitive disabilities are individuals who have one or more disabilities that significantly impact their intellectual functioning and adaptive behavior as documented on an Individual Education Plan (IEP) and are progressing toward English language proficiency in listening, speaking, reading, and writing. WIDA and the ALTELLA project are currently developing a specialized screening tool to standardize the identification process for potential ELs with significant cognitive disabilities. Currently, Montana recommends that educators conference with parents/guardians and make EL placement decisions based on a combination of survey and observational data.

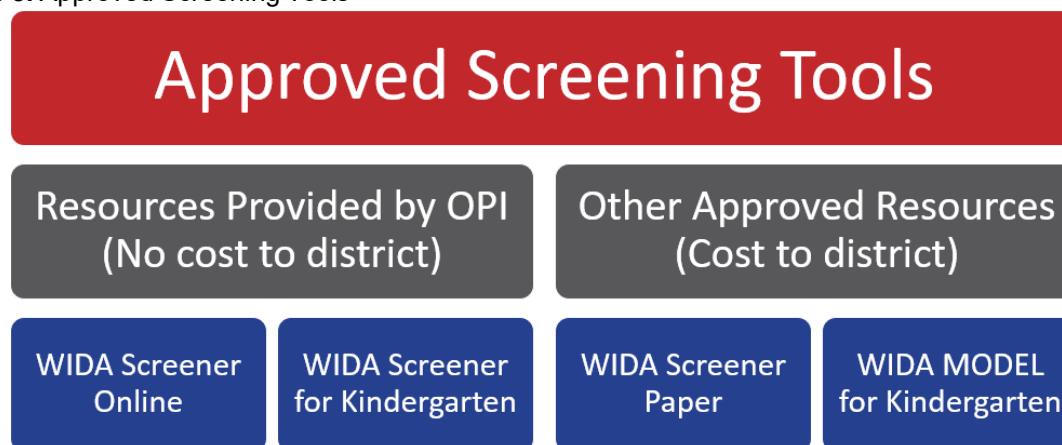
Educators who are responsible for identification of ELs should work closely with the special education teachers of these students. It is recommended that in addition to the [Home Language Survey](#), the special education teacher of the student gather additional information about the student's communication skills in the first language to aid in the identification process. The OPI is available to assist districts in creating an individualized EL identification process for students who may be difficult to screen with the standard screening tools because of communication issues. To learn more about the characteristics of ELs with significant cognitive disabilities, the following report from the WIDA consortium and the ALTELLA project is available: [Characteristics of English Learners with Significant Cognitive Disabilities: Findings from the Individual Characteristics Questionnaire](#).

## ADMINISTERING ELP SCREENERS

All potential ELs must be screened for placement using the OPI's approved ELP screeners so that identification decisions can be based on standardized and objective criteria. The screeners are available to all school districts at no cost. **Figure 5** and **Table 1** below outline the screening tools that are available in Montana. The screeners are required to identify ELs because of the test's alignment with Montana's WIDA English Language Development Standards, WIDA Proficiency Level Definitions, and Montana's English language proficiency criteria (see [ARM 10.53.301–10.53.311](#)).

Students who fall below the minimum scores as defined by Montana's definition of proficiency are eligible for EL services. **Table 1** below details Montana's proficiency and placement criteria. During the 2021-2022 school year, test coordinators will have the option of using the new WIDA Screener for Kindergarten for screening and identifying students in kindergarten or the first semester of first grade. Students in the first semester of kindergarten are only to be screened for their listening and speaking skills, since it is not reasonable to expect them to have already begun formal education in reading and writing.

Figure 5. Approved Screening Tools



**Table 1.** Montana’s Screener Criteria

Kindergarten First Semester	Kindergarten Second Semester
<p><b>Test Name:</b> WIDA Screener for Kindergarten, MODEL for Kindergarten</p> <p><b>Domains Administered:</b> Speaking and Listening</p> <p><b>Criteria:</b> K Screener: 5.0+ on Speaking and Listening* K MODEL: 4.7+ on Speaking and Listening</p>	<p><b>Test Name:</b> WIDA Screener for Kindergarten, MODEL for Kindergarten</p> <p><b>Domains Administered:</b> Speaking, Listening, Reading, Writing</p> <p><b>Criteria:</b> K Screener: 5.0+ higher overall composite score* K MODEL: 4.7+ overall composite score</p>
Grade 1 First Semester	Grade 1 Second Semester Grades 2 – 12
<p><b>Test Name:</b> WIDA Screener for Kindergarten, MODEL for Kindergarten</p> <p><b>Domains Administered:</b> Speaking, Listening, Reading, Writing</p> <p><b>Criteria:</b> K Screener: 5.0+ overall composite score* K MODEL: 4.7+ overall composite score</p>	<p><b>Test Administered:</b> WIDA Screener (online or paper)</p> <p><b>Domains Administered:</b> Speaking, Listening, Reading, Writing</p> <p><b>Criteria:</b> 5.0+ overall composite score*</p>

\*The WIDA Screener is different from the ACCESS for ELLs ELP assessment and uses smaller data sets to determine domain and composite scores. Montana’s proficiency criteria for the ELP assessment is an overall composite score of 4.7 or higher. However, the WIDA Screener score calculator only rounds scores down to the nearest 0.5 given its limited breadth. The purpose of the screener is to identify EL students and to support the creation of EL plans to help these students reach academic English proficiency. Program decisions should be grounded in evidence so each educator can confidently infer what students know and "can do" according to the [WIDA Can-Do Descriptors](#) and [WIDA English Language Development Standards Framework](#), which are specific to an entire proficiency level. With this tool, decisions for ELs can be made with confidence so that students have the supports in place to develop strong academic English skills. It is in the best interest of students and their language development not to overestimate what they “can do” and instead to set realistic expectations that encourage growth. The screener is directly related to a student’s access to an equitable education, and it has long-term implications for program placement, so students must achieve a composite score of 5.0 or higher to have confidence in their linguistic development and success in and beyond school.

### **SCREENING TOOLS FOR STUDENTS WITH SIGNIFICANT COGNITIVE DISABILITIES**

Students with mild or moderate disabilities fall under the same criteria as those without disabilities where school districts are required to administer statewide assessments with or without accommodations based on individual student needs consistent with all state and federal laws and regulations. The Individualized Education Program (IEP) team for a student shall determine if the student meets the eligibility criteria for the statewide alternate assessment based on the alternate achievement standards ([ARM 10.56.104](#)). It is recommended to consult with [the OPI’s Special Education Division](#) if you have a student with a significant cognitive disability and need assistance identifying a screening process.

### **ALTERNATE CRITERIA FOR STUDENTS WITH SIGNIFICANT COGNITIVE DISABILITIES**

The Individuals with Disabilities Act (IDEA) requires that the “state has established goals for the performance of children with disabilities in the state that are consistent, to the maximum extent appropriate, with other goals and standards for children established by the state.” IDEA further requires that all students be included in the state’s accountability systems.

Students eligible to participate in alternate assessments make up approximately 1% of the total student population. The decision to move a special education student to an alternate assessment has significant implications for the path that a student will take in their K–12 school career. It means the student is not able to participate in the general education curriculum even when provided with accommodations. A student who participates in alternate assessment requires a modified curriculum (See [Appendix I: Alternate Eligibility Criteria](#)).

For students who, because of their disability, cannot participate in the general assessment, the OPI has policies and procedures to follow to determine a child’s participation in the alternate test. Montana meets this requirement through the alternate assessments, the results of which will be included in the state accountability system on a yearly basis.

This “Alternate Eligibility Criteria Worksheet Form” ([Appendix I](#)) is intended to assist IEP teams in determining whether the student should participate in the general or alternate assessments and to address documentation requirements under IDEA. The IEP team must decide which MontCAS assessments (general or alternate) the student will participate in.

