



Enclosure 5d
September 25, 2024

**RHODE
ISLAND**

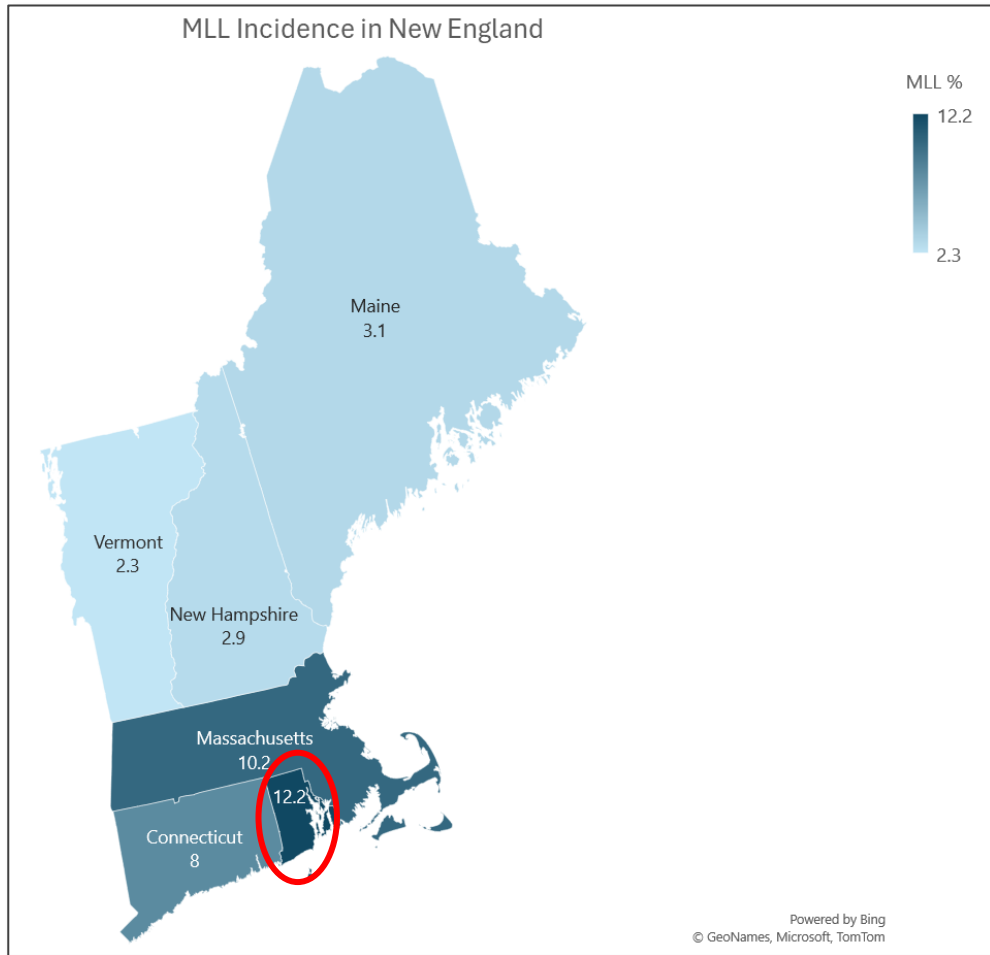
Rhode Island's Strategy for Improving Outcomes for Multilingual Learners

Updating RIDE's Multilingual Learner Regulations

Council on Elementary and Secondary Education

September 25, 2024

Recap: MLL Growth in Rhode Island vs. the Nation



Based off of 2020 National Center for Education Studies data release on ELL student growth by state

Rhode Island had the **#1 growth in the nation** in terms of % of MLL students between 2010 and 2020.

- Rhode Island had the 5th highest percent of MLL students across all states (12.2% in 2020)
 - Only states higher: TX, CA, NM, NV
- Rhode Island has the highest percent of MLL students across New England



Recap: MLL Growth Across Rhode Island

Rhode Island had **two times** as many MLLs enrolled in SY23 vs. SY13, and MLL enrollment has grown across Rhode Island (not just the urban core)

Municipality	SY13-14 # MLLs	SY23-24 # MLLs	Increased by X times	Increased by X %
State Total	8,980	18,422	2.1x	105%
Providence	4,942	9,360	1.9x	89%
Pawtucket	1,112	2,061	1.9x	85%
Central Falls	729	1,829	2.5x	151%
Cranston	563	1,202	2.1x	113%
Woonsocket	469	1,021	2.2x	118%
North Providence	75	422	5.6x	463%

Municipality	SY13-14 # MLLs	SY23-24 # MLLs	Increased by X times	Increased by X %
Newport	81	346	4.3x	327%
Johnston	77	313	4.1x	306%
Cumberland	110	305	2.8x	177%
Warwick	89	241	2.7x	171%
Lincoln	33	107	3.2x	224%
North Kingstown	53	87	1.6x	64%
South Kingstown	15	61	4.1x	307%

Showing all municipalities with more than 50 MLLs in SY23-24. Highlighted municipalities had a growth of MLL students over the last 10 years by a factor of greater than 4.0x.

Recap: Outdated MLL Regulations

Settlement Agreement
Between
the United States
and
Providence Public Schools

200-RICR-20-30-3

TITLE 200 – BOARD OF EDUCATION

CHAPTER 20 – COUNCIL ON ELEMENTARY AND SECONDARY EDUCATION

SUBCHAPTER 30 – STUDENT SUPPORTS

PART 3 – Regulations Governing the Education of English Language Learners

3.1 Introduction and Authority

A. These regulations implement R.I. Gen. Laws § 16-54-1, *et seq.*, and are intended to support compliance with Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*) and the Equal Education Opportunities Act of 1974 (See: 20 U.S.C. § 1703 (f)). More particularly, these regulations are intended to:

1. Ensure that English Language Learners (“ELLs”) attain a level of proficiency in English and content knowledge that will permit them to
 - a. Succeed in their school’s general-education program,
 - b. Meet state graduation-by-proficiency requirements,
 - c. Be prepared for post-secondary education and work, and
 - d. Become an essential asset to Rhode Island’s economic and social well-being.
2. Require that English Language Learners be instructed, and their English language skills be annually assessed, in accordance with the English Language Proficiency Standards (“ELPs”) of the World-Class Instructional Design and Assessment (“WIDA”) Consortium (2007) Board of Regents of the University of Wisconsin System, on behalf of the WIDA Consortium, <https://www.wida.us/standards/old.aspx>, incorporated herein by reference, not including later amendments or editions thereof. The WIDA standards are hereby adopted by the Council on Elementary and Secondary Education as Rhode Island’s ELL proficiency standards. These standards also are intended to comply with Rhode Island’s obligation to adopt English language proficiency standards that are derived from the four (4) recognized domains of speaking, listening, reading, and writing; address the different proficiency levels of English learners; and align the proficiency standards with the State’s academic standards. See 20 U.S.C. § 6311. WIDA is a consortium of states, including Rhode Island, that has

Rhode Island’s 17 year old regulations, last updated in 2007, are outdated and not in compliance with federal law.

