



Laboratory Charter School

English Language Development (ELD) Program Policy Manual

2026-2027 School Year

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Local owner / responsible position	Dr. Coleman-Hill, CEO

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Pre-Drafting Gap Analysis

This gap analysis was completed before drafting the updated 2026-2027 manual. It identifies which elements of the 2025-2026 ELD policy already addressed the required compliance framework, which elements required updating based on the uploaded PDE/CSO guidance, and which items were locally confirmed by LAB before finalization. LAB has confirmed the final LIEP classification, Title III status, ESL staffing/certification assignments, SIS/PIMS/ELRS workflows, translation/interpreter procedures, and current PDE reclassification scoring tools and ACCESS-related calculators.

Compliance Area	Already Addressed in 2025-2026 Policy	Updates Needed for 2026-2027	LAB Confirmation Status	Source Conflicts / Uncertainty
Program model	The 2025-2026 manual described LAB as using an EL-Specific English-Only Instruction model and explained English language acquisition/content access practices.	Update terminology to align directly to PDE LIEP categories and explicitly state the selected model in the policy and compliance matrix.	Confirmed: final PDE LIEP model classification is EL-Specific English-Only Instruction.	No direct conflict; final classification confirmed as EL-Specific English-Only Instruction.
PA ELDS / WIDA standards	The 2025-2026 manual already required use of PA ELDS and the ELL Differentiation Tool by teachers.	Strengthen language that PA ELDS must be used by all teachers of ELs for planning instruction and assessment, and that WIDA tools support but do not replace PA ELDS requirements.	Confirmed: PA ELDS/WIDA implementation review process is confirmed.	No conflict.
Identification and screening	The manual included HLS review, family interview, records review, screener use, parent notification, SIS entry, and timelines.	Replace/expand with the uploaded current K-12 identification procedure, including specific screener thresholds, disability considerations, SLIFE/LIFE criteria, and documentation expectations.	Confirmed: LAB forms, SIS coding workflow, and enrollment-to-ELD handoff are confirmed.	No conflict; updated procedure is more detailed than prior manual.
Reclassification	The manual included ACCESS, language use inventories, reclassification, monitoring, and redesignation.	Update using current PDE reclassification guidance, including minimum ACCESS OCPL 4.5, language use inventory scoring, October 1 window, differentiated reclassification for ELs with disabilities, Alternate ACCESS, and updated calculator/tool restrictions.	Confirmed: local reclassification team process, inventory completion process, file locations, and current PDE tools are confirmed.	CSO update indicates non-evaluative feedback for SY 2026-2027 reclassification thresholds and file evaluation beginning SY 2027-2028; policy should proactively include updated procedure while noting the transition.
Monitoring and redesignation	The manual already addressed two years active monitoring plus two additional reporting years and redesignation.	Clarify active monitoring frequency, teacher feedback, documentation, distinction between language-based needs and academic intervention needs, and restart of monitoring after second reclassification.	Confirmed: monitoring form, responsible staff, data review schedule, and MTSS/ELD collaboration process are confirmed.	No conflict.

Compliance Area	Already Addressed in 2025-2026 Policy	Updates Needed for 2026-2027	LAB Confirmation Status	Source Conflicts / Uncertainty
Assessment / data tools	The manual addressed ACCESS and annual assessment.	Add WIDA MODEL 2026-2027 enhancements, updated percentile growth tools, DRC/access data correction notes, and overall composite calculation tool limits.	Confirmed: local assessment/data review procedures and current ACCESS-related calculators/tools are confirmed.	Confirmed: growth percentile tools will not be treated as reclassification criteria.
Parent communication / opt-out	The manual addressed parent notification, family engagement, parent refusal of ELD services, and annual assessment requirements.	Clarify that parent refusal applies to specialized LIEP components, not EL identification or annual ELP assessment; add translation/interpretation obligations and Title III opt-out, if applicable.	Confirmed: translation/interpreter procedures and Title III participation status are confirmed.	No conflict; Title III participation confirmed.
Staffing / PD / program evaluation	The manual already contained staff qualifications and PD expectations.	Add BEC requirement for annual professional development, LIEP resourcing, and annual effectiveness evaluation based on student outcomes, not only program inputs.	Confirmed: administrator, annual evaluation calendar, data sources, and reporting cycle are confirmed.	No conflict.

1. Purpose and Scope

This English Language Development (ELD) Program Policy Manual establishes Laboratory Charter School's procedures for identifying, serving, assessing, reclassifying, monitoring, and, when appropriate, redesignating English Learners (ELs) during the 2026-2027 school year.

The policy is designed to align LAB's Language Instruction Educational Program (LIEP) with Pennsylvania requirements, federal civil-rights obligations, PDE guidance, and Philadelphia Charter Schools Office ESL policy evaluation criteria. The manual applies to all LAB staff involved in enrollment, instruction, assessment, student services, special education, data reporting, administration, and family communication.

- Ensure timely and valid identification of ELs.
- Provide planned ELD instruction and meaningful access to grade-level academic content.
- Use PA ELDS and WIDA-aligned tools to plan instruction, assessment, scaffolding, and progress monitoring.
- Apply uniform reclassification, monitoring, and redesignation procedures.
- Maintain documentation that is review-ready for internal audits, CSO review, PDE reporting, and student file review.

2. Laboratory Charter School Mission / ELD Program Commitment

Laboratory Charter School is committed to meeting the educational, linguistic, and family-engagement needs of English Learners and multilingual families. LAB recognizes multilingualism as an asset and provides ELs with equitable access to rigorous academic standards, school programs, interventions, enrichment opportunities, and extracurricular activities.

The ELD program supports ELs in developing English language proficiency for social and academic purposes while participating meaningfully in the general education program. LAB also commits to protecting students and families from discrimination based on national origin, language background, race, color, immigration status, or disability.

3. Legal and Regulatory Authority

LAB's ELD policy is grounded in federal and Pennsylvania law and associated guidance. The following authorities guide the design, staffing, implementation, monitoring, and evaluation of the LIEP: Title VI of the Civil Rights Act of 1964; the Equal Educational Opportunities Act of 1974; Lau v. Nichols; Castaneda v. Pickard; Plyler v. Doe; the Elementary and Secondary Education Act as amended by ESSA; 22 Pa. Code § 4.26; the PDE Educating English Learners BEC; PDE English Learner Identification Procedures; and PDE Reclassification, Monitoring, and Redesignation procedures.

Under 22 Pa. Code § 4.26, every school district/LEA must provide a program for each student whose dominant language is not English for the purpose of facilitating achievement of English proficiency and Pennsylvania academic standards. The program must include appropriate bilingual-bicultural or English as a Second Language instruction.

Current-source control note: LAB will rely on current official PDE BECs, current Pennsylvania Code provisions, current PDE EL identification and reclassification procedures, and current U.S. Department of Education/OCR, DOJ, and federal statutory/case-law sources. Rescinded, archived, or historical federal guidance shall not be cited or used as current controlling authority.

4. Definitions and Key Terms

LAB will use consistent terminology in all policy documents, student records, staff guidance, parent communications, and data reporting. Key terms are defined below and further expanded in the glossary.

Term	Definition
EL	English Learner - a student identified as needing English language development support under PDE criteria.
ELD	English Language Development - planned instruction and supports designed to develop English language proficiency.
LIEP	Language Instruction Educational Program - the required instructional program provided to ELs.
PA ELDS	Pennsylvania English Language Development Standards Framework used to plan instruction and assessment for ELs.
ACCESS for ELLs	Annual state English language proficiency assessment for identified ELs.
FEL	Former English Learner - a student reclassified after meeting state criteria.
SLIFE/LIFE	Student with limited or interrupted formal education, as determined by PDE/local criteria.
PIMS/ELRS	Pennsylvania data reporting systems used for EL and LIEP reporting.

5. ELD Program Overview

LAB's ELD Program is a Language Instruction Educational Program designed to provide planned English language development instruction and access to grade-level content. The program includes direct ELD instruction, content-based language support, instructional scaffolds, assessment accommodations where applicable, collaboration between ESL and non-ESL staff, and regular review of student language and academic progress.

ELD is not a remedial program and is not a substitute for grade-level instruction. ELs are expected to participate in challenging academic content with appropriate linguistic supports, modifications, accommodations, and instructional scaffolds aligned to their English language proficiency levels.

6. PDE-Approved Program Model / LIEP Design

For SY 2026-2027, LAB's existing ELD policy language identifies the LIEP as aligned to the PDE-recognized category of EL-Specific English-Only Instruction. This model provides English language development instruction in English and does not include native-language instruction as a formal program component. General education/content instruction is made accessible through English-language scaffolds, sheltered practices, accommodations, and collaboration between ESL and content staff.