For students who are eligible for the alternate assessment, educators are asked to complete the Individual Characteristics Questionnaire (ICQ). The purpose of the ICQ is to learn more about the characteristics of ELs with the most significant cognitive disabilities. These questions have been adapted from questions from the First Contact Survey (Nash, Clark, & Karvonen, 2015) and Learner Characteristics Inventory (Kearns, Kleinert, Kleinert, & Towles-Reeves, 2006).

If you have a student who is eligible to take the alternate assessments, mark the Alternate Assessment checkbox under the Statewide Assessments editor in your AIM system. For students who are eligible to take the alternate assessments and are designated as EL, please indicate LEP in AIM and also mark the Alternate Assessment checkbox. Questions can be directed to the AIM Help Desk at 1-877-424-6681, 406-444-3800, or [opiainhelp@mt.gov](mailto:opiainhelp@mt.gov). Additional information about completing the statewide assessment editor in AIM can be found in the [IEP Updates: Statewide Assessment Editor](#).

### **SUPPORTING IDENTIFICATION DECISIONS WITH ADDITIONAL ACADEMIC DATA**

In addition to using an approved screening tool, school districts are encouraged to support the identification of ELs with data from state, district, and classroom content assessments which may include:

- Writing assessments
- Reading comprehension assessments
- Observation scales
- Oral interview
- Running records
- Developmental reading assessments
- Checklist of reading proficiency carried out in conjunction with district reading program

### **ACCESSING WIDA SCREENER TEST MATERIALS**

The ELP screeners are available in paper and online formats. The WIDA Screener for Kindergarten and the Kindergarten W–APT are paper-based tests administered one-to-one. The WIDA Screener Online for grades 1–12 is a computer-based test with paper options for grades 1-3. Test forms and administration manuals are available to all WIDA Consortium member states at no additional cost. Please contact your System Test Coordinator (STC) to gain access to screening materials and test administration trainings. Questions about accessing screening materials or the WIDA website can be directed to the OPI Assessment Help Desk at 1-844-867-2569 or by email at [OPIAssessmentHelpDesk@mt.gov](mailto:OPIAssessmentHelpDesk@mt.gov).

### **UPDATING STUDENT EL INFORMATION IN AIM**

All students identified as ELs must be enrolled in the EL program in AIM. See the [AIM Data Collection Schedule](#) for more information. The EL AIM module is used to collect, monitor, and report out on students

identified as ELs by the reporting school district. The OPI uses this data for assessment registration and to calculate student participation in state and federal programs, including the annual ELP assessment. The [EL Tool Guide](#) provides step by step directions for entering EL program participation in AIM.

## **FREQUENTLY ASKED QUESTIONS ABOUT EL IDENTIFICATION**

For a quick reference to the entrance-service-monitor-exit (ESME) process, see [Appendix J](#).

### **Which school districts are required to identify ELs?**

All districts must identify those students who qualify for language support as English learners and provide them with language support as required by state and federal law.

### **Do EL determinations follow the student if they transfer?**

If an EL transfers from a Montana district or other WIDA consortium state school district, the district receiving the student must request the EL records transfer in AIM/Infinite Campus. Then the student's EL status, ACCESS for ELLs assessment results, and other records related to their EL status will follow the student to the new district.

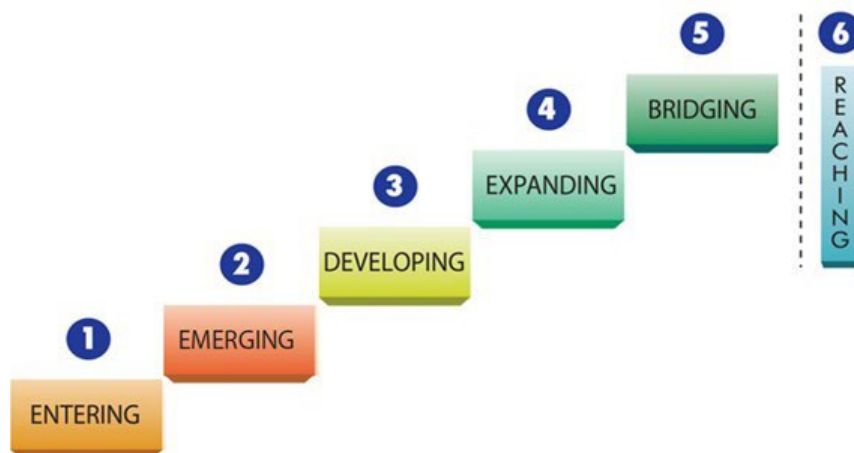
### **When must an EL be identified?**

An EL must be identified as soon as possible, preferably before the start of the school year, but no later than 30 days after the start of the year. A student who enrolls after the start of the school year should be identified within 30 days of enrollment. If an EL transfers from another district, EL records must be requested and transferred from the former district with the student.

### **What will the ELP screeners tell me about the student?**

The results of the screeners will indicate the level of the student's proficiency in each domain (listening, speaking, reading, and writing) and will guide the appropriate program placement and level of service needed. These scores also serve as a starting point for differentiation and scaffolding in content instruction.

**Figure 6.** Levels of English Language Proficiency



### **What are the English Language Proficiency levels?**

The WIDA standards and assessments include six proficiency levels. According to WIDA, a student reaching “Level 6: Bridging” shows no language characteristics that would distinguish them as needing additional English language services. Such a student would be capable enough in all language domains: speaking, listening, writing, and reading, to be able to benefit fully from mainstream classroom instruction. See [Appendix D: WIDA’s Performance Definitions](#) for WIDA’s performance definitions describing what students can do at each proficiency level. They can also be found at the [WIDA Montana State](#) page.

## PROGRAM AND PLACEMENT OPTIONS

Under federal law, school districts must provide a program of instruction to English language learners in their schools.

School districts must provide an instructional program which will support the second language development necessary for language minority students to participate in learning (Equal Opportunity Act, 1974). Providing students who are not proficient in English the same instructional program as English-speaking students is not allowing them equal educational opportunity. Children should be placed in regular classrooms with students of their own age.

Judging students' language proficiency solely on their oral and social language can be problematic when they are not able to meet the academic language and literacy demands of mainstream classrooms. Cummins (1979) defines Basic Interpersonal Communicative Skills (BICS) as the conversational ability that language learners develop in 1–3 years where contextual and non-verbal signals play important roles in comprehension. BICS can be thought of as “playground English.” Cognitive Academic Language Proficiency (CALP), on the other hand, is “a complex network of language and cognitive skills and knowledge required across all content areas for eventual successful academic performance at secondary and university levels of instruction” (Cummins, 1979) (see **Table 2**).

**Table 2.** A Brief Description of Language Proficiency (based on the work of Jim Cummins)<sup>3,7</sup>

BICS	CALP
<p><b>Social language takes approximately 1–3 years to develop.</b></p> <p>Students develop BICS by observing non-verbal behavior, reactions, and contextual clues which are present in conversation (gestures, facial expressions, pictures, etc.) They acquire language in a development process that generates increasingly more complex structures.</p> <p><b>Students with BICS:</b></p> <ul style="list-style-type: none"> <li>• Use English phrases and some colloquial language chunks (Hey, how's it going?)</li> <li>• Carry on intelligible conversations about using high frequency words and topics (e.g., TV, classroom activities, friends, family)</li> <li>• Struggle to perform well on standardized tests of academic skills such as Smarter Balanced or MSA</li> <li>• Pass simple, “BICS-oriented” language proficiency tests</li> </ul>	<p><b>Classroom Language takes between 5–7 years to develop</b></p> <p>Students develop CALP with explicit instruction of the academic language of schooling (technical vocabulary, language structures, and discourse patterns specific to academic content areas).</p> <p><b>Students with CALP:</b></p> <ul style="list-style-type: none"> <li>• Are able to perform well on standardized tests of academic skills such as Smarter Balanced or MSA</li> <li>• Are able to succeed in context-reduced, cognitively demanding classroom activities involving writing, reading, spelling, test-taking</li> <li>• Communicate orally and in writing with English proficient peers</li> </ul>

Academic language is often complex and includes the technical vocabulary and language structures of the content areas (e.g. “osmosis” or “photosynthesis” in science, or literary and grammatical vocabulary in language arts). Academic English language proficiency entails using these technical vocabularies in reading, writing, listening, and speaking (see [Appendix D: WIDA's Performance Definitions](#) for a further description of language proficiency and the stages of second language acquisition).