- ✗ Do not account for federal ESSA requirements
- ✗ Do not incorporate nationally-recognized best-practices
- ✗ A major reason that enabled DOJ involvement in PPSD in 2018 (e.g., consultation model)



Comprehensive Strategy to Improve MLL Outcomes

Students

Increasing the quality of instruction and supports for MLL students



Families

Increasing the engagement for families of MLL students



Comprehensive, Holistic Strategy



Educators

Increasing the readiness and pathways for RI's educators to serve MLL students



School Systems

Increasing the direct supports for LEAs to better serve MLL students, families, and educators



Comprehensive Strategy, Using Multiple Tools

RIDE is looking to leverage every policy tool at its disposal to drive a comprehensive strategy to improve outcomes for MLL Students, with a focus on the key values of **quality**, **flexibility**, and **support**.



MLL Funding

Advocating for more funds, and providing more flexibility for LEAs to strategically use them



Exit Criteria & Accountability

Enhancing exit criteria and accountability measures to provide MLL students multiple pathways to demonstrate proficiency and progress



Regulations

Updating antiquated, 17-year old regulations to meet federal compliance and promote best-practices



Direct Supports

Providing direct supports for LEAs and schools to strategically align MLL improvement strategies with an LEA's strategic plan



School Systems: Implementation Timeline

RIDE will provide a supportive implementation timeline for LEAs to fully implement all requirements of the regulations, while simultaneously stressing the urgency to address student needs and meet federal requirements immediately.

- RIDE will provide guidance and support to LEAs throughout the implementation timeline
- RIDE will reiterate federal requirements consistently and clearly to LEAs

All LEAs are expected to fully meet regulation requirements by SY2029-2030

First Year of Implementation
SY2025-2026

Regulation Development /
Planning Year
SY2024-2025



School Systems: Updated LEA Categorization

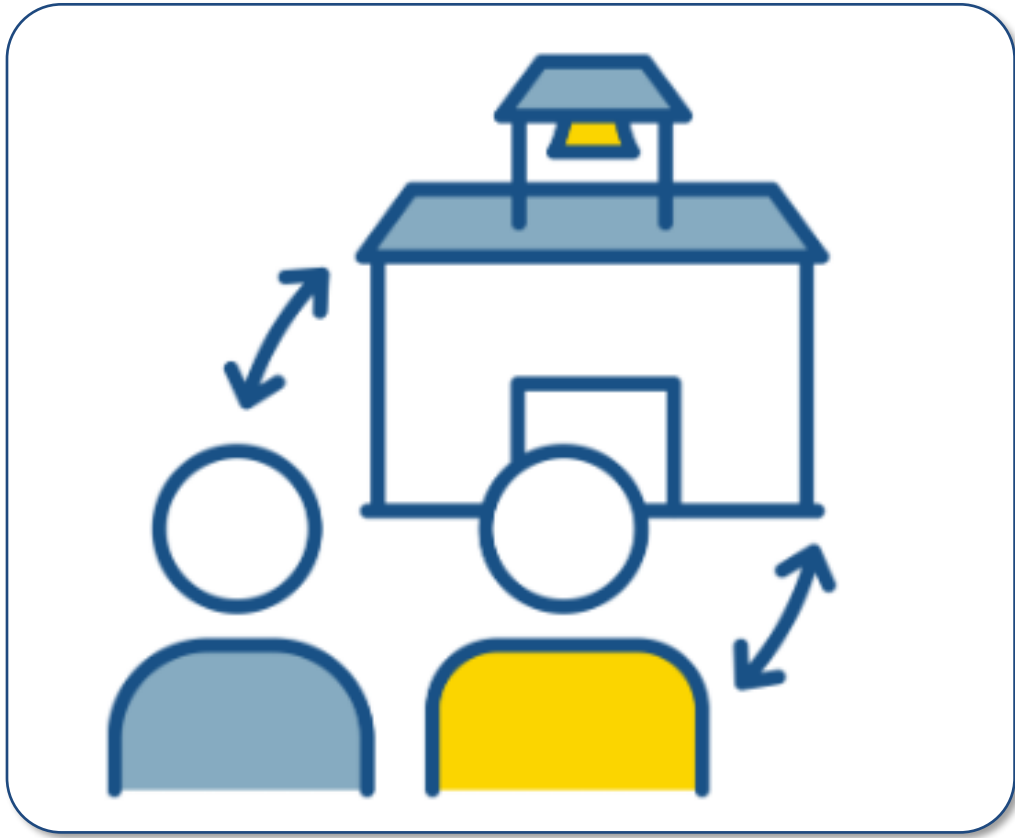
RIDE is redefining how LEAs are categorized by MLL incidence to better reflect the growth in MLL student population across the state and updated federal guidance.

LEA	Old Categorization	Updated Categorization
High MLL Incidence	≥ 150 MLLs	Either: <ul style="list-style-type: none">≥ 250 MLLs; or,MLLS $\geq 20\%$ of total enrollment
Medium MLL Incidence	N/A	Either: <ul style="list-style-type: none">Between 100 and 249 MLLs; or,MLLS between 5% and 20% of total enrollment
Low MLL Incidence	< 150 MLLs	Both: <ul style="list-style-type: none">< 100 MLLs; or,MLLS $< 5\%$ of total enrollment

RIDE will differentiate regulatory requirements, guidance, and supports by these updated LEA incidence categorizations

Families: Strategically Aligned Family Engagement

RIDE will strategically and intentionally integrate MLL family requirement efforts within LEA's existing strategic planning and school improvement efforts, while also codifying federal translation requirements.