Confirmed: LAB's final PDE LIEP model classification for SY 2026-2027 is EL-Specific English-Only Instruction. This classification shall be used consistently in parent notifications, internal compliance documents, student records, and any CSO/PDE submission.

PDE-Recognized LIEP Category	LAB Policy Position for SY 2026-2027
EL Bilingual	Not identified as LAB's current model in the uploaded base policy.
Mixed Bilingual	Not identified as LAB's current model in the uploaded base policy.
EL-Specific Transitional Instruction	Not identified as LAB's current model in the uploaded base policy.
Mixed Classes with Native Language Support	Not identified as LAB's current model in the uploaded base policy.
EL-Specific English-Only Instruction	Confirmed as LAB's PDE LIEP model classification for SY 2026-2027.
Mixed Classes with English-Only Support	Not LAB's final model for SY 2026-2027; final classification confirmed as EL-Specific English-Only Instruction.

7. Pennsylvania English Language Development Standards

The Pennsylvania English Language Development Standards (PA ELDS) Framework must be used by all teachers of English Learners to plan instruction and assessment. ESL teachers use PA ELDS to design planned ELD instruction. General education/content teachers use PA ELDS and proficiency-level information to plan language supports, scaffolds, formative assessment opportunities, and access to content standards.

LAB may also use WIDA ELD Standards resources, WIDA Can Do Descriptors, performance definitions, rubrics, and the Pennsylvania ELL Differentiation Tool to support instructional planning. These resources support, but do not replace, the required use of PA ELDS and Pennsylvania academic standards.

8. English Learner Identification, Screening, and Placement

LAB will identify, screen, notify, and place ELs in accordance with the current PDE English Learner Identification Procedure for Grades K-12. The identification process begins at enrollment and includes review of the Home Language Survey, a family interview when indicated, review of prior academic records when available, administration of the appropriate English language proficiency screener when required, determination of EL status, determination of SLIFE/LIFE status when applicable, parent notification, SIS/PIMS coding, and scheduling into the appropriate LIEP.

Parent permission is not required to screen a student for English language proficiency when the student is potentially an EL. Parent refusal of specialized LIEP services does not remove the student's EL status and does not remove the requirement to administer the annual English language proficiency assessment.

Step	Required Action	Documentation
1	Review Home Language Survey for every newly enrolling student.	Completed HLS in student record.
2	If any HLS response indicates a language other than English, conduct family interview with interpreter if needed.	Family interview form and ESL professional review.

Step	Required Action	Documentation
3	Review available academic records for robust evidence of English proficiency across all four domains.	Records review notes and evidence retained.
4	Administer appropriate screener if evidence does not preclude screening.	Domain and composite scores, test form, date, administrator.
5	Determine EL status and SLIFE/LIFE status where applicable.	Eligibility decision, SLIFE/LIFE documentation, coding.
6	Identify LIEP placement and schedule student.	LIEP placement, schedule, teacher notification.
7	Notify parent/guardian and explain rights, including refusal of specialized services.	Parent notification and refusal/acceptance records if applicable.
8	Initiate active service record in SIS/PIMS and share proficiency information with teachers.	SIS/PIMS coding and teacher access documentation.

9. Home Language Survey and Family Interview Procedure

A Home Language Survey (HLS) must be completed for each student upon enrollment and maintained in the student's education record. If the HLS indicates a language other than English for any question, LAB must proceed to a family interview and/or academic records review to determine whether the student may be an English Learner. Pidgin and creole variations of English are treated as languages other than English for identification purposes when applicable.

The family interview must be conducted by trained school/enrollment personnel and should not be completed independently by the parent/guardian as a substitute for an interview. An interpreter must be provided when needed. An ESL professional must review the interview information to determine whether the student's exposure to another language is significant, tied to national origin, and potentially relevant to English language development.

10. Academic Records Review

LAB will review available prior school records for compelling evidence that the student has sufficient English proficiency to benefit from instruction in English without specialized language supports or accommodations. Evidence may include standardized summative or interim test scores in English, passing grades in core content classes conducted in English, and work samples reflecting English proficiency across listening, speaking, reading, and writing.

A decision not to screen must be supported by robust evidence of English proficiency across all four domains. If records are not available or do not contain compelling evidence of English proficiency, LAB will administer the appropriate screener.

11. WIDA/K Screener/MODEL Screener Selection and Eligibility Thresholds

LAB will administer the appropriate English language proficiency screener based on grade level and applicable disability considerations. Approved screeners include K Screener, K MODEL, WIDA Screener online or paper, WIDA MODEL Screener, and WIDA Alternate Screener where appropriate. LAB will use the current PDE screener cut scores in effect for the student's enrollment date.

The screener results must be documented by domain and composite score where applicable. Students whose scores meet PDE criteria for identification must be identified as ELs and placed into the LIEP.

Grade Level	Screener	PDE Identification Criteria
Kindergarten	K MODEL	1st semester: oral language composite below 5.0. 2nd semester: oral language proficiency level below 5.0 OR literacy composite below 4.0.
Kindergarten	K Screener	1st semester: oral language composite below 5.0. 2nd semester: oral language proficiency level below 5.0 OR literacy composite below 4.0.
1st semester Grade 1	K MODEL	Assess all four domains. Overall composite proficiency level below 5.0.
1st semester Grade 1	K Screener	Assess all four domains. Overall composite proficiency level below 5.0.
Grades 1-12	WIDA Screener	Overall composite proficiency level below 5.0.
Grades 1-12	MODEL Screener	Overall composite proficiency level below 5.0.
Grades K-12, eligible students with significant cognitive disabilities	WIDA Alternate Screener	Overall composite proficiency level below 4.0, when used and applicable.

12. Identification Timelines

LAB must complete the identification and placement process within 30 calendar days of the first day of school for students enrolling at the start of the school year, or within 14 calendar days of enrollment for students enrolling after the first day of school. These timelines apply even when a student has or is suspected of having a disability.

The timeline includes completing required steps, documenting the eligibility decision, notifying parents/guardians, initiating the appropriate SIS service record, and scheduling the student into the LIEP.

13. SLIFE/LIFE Determination

During identification, LAB will determine whether the student meets PDE criteria for limited or interrupted formal education. The uploaded identification procedure uses SLIFE/LIFE criteria tied to enrollment after grade two, literacy score, age-appropriate schooling history, movement between schools/states/countries, and native-language encoding/decoding evidence.

If the student meets criteria, LAB must document the SLIFE/LIFE determination in the student record and ensure appropriate coding and instructional supports. Confirmed: LAB has confirmed the SIS/PIMS/ELRS workflow for SY 2026-2027.

14. Students with Disabilities During Identification

If a student arrives with an IEP or is suspected of having a disability, enrollment personnel must coordinate with Special Education and ESL personnel to complete the EL identification process within the required timelines. Screening, if required, must be completed with appropriate accommodations or administrative considerations, and results must be interpreted collaboratively.

If a student cannot complete all screener domains due to a disability, LAB will follow PDE procedures by applying the required cut score to each completed domain individually; a composite screener score may not be calculated from fewer than all four domains. If no screener domain can be completed because of disability, the identification decision must be based on the HLS, family interview, records review, and any available evidence.

15. Parent/Guardian Notification and Communication

LAB will provide timely parent/guardian notification of EL identification, screening results, English language proficiency level, recommended LIEP placement, program description, benefits of ELD instruction, expected transition/reclassification criteria, and parents' rights. Notification must occur within the required 30-day or 14-day timeline.

Parents of currently enrolled ELs must receive annual notification within 30 days of the start of each school year regarding continued participation in the LIEP, the LIEP description and intended benefits, the right to refuse specialized services, and Title III services if applicable.

16. Parent Right to Refuse Specialized LIEP Services

Parents/guardians may refuse some or all separate, specialized LIEP services for their child. The refusal must be informed and voluntary. LAB may not influence the parent's decision or condition program placement decisions on the parent's refusal decision.

If a parent refuses specialized LIEP services, the student remains identified as an EL until reclassified under state criteria. The student must continue to receive access to the general curriculum with appropriate supports and accommodations, must participate in annual ACCESS for ELLs testing, and must be monitored for academic and language progress.

17. Title III Services and Parent Opt-Out, if applicable

If LAB participates in Title III services, LAB must provide written parent notification describing the Title III-funded services offered and the right to opt out of discrete Title III services. Title III funds must supplement, not supplant, required ELD/LIEP services.

Confirmed: LAB participates in Title III services for SY 2026-2027. Parent opt-out of Title III supplemental services does not remove the LEA's obligation to provide the required LIEP and ELD supports under federal and state law.