***“There is no equality of treatment merely by providing students with the same facilities, textbooks, teachers, and curriculum; for students who do not understand English are effectively foreclosed from any meaningful education.”***  
***Lau v. Nichols (1974)***

While hiring a full-time English as a Second Language (ESL) teacher or offering a dual language immersion program may not be feasible in many Montana districts, school districts are responsible for providing language development services to ELs. In cases where there is one student, or the numbers are small, the program of instruction may not be provided by a full-time ESL instructor, but rather designed and provided by the mainstream and support instructional staff. The Mid-Continent Regional Educational Laboratory published "[English Language Learner Resource Guide: A Guide for Rural Districts with a Low Incidence of ELs](#)" in 2004, which suggests building leadership capacity, building instructional staff capacity, and building capacity for parent and family involvement. The OPI offers the following programmatic recommendations and considerations for rural districts with low-incidence EL populations as well:

- Design professional development to build the capacity of all teaching staff who will work with ELs.
- Provide support through additional staff and appropriate materials for the most language-rich content areas posing the most difficulties for ELs (Reading/Language Arts or Social Studies).
- Provide targeted and appropriate professional development for instructional staff, e.g. Title I teachers, reading specialists, and other teachers to provide academic language instruction.

Whether your school district decides to implement a professional development program for all teachers who work with English language learning students, or if you adopt one of the more formalized programs (described later in this section), it is essential to remember that the basic program of instruction for ELs is the responsibility of the district. For more guidance, [see the training modules available on the OPI English Learner Page for assistance designing academic English language programs](#). Supplemental services can be provided by Title I and Title III federal programs (see [Appendix H](#) for a sample personalized educational plan for ELs).

### **PROGRAM PLACEMENT OPTIONS FOR STUDENTS WITH DISABILITIES**

It is not enough to assume that an EL with a disability will have their EL needs served by the special education teacher(s). Just like any EL, students with disabilities must have a specific program of instruction to address their English language development needs. This is separate and distinct from their other services. It is, however, best practice to consider and include English learner objectives in the IEP. In school districts where an EL specialist is available, the EL specialist should be included in the IEP team to provide guidance and expertise in establishing EL goals, planning a program of instruction, and implementing that instruction when appropriate.

Steps to include EL students with disabilities in standards-based lessons:

1. Identify the academic language in the lesson;
2. Create language objectives that are grounded in the content objectives;
3. Identify how you will assess language objectives and how you will differentiate the assessments for ELs at different proficiency levels;
4. Identify supports that address the language needs of your ELs with disabilities that will allow them to participate in the lesson; and
5. Provide the accessibility supports that are documented in the IEP for ELs with disabilities.

### **RESOURCES FOR TEACHERS ON SERVING THE NEEDS OF ELS WITH SIGNIFICANT COGNITIVE DISABILITIES**

These resources are helpful for teachers in understanding how to serve the needs of ELs with significant cognitive disabilities. They were created as a part of the ALTELLA project and published by WIDA.

- [ALTELLA Brief 1: Establishing a Definition of English Learners with Significant Cognitive Disabilities](#)
- [ALTELLA Brief 2: Considerations for Educators Serving English Learners with Significant Cognitive Disabilities](#)
- [ALTELLA Brief 3: Nonverbal Communication in Diverse Classrooms: Intercultural Competence Considerations for Supporting English Learners with Significant Cognitive Disabilities](#)
- [ALTELLA Brief 4: Individualized Education Programs for English Learners with Significant Cognitive Disabilities](#)

- [ALTELLA Brief 5: A Framework for Understanding English Learners with Disabilities: Triple the Work](#)
- [ALTELLA Brief 6: Case Examples of English Learners with Significant Cognitive Disabilities](#)
- [ALTELLA Brief 7: The Role of Language and Communication in the Education of English Learners with Significant Cognitive Disabilities](#)

## **LANGUAGE ACQUISITION AND BEST PRACTICES FOR TEACHING ELS**

Acquiring another language is a natural process that best occurs in an environment free of anxiety where the focus is on communication. Below are some best practices to assist ELs with language acquisition (See [Appendix E: Suggested Interventions for EL Students](#) and [Appendix F: SIOP and CALLA Strategies for ELs.](#))

Expose students to rich and varied academic language as much as possible:

- Include linguistically diverse students in all classroom activities.
- Provide sensory (visuals, realia, etc.), graphic (timelines, graphic organizers), and interactive (pairs, groups, multimedia) supports in every lesson.
- Develop content knowledge alongside language abilities at all language proficiency levels.
- Modify and adapt assignments, paraphrase textbook passages, and include supplementary materials where needed to make content accessible.
- Model classroom and lesson expectations and provide clear instructions.
- Teach hands-on, activity-oriented, and visual thematic units to facilitate learning, particularly through small group or cooperative learning in all subject areas.
- Pair language-minority students with English-speaking students as class companions, bus, playground and/or cafeteria helpers.
- Use pictures, realia, movement, and gestures. At the elementary level, songs, rhymes, children's literature, including wordless books and ones that have high correspondence to the pictures in all classes.
- Provide encouragement for the student to continue to speak, read, and write in their native language, particularly if the student is literate.
- Use differentiated and personalized instruction for ELs, as for other students.

As these students should have access to the curriculum, they also should have access to counseling, extracurricular activities, and supplemental programs such as Title I and Title III, gifted education, etc. Advocacy for these students by the administration is critical in ensuring this. [See the classroom and educator resources on the OPI English Learner Page for more resources.](#)

Teachers and tutors who work with ELs can receive technical assistance from the OPI in ways of serving these students in the regular classroom and in support programs. The support of an interpreter during the first few days of school to assist with pertinent information, such as scheduling, lunch routine, etc. may be appropriate. It may not be necessary or desirable to have an interpreter at the student's side all day.

Research shows that students who have a strong background in language and literacy in their first language acquire academic language proficiency in a second language more easily than students without academic language or literacy skills in their first language. For this reason, ELs benefit from opportunities to learn academic content in their native language as well. As part of the school's overall effort to promote cultural pluralism and confidence in the student's ability to learn, the student's knowledge of another language and culture should be honored. In keeping with this premise, the school should not make recommendations to the student's parents, families, or guardians to use only English with them in the home setting, as the use of the native language at home does not debilitate the student's ability to learn English, and efforts by parents or guardians who are not themselves proficient in English may diminish the quality of family communication and interactions.

For more guidance on exemplary systems that support ELs, [see the professional resources available on the OPI English Learner Page](#), which features best practices in districts around the state that are in place to support ELs and interviews with Montana educators about their EL programs and teaching methods.

## COMMONLY USED LANGUAGE INSTRUCTION PROGRAMS

The Office for Civil Rights does not mandate any particular program of instruction for ELs, just that the program be based on sound educational theory<sup>1</sup>. In districts with few ELs, at a minimum, teachers and administrators must provide necessary alternative language services to students in need of such services and seek any assistance necessary to comply with this requirement. Districts with little experience serving the needs of ELs are encouraged to take advantage of [professional development offered by the OPI](#). Schools with a relatively large number of ELs would be expected to have in place a more formal program. The following are some language acquisition programs that may be considered (**Figure 7**).

