

160-4-5-.02 LANGUAGE INSTRUCTION PROGRAM FOR ENGLISH LEARNERS (ELs).

(1) DEFINITIONS.

(a) **English Learners (ELs)** – students whose primary or home language is other than English and who are eligible for English language instruction based on the results of an English language proficiency assessment.

(b) **English language proficiency (ELP)** – the level of language competence necessary to participate fully and learn successfully in classrooms where the primary language of instruction is English.

(c) **English to Speakers of Other Languages (ESOL)** – a language instruction educational program provided to help ELs overcome language barriers and participate meaningfully in schools' educational programs.

(d) **Georgia Department of Education** – the state agency charged with the fiscal and administrative management of certain aspects of K-12 public education, including the implementation of federal and state mandates. Such management is subject to supervision and oversight by the State Board of Education.

(e) **Home Language Survey** – a questionnaire administered upon enrollment to each student's parent or guardian for the purpose of determining whether a language other than English is used by the student or used in the student's home.

(f) **Language instruction** – language programs and strategies that promote academic language development for English learner students.

(g) **Local Educational Agency (LEA)** – local school system pursuant to local board of education control and management.

(h) **School** – any building or special entity as defined in State Board of Education Rule 160-5-1-.03 Identification and Reporting of Schools.

(i) **State adopted English proficiency measure** – an English language proficiency assessment administered annually to all English learners (ELs) in Georgia for the purposes of determining the English language proficiency level of students; providing districts with information that will help them evaluate the effectiveness of their ESOL programs; providing information that enhances instruction and learning in programs for English learners; assessing the annual English language proficiency gains; and providing data for meeting federal and state requirements.

(j) **State adopted English proficiency screening measure** – a formal measure of

social and academic English language proficiency that assesses students' need for initial placement in language instruction educational programs.

(k) **State adopted English language proficiency standards** – a set of statements derived from the listening, speaking, reading, and writing language domains that describe developmental levels of language proficiency that students need to construct social, instructional, and academic communication.

(l) **Student Record** – the state's required end-of-year student data collection.

(2) REQUIREMENTS.

(a) Eligibility for entry into and exit from English learner status and language instruction programs.

1. Prior to entry into a school in Georgia, each student's parent or guardian shall complete the required Home Language Survey to determine if a language other than English is used in the home or is the student's first language or home language. All students whose first language or home language includes a language other than English shall be assessed for English language proficiency using the state-adopted English proficiency screening measure. Further guidance is in the ESOL Resource Guide.

2. Initial eligibility for language instruction programs shall be determined by the student's score on the state-adopted English proficiency screening measure.

(i) Students who have an English language proficiency score below proficient on the state-adopted English proficiency screening measure shall be determined to be English learners (ELs) and shall be eligible for language instruction programs and services. Coding guidance for ELs is in the ESOL Resource Guide.

(ii) Students who have an English language proficiency score at or above proficient on the state-adopted English proficiency screening measure shall be considered English proficient and shall not be eligible for language instruction. Coding guidance for non-ELs is in the ESOL Resource Guide.

3. All ELs shall be assessed annually on the state-adopted English proficiency measure to determine English language proficiency. Students whose scores on the state-adopted English proficiency measure do not meet the state EL exit criteria shall continue to be eligible for language instruction.

4. Exiting from EL status and ESOL instruction.

(i) Clear EL exit determinations are based on the composite score of the state-adopted English proficiency measure. A student who exits the language instruction program via a clear exit determination shall be considered English proficient.

Additional guidance is in the ESOL Resource Guide.

(ii) Students whose composite scores on the state-adopted English proficiency measure do not meet the score required for clear exit determination may be considered English proficient following an LEA's reclassification review. The reclassification review procedures are applied uniformly statewide, as established in the ESOL Resource Guide.

(iii) Students who are deemed English proficient shall not be eligible for continued language instruction and shall be exited from EL status and ESOL programs.

(iv) Each LEA shall monitor students who are considered English proficient for two years after exit from language instruction programs. Coding guidance for exited ELs is in the ESOL Resource Guide. The monitoring process shall consist of a documented review of report card grades, state assessment results, classroom performance and teacher observations for the purpose of ensuring the successful transition to the general classroom. Additional guidance is in the ESOL Resource Guide.

(b) ESOL language programs' delivery models.

1. LEAs and schools shall provide English language instruction to all ELs. Such instruction shall be provided through the state funded ESOL program or placement in a locally developed language instruction educational program. ESOL language programs shall address the English language proficiency standards needed to be successful in the academic content standards. Approved instructional delivery models include:

(i) Pull-out model – EL students are taken out of a general education class for the purpose of receiving small group language instruction from the ESOL teacher.

(ii) Push-in/Collaborative model (within reading, language arts, mathematics, science, or social studies) – EL students remain in the core academic class where they receive content instruction from the content area teacher along with targeted language instruction from the ESOL teacher.

(iii) Resource center/laboratory – EL students receive language instruction in an individual or group setting supplemented by multimedia materials or digital language learning resources.

(iv) Scheduled language acquisition – In a class composed only of ELs, students receive language instruction in foundational social and instructional English and in the academic languages of content from the ESOL teacher.

(v) Scheduled language acquisition at a newcomer program – In a class composed only of ELs who are participating in a newcomer program for recently arrived

immigrants, students receive instruction in foundational social and instructional English and in the academic languages of content from the ESOL teacher.

(vi) Sheltered content – In a class composed only of ELs, students at the middle and high school levels receive language and content instruction from the content teacher with ESOL professional qualifications.

(vii) Sheltered content at a newcomer program – In a class composed only of ELs at the middle and high school level who are participating in a newcomer program for recently arrived immigrants, students receive language and content instruction from the content teacher with ESOL professional qualifications.

(viii) Dual language immersion model – students participating in a dual language immersion program receive English language instruction from the teacher with ESOL professional qualifications providing instruction during the English portion of the academic day.

(ix) Innovative delivery model approved in advance by the Georgia Department of Education for traditional LEAs (without a waiver of this rule or O.C.G.A. § 20-2-156).

(c) Language instruction curricula and assessment.

1. Language instruction educational curricula in the state funded ESOL program shall consist of plans of instruction which are adapted to the English language proficiency of students and are designed to develop: 1) listening, speaking, reading, writing and American cultural concepts and 2) the language of academic instruction used in language arts, mathematics, science, social studies, fine arts and physical education.

2. All English learners shall be assessed annually for language proficiency. ELs shall also participate in state assessments pursuant to Georgia State Board of Education rule 160-3-1-.07 Testing Programs--Student Assessment.

(d) Funding.

1. Students identified as eligible for language instruction who are served by the state funded ESOL program shall receive the equivalent of at least five segments per week of English language instruction using ESOL curricula in allowable service delivery models. For purposes of funding, ESOL served students in grades K-3 shall be counted for a maximum of one segment at the ESOL weight; grades 4-8 students for a maximum of two segments at the ESOL weight; and grades 9-12 students for a maximum of five segments at the ESOL weight.

(i) The class is limited to the maximum size specified in State Board of Education Rule 160-5-1-.08 Class Size.

(ii) The state funded ESOL program teacher shall hold necessary and appropriate ESOL endorsement or ESOL certification issued by the Georgia Professional Standards Commission.

Authority: O.C.G.A. § 20-2-156.

Adopted: October 1, 2020

Effective: October 21, 2020