18. Instructional Program Requirements

LAB's LIEP must be thoughtfully planned, adequately resourced, implemented by appropriately qualified staff, and evaluated for effectiveness. The program must include planned ELD instruction by qualified ESL staff and adaptations/modifications in the delivery of content instruction and assessments by all teachers based on ELs' proficiency levels and PA ELDS.

The LIEP must be aligned to Pennsylvania academic content standards, include ELD instruction, incorporate PA ELDS, provide equitable access to content for ELs at all proficiency levels, and not limit EL enrollment in any course or program for which the student is otherwise eligible.

19. ELD Delivered by ESL-Certified Staff

ELD instruction delivered by an ESL-certified teacher is a required content area and must be codified in a dedicated, planned curriculum designed to develop English language proficiency. It may be taught as a stand-alone class/period or embedded within content instruction with direct support from an ESL specialist, depending on program design and student need.

This instruction should be systematic, explicit, sustained, and contextualized through academic content so that ELs develop the language necessary to participate in social and academic settings and access challenging academic standards.

20. ELD Delivered by Content/General Education Teachers

ELD is also delivered throughout the school day by non-ESL teachers in whose classes ELs are enrolled. Content teachers are responsible for deliberately planning language supports, scaffolds, modifications, and accommodations that allow ELs to access the standards-aligned curriculum while continuing to develop English proficiency.

Content teachers must have access to each EL's English language proficiency information and must collaborate with ESL staff as appropriate. Evidence of implementation may include lesson plans, student work, assessment accommodations, scaffolds, classroom observations, and progress monitoring notes.

21. Content Access, Accommodations, Modifications, and Scaffolds

LAB will provide ELs meaningful access to the general curriculum, assessments, interventions, enrichment, and extracurricular programs. Supports may include explicit vocabulary instruction, modeled language, visuals, sentence frames, modified language demands, leveled texts, peer interaction structures, oral language rehearsal, extended time, chunked tasks, and formative checks for understanding.

Accommodations and modifications must be aligned to the student's English language proficiency level and must not reduce academic expectations unnecessarily. The goal is access to rigorous content while building language capacity.

22. Newcomer and Early Proficiency Support

LAB will provide enhanced support to newcomer students and ELs at early proficiency levels. Supports may include targeted ELD instruction, orientation to school routines, explicit academic vocabulary development, strategic grouping, additional family communication, and coordination with grade-level/content teachers.

If LAB uses specialized newcomer structures or sheltered content support, those structures must be documented, time-limited when they replace core content, aligned to PA academic standards and PA ELDS, and reviewed regularly to prevent unnecessary segregation or delayed access to grade-level content.

23. Grading, Report Cards, Retention, and Transcripts

LAB will grade ELs using the same grading system used for non-EL peers in content courses. Grades must reflect access to standards-aligned instruction with appropriate language supports, accommodations, and modifications. Pass/fail grading may not be used for ELs in content courses unless the same system is used for comparable non-EL students.

ELs may not be retained in grade solely because of lack of English proficiency. Before retention is considered, LAB must document that appropriate language supports, accommodations, modifications, and interventions were implemented over time. English learner designation or ELD information should not appear on a high school transcript except as part of an official course title or code, where applicable.

24. Annual ACCESS for ELLs Assessment

All students identified as ELs must participate annually in ACCESS for ELLs or Alternate ACCESS, as applicable. ACCESS measures English language proficiency in listening, speaking, reading, and writing and is used for accountability, instructional planning, progress monitoring, and reclassification decisions.

Parents/guardians may not opt students out of the required annual English language proficiency assessment. ACCESS results must be maintained in the student's education record and communicated to parents/guardians in a language and mode they understand.

25. WIDA MODEL / Interim Language Assessment Updates for SY 2026-2027

Beginning in July 2026, WIDA MODEL Online includes enhancements such as faster domain-level reporting, the ability to report completed domains without waiting for all four domains, simplified TestNav login, and reduced need for reseating after interruptions. These enhancements may support local progress monitoring, but WIDA continues to recommend administering all four domains when an overall composite score is needed for the most accurate and reliable measure of current proficiency.

WIDA MODEL, WIDA Screener, and interim language tools do not replace required ACCESS for ELLs participation or state-required identification and reclassification procedures. Confirmed: LAB has confirmed its local interim language assessment procedures for SY 2026-2027.

26. Use of ACCESS Results, Growth Tools, and Data Review

LAB will use ACCESS results, domain scores, scale scores, proficiency levels, classroom evidence, academic performance, and teacher input to guide instruction, service intensity, program evaluation, and family communication. Updated PDE percentile growth tools for 2025-2026/2026 scale-score interpretation may be used to examine growth patterns in overall composite, literacy, oral language, listening, speaking, reading, and writing.

Growth tools are for progress monitoring and program evaluation unless PDE guidance explicitly states otherwise. They are not to be substituted for the state-required reclassification criteria. Previous versions of growth tools should not be used where PDE identifies updated tools as required for accurate results.

27. Reclassification of English Learners

When ELs attain English proficiency under the state-required reclassification procedure, LAB must reclassify them as former English Learners (FELs). Reclassification requires evidence that the student can access challenging academic content and interact with students and teachers academically and socially in an English-language setting.

The decision must be based on ACCESS for ELLs and standardized language use inventories, following PDE's current scoring procedure and reclassification window. LAB will maintain the ACCESS score report, inventories, scoring sheet/cover sheet, and any additional documentation in the student record.

28. Language Use Inventories

Two standardized language use inventories must be completed when possible. An ESL teacher must complete one inventory when possible; the other may be completed by a content teacher or a team of content teachers. If an ESL teacher cannot complete an inventory, both inventories may be completed by content teachers or teams. In limited circumstances where only one teacher can accurately complete the inventory, the single inventory score may be multiplied by two if supported by PDE guidance.

Inventories should generally be completed before ACCESS scores are released for students who, based on teacher input and previous ACCESS scores, are likely to reach the ACCESS threshold. If a student unexpectedly exceeds the threshold and inventories were not completed, inventories may be completed after ACCESS release but must be completed before October 1 of the following school year.

29. State-Defined Reclassification Thresholds

Students are not eligible for reclassification unless they achieve an ACCESS overall composite proficiency level (OCPL) of 4.5 or higher. There are no exceptions to the minimum ACCESS OCPL requirement. ACCESS results and language use inventory points together determine whether the student meets the state-defined threshold for reclassification.

Students with lower qualifying ACCESS scores, such as scores closer to 4.5, must demonstrate stronger and more consistent independent language use in classroom contexts. As ACCESS scores increase, fewer rubric-based

confirmations may be required under the PDE scoring system. If a student meets or exceeds the state-defined criteria, the student should be reclassified unless compelling, documented evidence supports retaining EL status.

30. SY 2026-2027 / SY 2027-2028 Reclassification Transition Statement

LAB incorporates the updated PDE reclassification documentation and criteria into this SY 2026-2027 policy manual for proactive alignment with CSO/PDE review expectations. The uploaded CSO update states that the new reclassification documentation is effective immediately and that CSO will provide non-evaluative feedback for the SY 2026-2027 ESL policy and LIEP notification reviews regarding updated reclassification thresholds.

The same update states that student files do not need to reflect the updated reclassification thresholds until SY 2027-2028, and that from SY 2027-2028 forward, schools will be evaluated using the updated reclassification documentation and criteria. LAB should verify final implementation expectations before student-file review and before final policy adoption.

31. Reclassification of ELs with Disabilities

An EL with a disability who does not meet the standard reclassification criteria may be considered for differentiated reclassification if the student has an IEP at the time of the decision, has been continuously enrolled in the LIEP for at least four years, has not demonstrated more than 10 percent ACCESS overall composite scale-score growth between any two years or over the three most recent testing cycles, has documented evidence of appropriate and sustained language supports, and is recommended by a school-based team.

The school-based team must include, at minimum, an expert in English language acquisition, an expert in special education goals/services, an expert in general education content achievement, at least one family member with interpreter/liaison support if needed, and any related service providers who work with the student. A single individual may fill more than one required role when appropriate.

Required Team Question	Documentation Expectation
Has the student received adequate ELD instruction and language supports commensurate with ELP level for the most recent four years?	Review schedules, service logs, curriculum, supports, IEP language needs, and language-support documentation.
Is the student able to effectively communicate in English?	Review observations, language samples, teacher input, family input, and classroom evidence.
Is the student making progress toward PA Core Standards in listening, speaking, reading, and writing on par with ELs with similar profiles?	Review academic data, curriculum-based assessments, work samples, and comparable peer data if available.
Are ACCESS domain scores affecting the ability to reach OCPL 4.5 directly related to the documented disability?	Review disability impact, ACCESS domain data, accommodations, IEP, and related-service input.