For more information on reviewed English language development programs, review the WID [Protocol for Review of Instructional Materials for ELLs \(PRIME\)](#) which correlates the ELD standards to instructional materials. [What Works Clearinghouse](#) is another resource to review research-based instructional materials. To review K–12 instructional materials, visit [Prime V2](#).

**Figure 7.** Types of Common Language Instruction Programs. For more detailed information on program design please view the OPI’s guidance module on [LIEP models of instruction](#) and refer to these [sample minute requirements per WIDA proficiency level](#) to guide EL program planning.

<b>English as a second language (ESL) instruction</b>
<p>ESL-certified/qualified teacher provides explicit language instruction to students. Instruction focuses on development of proficiency in the English language, including grammar, vocabulary and communication skills.</p> <ul style="list-style-type: none"> <li>• Goals: Proficiency in English</li> <li>• Class format: Students may have a dedicated ESL class in their school day or may receive pull-out ESL instruction where they work with a specialist for short periods during other classes.</li> <li>• Push-in services may look a lot like co-teaching because of the teamwork they require to be effective.</li> </ul>
<b>Content-based ESL</b>
<p>ESL-certified/qualified teacher provides language instruction that uses content as a medium for building language skills. Although using content as a means, instruction is still focused primarily on learning English.</p> <ul style="list-style-type: none"> <li>• Goals: Proficiency in English.</li> <li>• Class format: Students may have a dedicated ESL class in their school day or may receive pull-out/push-in ESL instruction.</li> </ul>
<b>Sheltered Instruction (SI)</b>
<p>Teacher provides instruction that simultaneously introduces both language and content, using specialized techniques to accommodate ELs’ linguistic needs. Instruction focuses on teaching academic content rather than the English language itself, even though the acquisition of English may be an instructional goal.</p> <ul style="list-style-type: none"> <li>• Goals: Preparation to meet academic achievement standards. Proficiency in English.</li> <li>• Class population: SI may be used for ELs-only classrooms or for mixed classrooms with ELs and non-ELs.</li> <li>• Instruction is delivered by a general education teacher who is trained or an ESL-certified teacher.</li> </ul>
<b>Newcomer Program</b>
<p>ELs who are recent immigrants and might have low literacy and are new to formal education settings receive specialized schooling designed to acclimate them to the American school setting and prepare them to participate in mainstream classes.</p> <ul style="list-style-type: none"> <li>• Goals: Build foundational skills in content areas (basic literacy, math concepts, etc.).</li> <li>• Program length: Newcomer programs may last anywhere from one semester to 4 years.</li> <li>• Program design: Newcomer programs may range from a half-day, in-school program to a full-time, self-contained school.</li> </ul>

<sup>1</sup> Detailed information on creating and evaluating programs for ELs is available at on the OCR website here: <http://www2.ed.gov/about/offices/list/ocr/ell/developing.html>.



**Figure 7. (cont.)**

<b>Transitional bilingual education (TBE)</b>
<p>Students begin in grade K or 1 by receiving instruction all or mostly in their L1, and transition incrementally over to English. Typically, transition to all English is complete by mid- to late elementary school.</p> <ul style="list-style-type: none"> <li>• Goals: Proficiency in English. Typically, students complete their transition by around grade 3.</li> <li>• L1 is used to leverage L2 acquisition, but L1 proficiency is not a program goal.</li> <li>• Balance of L1 and L2: Some TBE programs begin with L1 exclusively; others begin with a majority of L1 and use some L2.</li> </ul>
<b>Developmental bilingual education (DBE)</b>
<p>Students begin in grade K or 1 by receiving instruction all or mostly in their L1, and transition incrementally over to English.</p> <ul style="list-style-type: none"> <li>• Goals: Bilingualism and biliteracy.</li> <li>• Balance of L1 and L2: Programs follow either a 50-50 model or a 90- 10 model (which ultimately transitions to 50-50).</li> </ul>
<b>Two-way immersion (TWI)</b>
<p>ELs and non-ELs receive instruction in English and a non-English language.</p> <ul style="list-style-type: none"> <li>• Goals: Bilingualism, biliteracy and biculturalism</li> <li>• Balance of L1 and L2: Programs follow either a 50-50 model or a 90-10 model (which ultimately transitions to 50-50).</li> </ul>
<b>Heritage Language or Indigenous Language Program</b>
<p>L1 literacy classes are an essential part of a comprehensive program that provides academic rigor to secondary students, keeping them challenged and engaged in school.</p> <ul style="list-style-type: none"> <li>• Goals: Advancement/retention of heritage language literacy. Students will vary in the oral and literacy skills in their first language.</li> <li>• Teachers must be very skilled in differentiating instruction to meet the different literacy needs of native speakers.</li> </ul>

## **FREQUENTLY ASKED QUESTIONS ABOUT PROVIDING PROGRAM SERVICES**

This section is adapted from the Office for Civil Rights Questions and Answers on the Rights of ELs.

### **What standards are available to guide instruction for ELs?**

Montana has adopted the [WIDA English Language Development \(ELD\) Standards](#), whose purpose is to guide teachers in instruction that will assist ELs in gaining proficiency in English. Along with the WIDA ELD Standards, WIDA has developed a set of [Can-Do Descriptors](#) which describe what an EL student can do at each level of proficiency and for each domain of speaking, reading, writing and listening. These Descriptors are commonly used to plan differentiated lessons or observe student progress.

[The 2020 Edition of the WIDA ELD Standards Framework](#) is also now available to educators for developing EL instructional programs and integrating language pedagogy in all classrooms. This new edition contains more detailed breakdowns of key language uses in different content areas and the specific linguistic goals for students in each grade cluster. WIDA has made available a [High-Level Comparison of the 2004 and 2020 Standards](#) as well as a self-paced eWorkshop ([The WIDA ELD Standards Framework: A Collaborative Approach](#)) to help educators implement the new framework.

### **How can I learn more about using ACCESS for ELLs and Screener data from the results reports to guide program and instructional decisions for the ELs in my school?**

There are several professional development opportunities for Montana’s educators and administrators to address utilizing the data from the WIDA assessments to make program and instructional choices. The [WIDA Resource Library](#) on the WIDA website has webinars created for Montana’s Educators in the Videos/Webinars section. ACCESS for ELLs Score Interpretation 2015 introduces the various score reports and their uses. Other recorded webinars include trainings on academic language, WIDA standards, performance definitions, can-do descriptors, ACCESS for ELLs, and the WIDA Screener (online and kindergarten). The OPI also provides face to face trainings and online webinars. For more

information about professional development opportunities, contact the OPI Assessment Help Desk at 1-844-867-2569 or email at [OPIAssessmentHelpDesk@mt.gov](mailto:OPIAssessmentHelpDesk@mt.gov).

**What if families do not want their child to have services to address their English needs?**

Parents/guardians can opt not to have their child(ren) participate in an EL program. When a family declines participation, the district retains a responsibility to ensure that the student has an equal opportunity to have their English language and academic needs met. School districts can meet this obligation in a variety of ways (e.g. adequate training to classroom teachers on second language acquisition; monitoring the educational progress of the student, etc.). Although these students may not be participating in the EL program, they must be reported as ELs until they test proficient on the state ELP assessment. Parents/Guardians should be informed of these legal stipulations and must decline EL services in writing. (Sample forms are available through [TransACT](#).) That document should be kept in the student’s cumulative file.