- Eliminating the requirement for the operationally burdensome MLL Advisory structure that unintentionally siloed parents.
- New regulations require that LEAs and schools meaningfully include and engage MLL families and a review of MLL performance data within existing school improvement and LEA strategic planning processes.
- New regulations codify existing federal translation requirements, including, to the extent possible, family engagement materials and curricular and scaffolding materials for MLLs.



Students: Existing Instructional Program Models

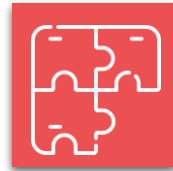
Current Models

- 1) English as a Second Language
- 2) Sheltered Content Instruction
- 3) Collaborative ESL & General Education
- 4) Bilingual Education
- 5) Two-Way/Dual Language
- 6) Newcomer Program

Key Feedback & Reflections



Student needs have evolved over the last 17 years beyond these existing models



Existing regulations enabled LEAs to select “components” from these models (key DOJ issue with PPSD)



“Sheltered” program model has a negative/deficit-oriented connotation



No clear organizing framework for the different program models



Students: Proposed New Program Model Hierarchy

Language Instruction Educational Program

Bilingual Language Instruction Programs

Delivered in home language and English

Dual Language Education

- Two-Way
- One-Way

Transitional Bilingual Education (TBE)

- Maintenance/Late Exit
- Early Exit
- TBE for Students with Limited or Interrupted Formal Education (SLIFE)

Content-Based Language Instruction Programs

Delivered in English with support of home language

- Content-Based Instruction (formerly sheltered instruction)
- Newcomer CBI Program
- SLIFE CBI Program



Students: Dedicated/Integrated Language Instruction

Aligned to research-based practices and federal guidance, for all program models, RIDE will be updating MLL instructional requirements to include clear dedicated time for English language development instruction while also embedding ESOL supports within core content curriculum.

Dedicated English Language Development

Think dedicated ESOL instructional period

Dedicated, systematic, and explicit language instruction for MLL students, aligned to ELD standards and curriculum, to develop English proficiency and ensure success in a school's general education program.



Integrated Language and Content Instruction

Think ESOL supports within core-content classes for all MLL students

Integrated, systematic, and explicit delivery of simultaneous content instruction and language development.



Students: Dedicated/Integrated Language Instruction



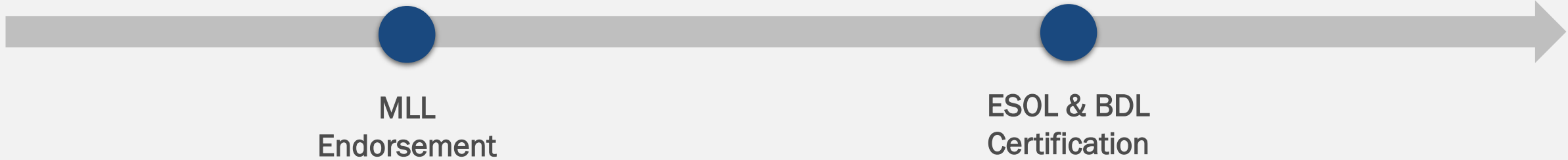
Key Additional Details:

- Equivalent of at least one period per day for dedicated English language development instruction
- Remaining MLL instructional periods must be integrated content and language instruction
- Full implementation in all program models required by SY 2029-30
- RIDE will provide guidance on implementation, differentiated by LEA incidence, grade-level, and MLL demographics.
- LEAs may apply for school-based performance waivers



Educators: Expanding Continuum to serve MLL Students

Current MLL Readiness Continuum:

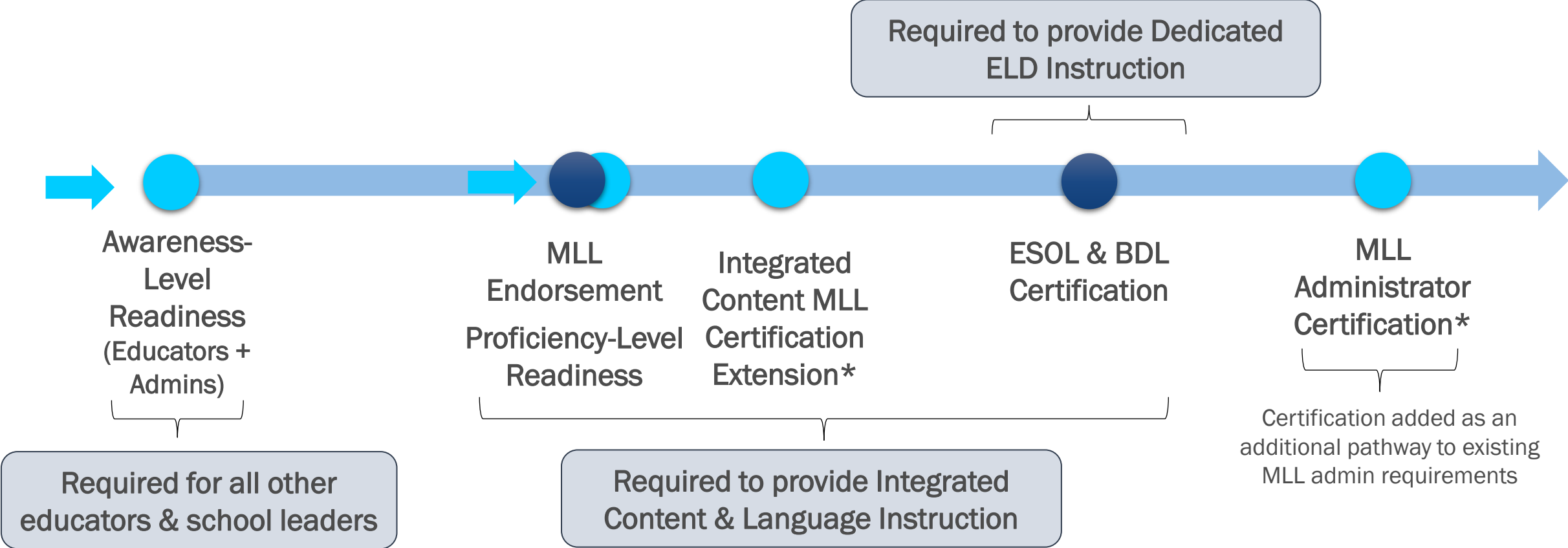


Proposed Expanded MLL Readiness Continuum:



Educators: Expanding Continuum to serve MLL Students

Proposed Expanded MLL Readiness Continuum:



* Part of upcoming proposed RIDE certification regulation revisions

Looking Ahead: MLL Strategy High-Level Roadmap





Questions?

