



WINDHAM SCHOOL  
DISTRICT

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**SUPERSEDES:** OP-08.10  
March 1, 2005

# OPERATING PROCEDURES

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**SUBJECT:** ENGLISH AS A SECOND LANGUAGE (ESL) PROGRAM

**AUTHORITY:** Texas Education Code, §19.004

Reference: TDCJ Administrative Directive (AD)-04.25, "Language Assistance Services to Offenders Identified as Monolingual Spanish-Speaking"

**APPLICABILITY:** Windham School District (WSD or district)

## **POLICY:**

Windham School District shall provide an English as a Second Language (ESL) program to help limited English proficient (LEP) offenders function in an English-speaking environment.

## **PROCEDURES:**

### I. Program Description

- A. The ESL program is an intensive program of instruction designed to develop proficiency in the comprehension, speaking, reading, and composition of the English language.
- B. The primary language of the student is not addressed in an ESL program; bilingual programs are not provided.
- C. Wardens and principals shall ensure that language assistance services are made available to eligible offenders on their unit, as appropriate. (See AD-04.25)

### II. Program Organization

- A. To provide effective English language instruction for students with limited English proficiency, the ESL program is primarily delivered in self-contained classrooms.

- B. The educational focus for LEP students is the development of listening, speaking, and beginning reading skills in English through instruction provided by teachers trained in second language approaches.
- C. Students enrolled in ESL classes receive three hours of instruction per day. The entire three-hour class period is devoted to instruction in English language arts and total immersion in second language approaches.
- D. ESL students shall not be concurrently enrolled in regular literacy classes.
- E. LEP students shall not be enrolled in the Literacy I—Reading program.
- F. Offenders with ICE detainees may be enrolled in ESL classes if their projected release dates are greater than one year. Offenders with Immigration and Customs Enforcement (ICE) detainees may not be enrolled in educational programs other than ESL without first having received specific approval. (See BP-08.01, "Student Eligibility for Windham School District Programs")

### III. Instructional Design

- A. Students in the ESL program work toward mastery of instructional objectives appropriate and essential for the LEP student.
- B. Within a class, students are grouped according to their instructional level and level of oral language proficiency.
- C. Qualified teachers prepare individual and/or group lessons and prescribe materials and activities based on appropriate second language approaches.
- D. Teachers implement structured, developmental, sequential English instruction in the four language skills of listening, speaking, reading, and writing.

### IV. Student Selection

- A. Offenders shall be assessed and determined eligible for ESL prior to placement in or transfer for an ESL class.
- B. The Education History and Language Survey, HD-1404, or the Spanish HD-1406, (available from the Media Center) shall be administered, at the unit level, to all offenders enrolling for the first time in WSD educational programs. It shall be administered within ten school days of the student's enrollment. This requirement is waived if the information was previously collected and is already available on the computer screen.
- C. A student's responses on the Education History and Language Survey shall be analyzed to determine his/her ability to speak and understand English.

- D. A printed copy of the computer screen may be used to determine that an Education History and Language Survey has been administered and further ESL assessment is required.
  - E. Offenders identified as being in need of further assessment for ESL shall be assessed within three months of arrival at a facility.
  - F. Regular academic teachers may refer students to the Language Proficiency Assessment Committee (LPAC) using the Teacher Observation Record form (available on the WSD Share Drive, INS, Public, ESL) if it is believed that their performance and/or behavior in the regular academic classroom is affected by a language barrier.
  - G. Students with suspected limited English proficiency, or students who have an Education History and Language Survey that indicates a primary language other than English, shall be administered an oral language assessment test prior to enrollment.
  - H. For initial assessment purposes, the IDEA Oral Language Proficiency Test (IPT-II), Form C, shall be administered by professionals or paraprofessionals who are trained in language proficiency testing (e.g., principal, counselor, teacher, or paraprofessional) and given to the principal for the LPAC to determine program placement.
  - I. Those who score at or below the 40th percentile on the Tests of Adult Basic Education (TABE) may need to be enrolled in ESL. Other factors to consider in ESL placement for offenders whose need is questionable include the following:
    - 1. Amount of time in the U.S.;
    - 2. Work experience in the U.S.; and
    - 3. Amount of time in TDCJ without the benefit of ESL instruction.
  - J. This assessment process is followed on all facilities, regardless of whether an ESL program is available or whether transfers are allowed. This will ensure appropriate student selection procedures for regular literacy as well as ESL classes.
- V. Language Proficiency Assessment Committee
- A. The LPAC shall be established at each WSD campus.
  - B. Each LPAC shall consist of a campus administrator and a certified special language teacher assigned to that campus. Another professional staff member or supervisor may serve on the committee if no special language teacher is assigned to the campus.