32. Alternate ACCESS / Less-Than-Four-Domain / Overall Composite Procedures

ELs who take Alternate ACCESS may be considered for reclassification when they achieve an overall composite proficiency level score of at least 4 on Alternate ACCESS, the district has documented appropriate and adequate language supports throughout LIEP enrollment, and the IEP team, with input from an ESL/bilingual education professional, recommends reclassification.

When an EL with a disability cannot complete all four ACCESS domains due to a documented disability, LAB must use only the current PDE-authorized calculation tools. The less-than-four-domain tool applies only in the circumstances authorized by PDE. The overall composite proficiency level calculator for all four domains may be used only when all four ACCESS domain scores are available but an overall composite was not generated, such as

when score reports were separated due to demographic issues. Older versions of these tools must not be used when updated tools are required.

33. Monitoring of Former ELs

Former ELs must be actively monitored for two years after reclassification. LAB must ensure that students in the active monitoring period are not struggling academically due to persistent language barriers. Monitoring must include regular review of progress in core academic classes and periodic feedback from core academic teachers often enough to identify concerns early.

Former ELs must also be reported to the state for two additional years after the active monitoring period, for a total of four years of monitoring/reporting status. During years three and four, active progress monitoring is not required by PDE, but state reporting continues.

34. Redesignation of Former ELs

If a former EL struggles academically during the active monitoring period as a result of persistent language barriers, LAB must determine whether the student should be redesignated as an active EL and re-enrolled in the LIEP. LAB must document evidence showing that the concern is language-based rather than solely an academic skill deficit requiring other interventions.

Redesignated students must meet state-required reclassification criteria to exit again. When a redesignated student is later reclassified, the monitoring process restarts at year one.

35. ELs with Disabilities and Dual Services

ELD and special education services are not mutually exclusive. An EL with a disability is entitled to both the LIEP and special education services for which the student is eligible. Special education services do not replace ELD, and ELD does not replace special education services.

The IEP team must include or consult with an ESL professional and must consider the student's language needs when designing instruction, accommodations, placement, and assessment participation. A student may not be found eligible or ineligible for special education based solely on limited English proficiency.

36. Gifted Education Considerations

ELs may be eligible for gifted education services when identified in accordance with law, regulations, and LAB policy. Screening and evaluation for gifted services must consider English language proficiency and other intervening factors that may mask gifted ability.

English language development needs may not be used to deny access to gifted screening, gifted evaluation, or gifted programming when the student otherwise demonstrates indicators of giftedness.

37. Parent, Family, and Community Engagement

LAB will maintain effective outreach to parents/guardians of ELs to support their involvement in their children's education and to assist students in attaining English proficiency and academic success. Outreach may include conferences, translated notices, interpretation, regular progress updates, family meetings, opportunities to provide recommendations, and accessible information about school programs.

Parents must receive information related to EL identification, proficiency levels, LIEP placement, program benefits, reclassification criteria, ACCESS results, progress reports, discipline, special education, gifted education, school activities, and other important information provided to non-EL families.

38. Translation and Interpretation Requirements

LAB must provide important information to parents/guardians who are not proficient in English in a language or mode of communication they understand. Translation and interpretation must be provided by competent individuals who can accurately communicate specialized educational terms and maintain confidentiality.

Relying on students, siblings, or friends is not appropriate for confidential or specialized communications, including parent-teacher conferences, discipline, special education, student services, and formal decision-making meetings. If written translation is not practicable for a less common language, LAB may provide a cover page explaining how the parent may obtain oral translation.

39. Staffing Qualifications

A teacher who provides specialized ELD/ESL instruction and assigns a grade for that instruction must hold a Pennsylvania Instructional I or II certificate and the ESL Program Specialist Certificate. Teachers who provide grades for non-ELD content courses must be appropriately certified for those content areas.

LAB must employ or assign sufficient qualified staff to implement the LIEP effectively, including time for ESL-content collaboration, assessment, data review, family communication, and monitoring. Confirmed: ESL staffing and certification assignments for SY 2026-2027 have been verified.

40. Professional Development Requirements

LAB must offer annual professional development related to ELD/ESL for all personnel who work with ELs as part of the Professional Development/Act 48 plan. Training should be differentiated by role and may address PA ELDS, WIDA resources, scaffolding, language objectives, assessment accommodations, reclassification rubrics, language use inventories, SLIFE/LIFE, translation/interpretation procedures, and ELs with disabilities.

Professional development participation and implementation should be documented and used to support instructional quality, program evaluation, and compliance readiness.

41. Program Resources and Materials

LAB will provide adequate resources calculated to implement the LIEP effectively. Resources may include planned ELD curriculum, assessment materials, WIDA/PDE tools, translation/interpretation access, classroom materials, technology, sheltered-instruction resources, native-language reference materials where appropriate, and time for collaboration.

The LIEP should receive resources comparable to other academic programs, including appropriate classroom space, technology, materials, and administrative support.

42. Annual LIEP Evaluation and Program Effectiveness Review

LAB will evaluate the effectiveness of its LIEP at least annually and document the results. The evaluation must be based on student outcomes rather than only program inputs. Evidence may include ACCESS growth and attainment, domain-level trends, academic achievement, attendance, course performance, intervention data, reclassification rates, monitoring results, and teacher/family input.

Program evaluation results will inform program design, staffing, professional development, instructional materials, scheduling, family communication, and supports for specific student groups. Results should be documented and reported as required through PIMS, ELRS, or other applicable systems.

43. Data Collection, Documentation, PIMS/ELRS Reporting, and Records Retention

LAB will collect, maintain, and report EL data in accordance with PDE requirements. Documentation must include HLS, family interview, records review, screener scores, eligibility decision, parent notification, LIEP placement, parent refusal forms if applicable, Title III opt-out if applicable, ACCESS results, reclassification documents, monitoring records, redesignation decisions, and relevant special education/gifted documentation.

LAB must ensure that local data entered in SIS, PIMS, and ELRS is accurate and consistent with student records. For ACCESS data issues, such as missing domain scores, separated reports, or demographic errors, LAB will follow DRC/PDE data correction procedures and maintain documentation of corrections.

44. Compliance Roles and Responsibilities

LAB will assign clear responsibilities for implementation of this policy. Roles are confirmed annually before the start of school and updated when staffing changes occur. The table below identifies responsibilities confirmed for SY 2026-2027.

Role / Position	Core Responsibilities	Confirmation Status
ELD/ESL Coordinator or Designee	Oversee identification, LIEP placement, ACCESS, reclassification, monitoring, staff guidance, and compliance documentation.	Confirmed
Enrollment Staff	Collect HLS, coordinate family interviews, gather records, notify ELD staff of potential ELs.	Confirmed
ESL Teacher(s)	Administer/interpret screeners, provide planned ELD, collaborate with teachers, complete inventories, support reclassification.	Confirmed
General Education / Content Teachers	Use PA ELDS/proficiency data, implement scaffolds, complete language use inventories, provide monitoring feedback.	Confirmed
Special Education Staff	Collaborate during identification, screening accommodations, IEP language needs, dual services, differentiated reclassification.	Confirmed
Data / SIS / PIMS Staff	Enter and verify EL status, LIEP, SLIFE/LIFE, Title III participation, FEL monitoring/reporting, and assessment data.	Confirmed
Administration	Ensure staffing, resources, annual LIEP evaluation, PD, family communication systems, and policy implementation.	Confirmed

45. Annual Implementation Calendar / Compliance Checklist

LAB will maintain an annual ELD compliance calendar to ensure timely completion of identification, parent notification, scheduling, ACCESS preparation, ACCESS administration, reclassification, monitoring, annual program evaluation, professional development, and data reporting. A draft implementation checklist appears in Appendix C and should be revised annually based on PDE/CSO timelines.

Timeframe	Compliance Activity	Primary Evidence / Deliverable
Enrollment / ongoing	HLS, family interview, records review, screener, EL identification, LIEP placement.	Identification packet, screener scores, parent notification, SIS/PIMS coding.

Timeframe	Compliance Activity	Primary Evidence / Deliverable
First 30 calendar days of school	Complete identification/placement for students enrolling at start of year and annual parent notices for current ELs.	Parent notifications, service records, schedules.
Within 14 calendar days after enrollment	Complete identification/placement for students enrolling after first day.	Identification packet and parent notification.
Fall	Verify EL rosters, schedules, teacher access to proficiency data, PD plan, and monitoring rosters.	Roster audit, PD records, teacher notification log.
Winter / ACCESS window	Prepare and administer ACCESS for ELLs/Alternate ACCESS.	Test rosters, accommodations, administration records.
Before ACCESS score release where likely eligible	Complete language use inventories for students likely to meet ACCESS threshold.	Inventories and teacher evidence.
ACCESS score release to October 1	Complete reclassification review and status updates.	Reclassification cover sheet/scoring sheet, records update, FEL monitoring start.
Quarterly / trimester	Monitor active FELs and review EL progress.	Teacher feedback, grades, assessments, interventions, monitoring forms.
End of year / summer	Evaluate LIEP effectiveness and update policy/procedures for next year.	Annual LIEP evaluation, revision log, compliance matrix.