**ACCESSIBILITY**

Decisions about supports for ELs for the classroom and for assessments are made on an individual basis. EL teams should consider the student’s proficiency skills in English (WIDA Screener and ACCESS for ELLs scores), the student’s proficiency in their home language, and the student’s instructional history. **Table 3** provides an example of a template to gather information about a student that can be used to help determine EL supports for instruction and assessment.

**Table 3.** Example Data Gathering Tool

Data to be gathered:	
Student Name, ACCESS Overall Composite Score	Name: Justin, 3.0
Where was the student born?	Born: in US
What is the home primary language or language of impact?	Home language: English and Blackfeet
What are the student’s language skills in the home language/language of impact?	Home Language skills: Justin attended a language immersion preschool and has informal speaking and listening skills in Blackfeet. Justin speaks a combination of English and Blackfeet at home with his parents.
When was the child first enrolled in US schools?	Enrolled in US schools: in Kindergarten
What is the student’s educational background?	Educational background: 2 years in immersions pre-school, enrolled in Kindergarten.
What is the student’s background with English?	Lifelong exposure outside of school; 1.5 years in the academic setting
Screener Scores/ACCESS for ELLs Test Scores: Listening Level: Speaking Level: Reading Level: Writing Level:	WIDA Screener Scores: Listening: 4.0 Speaking: 2.0 Reading: 2.0 Writing: 1.0

There are two categories of general supports for ELs: home language supports and English supports. The former are supports provided to ELs that involve the use of the student’s home language. These types of supports are most effective for students whose primary form of communication is not English. English supports are those things provided that do not involve use of home language resources or translations. Home language supports are only effective when the student has had instruction in the content that is being assessed or taught in their home language.

For special population students (e.g., students with disabilities, students with section 504, or EL educational plans), accommodations help these students access the general education curriculum.

**Accessibility tools and accommodations should be used in instruction and assessment throughout the school year and at least three months before any state assessments.** Supports that are provided on state assessments must be familiar to the student and must match those supports and accommodations that are provided for classroom instruction and assessments throughout the school

year. A student's parents/guardians should be knowledgeable about the supports and accommodations planned for their child so that they are aware of the conditions under which their child will participate in the assessment. The purpose of accessibility is to eliminate the effects of barriers that prevent students from demonstrating what they know and can do. All students can work toward grade-level academic content standards via differentiation and appropriately selected supports and accommodations.

In most cases, the EL supports that are provided to students in the classroom should be the same as those provided for statewide assessments. In some cases, a support that is allowable in the classroom is not appropriate for use on statewide assessments. For instance, a student would not use a word-for-word dictionary on the ACCESS for ELLs test because the test is an assessment of a student's English language skills. It is important for educators to become familiar with [the usability, accessibility, and accommodation OPI guidelines for each state assessment](#) and understand the allowable supports and context for each accessibility feature. These manuals provide guidance on allowable supports for ELs and detail the standardized procedures for administering the state test to ELs. Test administrators who will work with EL assessment must receive test administration, test security, and test accessibility training prior to administration of any state assessments to ensure accurate, valid, and reliable results of student achievement.

### **PROVIDING ACCOMMODATIONS TO ELS WITH DISABILITIES**

Montana has in place procedures to ensure the inclusion of all accredited and public elementary and secondary school students with disabilities in the Montana Comprehensive Assessment System (MontCAS) state testing program.

Under IDEA, the determination of which students are English learners with disabilities and the type of accommodations they receive should be made by the student's IEP team and, if necessary, a 504 Plan should be developed that includes the student's parents or guardians, teachers, school counselors, and others. Some of these identified students may not be able to take one or more of the four domains (Speaking, Listening, Reading, and Writing) of the ACCESS for ELLs assessment due to their disabilities. For more information please go to [OPI Statewide Testing Page on Accessibility Resources](#).

## **ASSESSMENT**

Under state and federal law, all districts are required to assess the English proficiency of English language learners annually ([ARM 10.56.102](#) and [ESSA Section 1111\(b\)\(2\)\(B\)\(vii\)\(III\)](#)).

### **DATA COLLECTION REQUIREMENTS**

School districts must enter and maintain accurate data for ELs in the Achievement in Montana Student Information System/Infinite Campus (AIM) database. Title III of ESSA, requires school districts to disaggregate EL data by the number and percentage of ELs with disabilities, in reporting on (1) the number and percentage of ELs making progress towards ELP; and (2) the number and percentage of former ELs meeting State academic standards for four years after exit. [ESEA Section 3121(a)].

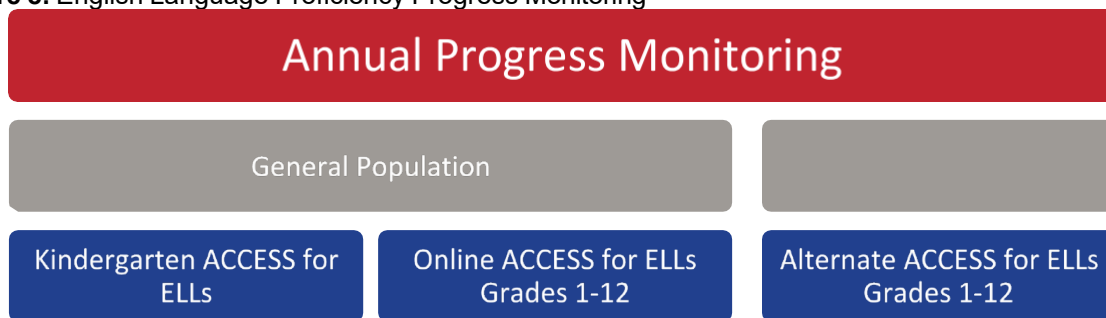
**The AIM data elements are:**

1. Home Primary Language (HPL)
2. Language of Impact (LOI)
3. EL identification (within 30 days)
4. Date identified as EL
5. Supports for Math/ELA/Science assessments
6. Date exited from EL status
7. Two years of monitoring after exiting EL status

According to the [AIM Data Collection Schedule](#), EL data must be entered into AIM by the October count date in order for students to be registered to participate in the assessment. Students who are identified on

the October count date as EL are registered for the annual ELP assessment. Preparation for the online ACCESS for ELLs assessments can be conducted using the [WIDA Montana State](#) page.

**Figure 8.** English Language Proficiency Progress Monitoring



### **ACCESS FOR ELLS ASSESSMENT**

In addition to an initial assessment for identification and program placement, all identified ELs must be assessed annually in grades K-12 for ELP in the four domains of listening, speaking, reading, and writing. This includes all ELs who receive special education services no matter what their disability or level of service. All students, including ELs and students with IEPs, identified at the time of state testing must be accounted for when the assessment results are reported to the U.S. Department of Education (ED). The testing window is twelve weeks long and runs from early December through February. More information is available on the [WIDA Montana State](#) page.

The OPI has selected WIDA’s ACCESS for ELLs assessment to measure English proficiency for ELs. The ACCESS for ELLs is a large-scale English language proficiency assessment aligned to the WIDA English language development standards (2011). Subtests include the domains of listening, speaking, writing, and reading. There is an Alternate ACCESS for ELLs for EL students who have significant cognitive disabilities. It is important that registration information within the OPI’s Achievement in Montana (AIM) student information system be as accurate and complete as possible for the appropriate identification of students eligible for this assessment. An EL must achieve an overall composite score of 4.7 or higher to be considered proficient in academic English and to exit EL status. Montana defines proficiency for the Alternate ACCESS for ELLs test as an overall composite score of P2 for ELs with the most significant cognitive disabilities.

### **REQUIRED TRAINING FOR TEST ADMINISTRATORS**

Annually, all WIDA accounts are reset and refreshed by the OPI. Test administrators are required to be certified every two years for renewal purposes, and first-time certification is mandatory for any new test administrators to be eligible to administer ACCESS for ELLs and the WIDA screeners. Training for school district personnel is available online through the [WIDA Secure Portal](#).