- C. Duties of the LPAC shall include the following:
1. Determine eligibility for ESL based upon review of all available student information including:
    - a. Results of the Education History and Language Survey;
    - b. Results of the oral language proficiency test;
    - c. Achievement data in reading;
    - d. Results of the student interview conducted by the LPAC, if necessary; and
    - e. Results of the Teacher Observation Record, if available.
  2. Make a determination and complete the LPAC Determination form (available on the WSD Share Drive, INS, Public, ESL).
  3. Review each ESL assigned LEP student annually to assess progress and to determine and recommend the most appropriate placement whether in ESL or in a literacy program.
  4. Review student performance at more frequent intervals if available information indicates a change in program placement might be justified.
  5. Document any change in student placement (initial and date) on the LPAC Determination Form.

VI. Student Assessment and Evaluation

- A. Annual assessments of language proficiency are required; however, teachers may assess progress and/or recommend a change in program placement at any time during the school year.
- B. The decision for a change in program placement may be based on either the results of the Tests of Adult Basic Education (TABE) or the results of an IPT-II ORAL test.
- C. Teachers in the ESL program shall assess student progress by administering the English version of the TABE at least once each school year.
- D. The IPT-II ORAL, Form D, is used as a measure for annual reviews and as a measure of exit performance, and should be administered as necessary to obtain a measure of exit performance prior to a student's projected release.
- E. IPT-II ORAL scores shall be entered and updated in the appropriate computer database within two weeks of the testing.

- F. Offenders who score at levels A or B on the IPT-II ORAL shall be considered non-English speaking and in need of ESL.
- G. Offenders who score at levels C or D on the IPT-II ORAL shall be considered limited English proficient and in need of ESL.
- H. Offenders who score at level E shall be reviewed on a case-by-case basis to determine appropriate placement.
- I. Students (excluding those with ICE detainees) who score at level E on the IPT-II Oral and above the 40th percentile on the TABE reading subtest, shall be enrolled in a regular literacy class.

Note: Percentile scores are indicated on the Student Multi-Reference Report.

- J. ESL students who do not have ICE detainees should be exited from ESL as soon as it is determined that they have met the proficiency requirements. Those who score at level F are considered fluent in English and shall be placed in a regular literacy program.
- K. Offenders with ICE detainees who score at level F shall be exited from the ESL program. Enrollment in regular literacy classes is not applicable to students with ICE detainees.
- L. When a monolingual, Spanish/Other speaking offender subsequently develops adequate communication skills in English and such skills are confirmed by a language assessment provided by WSD, the principal shall notify the unit Classification staff. Adequate communication skills in English is defined as scoring level F on the IPT-II Oral or scoring level E on the IPT-II Oral and above the 40th percentile on the TABE reading subtest.
- M. ESL students are expected to improve their proficiency in English:
  - 1. If an ESL student does not improve and appears to have a learning disability in addition to a language difference, the student may be referred for special education consideration. The Teacher Observation Record form may be used to refer a LEP student to the LPAC for reclassification as non-LEP or for special education recommendation.
  - 2. If students appear to intentionally not make progress on the TABE or IPT-II in order to remain with the teacher, the counselor or principal shall advise them that they may be dropped for lack of progress.

## VII. Transfers

- A. When a male offender assigned to a Texas Department of Criminal Justice (TDCJ) prison has been identified as eligible for ESL, but the program is not offered at his

current unit of assignment, a transfer request shall be submitted to Counseling, Testing and Records in the Division of Instruction.

- B. Transfer requests shall include the completed LPAC Determination form, a copy of the IPT-II ORAL protocol, and the Education History and Language Survey (or a printed copy of the computer screen indicating further assessment for ESL is required). Original records are kept at the campus and forwarded to each unit of assignment.
- C. Students who are transferred for ESL purposes may be enrolled in the program while awaiting the records from the prior unit of assignment.
- D. When a transfer request is denied by TDCJ, the ITP shall be coded as program unavailable (PU).
- E. The PU code shall also be used for LEP offenders on state jails, substance abuse facilities, transfer facilities, and intermediate sanction facilities that do not have ESL programs.
- F. Local procedures are used to transfer female offenders for education programs.

#### VIII. Refusals

- A. Eligible offenders who have been identified as LEP are required to enroll in the ESL program.
- B. A refusal for ESL services or testing shall be considered the same as a refusal for academic programs and a program refusal (PR) shall be coded on the academic line of the ITP. (Refer to OP-09.18, "Withdrawing Offenders from Education Programs")
- C. WSD is not obligated to enroll LEP students in regular literacy classes if they have refused ESL.
- D. Refusal to transfer shall also be considered a program refusal.

#### IX. Student Records

- A. Student records shall be maintained on the campus at the unit of assignment.
- B. ESL records shall include the Education History and Language Survey (previously referred to as the Home Language Survey) or a printed copy of the computer screen, the IPT-II ORAL protocol(s), and the LPAC Determination form(s).
- C. When a student is no longer assigned to a facility served by WSD, these records shall be submitted to the WSD Records Office for imaging.

\* Signature on file

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