46. Appendices

The appendices provide implementation tools to support consistent policy application. LAB may adapt these tools for local forms, SIS workflows, and document management systems as long as required content is preserved and procedures remain aligned to PDE and CSO guidance.

47. Glossary

A glossary of common ELD, WIDA, PDE, and reporting terms appears below to support consistent use of terminology across the school.

48. References / Source Authority

The references section identifies the uploaded source documents and legal/policy authorities used to update this manual. LAB should verify the most current PDE and CSO guidance prior to final adoption and before annual submission.

Appendix A. ESL Policy Evaluation Criteria Compliance Matrix

The following matrix crosswalks the updated policy to the stated ESL policy evaluation criteria. Compliance status is marked as Draft-Aligned where the requirement is addressed in this manual but remains subject to final local verification and adoption.

Evaluation Criterion	Required Component	Where Addressed in Updated Policy	Compliance Status	Notes / Confirmation Status
Program Model	Policy identifies a PDE-recognized LIEP/program model.	Section 6; Appendix A	Fully Compliant - Confirmed	Confirmed: final PDE LIEP model classification is EL-Specific English-Only Instruction.
Program Model	Model aligns to one of six PDE categories.	Section 6 program-model table	Fully Compliant - Confirmed	Confirmed: model aligns to PDE category EL-Specific English-Only Instruction.
PA ELDS	PA ELDS Framework used by all teachers of ELs for planning instruction and assessment.	Sections 7, 18-21, 40	Fully Compliant - Confirmed	Confirmed
Screening - HLS	HLS reviewed upon enrollment for every student.	Sections 8-9; Appendix C	Fully Compliant - Confirmed	Confirmed
Screening - Family Interview / Records Review	Family interview and/or records review conducted when HLS indicates another language.	Sections 9-10	Fully Compliant - Confirmed	Confirmed
Screening - Appropriate Screener	Uses K Screener, K MODEL, WIDA Screener, WIDA MODEL, or Alternate Screener as appropriate.	Section 11	Fully Compliant - Confirmed	Confirmed
Screening - Eligibility Thresholds	Uses current PDE screener cut scores.	Section 11 screener threshold table	Fully Compliant - Confirmed	Review annually against current PDE guidance.
Screening - Timely Evaluation	Identification completed within 30 calendar days of first day or 14 calendar days after enrollment.	Section 12	Fully Compliant - Confirmed	Confirmed
Reclassification - ACCESS + Inventories	Uses ACCESS for ELLs and standardized language use inventories.	Sections 27-29	Fully Compliant - Confirmed	Confirmed
Reclassification - State Threshold	Requires ACCESS OCPL 4.5 minimum and PDE scoring system.	Section 29	Fully Compliant - Confirmed	Attach/use current PDE scoring sheet.
Reclassification - ELs with Disabilities	Includes differentiated reclassification process for ELs with disabilities.	Sections 31-32	Fully Compliant - Confirmed	Confirmed
Monitoring	Active monitoring for two years plus state reporting for two additional years.	Section 33; Appendix C	Fully Compliant - Confirmed	Confirmed
Redesignation	Includes procedure to redesignate FELs struggling due to language barriers.	Section 34	Fully Compliant - Confirmed	Confirmed
SY 2027-2028 Transition	Includes transition note for updated reclassification threshold implementation.	Section 30	Fully Compliant - Confirmed	Verify CSO/PDE updates before final file review.

Appendix B. 2026-2027 ELD Policy Revision Log

Section Updated	Source Document Used	Summary of Revision	Compliance Purpose	Verification Status
Cover page / document control	2025-2026 base policy; prompt requirements	Updated title, school year, logo placement, and document control fields.	Branding and version control	Confirmed
Program model	BEC ELD Policy; 2025-2026 base policy	Reframed LAB model as PDE-recognized EL-Specific English-Only Instruction with verification note.	Program Model evaluation criterion	Confirmed
PA ELDS	BEC ELD Policy; 2025-2026 base policy	Strengthened all-teacher PA ELDS planning/assessment requirement.	ELD Standards criterion	Confirmed
Identification procedure	EL Identification Procedure Grades K-12	Expanded HLS, family interview, academic records review, screener thresholds, timelines, SLIFE/LIFE, and disability procedures.	Screening Process criterion	Confirmed
Parent communication	BEC ELD Policy; 2025-2026 base policy	Clarified notice timelines, translation/interpretation, parent refusal of specialized LIEP services, and annual ACCESS requirement.	Family engagement and civil-rights compliance	Confirmed
WIDA MODEL / assessment updates	WIDA MODEL Online 2026; ELD Policy Updates; OCPL Calculator	Added SY 2026-2027 MODEL enhancements, updated growth tool cautions, and calculator limitations.	Assessment/data accuracy	Confirmed
Reclassification	Reclassifying update; ELD Policy Updates	Updated ACCESS OCPL 4.5 minimum, inventory process, October 1 window, transition statement, and scoring expectations.	Reclassification criterion	Confirmed
ELs with disabilities	Reclassifying update; BEC ELD Policy	Added differentiated reclassification team, eligibility criteria, evidence, required questions, and Alternate ACCESS criteria.	Equity and IDEA/ELD dual-service compliance	Confirmed
Monitoring/redesignation	Reclassifying update; 2025-2026 base policy	Clarified two-year active monitoring, two-year additional reporting, and redesignation based on persistent language barriers.	Monitoring/redesignation criterion	Confirmed
LIEP evaluation	BEC ELD Policy	Added annual outcome-based program evaluation requirement and data sources.	Annual program effectiveness review	Confirmed
Appendix D / Source Authority	BEC ELD Policy.docx	Added full PDE Educating English Learners BEC as a reference appendix at the back of the policy manual.	Provides direct reference to PDE requirements governing EL identification, LIEP design, PA ELDS, assessment,	Confirmed

Section Updated	Source Document Used	Summary of Revision	Compliance Purpose	Verification Status
			communication, staffing, Title III, reporting, and annual program evaluation.	

Appendix C. Implementation Checklists and Sample Documentation Forms

The following checklists are provided as implementation tools. LAB may convert them into local forms, checklists, or electronic workflows, provided required elements remain documented in the student record or compliance file.

C1. Identification Documentation Checklist

Item	Completed / Location
Home Language Survey completed and reviewed	Confirmed
Family interview completed, if required	Confirmed
Interpreter used, if needed	Confirmed
ESL professional review documented	Confirmed
Academic records reviewed or unavailable	Confirmed
Appropriate screener administered or screening precluded by compelling evidence	Confirmed
Scores recorded by domain/composite	Confirmed
EL eligibility decision documented	Confirmed
SLIFE/LIFE determination completed if applicable	Confirmed
Parent notification sent within required timeline	Confirmed
LIEP placement and schedule documented	Confirmed
SIS/PIMS coding completed	Confirmed

C2. Reclassification Documentation Checklist

Item	Completed / Location
Current ACCESS score report reviewed	Confirmed
ACCESS OCPL is 4.5 or higher for standard reclassification	Confirmed
Language use inventory #1 completed	Confirmed
Language use inventory #2 completed or single-inventory exception documented	Confirmed
PDE/current scoring sheet completed	Confirmed
Reclassification cover sheet completed	Confirmed
Compelling contrary evidence documented if retaining EL status despite meeting criteria	Confirmed

Item	Completed / Location
Parent/guardian notification prepared	Confirmed
SIS/PIMS status updated during reclassification window	Confirmed
FEL monitoring year 1 started	Confirmed

C3. Active FEL Monitoring Form

Monitoring Element	Evidence / Notes
Student name / ID	Confirmed
FEL monitoring year	Year 1 or Year 2
Core academic progress reviewed	[Grades, benchmarks, classroom assessments]
Teacher feedback collected	[Date and summary]
Language-based concerns noted?	[Yes/No and evidence]
Academic intervention needed?	[Yes/No and MTSS referral if applicable]
ELD redesignation considered?	[Yes/No and rationale]
Parent/guardian communication completed if needed	[Date and mode]
Follow-up action and responsible person	Confirmed

47. Glossary

Term	Definition
ACCESS for ELLs	Annual English language proficiency assessment administered to identified ELs.
Alternate ACCESS	Annual ELP assessment for eligible ELs with significant cognitive disabilities.
BEC	Basic Education Circular issued by PDE.
Castañeda standard	Three-part framework requiring a sound educational theory, effective implementation, and evaluation/modification when needed.
EL	English Learner.
ELD	English Language Development.
ELRS	English Learner Reporting System.
ESL	English as a Second Language.
FEL	Former English Learner.
HLS	Home Language Survey.
LIEP	Language Instruction Educational Program.
OCPL	Overall Composite Proficiency Level.
OACPL / OaCPL	Overall ACCESS Composite Proficiency Level; term may vary by tool/report.