In order to complete the certification process, test administrators must score a minimum of 80% on each of the ACCESS for ELLs training quizzes (Group, Speaking, Kindergarten, and Alternate ACCESS for ELLs) for the assessment components that they will administer. The OPI also provides live webinar and in-person trainings, however, when face-to-face trainings are completed in lieu of the online training, test administrators must still complete the required quizzes online. Periodic training events hosted by the OPI can be found on the [OPI’s Learning Opportunities Portal](#). The WIDA website trainings are password protected and must be accessed through [WIDA Secure Portal](#). Test administrators can contact their STC to obtain a personal password. For questions about WIDA accounts, contact the OPI Assessment Help Desk at 1-844-867-2569 or email at [OPIAssessmentHelpDesk@mt.gov](mailto:OPIAssessmentHelpDesk@mt.gov).

### **SCORE REPORTS AND MAKING DATA-DRIVEN DECISIONS**

All kindergarten domains and the speaking portion of the paper version of grades 1–12 ACCESS for ELLs are rated by test administrators during the test administration. If students take the online ACCESS for

ELLs, which is Montana’s preferred method, the speaking portion of the test is also on the computer, and the test delivery contractor rates the responses for grades 1–12. Printed copies of the following results reports are mailed to schools the first week of April. These reports include each of the following:

**Table 4.** Score Report Types and Intended Audiences

<b>ACCESS Score Report</b>	<b>Audience or Stakeholder</b>	<b>Types of information</b>
Individual Student Report	<ul style="list-style-type: none"> <li>● Students</li> <li>● Parents / Guardians</li> <li>● Teachers</li> <li>● School Teams</li> </ul>	Individual student’s scale scores and levels of English language proficiency for language domains (Listening, Speaking, Reading, and Writing) and four composites (Oral Language, Literacy, Comprehension, and Overall Score).
Student Roster Report	<ul style="list-style-type: none"> <li>● Teachers</li> <li>● Program Coordinators / Directors</li> <li>● Administrators</li> </ul>	Scale scores and proficiency levels for each language domain and four composites by school, grade, student, and grade-level cluster.
School Frequency Report	<ul style="list-style-type: none"> <li>● Program Coordinators / Directors</li> <li>● Administrators</li> </ul>	Number of students and percent of total tested at each proficiency level for each language domain and four composites within a school.
District Frequency Report (In Montana, District refers to a School System.)	<ul style="list-style-type: none"> <li>● Program Coordinators / Directors</li> <li>● Administrators</li> <li>● School Boards</li> </ul>	Number of students and percentage of total tested at each proficiency level for each language domain and four composites by proficiency levels for grades within a district.

It is required by law that results be shared with parents/guardians, but School Systems may decide how to do this. It is recommended that a copy of the Individual Student Report be kept in the student’s cumulative file and that another copy be sent home to the parent/guardian for discussions about setting goals and checking progress.

Each school district’s student data file is available on the [WIDA AMS/DRC](#) portal and may be accessed by STCs. Districts may also download translated Individual Student Reports in 47 languages free of charge. These can be found under the **On-Demand Reports** tab of the WIDA AMS website.

### **INTERPRETIVE GUIDES FOR ACCESS FOR ELLS SCORE REPORTS**

WIDA provides this [ACCESS for ELLs Interpretive Guide for Score Reports](#) to help educators and families understand what a student’s domain and composite scores mean for their English language development and proficiency in different areas. WIDA also provides the [Alternate ACCESS for ELLs Interpretive Guide](#) for students with disabilities who take the alternate assessment and [Less Than Four Domains: Creating an Overall Composite Score for English Learners with Individualized Education Plans](#), which lays out methods of calculating scores for students who cannot complete all four domains of the ACCESS or Alternate ACCESS test.

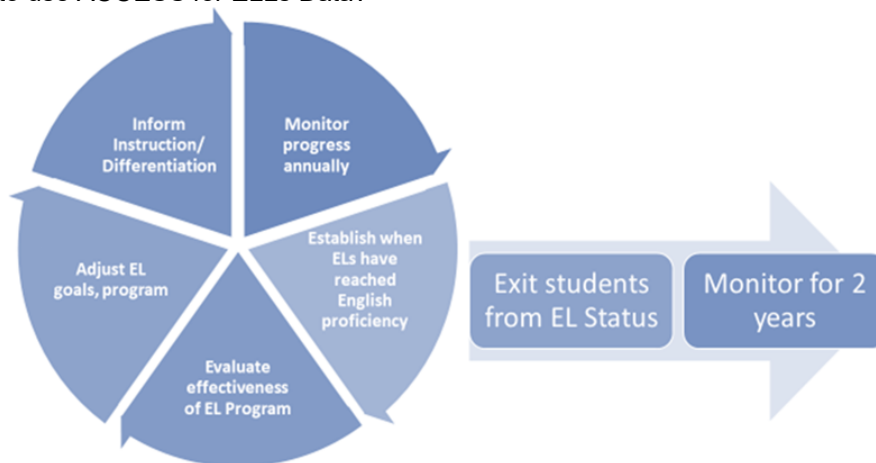
### **USING ACHIEVEMENT DATA**

The OPI recommends using the data from the ACCESS for ELLs as a part of a feedback loop and to inform the continuous improvement process (see [ARM 10.55.601](#)). The state Board of Public Education established the requirement for a continuous school improvement plan where each school district and each of its schools must develop, implement, and evaluate continuous school improvement plans and make the plans available to the public. Individual student score reports should also be used by teachers to craft instructional plans and set meaningful goals for students.

It is required, both by state and federal law, that families be provided with transparency on state testing including participation requirements, time requirements, and information available from the assessments in a timely manner (see [ESSA 1112](#), [ARM 10.56.102\(6\)](#), and [ARM 10.55.603\(3\)-\(4\)](#)). In addition to this requirement, school districts are required to provide timely individual student reports to families, teachers, and principals and include the results on local report cards ([ESSA 1111](#)).

When reports are delivered, the scores are used to monitor annual progress by showing how much a student has grown or when the student meets Montana’s proficiency criteria and is ready to exit the EL program. School districts also use the data to evaluate the effectiveness of the EL program that is in place to serve the needs of their students. Based on the data, a school district may continue to use the same program or may need to make a change if a student is not progressing. School districts can also use achievement data to track progress towards the previous year’s goals and to set new goals for the next annum. Finally, EL achievement and progress data are used by educators to determine the instructional supports and differentiation in content lessons based on the student proficiency levels in each assessment domain (see **Figure 9**).

**Figure 9.** How to use ACCESS for ELLs Data?



## **FREQUENTLY ASKED QUESTIONS ABOUT ASSESSMENT**

### **Why does the OPI administer the WIDA screeners and ACCESS for ELLs assessments?**

The WIDA screeners are used to provide an objective measure to help districts determine when a student should be identified as an EL. Once a student is identified as an EL, they are registered for the appropriate ACCESS for ELLs test (Kindergarten ACCESS for ELLs, Online ACCESS for ELLs, or Alternate ACCESS for ELLs) to help monitor their academic language progress in grades K-12 according to Montana's proficiency criteria on an annual basis. Student participation is important for both federal and state compliance ESSA ([1111\(b\)](#)) and [ARM 10.56](#)).

### **What other state assessments must an EL take?**

[All ELs must participate in the MontCAS academic content assessments in grades 3–8 and 11 for reading/language arts and mathematics and in grades 5, 8 and 11 for science.](#) ELs who have been enrolled in a US school for less than twelve months qualify for a one-time exemption from the state ELA assessments and may take the ACCESS for ELLs test in place of it. The student must still take the math and science tests for their grade level but may do so with language supports and accommodations.

