

PROPOSED REGULATION OF THE STATE BOARD OF EDUCATION

LCB File No. R106-15

NEVADA DEPARTMENT OF EDUCATION
NEVADA STATE BOARD OF EDUCATION
STATE BOARD FOR OCCUPATIONAL EDUCATION

EXPLANATION: ~~deleted language is bracketed with a strike through~~ *New language is in italics.*

Proposed amendments to NAC Chapter 388.600-388.655 ~~Regulations regarding English learners~~; there is not a section that addresses District Policy Criteria.

Authority: NRS 388.407, 388.411

As outlined in NRS 388.411, the State Board of Education received and approved the recommendations for the policy to be developed by the board of trustees of each school district for teaching pupils who are limited English proficient at the December 11, 2014 meeting.

The English Mastery Council district policy criteria recommendations approved by the State Board of Education are as follows:

- I. Process Criterion: the process for the development of this policy must include evaluation of relevant research and consultation with teachers, school administrators, parents, and students. [NCLB 3116(b)(5)]*
- II. Minimum Component Criteria:*
 - a. Vision/Purpose/Philosophy Statement that describe the district's overarching approach to serving its English Learner (EL) students:*
 - i. Statement addresses alignment and integration of EL services with district priorities, goals and plans*
 - ii. Statement is consistent with state and federal regulations, policies and/or guidance*
 - b. Desired Outcomes/Expectations, including:*
 - i. EL student attainment of proficiency in the English Language*
 - ii. EL student academic achievement*

c. *Definitions of Terms and Acronyms:*

- i. *Consistent with Federal and State regulations, policies and/or guidance*

d. *Associated Documents:*

- i. *Corresponding (or Integrated) District EL Service Delivery Plan and/or Operational Guide*

III. *Minimum Content Criteria (NRS 388.407; relevant DOJ, OCR and Title III Law); the policy must:*

- a. *Provide for the identification of pupils who are limited English proficient [NRS 388.407 (2)(a)] including, as defined by federal or state law or regulation , or a policy adopted by the State Board of Education:*

i. *Home Language Survey*

ii. *Screening Instrument*

iii. *Exit/Reclassification from EL status [NCLB 3121(a)(3)]*

- b. *Provide for the periodic reassessment of each pupil who is classified as limited English proficient [NRS 388.407(2)(b)] and the appropriate assessment of ELs (Federal Register Vol. 76, No. 75 4-19-11 and Castaneda v. Pickard) including:*

i. *English Language Proficiency Assessment (ELPA) as defined by federal or state law or regulation, or a policy adopted by the State Board of Education*

ii. *Interim Proficiency Assessment/Evaluation:*

1. *Formal (Interpret results of district/school tools relative to EL students' English proficiency levels*

2. *Informal (Evaluate EL students' Academic Language Acquisition progress*

iii. *Classroom assessment of ELs*

1. *EL specific practices/accommodations*

2. *Criteria to apply EL specific practices/accommodations*

- c. *Be designed to eliminate any gaps in achievement between those pupils who are limited English proficient and pupils who are proficient in English [NRS 388.407(2)(c)] and ensure equitable access to and participation in program services (Castaneda v. Pickard) including:*

- i. *Use of data to inform program design, resource allocation and instructional practice:*

1. *Federal and State accountability measures for current and former ELs*
2. *Program participation:*
 - a. *Gifted and Talented (ensure access to programs)*
 - b. *Special Education (protect against over and under identification)*
- ii. *Leadership and Staffing: infrastructure, roles and collaboration*
- iii. *Curriculum: Research based selection of curricula that consider language development needs of ELs:*
 1. *ELD Curriculum- High quality, rigorous instructional materials and practices that align with:*
 - a. *The Nevada Academic Content Standards*
 - b. *District identified program Model(s) of instruction/instructional Delivery Method(s)*
 2. *Content Curriculum- High quality, rigorous instructional materials and practices that provide ELs concurrent expectations for and access to:*
 - a. *Academic English Development*
 - b. *Grade-level Content Instruction*
 3. *Content and English Language Development Curricula incorporate cultural relevance for ELs to build content knowledge while acquiring academic language*
- iv. *Professional Development/Learning*
- v. *Models of Instruction/Instructional Delivery Methods*
- d. *Provide opportunities for the parents or legal guardians of pupils who are limited English proficient to participate in the program [NRS 388.407(2)(d)] and ensure proper communication of required information (NCLB 3302) including:*
 - i. *Notifications as required by federal or state law or regulation, or a policy adopted by the State Board of Education*
 - ii. *Communications provided (insofar as plausible) in a language the parent can understand*
 - iii. *Parent advisory participation*
 - iv. *Family engagement*
- e. *Provide the parents and legal guardians of pupils who are limited English proficient*

with information regarding other programs that are designed to improve the language acquisition and academic achievement and proficiency of pupils who are limited English proficient and assist those parents and legal guardians in enrolling those pupils in such programs. [NRS 388.407(2)(e)]