Term	Definition
PA ELDS	Pennsylvania English Language Development Standards Framework.
PDE	Pennsylvania Department of Education.
PIMS	Pennsylvania Information Management System.
SLIFE/LIFE	Student with limited or interrupted formal education.
WIDA	Consortium providing ELD standards and assessments used by Pennsylvania.

48. References / Source Authority

Source	Use in Updated Policy
2025-2026-Policy-ELD.pdf	Base Laboratory Charter School ELD Program Policy Manual used for structure, existing LAB policy language, logo/branding, and areas already addressed.
reclassifying update.docx	Updated reclassification, monitoring, redesignation, ELs with disabilities, ACCESS threshold, language use inventory, and documentation requirements.
el identification-procedure k-12.docx	PDE English Learner Identification Procedure Grades K-12, including HLS, family interview, records review, screener thresholds, SLIFE/LIFE, and disability considerations.
22 Pa. Code § 4.26 - ESOL.docx	Pennsylvania regulatory requirement for programs for students whose dominant language is not English.
BEC ELD Policy.docx	PDE Educating English Learners BEC, including LIEP design, PA ELDS, staff qualifications, professional development, parent communication, assessment, special education, Title III, reporting, and annual program evaluation. The full BEC text is appended as Appendix D for reference and audit-readiness.
ELD Policy Updates.docx	CSO/PDE/WIDA updates for SY 2026-2027, including reclassification transition, growth tools, WIDA ACCESS standard setting, and DRC data correction notes.
Overall Composite Proficiency Level Calculator.docx	Tool description and limitations for calculating overall composite when all four domain scores are available but no overall composite was generated.
WIDA MODEL Online Introduces Major Enhancements for 2026.docx	WIDA MODEL Online enhancements for SY 2026-2027, including domain-level reporting and administration updates.
Percentile growth tools	Progress monitoring/program evaluation tools for ACCESS scale-score growth in overall composite, literacy, oral language, listening, speaking, reading, and writing.
Current official federal civil-rights sources	Current U.S. Department of Education/OCR, DOJ, federal statutory, and controlling case-law sources are used for Title VI, EEOA, ESSA/ESEA, IDEA/Section 504, meaningful communication, equal access, and nondiscrimination requirements. Rescinded or archived guidance is not used as current controlling authority.
Current official PDE and Pennsylvania Code sources	Current PDE BECs, Pennsylvania Code, PDE EL identification procedures, PDE reclassification/monitoring/redesignation guidance, ACCESS/Alternate

Source	Use in Updated Policy
	ACCESS guidance, and PIMS/ELRS guidance control over older or conflicting materials.
Appendix D. Pennsylvania Department of Education Basic Education Circular: Educating English Learners	Full PDE Educating English Learners BEC added to the back of this policy manual as a reference attachment. Current official PDE online guidance controls if PDE updates the BEC after this document is finalized.

Appendix D

Pennsylvania Department of Education Basic Education Circular: Educating English Learners

Appendix Purpose	This appendix includes the Pennsylvania Department of Education Basic Education Circular, Educating English Learners, 22 Pa. Code § 4.26, as a reference attachment to support implementation, compliance review, staff training, and audit-readiness.
Source Document	BEC ELD Policy.docx - Pennsylvania Department of Education Basic Education Circular: Educating English Learners.
Relationship to LAB Policy	The BEC is included as source guidance and does not replace the Laboratory Charter School ELD Policy Manual.
Current-Source Control Note	If PDE issues updated guidance after this manual is finalized, the current official PDE version shall control.

Pennsylvania Department of Education Basic Education Circular: Educating English Learners

Basic Education Circulars (BECs)

Educating English Learners (ELs)

22 Pa. Code §4.26

Date of Issue: July 1, 2001

Date of Review: July 1, 2017

Purpose

The purpose of this circular is to provide local education agencies (LEAs) with the requirements and interpretations of the legal mandates governing the education of students who are English learners (ELs). The information included should be used in designing, staffing, and evaluating effective programs for ELs. These mandates and interpretations are based on the Pennsylvania Regulations, Chapter 4 and Chapter 11; and on federal law, including Title VI of the Civil Rights Act, the Equal Educational Opportunity Act (EEOA), the Elementary and Secondary Education Act (ESEA) as amended by the Every Student Succeeds Act (ESSA) (PDF), and regulations and case law under those statutes. Citations to these sources are found at the end of this circular.

Overview

State regulation, 22 Pa. Code § 4.26, declares:

Every school district shall provide a program for each student whose dominant language is not English for the purpose of facilitating the student's achievement of English proficiency and the academic standards under § 4.12 (relating to academic standards). Programs under this section shall include appropriate bilingual-bicultural or English as a second language (ESL) instruction.

As used here, the term "program" refers to:

1. Planned English language development instruction by a qualified ESL/Bilingual Education teacher, and
2. Adaptations/modifications in the delivery of content instruction and assessments by all teachers based on students' language proficiency levels and the Pennsylvania English Language Development Standards (PA ELDS) Framework for ELs as well as the Pennsylvania academic standards.

Key components of the program that an LEA must provide to every EL are addressed below. In addition, this BEC also sets out the PDE's interpretation of legal requirements on related issues.

Definition of English Language Development (ELD)

ELD is a required component of all language instruction educational programs (LIEPs). ELD takes place daily throughout the day for ELs and is delivered by both ESL teachers and non-ESL teachers.

ELD delivered by ESL teachers

English language development instruction, otherwise known as English as a second language, delivered by a licensed ESL teacher is its own content area. ELD in this context is driven by language, but it draws from general education content as a vehicle for instruction in order to contextualize language learning. It must be codified in a dedicated and planned curriculum specifically designed to develop the English language proficiency of ELs so that they are able to use English in social and academic settings and access challenging academic standards. ELD instruction provides systematic, explicit, and sustained language instruction designed to prepare students for the general academic program by focusing, in meaningful and contextualized circumstances, on the academic language structures that

underpin social and academic constructs. It can be taught as a stand-alone class or course but may also be embedded within other courses with the direct support of an ESL program specialist as appropriate based on the program design and needs of the students.

ELD delivered by non-ESL teachers

ELD must be incorporated into all classes taught by non-ESL licensed teachers in which ELs are enrolled. These teachers are responsible for deliberately planning for and incorporating language instruction as well as supports, modifications, and accommodations needed to allow ELs to access the standards to which the course is aligned.

Identification and Placement of ELs

Screening, identification, and placement

Local education agencies (LEAs) are required to identify ELs at the time of enrollment, notify parents of the identification and programming options, and appropriately place the ELs into a language instruction educational program (LIEP). This requirement extends to pre-K students in public LEA-funded programs. This process must be completed within the first 30 days of school or within 14 days of enrollment if a student enrolls after the first day of school.

The specific requirements for carrying out this process for pre-K through 12th grade students are outlined in the "Screening, Identification, and Placement" document.

General enrollment procedures to which LEAs must adhere are contained in the Enrollment of Students BEC located on the Department's Basic Education Circular website.

Parent permission to identify students as ELs, including screening for English language proficiency, is NOT required.

LEAs are required to notify parents in a timely manner of the process for identifying their children as ELs, the results of that process, and the recommended program placement. LEAs must also provide the parents with a detailed description of the LIEP, its intended benefits for their children, and an explanation of its effectiveness.

See the Communication With Parents section of this document for more information regarding parent notification requirements and the manner in which LEAs are required to communicate with parents.

Parent right to refuse specialized programming

Parents of ELs have the right to refuse certain separate, specialized programs and services that may be part of the LIEP for their children. A parent's decision to refuse programs or services must be informed and voluntary. The LEA may NOT influence the decision in any way and may not make any program or placement decisions contingent on this decision.

Placement and programming decisions may not be made without notifying parents and allowing them to exercise their right to refuse part or all of the separate, specialized LIEP. LEAs should proceed with the recommended placement in the absence of a response from the parent after they have provided the parent with all of the information outlined above.