### **How should students with disabilities and English learners meaningfully participate in state tests?**

All students with disabilities and ELs must be included in state assessments. This has prompted the creation of a range of test participation options, making it possible for students even with the most significant disabilities have the opportunity to demonstrate what they know and can do on a test aligned with general education content standards. There are three options for ELs to participate in state tests:

1. Participate in general population assessments without accommodations.
2. Participate in general population assessments with accommodations ([see Accessibility Resources](#)).
3. Participate in alternate assessments when the [participation criteria](#) are met.

### **What accommodations may be made for ELs on statewide assessments?**

All students identified as ELs must participate in state academic content assessments. ELs must be provided language supports and accommodations on state academic assessments that align with their instructional experience. Examples of frequently used supports for ELs include read aloud, scheduled extended time, and use of an illustrated glossary or bilingual dictionary (no definitions). Students with IEPs or 504 plans are allowed their usual accommodations. State approved accommodations information for testing ELs is available in the [WIDA Accessibility and Accommodations Supplement](#). Specific guidance for EL supports on Montana's math, ELA, and science assessments can be found here: [Designated Supports for ELs on State Assessments](#) and [Designated Supports for ELs on ACT](#).

### **What about ELs with diagnosed disabilities?**

ELs with disabilities may use appropriate accommodations when taking the ACCESS for ELLs and other statewide assessments or may participate in the Alternate ACCESS for ELLs, depending on their IEP. The IEP or 504 team should select appropriate accommodations based on the student's needs and must provide documentation and the rationale for the accommodations on the IEP or 504 Plan. Because of the close link between assessment and instruction, the IEP or 504 Plan must describe how accommodations for assessment are included in the student's classroom instruction and assessment. Always refer to the test administrator's manual prior to testing; some accommodations may render a test invalid.

### **Why is it important to include all students?**

The ESSA, the Individuals with Disabilities Education Act (IDEA), and the Civil Rights Act require the fair and equal treatment of all students. As such, ESSA requires all students to participate in state assessments. This includes all students who receive special education services, no matter what their disability or level of service, and ELs. State assessments are census-based, meaning they are intended to measure the learning of all students in public elementary and secondary schools. For this reason, all students should be included in the state assessment to the fullest extent possible.

### **How will this data be used for accountability?**

Student participation is mandatory for both federal and state compliance. Montana's accountability system uses results from this assessment for all schools with ten or more ELs to calculate the [ESSA EL Progress](#). ELs take this assessment until they reach proficiency according to Montana's proficiency criteria. For accountability purposes, school districts must annually assess all students and in instances of special circumstance may not fall below the 95 percent threshold for the total population or student subgroups. School districts must also adhere to the 1 percent of the total population student cap for students identified as eligible to participate in the alternate assessment(s).

### **When are the ELP assessments given in Montana?**

A WIDA screener is given at the beginning of the school year or after a student transfers into the district and the Home Language Survey has indicated a language of impact. The summative assessment, ACCESS for ELLs, is administered annually from early December to the end of February.

### **Who is included in Montana's accountability system?**

The MontCAS state testing program is designed to ensure that all students participate and are included to the fullest extent possible. Specifically, the OPI's policy is designed to reduce variation in achievement reporting and to ensure maximum student participation in these required assessments. There are extremely rare (low incident) circumstances, such as a major medical event, that may preclude a student from participating in the required state test. However, it is never allowable to exclude students based on expected performance, difficulty in administering the test, disability, or EL status. ELs must be evaluated using an approved OPI ELP screener to determine their identification as an EL and consequent participation in the required state ELP assessment consistent with state and federal policies. All EL students enrolled in grades K-12 are required to participate in one of the ACCESS for ELLs English language proficiency assessments except the following:

- Students with the most significant cognitive disabilities who meet the criteria for participation in an alternate assessment (approximately one percent or fewer of the entire student population). These students will participate in the Alternate ACCESS for ELLs assessment.
- If the student has been enrolled in a US School for less than twelve months, they have a one-time exemption from taking the required state ELA assessment.
- Foreign Exchange Students are expected to participate if the student is enrolled in the AIM/Infinite Campus and included into MAEFAIRS for purposes of determining the Average Number Belonging (ANB) but are not included for accountability.

## **PROFICIENCY CRITERIA AND EXIT PROCESS**

In general, English Language Learners are no longer classified as EL once they have attained the language skills necessary to learn in age and grade appropriate settings in all areas of language development without the use of adapted or modified English materials.

### **MONTANA'S DEFINITION OF PROFICIENCY**

According to Montana's definition of proficiency, a student must achieve an overall composite score of 4.7 or higher on ACCESS for ELLs to be considered proficient in academic English. It was established during the 2019 Montana WIDA Standards Validation Workshop that students at this level of academic English proficiency are statistically just as likely as their non-EL peers to achieve proficiency in other statewide math, science, and language arts assessments.

### **PROFICIENCY CRITERIA FOR ELS WITH SIGNIFICANT COGNITIVE DISABILITIES**

During the 2019 Montana WIDA Standards Validation Workshop, the stakeholders established a minimum requirement to exit EL services for ELs with the most significant cognitive disabilities as an overall composite score of P2 on the Alternate ACCESS for ELLs assessment.

### **EL EXIT PROCESS**

**STEP 1:** Has the student achieved English language proficiency according to Montana's definition of proficiency? Consider ELP data from the ACCESS for ELLs assessment as provided on the score reports that are delivered to districts in spring (online and on paper) and are stored in students' cumulative files.

**STEP 2:** Is the student meeting academic achievement expectations for their grade level? Consider additional measures of reading, writing, and language development. Acceptable sources of data can include:

- The reading Science scores (Did the student score proficient or above?)
- Classroom or school assessments of reading comprehension and writing (Is the student meeting grade level expectations in the area of reading comprehension?)
- Input from general education and content teachers.

**STEP 3:** Is the student's English proficiency sufficient to ensure full participation in society? Consider evidence of receptive and productive language uses to accomplish social and occupational goals within and beyond school (Linquanti and Cook 2013). Types of data to consider:

- Language impact on social pragmatics
- Impact of language on successful use of interpersonal skills to achieve social goals
- Impact of language on behavior

**STEP 4:** Exit. If the student meets the criteria for proficiency in English language proficiency, academic achievement, and full participation in society within and beyond school, then they may be exited and re-designated as formerly EL in AIM. Parents should be informed of the decision to exit the student from EL status. The student will continue to be monitored for the two years following re-designation.



## **FREQUENTLY ASKED QUESTIONS ABOUT PROFICIENCY CRITERIA AND EXIT PROCESS**

### **What support should be provided to an EL after he/she is considered proficient?**

A student continues to acquire English long after testing proficient on the ACCESS for ELLs. Targeted content area language support may be necessary to support the student's continued success in the mainstream classroom. Performance measures in all content areas should also be considered. In AIM, once a student's Program Exit Date is input, it will show the student as Formerly EL for the two following years while s/he is in monitoring status.

### **When should exit decisions be made?**

Exit decisions should be made within 60 days of receiving the results reports from the ACCESS for ELLs assessments. If it is determined that a student will be re-designated as former EL, the re-designation in AIM must occur by June 30th each year.

### **Who should make exit decisions?**

Ideally, exit decisions are made by a team that may consist of ESL/Bilingual teachers, counselors or administrators, test coordinators, and the general or content area teachers of the student. Once a student demonstrates proficiency using Montana's exit criteria, they must be exited in the student information system (e.g., Infinite Campus, Power School, etc.) and then monitored for two years to make sure they are continuing to demonstrate English proficiency.