1 **200-RICR-20-30-3**

2 **TITLE 200 – BOARD OF EDUCATION**

3 **CHAPTER 20 – COUNCIL ON ELEMENTARY AND SECONDARY EDUCATION**

4 **SUBCHAPTER 30 – STUDENT SUPPORTS**

5 PART 3 – Regulations Governing the Education of English-Multilingual Language
6 Learners

7 **3.1 Introduction and Authority**

8 A. These regulations have been promulgated pursuant to implement R.I. Gen. Laws
9 § 16-54-~~43~~, ~~et seq.~~ and are intended to support compliance with Title VI of the
10 Civil Rights Act of 1964, (42 U.S.C. § 2000d, et seq.) and the Equal Education
11 Opportunities Act of 1974, (~~See: 20 U.S.C. § 1703-1701, et seq., (f).~~) ~~More~~
12 ~~particularly, these regulations and~~ are intended to:

- 13 1. Ensure that Multilingual English Language Learners (“ELLs”) ~~attain a level~~
14 ~~of proficiency in English and the~~ content knowledge, cultural competence,
15 and level of proficiency in English and partner language(s) that will permit
16 them to
 - 17 a. Succeed in their school’s ~~general~~-education program;_i
 - 18 b. Meet Rhode Island’s diploma state graduation by proficiency
19 requirements;_i
 - 20 c. Be prepared for post-secondary education and work;_i and
 - 21 d. Become an essential asset to Rhode Island’s economic and social
22 well-being.
- 23 2. Require that Multilingual English Language Learners be instructed, and
24 their English language ~~proficiency skills~~ be annually assessed, in
25 accordance with the English Language Proficiency Standards (“ELPs”)
26 endorsed by the state, of the World-Class Instructional Design and
27 Assessment (“WIDA”) Consortium (2007) Board of Regents of the
28 University of Wisconsin System, on behalf of the WIDA Consortium,
29 <https://www.wida.us/standards/eld.aspx>, incorporated herein by reference,
30 ~~not including later amendments or editions thereof. The WIDA standards~~
31 ~~are hereby adopted by the Council on Elementary and Secondary~~
32 ~~Education as Rhode Island’s ELL proficiency standards. These standards~~
33 also are intended to comply with Rhode Island’s obligation to adopt
34 English Language proficiency Standards that are derived from the four
35 (4) recognized domains of speaking, listening, reading, and writing;

36 address the different proficiency levels of Multilingual English Learners;
37 and align the English Language Proficiency Standards with State-
38 endorsed the State's academic standards. See 20 U.S.C. § 6311. WIDA is
39 a consortium of states, including Rhode Island, that has developed
40 English Language Proficiency Standards for English Language Learners.

- 41 3. Ensure that Multilingual English Language Learners meet Common Core
42 State-endorsed academic Standards (July, 2010) in all subject areas.
- 43 4. Ensure that Multilingual English Language Learners have access to a free,
44 appropriate, public education equal to the education provided to all other
45 students. This goal is to be reached by ensuring that programs for
46 Multilingual English Language Learners are:
 - 47 a. Based on sound educational theory, and evidence;
 - 48 b. Appropriately supported and implemented, with adequate and
49 effective staff and resources, so that the program may reasonably
50 be expected to be successful; and
 - 51 c. Annually Periodically evaluated and, if necessary, revised.
- 52 5. Facilitate the preservation and development of the existing home/native
53 language skills of Multilingual English Language Learners.
- 54 6. Help ensure English and partner language proficiency in Rhode Island.

55 3.2 Definitions

56 A. For the purposes of these regulations, the following terms have the following
57 meanings:

- 58 1. Parents and Students and Parents
 - 59 a. "Multilingual English language learner" or "MLL" means consistent
60 with the definition of an English Learner in 20 USC § 7801(20), a
61 student:
 - 62 (1) whose first home/native language is other than not English
63 and who has been identified pursuant to § 3.3 of this Part, or
64 who speaks a variety of English, as used in a foreign country
65 or U.S. possession, that is so distinct that ELL instruction is
66 necessary,
 - 67 (2) who is now learning English, but
 - 68 (3) who has not yet attained enough proficiency in English to
69 allow him or her them to fully access and meaningfully

70 engage in all of the school's curricular and extracurricular
71 programs and services fully profit from content area
72 instruction conducted only in English.

73 b. "Newcomer student" or "Newcomer" is a Multilingual Learner who
74 has been in U.S. schools for less than 3 years.

75 c. "Parent", for the purposes of this Part, means the guardian of a
76 child, anyone acting as a parent of a student and includes a natural
77 parent, a guardian, or an individual acting as a parent in the
78 absence of a parent or guardian child, and anyone having control
79 over a child, as defined in the compulsory attendance laws of this
80 state.

81 d. "Student with limited or interrupted formal education", or "SLIFE", is
82 a student who is a Multilingual Learner who has experienced
83 interrupted or limited education or has never had the opportunity to
84 participate in any type of schooling before entering school in the
85 United States.

86 2. Administrative Terms

87 a. ~~"High incidence LEA" means an LEA with a total of one hundred~~
88 ~~fifty (150) or more English Language Learners.~~ "Commissioner"
89 means the Commissioner of Elementary and Secondary Education
90 or designee.

91 b. ~~"Low incidence LEA" means an LEA with fewer than one hundred~~
92 ~~fifty (150) English Language Learners.~~ "Core content area" means
93 English language arts, mathematics, science, and social studies
94 subject areas.

95 c. "Council" means the Council on Elementary and Secondary
96 Education.

97 ~~hd-~~ "Cultural competence and responsiveness" means the ability
98 of individuals and organizations to understand, communicate,
99 operate, and provide effective services to people who differ from
100 them culturally and linguistically.

101 e. "English to Speakers of Other Languages" or "ESOL" means an
102 English language development instruction for students whose
103 first/native language is other than English.

104 f. "English Language Proficiency" or "ELP" means a student's ability
105 to demonstrate language competence in social and academic
106 contexts, through the use of the four domains of speaking, listening,

107 reading, and writing, with defined progressive levels of language
108 development.