A detailed description of the parent refusal policy including all LEA obligations for students whose parents have refused services is contained in the "Parent Refusal of LIEP Programs and Services" guidance document.

See the USED FAQ page for the federal guidance regarding parental refusal of services.

The Language Instruction Educational Program (LIEP)

LEAs are required to thoughtfully and deliberately plan, resource, and evaluate their LIEP. The plan and evaluation results must be made available to all staff working with ELs as well as parents of ELs.

Program models and program design

ELs must have equitable access to academic content for all courses in which they are enrolled. Regardless of the program model(s) employed, the LIEP must, at a minimum:

- Be aligned to state academic content standards for the appropriate grade level of the ELs;
- Include ELD instruction delivered by properly certified teachers who hold an ESL program specialist certificate or who are working in conjunction with ESL certified teachers;
- Incorporate the use of the PA ELDS;
- Provide equitable access to content for ELs at all language proficiency levels by providing research-based bilingual or sheltered instruction with fidelity; and
- Not limit the enrollment of ELs in any course or academic program for which they would otherwise be eligible.

The foregoing minimum requirements must be incorporated into the entirety of the student's daily instructional time.

A LEA may design its LIEP in many ways, but it must ensure that the program design meets the needs of its EL population and is based on research and/or a sound educational theory recognized by at least some experts in the field as legitimate.

Regardless of how the LEA chooses to organize its program, the Department requires that it be identified by one of six categories:

- Mixed Class Bilingual
- EL Bilingual
- EL-Specific Transitional Instruction
- Mixed Classes with Native Language Support
- EL Specific English Only Instruction
- Mixed Classes with English Only Support

For assistance in choosing the appropriate category for their LIEPs, LEAs may reference the "Classifying Language Instruction Educational Programs" guidance document.

ELD Replacement for English Language Arts

In general, ELD instruction taught by an ESL licensed teacher should not replace ELA instruction in a student's academic program. ELD has its own curriculum that, although may incorporate elements of ELA or other content areas, is unique and aligned to the PA ELDS. ELD may replace ELA only when the instruction is aligned to the same ELA standards as the ELA course or instructional period in which a student's non-EL peers are enrolled.

ELD may not replace any other core content in a student's academic program unless it is for a limited time not to exceed one school year and the LEA has a plan for immediately mitigating any academic gaps that result (e.g. in the case of a newcomer program).

Appropriate resourcing of the LIEP

LEAs are required to provide adequate resources calculated to effectively implement the LIEP chosen. A LEA is not taking appropriate action to remedy language barriers in accordance with federal and state laws and regulations if, despite the adoption of a promising or recognized LIEP, it fails to follow through with practices, resources and personnel necessary to implement the program or transform the theory into reality.

Appropriate resourcing of the program includes, but is not limited to:

- Employing an adequate number of properly licensed ESL teachers to ensure that English language development (ELD) instruction is delivered to ELs based on their needs. (see the EDUCATORS OF ELs section of this document for more information)
- Ensuring that there is a sufficient amount of time available for ESL teachers to collaborate with content teachers in order to ensure that content is made accessible to ELs and to monitor the progress of ELs in content classes.
- Purchasing and maintaining specialized materials to support ELs (native language literature, translations dictionaries, reference materials, etc.).
- Ensuring that the LIEP is provided with the same resources as other academic programs in the district/school (comparable technology, classroom spaces, consumables, a planned ELD curriculum, etc.).

- Providing for adequate professional development to ensure that all staff working with ELs are properly trained according to their role to implement supports that overcome language barriers.

Evaluating the effectiveness of the LIEP

The LEA is not free to persist in an LIEP which, although it may have been "appropriate" when adopted, in the sense that there were sound expectations for success and bona fide efforts to make the program work, has, in practice, proved ineffective. To this end, LEAs must employ a method to evaluate their LIEPs for effectiveness and make any changes necessary based on the evaluation.

Evaluations of LIEPs must be conducted at least annually and the results documented and reported to the state through the English Learner Reporting System (ELRS). Determinations to make changes to an LIEP based on program evaluations may be made annually, although a LEA may allow more time for a program to produce positive results before taking action as long as that time is reasonable based on the program design and expected outcomes.

Evaluations must be based on student outcomes rather than program inputs. For example, a program evaluation may not be based on the number of hours that teachers collaborate each week, the amount of funds spent on resources, or the implementation of a particular intervention or support. A program evaluation should include evidence of student growth toward proficiency in English and academic achievement.

Implementation of the English Language Development Standards

The Pennsylvania English Language Development Standards (PA ELDS) Framework must be utilized for planning instruction and assessment by all teachers of ELs. It is highly recommended that teachers also utilize the WIDA English Language Development Standards (ELDS) and associated support documents (Can-Do Descriptors, Performance Definitions, rubrics, etc.) in conjunction with the PA ELDS Framework for these purposes.

Grading of ELs

LEAs should have a section included in their local grading policy that specifically addresses grading procedures for ELs.

LEAs must utilize the same grading system for ELs in content courses as they do for all students (e.g. pass/fail is inappropriate for ELs if other students receive a letter grade).

For ELD courses or instructional periods taught by a licensed ESL teacher in an all-EL setting, any grading system that meaningfully conveys information about progress and/or achievement may be used.

In addition to the information that is provided to all students, LEAs must communicate information related to English language proficiency and/or progress to parents at least annually.

Report Cards/Progress Reports

LEAs may utilize the report card/progress report to communicate English language development information to parents of ELs or they may utilize a separate communication mechanism. If a LEA chooses to include English language development information on the report card, then it must ensure that the information provided is understandable and useful to engage parents in the education of their children.

High School Transcripts

The English learner designation and/or English language development information must not appear on an EL's high school transcript unless it is part of a course title or code.

Retention of ELs

An EL may not be retained in a grade based solely on his/her lack of English proficiency.

LEAs must provide evidence that all appropriate modifications and accommodations to instruction and assessment aligned to the student's English language proficiency to allow the EL meaningful access to the general curriculum as

well as to promote second language learning were implemented and documented over time prior to considering grade retention.

Area Vocational-Technical Schools (AVTSs)/ Career and Technical Centers (CTCs)

ELs may not be denied access to participate in programs at AVTSs/CTCs based solely on English language proficiency.

ELs participating in vocational programs must receive ELD instruction appropriate to their level of proficiency and content-area instruction must be aligned to the student's English language proficiency level.

Comprehensive AVTS/ CTC schools are responsible for providing the LIEP and staffing for ELs as outlined in this document.

Annual assessment of ELs

The annual state English language proficiency (ELP) assessment, ACCESS for ELLs®, is required by federal law. The results of the state ELP assessment are used to measure students' English language proficiency and progress in each of the four language domains (i.e., reading, writing, speaking and listening/understanding). The LEA must maintain these score results in the student's permanent record folder.

There is no provision that allows parents to opt their children out of annual ELP testing.

ELs participate in all other annual state-required assessments (e.g. PSSA, Keystone exams) according to those testing guidelines.

Testing Accommodations

The testing accommodations allowable for ELs on state academic achievement assessments are published annually by PDE. Testing accommodations allowable for ELs on the ACCESS for ELLs® are published annually by the WIDA Consortium.

Visit the PDE Assessment and Accountability webpage for information on testing and testing accommodations.

Visit the WIDA Assessment webpage for information on testing and testing accommodations for the ACCESS for ELLs®.

Reclassification, Monitoring, and Redesignation of ELs

LEAs must include in their LIEP uniform procedures in accordance with state requirements for:

- Reclassifying ELs as former ELs (FELs) when they attain proficiency,
- Actively monitoring the progress of FELs for a period of two years after reclassification and reporting students to the state in a monitor status for an additional two years, and
- Re-designating FELs as active ELs if they struggle academically as a result of persistent language barriers. This procedure must include steps to ensure that the nature of the challenge for the former EL is language-based and not academic.

For detailed requirements and procedures, see the "Reclassification, Monitoring, and Re-designation of ELs" guidance document.

Educators of ELs

Qualifications

A teacher who provides specialized English language development instruction (also known as English as a second language) and who provides a grade for the ELD instruction either in a content class setting or a separate setting must hold a PA Instructional I or II certificate AND the ESL Program Specialist Certificate.

Any teacher who provides instruction and a grade for any non-ELD course or class must be appropriately certified in accordance with Department requirements. More information regarding certification staffing policies can be found in the Certification and Staffing Policy Guidelines (CSPGs) located on the Department website.

Example: a teacher who holds an instructional certificate in English Language Arts (ELA) and an ESL Program Specialist Certificate may provide either ELD/ESL or ELA instruction to, and a grade for, an EL, but may not provide instruction in, or a grade for, any other subject. That teacher may, however, provide support or instruction in the language of another content area (e.g. mathematics, social studies, science, etc.), but may not provide a grade for that content. Furthermore, the language instruction may not supplant that content in the student's schedule.