## **FAMILY NOTIFICATION**

Under federal law, all school districts are required to notify parents/guardians of the instructional placements of all EL students in their schools. Families must be notified within 30 days of the start of the school year that their student has been identified as EL. If a student enrolls after the start of the school year, the notification must be within two weeks after placement in an EL program.

### **The notification must include:**

1. the reasons for the identification of their child as an EL and in need of placement in a language instruction educational program;
2. the child's level of English proficiency, how such level was assessed, and the status of the child's academic achievement;
3. the method of instruction used in the program in which their child is or will be participating, and the methods of instruction used in other available programs, including how such programs differ in content, instructional goals, and the use of English and a native language in instruction;
4. how the program in which their child is or will be participating will meet the educational strengths and needs of the child;
5. how such program will specifically help their child learn academic English and meet age-appropriate academic achievement standards for grade promotion and graduation;
6. the specific exit requirements for such program, the expected rate of transition from such program into classrooms that are not tailored for EL students, and the expected rate of graduation from secondary school for such program if funds under this title are used for students in secondary schools;
7. in the case of a child with a disability, how such program meets the objectives of the individualized education program of the child; and
8. information pertaining to parental rights that includes written guidance
  - a. detailing —
    - i. the right of parents/guardians to have their child immediately removed from such program upon their request; and
    - ii. the options that families have to decline to enroll their child in such program or to choose another program or method of instruction, if available; and
  - b. assistance for parents in selecting among various programs and methods of instruction, if more than one program or method is offered by the eligible entity.

To access free letters and resources, visit [transact.com](http://transact.com). Districts can login with a school email address and send questions to the Transact support team at 1-425-977-2100 or [support@transact.com](mailto:support@transact.com).

Additionally, the Office for Civil Rights states that “school districts have a responsibility to adequately notify national-origin minority parents of school activities that are called to the attention of other parents. Notification must be sufficient so that parents can make well-informed decisions about the participation of their children in a district's programs and services. Districts may be required to provide notification in the parents' home language.” WIDA provides translations of the Parent Report and a sample parent cover letter in many languages in the [WIDA Resource Library](#).

## CONCLUSION

Guidance provided in this document is intended to assist school districts in appropriately identifying and serving English learners within the broad and varied scope of their enrollment in Montana schools. Each district meets the needs of its students in multiple ways, giving careful consideration to the linguistic and cultural resources and experiences they bring to the school community.

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## GENERAL QUESTIONS

OPI Assessment Help Desk at 1-844-867-2569 or email at [OPIAssessmentHelpDesk@mt.gov](mailto:OPIAssessmentHelpDesk@mt.gov).

OPI AIM Help Desk 1-877-424-6681 or 406-444-3800 or [opiaimhelp@mt.gov](mailto:opiaimhelp@mt.gov).

[WIDA Secure Portal](#) Client Services Center at 1-866-276-7735 or email at [help@wida.us](mailto:help@wida.us).

[WIDA AMS \(DRC\)](#) at 1-855-787-9615 or email at [WIDA@datarecognitioncorp.com](mailto:WIDA@datarecognitioncorp.com).

## ACRONYM GLOSSARY

**Table 5.** List of Common Acronyms, Terms, and Definitions

Acronym		Definition
AIM	<b>Achievement in Montana</b>	The OPI's student information system.
ACCESS for ELLs	<b>Assessing Comprehension and Communication in English State-to-State for English Language Learners</b>	Montana's English Language Proficiency assessment for English Learners that is given annually from Kindergarten through 12th grade.
BICS	<b>Basic Interpersonal Communication Skills</b>	Language skills needed to interact in social situations.
CALLA	<b>Cognitive Academic Language Learning Approach</b>	A method that was specifically created for students who spoke and wrote with limited English.
CALP	<b>Cognitive Academic Language Proficiency</b>	The abstract language needed to be successful in all content areas.
EL/ELL	<b>English Learner/English Language Learners</b>	See the federal definition on page 7.
ELD	<b>English Language Development</b>	Standards that guide teachers in instruction that will assist ELs in gaining proficiency in English.
ELP	<b>English Language Proficiency</b>	An assessment required by federal and state law to measure an EL's ability to use the English language for communication and academic work.
ESL	<b>English as a Second Language</b>	The use of English by speakers with different native languages.
ESSA	<b>Every Student Succeeds Act</b>	The US law passed in December 2015 that governs the United States K–12 public education policy. The law replaced No Child Left Behind Act (NCLB).
HL	<b>Heritage Language</b>	Languages other than the dominant language (or languages) in a given social context.
HPL	<b>Home Primary Language</b>	The specific language normally used by the student and their family. The state list of languages comes from the Federal code set ISO-639.2 and was updated and approved by the OPI Data Governance committee in June 2018. (See <a href="#">AIM Data Dictionary Website, page 34.</a> )
HLS	<b>Home Language Survey</b>	A questionnaire given to parents/guardians that helps schools identify potential ELs.
IDEA	<b>Individuals with Disabilities Education Act</b>	A four-part piece of American legislation that ensures students with a disability are provided with Free Appropriate Public Education that is tailored to their individual needs.
IEP	<b>Individualized Education Plan</b>	A document that is developed by a team for a student that needs special education services.

<b>LEA</b>	<b>Local Education Authority</b>	Commonly used to describe a school district.
<b>LOC</b>	<b>Language Observation Checklist</b>	A checklist that teachers can use to observe a student's academic ELP.
<b>LOI</b>	<b>Language of Impact</b>	The language other than English that influences the student's English language development. For OPI American Indian student Achievement unit to identify students whose first language is English, the Language of Impact is the tribal (or cultural) language. For immigrant or colony students the Language of Impact is the language spoken at home. (See <a href="#">AIM Data Dictionary Website, page 42.</a> )
<b>MSAA</b>	<b>Multi-State Alternative Assessment</b>	Alternative Assessment to Smarter Balanced for students with significant cognitive disabilities.
<b>OCR</b>	<b>Office of Civil Rights</b>	The U.S. Department of Education entity that ensures equal access to education for all students.
<b>OPI</b>	<b>Office of Public Instruction</b>	Montana's state education agency.
<b>PD</b>	<b>Professional Development</b>	Specialized training intended to help educators improve their professional knowledge, competence, and skills.
<b>SwSCD</b>	<b>Students with Significant Cognitive Disabilities</b>	Refers to a small number of students who are (1) within one or more of the existing categories of disability under the IDEA (e.g., autism, multiple disabilities, traumatic brain injury, mental retardation); and (2) whose cognitive impairments may prevent them from attaining grade-level achievement standards, even with systematic instruction.
<b>TI</b>	<b>Title I</b>	Federal funding for LEAs with high numbers of disadvantaged students.
<b>TIII</b>	<b>Title III</b>	Federal funding for LEAs to help ensure that ELs attain ELP and meet state academic standards.
<b>WIDA</b>	<b>World-Class Instructional Design and Assessment</b>	The educational consortium that develops and provides proven tools and supports for ELs and educators.

## APPENDICES

[Appendix A: Montana Home Language Survey](#)

[Appendix B: Language Observation Checklist](#)

[Appendix C: Criteria for Identification of English Learners](#)

[Appendix D: WIDA Descriptions of Performance](#)

[Appendix E: Suggested Interventions for EL Students](#)

[Appendix F: SIOP and CALLA Strategies for ELs](#)

[Appendix G: EL Program Placement Letter](#)

[Appendix H: Sample Educational Plan for ELs](#)

[Appendix I: Alternate Eligibility Criteria](#)

[Appendix J: Standardized Entrance-Service-Monitor-Exit Procedures for ELs](#)

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[Addressing English Learners with Disabilities](#)  
[Serving English Learners who Opt-Out of EL Programs](#)  
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