109 g. "Local Education Agency Strategic Plan" means a plan for the
110 purposes of improving the performance of school districts,
111 individual public schools, and the efficacy and equity of state and
112 federal programs including an analysis of student and subgroup
113 achievement gaps in core subjects and identification of specific
114 improvement objectives.

115 h.j. "Home language survey" means a survey instrument created by the
116 Rhode Island Department of Elementary and Secondary Education
117 ~~RIDE~~ used to identify ~~Multilingual English Language Learners.~~

118 ii. "Home or native language" means the language or languages that
119 a child first learns or uses in the home and/or for daily
120 communication, as recorded on file in the student's permanent
121 record file.

122 j. "Instructional period" means the equivalent of at least forty-five (45)
123 consecutive instructional minutes per day, in accordance with a
124 school's specific schedule.

125 k. "Linguistic competence" means the ability of individuals and
126 organizations to understand, communicate, operate, and provide
127 effective services to people who differ from them linguistically.

128 l. "Local educational agency" or "LEA" means a public board of
129 education/school committee or other public authority legally
130 constituted within the State for either administrative control or
131 direction of one or more Rhode Island public elementary schools or
132 public secondary schools.

133 m. "Multi-Tiered System of Supports" or "MTSS" means a systemic
134 school improvement framework in which data-based decision-
135 making is practiced across all levels of the educational system for
136 supporting students and increasing student achievement and
137 social-emotional competencies.

138 n. "Partner language" means, in bilingual programs, the language
139 other than English used for instruction.

140 eo. "Rhode Island Department of Elementary and Secondary
141 Education" or "RIDE" means the executive agent of the Rhode
142 Island Council on Elementary and Secondary Education. The
143 Rhode Island Department of Elementary and Secondary Education
144 ~~RIDE~~ is charged with the implementation of Council policies and
145 regulations.

146 p. "School Improvement Plan" means a comprehensive annual plan
147 for improving student performance designed to fulfill all planning
148 requirements of state and federal education law.

149 q. "School Improvement Team" means a team composed of the
150 principal and an appropriately balanced number of teachers,
151 education support employees, students, parents, and other
152 business and community citizens who are representative of the
153 ethnic, racial, and economic community served by the school.

154 r. "Social-Emotional Learning" or "SEL" means the process through
155 which students and adults acquire and apply knowledge, skills, and
156 attitudes to develop healthy identities, manage emotions and
157 achieve personal and collective goals resulting in higher academic
158 achievement, improved behavior, and better-developed socio
159 emotional skills.

160 s. "Standards" mean the knowledge and skills associated with a
161 particular subject area that defines what students need to know.

162 d. "World Class Instructional Design and Assessment Consortium" or
163 "WIDA consortium" means a consortium of states, including Rhode
164 Island, that has developed English language proficiency standards
165 and English language proficiency tests.

166 3. Categorizing Local Educational Agencies by Multilingual Learner
167 Enrollment

168 a. "High-incidence Local Educational Agency" means a Local
169 Educational Agency with a Multilingual Learners student population
170 that meets at least one of the following two criteria:

171 (1) Is greater than or equal to two hundred and fifty (250) total
172 Multilingual Learners; or

173 (2) Is greater than or equal to twenty (20) percent of the Local
174 Educational Agency's total student population.

175 b. "Medium-incidence Local Educational Agency" means a Local
176 Educational Agency that does not meet either of the criteria for a
177 high-incidence Local Educational Agency, and has Multilingual
178 Learner student population that meets either of the following two
179 criteria:

180 (1) the Local Educational Agency Multilingual Learners student
181 population is between one hundred (100) and two hundred and
182 forty-nine (249) Multilingual Learners, and is also less than twenty

183 (20) percent of the Local Educational Agency total student
184 population; or,

185 (2) the Local Educational Agency Multilingual Learners student
186 population is greater than or equal to five (5) percent but less than
187 twenty (20) percent of the Local Educational Agency's total
188 population, and is also less than or equal to two hundred and forty-
189 nine (249) total Multilingual Learners.

190 c. "Low-incidence Local Educational Agency LEA" means an Local
191 Educational Agency LEA with fewer than one hundred fifty (150)
192 English Language Learners. a Multilingual Learners student
193 population that meets both of the following two criteria:

194 (1) The Local Educational Agency's Multilingual Learners student
195 population is less than one hundred (100) total students; and,

196 (2) the Local Educational Agency's Multilingual Learners student
197 population is less than five (5) percent of the Local Educational
198 Agency's total population.

199 "Local educational agency" or "LEA" means:

200 a. ~~— a public board of education or other public authority legally~~
201 ~~constituted within the State for either administrative control or~~
202 ~~direction of, or to perform a service function for, public elementary~~
203 ~~or secondary schools in a city, county, township, LEA, or other~~
204 ~~political subdivision of the State, or for a combination of LEAs or~~
205 ~~counties as are recognized in the State as an administrative agency~~
206 ~~for its public elementary or secondary schools; and/or~~

207 b. ~~— an educational service agency or other public institution or agency~~
208 ~~that is authorized by State law to develop, manage, and provide~~
209 ~~services or programs to any of the entities in § 3.2(A)(3)(a) of this~~
210 ~~Part, above, that is recognized as an administrative agency for~~
211 ~~purposes of providing special education and related services within~~
212 ~~public elementary and secondary schools of the State; and/or~~

213 c. ~~— educational collaboratives, educational service agencies and/or~~
214 ~~non-profit public charter schools that are not otherwise included~~
215 ~~and are not a school of an LEA or educational service agency;~~
216 ~~and/or~~

217 d. ~~— any other public institution or agency having administrative control~~
218 ~~and direction of a public elementary or secondary school, including:~~

219 ~~(1) — The Rhode Island Training School for Youth;~~

220 ~~(2) any public non-profit charter school established under State~~
221 ~~law; and/or~~

222 ~~(3) any entity that meets the definition of intermediate~~
223 ~~educational unit in § 602(23) of the federal Individuals with~~
224 ~~Disabilities Education Act as in effect prior to June 4, 1997.~~

225 4. Personnel

226 a. ~~"Administrator of pPrograms for English languageMultilingual~~
227 ~~Learners" or "MLL Administrator" means an administrator who is~~
228 ~~responsible for the Local Educational Agency's Language~~
229 ~~Instruction Educational Program. An MLL Administrator must have:~~