Professional Development

All LEAs in which ELs are enrolled must offer annual professional development related to ELD/ESL for all LEA personnel as part of the Professional Development Act 48 Plan.

Parent, Family and Community Engagement

Communication with Parents

LEAs are required to provide all important information to parents who are not proficient in English in a language or mode of communication that they understand. If it is not practicable for the LEA to provide a written translation because the parents' language is not a common language, then the LEA may use a cover page explaining in the parents' language how they may have the document translated orally.

To provide parents with effective communication, interpreters or translators must understand and be able to express in both languages any specialized terms or concepts used in the communication. It is also important that translators or interpreters understand the ethics of interpreting and translating and the need for confidentiality.

Relying on students, siblings, or friends is not appropriate for translations that require confidentiality (e.g. parent-teacher conferences, discipline, participation in special services, etc.). Moreover, translators and interpreters should also be competent in interpreting or translating information or documents that require the knowledge of specialized terms or concepts in both languages.

See the U.S. Department of Justice and U.S. Department of Education Office for Civil Rights fact sheet, Information for Limited English Proficient (LEP) Parents and Guardians and for Schools and School Districts that Communicate with Them (PDF), for more information.

The following list identifies essential information that must be provided to parents:

- School registration and enrollment instructions
- A description of the EL identification process and the reason that their child was identified as an EL
- Their child's current English proficiency level and a description of what that means
- A description of the LIEP as outlined in this document
- Information explaining their right to refuse enrollment of their child in the LIEP (see Parental Right to Refuse Specialized Programming section)
- A description of the criteria for reclassification and an expected timeline for achieving proficiency
- Notices required by special education laws and regulations
- Grievance procedures and notices of non-discrimination
- Student discipline policies and procedures
- Report cards and progress reports
- Notices of parent-teacher conferences
- Information regarding gifted and talented programs
- Results of the annual English proficiency assessment, ACCESS for ELLs®
- Requests for parent permission for student participation in school activities

- Other information provided to native English-speaking parents such as invitations to join school-related councils or groups or parent handbooks

The PDE offers some resources for LEAs related to translation of information. For more information, visit the PDE English as a Second Language webpage.

Annual notification requirements

Parents of currently enrolled ELs must be provided with the following information within 30 days of the start of each school year:

- A notification of their child's continued participation in the LIEP
- A description of the LIEP including its intended benefits for their children and an explanation of its effectiveness
- A notification of their right to refuse services as outlined in this document
- A description of any Title III supplemental services being offered by the LEA (if applicable)
- A notification of their right to refuse Title III supplemental services (if applicable)

Required outreach activities

LEAs are required to implement an effective means of outreach to parents of ELs to inform the parents regarding how they can be involved in the education of their children and be active participants in assisting their children to attain English proficiency and succeed academically. This includes holding, and sending notice of opportunities for, regular meetings for the purpose of formulating and responding to recommendations from parents of ELs.

ELs Suspected of or Having a Disability

Some ELs may have a disability and qualify for special education services. This could be determined at the time of enrollment if a student arrives with a valid individualized education program (IEP) or at some point during the school year.

All procedures for the screening, evaluation, IEP, and the provision of services and/or instruction must be in compliance with the Individuals with Disabilities Education Act (IDEA) and PA Chapter 14 Regulations.

This section only describes those aspects of policy for ELs with disabilities that are not contained in special education regulations, policies, and guidance.

See the Department's Bureau of Special Education website for access to all related regulations, policies, guidance, and FAQs.

Right to dual services

LIEP and special education programming are not mutually exclusive. Special education services do not replace English language development services or vice versa. ELs must be afforded all supports, resources, and programming for which they are eligible. In other words, ELs are eligible for special education services if they meet IEP eligibility criteria and, conversely, students with a disability are eligible for English language development programming if they are identified as an ELs.

Identification

There is no waiting period for making a disability determination for an EL.

A child must not be determined to be a child with a disability if the determinant factor for that finding is lack of English proficiency.

Programming considerations

English language development instruction or English as a second language is part of an EL's general academic program and must be included in an academic program for ELs with disabilities. This content must be delivered by a properly trained and certified ESL teacher either directly or by a special education teacher who is working in collaboration with an ESL teacher.

The IEP team, which must include an ESL professional, must take into account the language needs of an EL with a disability when considering program design and placement.

Reclassification

An EL who has a disability must meet the state's definition of English proficient in order to be reclassified as a former EL. This definition and the provisions for reclassification can be found in the "Reclassification, Monitoring, and Re-designation of ELs" guidance document.

Title III Subgrants and Requirements

Title III funding may be used by LEAs to enhance existing ESL/Bilingual programs. It may be used only to supplement, not supplant, existing programs and sources of funding.

Parents may refuse Title III services that support an LEA's ESL/Bilingual education program. Parents may also request reenrollment of their children in Title III services at any time after initially refusing.

Written parent notification for student placement in Title III programs/services is required along with written guidance pertaining to parental rights, including the right to have the child immediately removed from or decline enrollment in such programs.

More information, including specific requirements and guidance about Title III can be found at:

The PDE Federal Programs for Title III

The U.S. Department of Education Laws and Regulations

Eligibility for a subgrant under Title III

Individual LEAs that enroll a sufficient number of ELs to reach the minimum subgrant threshold of \$10,000 are eligible to apply for a subgrant under Title III. LEAs that do not enroll a sufficient number of ELs to reach this threshold can form or join a consortium of LEAs to reach the threshold. Consortia can be composed of many LEAs with one LEA acting as the fiscal lead. Intermediate Units (IUs) can also act as fiscal leads for Title III consortia.

The Federal Programs Office at the PDE notifies all eligible entities in the Commonwealth each year of their eligibility and the process for applying to receive a grant under Title III.

Applying for a subgrant

To apply for Title III Funding, LEAs must complete the Consolidated Application on the eGrants system according to the due dates established by the Department.

Title III required and recommended activities

There are three required activities for the use of Title III funds:

1. Provide a high-quality LIEP
2. Provide professional development to teachers, administrators, and other school-based personnel who work with ELs
3. provide and implement other effective activities and strategies that enhance or supplement LIEPs, which must include parent, family, and community engagement activities, and may include strategies that serve to coordinate and align related programs

There are also a number of permissible activities for the use of Title III funds that include, but are not limited to:

- Providing community participation programs, family literacy services, and parent outreach and training to ELs and their families,
- Improving the instruction of ELs, which may include English learners with disabilities, by acquiring or developing educational technology and accessing electronic networks,
- Uses related to developing or implementing LIEPs in preschools that are coordinated with other relevant programs and services, or

- Offering early college high school or dual or concurrent enrollment programs or courses designed to help ELs achieve success in postsecondary education

Immigrant subgrants

Title III provides additional supplemental funding for LEAs that experience a significant increase in the number of immigrant children and youth (ICY).

The term "immigrant children and youth" means individuals who

1. Are aged 3 through 21;
2. Were not born in any State; and
3. Have not been attending one or more schools in any one or more States for more than 3 full academic years.

NOTE: Students from Puerto Rico are not considered "immigrants" under Title III.

Pennsylvania defines a "significant increase" as an increase of 10% and at least 10 students more than the average number of the past two years.

Immigrant grant funding must be held separately from other Title III funding. The two must not be comingled.

An LEA must use the immigrant subgrant to provide enhanced instructional opportunities for immigrant children and youth (ESEA Section 3115(e)).

Data Collection and Reporting Requirements

LEAs are required to collect certain data elements related to ELs and report that data to the PDE. Each LEA employs its own student data system, but the system must be able to export the data and report it to the Department based on uniform Department requirements and timelines.

LEAs are required to complete the Pennsylvania Information Management System (PIMS) and the English Learner Reporting System (ELRS) annually. PIMS and the ELRS provide data and information on student numbers, teachers, 22 Pa. Code §4.26 compliance, and Title III.

For more information about PIMS, see the PDE PIMS webpage.

References

State Regulation

22 Pa. Code §4.4
22 Pa. Code § 11.11
22 Pa. Code § 11.12
22 Pa. Code §4.26
22 Pa. Code §4.14

Federal Statutes

Civil Rights Act of 1964, Title VI
Equal Educational Opportunities Act of 1974
The Elementary and Secondary Education Act (ESEA)
The Every Student Succeeds Act (ESSA) (PDF)

Other

Lau v Nichols, 414 U.S. 563 (1974)
Plyler v Doe, 457 U.S. 202 (1982)
Certification and Staffing Policies and Guidelines (CSPG) No. 68

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