230 1. ~~individual An administrator certificationed as either aa~~
231 ~~building administrator principal or LEA-district level~~
232 ~~administrator, combined with a teaching certification in either~~
233 ~~who is responsible for the District's English Language~~
234 ~~Learner program. In a high-incidence LEA, the ELL~~
235 ~~Administrator must have experience in teaching English~~
236 ~~Language Learners and an English as ato Speakers of Other~~
237 ~~Second Languages teaching ("ESOL") certificate or a~~
238 ~~Bilingual and Dual Language;endorsement on another~~
239 ~~teaching certificate. or, In low-incidence LEAs, an ELL~~
240 ~~program administrator who does not have English Language~~
241 ~~Learner teaching experience, or an ESL certificate or~~
242 ~~endorsement, must have demonstrated professional~~
243 ~~development in the education of English Language Learners.~~

244 2. ~~An additional certification that may enable the individual to~~
245 ~~serve as an MLL administrator, pursuant to 200-RICR-20-20-~~
246 ~~1 Regulations Governing the Certification of Educators in~~
247 ~~Rhode Island.~~

248 b. "Assessor" means a person who has been ~~WIDA-certified trained~~ to
249 administer prescribed ~~English language development ELL~~
250 assessment tools and who is qualified to evaluate the results of
251 these assessments. This person must have knowledge ~~concerning~~
252 ~~about~~ the ways ~~MultilingualEnglish Language~~ Learners acquire
253 English as an ~~second-additional~~ language.

254 c. ~~"Multilingual Learner Coach" or "MLL Coach" means an~~
255 ~~appropriately certified administrator or teacher designated by the~~
256 ~~Local Educational Agency to carry out coaching duties.~~

257 d. ~~"Multilingual LearnerELL eCoordinator" or "MLL Coordinator"~~
258 ~~means an administrator with MLL teaching experience or a teacher~~
259 ~~with -a-an English to Speakers of Other Languages or Bilingual and~~

260 ~~Dual Language certification~~teacher designated by an Local
261 Educational Agency LEA to coordinate the day-to-day operations of
262 the Local Educational Agency's LEA's English-Language Instruction
263 Educational Learner Program. ~~The ELL Coordinator must have~~
264 ~~English Language Learner teaching experience and an ESL or~~
265 ~~bilingual endorsement. The workday of a teacher or administrator~~
266 ~~who also serves as an ELL Coordinator must include enough time~~
267 ~~dedicated to coordinator duties to ensure that these duties are~~
268 ~~adequately carried out.~~

269 ed. “Multilingual Learner ELL-~~T~~Teacher” means a teacher who provides
270 the Dedicated English Language Development and/or Integrated
271 Language and Content Instruction components of a Language
272 Instruction Educational Program as specified in § 3.2(A)(5)(b) and §
273 3.2(A)(5)(c) of this Part, and holds the appropriate certification,
274 pursuant to 200-RICR-20-20-1 Regulations Governing the
275 Certification of Educators in Rhode Island, that enables them to
276 provide these instructional components. ~~an elementary or~~
277 ~~secondary teacher who holds:~~

278 ~~(1) — a Rhode Island certificate for the level and subject in which he or~~
279 ~~she teaches, and a Rhode Island endorsement as an ESL teacher~~
280 ~~or Bilingual teacher or Content Area teacher of ELLs; or~~

281 ~~(2) — the Rhode Island ESL certificate.~~

282 fe. “Multilingual Learner Paraprofessional ELL teacher assistant”
283 means a teaching assistant who works under the supervision of an
284 EMultilingual Learners LL-Tteacher and an EMultilingual Learners
285 LL-Coordinator or Administrator. ~~ELL teacher assistants must~~
286 ~~demonstrate proficiency in English on the state paraprofessional~~
287 ~~test as well as proficiency in at least one of the predominant~~
288 ~~languages of the LEA's ELL student population. Demonstrated~~
289 ~~training in culturally responsive education practices may be~~
290 ~~substituted for proficiency in at least one of the predominant~~
291 ~~languages of the ELL student population.~~

292 g. “School and Community Liaison” means a person who:

293 (1) facilitates communication with, and provides information to,
294 the parents or families of an Local Educational Agency's
295 LEA's MELL student population; and, who

296 (2) encourages involvement between the school and parents
297 and among agencies, churchesfaith-based organizations,
298 and community groups. This liaison must have knowledge of
299 the culture(s) of the LEA's ELL student population or have

300 received cultural competency training to enable him or her to
301 carry out the duties of a school & community liaison.

302 ~~hf.~~ “School Guidance Counselor for English language Multilingual
303 Learners” means a person who has a Rhode Island guidance
304 school counselor certificate as defined in 200-RICR-20-20-1
305 Regulations Governing the Certification of Educators in Rhode
306 Island, who, in addition, is:

307 ~~(1)~~ proficient in at least one of the predominant language(s) of the
308 School LEA’s ELL student population; or

309 ~~(2)~~ who has received training in second-language acquisition and
310 cultural competency.

311 ~~g.~~ “School and community liaison” means a person who

312 ~~(1)~~ facilitates communication with, and provides information to,
313 the parents or families of an LEA’s ELL student population
314 and who

315 ~~(2)~~ encourages involvement between the school and parents
316 and among agencies, churches, and community groups.
317 This liaison must have knowledge of the culture(s) of the
318 LEA’s ELL student population or have received
319 cultural competency training to enable him or her to carry out
320 the duties of a school & community liaison.

321 ~~h.~~ “Cultural competence” means the ability of individuals and
322 organizations to understand, communicate, operate, and provide
323 effective services to people who differ from them culturally and
324 linguistically.

325 ~~i.~~ “English language instructional program” means any program for
326 English Language Learners employing one of the methods of
327 instruction listed in § 3.2(A)(5) of this Part.

328 5. Language Instruction Educational Program

329 a. “Language Instruction Educational Program” or “LIEP” is the
330 overarching framework of instruction for Multilingual Learners. A
331 Language Instruction Educational Program:

332 1. is educationally sound and rigorous;

333 2. enrolls Multilingual Learners for the purpose of developing
334 and reaching English language proficiency, while meeting
335 state academic standards;

- 336 3. may make instructional use of both English and a student's
337 home/native language;
- 338 4. may include the participation of English proficient students;
- 339 5. employs one of two approaches of instruction described in §
340 3.2 of this Part: Bilingual Education, or Content-Based
341 Education;
- 342 6. includes Dedicated English Language Development and
343 Integrated Language and Content Instruction;
- 344 7. is delivered via an instructional program model informed by
345 educational theory and research.
- 346 b. "Dedicated English Language Development" or "Dedicated ELD" is
347 an instructional component that:
- 348 1. places Multilingual Learners according to their grade and
349 English Language Proficiency levels, with instructional
350 considerations, and
- 351 2. focuses on developing a Multilingual Learner's social,
352 instructional, and academic proficiency in English to prepare
353 the Multilingual Learner to succeed in a school's general
354 education program; and
- 355 3. is aligned to English Language Proficiency Standards and
356 performance indicators; and
- 357 4. includes English language learning that focuses on listening,
358 speaking, reading, and writing; and
- 359 5. incorporates content knowledge and concepts aligned to
360 state-endorsed academic standards; and
- 361 6. is taught by teachers who meet the Rhode Island
362 certification requirements for English to Speakers of Other
363 Languages instruction, pursuant 200-RICR-20-20-1
364 Regulations Governing the Certification of Educators in
365 Rhode Island.
- 366 c. "Integrated Language and Content Instruction" or "Integrated
367 Instruction" is an instructional component that:
- 368 1. places Multilingual Learners according to their grade with
369 English Language Proficiency level support, and instructional
370 considerations, and

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2. provides Multilingual Learners with content instruction and language development simultaneously; and
3. is aligned to the state-endorsed academic standards and English Language Proficiency Standards; and
4. is taught by an appropriately certified content teacher who also holds one of the following: an English to Speakers of Other Languages Certificate, Bilingual and Dual Language Certificate, a Multilingual Learners Endorsement as authorized by 200-RICR-20-20-1 Regulations Governing the Certification of Educators in Rhode Island, any additional certifications to appropriately serve Multilingual Learners in an integrated setting that may be authorized by 200-RICR-20-20-1, or has met the proficiency requirements as outlined in §3.12; or a co-teaching model, in which an additional teacher has the English to Speakers of Other Languages certificate.

6. Instructional Program Models Methods of Instruction and Assessment

a. "Bilingual eEducation" is means an approach that serves Multilingual Learners at all stages of English Language Development and who share a common home/native language. The goal of this approach is proficiency and literacy in English and a partner language, as well as content achievement in both English and a partner language. Instruction is provided in both English and home/native or partner language. The Bilingual Education approach the approach consists of Dedicated English Language Development and Integrated Language and Content Instruction components and can be structured in any of the following instructional program models: method of instruction that provides literacy and content-area instruction in a student's native language and English as a Second Language instruction at all proficiency levels. Bilingual education teachers must meet state certification requirements, be highly qualified in their content area, and demonstrate proficiency in both English and the other language used in instruction.

1. "One-Way Dual Language" is an instructional program model that serves Multilingual Learners who share the same home/native language but at enrollment are not yet proficient in English. This instructional program model provides literacy and content instruction through the partner language and English, with minimum 50% of instruction time in partner language. It consists of Dedicated English Language Development and Integrated Language and Content

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Instruction components. This instructional program model promotes bilingualism and biliteracy, grade-level academic achievement, and sociocultural competence and responsiveness for all students. This model is typically initiated in kindergarten and continues through grade twelve (12).

2. "Two-Way Dual Language" is an instructional program model that serves a balanced number of Multilingual Learners who, at enrollment, are monolingual or dominant in the same partner language and students who are monolingual or dominant in English. There may also be students who have proficiency in both languages at the time of enrollment. This program model provides literacy and content instruction through the partner language and English, with minimum 50% of instruction time in partner language. It consists of Dedicated English Language Development and Integrated Language and Content Instruction components. This instructional program model promotes bilingualism and biliteracy, grade-level academic achievement, and sociocultural competence and responsiveness for all students.

3. "Transitional Bilingual Education", or "TBE", is an instructional program model that serves Multilingual Learners who share the same home/native language but are not yet proficient in English. The Transitional Bilingual Education program model consists of Dedicated English Language Development and Integrated Language and Content Instruction components. Home/native language instruction is used to support English language proficiency and is gradually phased out as a student's English language proficiency increases and moves towards full-time English instruction. The rate of transitioning to full-time English instruction will vary and should be aligned with the needs of students enrolling in the instructional program model to support their success in school. Transitional Bilingual Education program models may be initiated at any grade level but are particularly recommended for secondary grades. The Transitional Bilingual Education instructional program models include Developmental Transitional Bilingual Education and Early Exit Transitional Bilingual.

4. "Transitional Bilingual Education for Students with Limited and/or Interrupted Formal Schooling," or "TBE SLIFE", is an instructional program model that serves Multilingual Learners who share the same home/native language and have limited and/or interrupted

457 formal education. The Transitional Bilingual Education Students
458 with Limited and/or Interrupted Formal Schooling program model
459 consists of Dedicated English Language Development and
460 Integrated Language and Content Instruction components. It also
461 offers intensive literacy, numeracy, and content instruction. It uses
462 both English and students' home/native language for instruction.
463 Home/native language instruction is gradually phased out as a
464 student's English language proficiency increases. The rate of
465 transitioning to full-time English instruction will vary and should be
466 aligned with the needs of students enrolling in the instructional
467 program model to support their success in school. The Transitional
468 Bilingual Education Students with Limited and/or Interrupted Formal
469 Schooling program model is limited in time and scope and lasts
470 until the Local Education Agency transitions the student to another
471 instructional program model based on the student's proficiency
472 level and duration in program. b. "Collaborative ESL instruction"
473 means a method of instruction that provides English Language
474 Learners with ESL instruction taught by a certified and/or endorsed
475 ESL teacher and content instruction provided through the school's
476 general education program. The certified and/or endorsed ESL
477 teacher works in close collaboration with the general education
478 teachers in delivering content instruction for ELLs.

479 ~~c. "English as a second language" means a method of instruction that~~
480 ~~develops an English Language Learner's social, instructional, and~~
481 ~~academic proficiency in English in order to prepare the English~~
482 ~~Language Learner to succeed in a school's general education~~
483 ~~program. ELL program objectives and curriculum for English~~
484 ~~Language Learners in grades K-12 must be aligned with WIDA~~
485 ~~standards, language domains, proficiency levels, and performance~~
486 ~~indicators. The core curriculum is to include English language~~
487 ~~instruction in listening, speaking, reading, and writing that~~
488 ~~incorporates content knowledge and concepts aligned to Common~~
489 ~~Core State Standards (July, 2010). Teachers must meet Rhode~~
490 ~~Island certification and/or endorsement requirements for ESL~~
491 ~~instruction.~~

492 ~~d. "Newcomer instruction" means a program of instruction designed to~~
493 ~~educate students who have recently immigrated to the United~~
494 ~~States who have had little or no formal schooling. Newcomer~~
495 ~~Instruction provides a special academic environment that~~
496 ~~addresses gaps in the newcomer's schooling through intensive~~
497 ~~instruction in English literacy, numeracy, and participation in~~
498 ~~sheltered content instruction. Teachers must meet state certification~~
499 ~~requirements in ESL and/or content area instruction for English~~
500 ~~Language Learners and be highly qualified, as defined by RIDE.~~

501 e. ~~"Sheltered content instruction" means a method of instruction that~~
502 ~~provides a comprehensive set of grade-level core academic~~
503 ~~courses aligned with the WIDA ELP standards and Rhode Island's~~
504 ~~Common Core State Standards (July, 2010). These classes make~~
505 ~~their content comprehensible to English Language Learners~~
506 ~~through scaffolded and differentiated instruction in English and they~~
507 ~~help English Language Learners to become competent in the use~~
508 ~~of academic English in all language domains. Teachers must:~~

509 (1) ~~meet appropriate state certification requirements,~~

510 (2) ~~be highly qualified in their content area as defined by RIDE,~~
511 ~~and~~

512 (3) ~~participate in specialized training in ESL methods and~~
513 ~~techniques.~~

514 f. ~~"Two-way/dual language" means a method of instruction that~~
515 ~~promotes a student's full proficiency in all aspects of English~~
516 ~~and another language. These programs educate English~~
517 ~~Language Learners using both English and a target~~
518 ~~language for academic instruction, usually dividing the day~~
519 ~~or week by language of instruction. Two-way bilingual~~
520 ~~programs teach students who are learning English alongside~~
521 ~~students who are native Englishspeakers who are learning~~
522 ~~the target language. Teachers must meet appropriate state~~
523 ~~certification requirements and be highly qualified as defined~~
524 ~~by RIDE in their content area~~

525 b. "Content Based Education" is an approach that serves Multilingual
526 Learners at all stages of English Language Development and who
527 may not share a common home/native language. The goal of this
528 approach is proficiency and literacy in English, as well as content
529 achievement. Instruction is provided in English with home/native
530 language used as a support. The approach consists of Dedicated
531 English Language Development and Integrated Language and
532 Content Instruction components. Instruction in the Content-Based
533 Education approach shall be carried out in a manner that does not
534 limit students' access to the array of instructional opportunities
535 available to all other students. Content-Based Education approach
536 can be structured in any of the following instructional program
537 models:

538 1. "Content-Based Instruction" or "CBI" is an instructional
539 program model that serves Multilingual Learners at all
540 stages of English Language Development and who may not
541 share a common home/native language. The goal of this

542 instructional program model is proficiency and literacy in
543 English, and content achievement. Instruction is in English
544 with the use of Multilingual Learner strategies, scaffolding,
545 and the home/native language as support. The Content-
546 Based Instruction program model consists of Dedicated
547 English Language Development and Integrated Language
548 and Content Instruction components. The integrated grade-
549 level content classrooms include a combination of
550 Multilingual Learners and non- Multilingual Learners, while
551 the Dedicated English Language Development instruction
552 includes Multilingual Learners only. The Content-Based
553 Instruction program model may start at any age or grade,
554 depending on student identification as Multilingual Learner,
555 and last until the student is exited from Multilingual Learners
556 status.

557 2. Content-Based Instruction for Newcomers" or "CBI for
558 Newcomers" is an instructional program model that serves
559 Multilingual Learners who are recent arrivals, who are at
560 early stages of English Language Development, and who
561 may not share a common home/native language. Content-
562 Based Instruction for Newcomers is delivered in English with
563 the use of Multilingual Learner strategies, scaffolding, and
564 the home/native language as support. The Content-Based
565 Instruction for Newcomers program model consists of
566 Dedicated English Language Development and Integrated
567 Language and Content Instruction components. The
568 program model may be self-contained for a transitional time.
569 The Content-Based Instruction for Newcomers program
570 model may start at any age or grade, is limited in time and
571 scope, and lasts until the student is transitioned to the
572 Content-Based Instruction or another program model based
573 on the student's proficiency level and duration in program.

574 3. "Content-Based Instruction for Students with Limited and/or
575 Interrupted Formal Education", or "CBI SLIFE", is an
576 instructional program model that serves Multilingual
577 Learners who have limited and/or interrupted formal
578 education and who may not share a common home/native
579 language. The Content-Based Instruction Students with
580 Limited and/or Interrupted Formal Education program model
581 consists of Dedicated English Language Development and
582 Integrated Language and Content Instruction components
583 and offers intensive literacy, numeracy, and foundational
584 content instruction, designed to address gaps in students'
585 schooling. Instruction is in English with the use of
586 Multilingual Learner and structured literacy strategies,

scaffolding, and the home/native language as support. The Content-Based Instruction Students with Limited and/or Interrupted Formal Education program model is limited in time and scope and lasts until the student is transitioned to a Content-Based Instruction or another instructional program model based on the student's proficiency level and duration in program.

g7 Assessment for Multilingual Learners

- a. "English Language Screener WIDA access placement test" or "W-APT" means an initial screening instrument ~~developed~~ adopted by ~~the the WIDA-Rhode Island Department of Elementary and Secondary Education Consortium~~ to measure a student's proficiency level ~~inability to understand~~ listening, speaking, and reading, and writing English ~~at a level appropriate to the student's age and grade placement. The purpose of this screening is to help Local Educational Agencies make decisions about whether a student qualifies to be identified as a Multilingual Learner.~~
- b. "English Language Proficiency ACCESS (ELP Assessment)" or "ELP Assessment" ELLs stands for Assessing Comprehension and Communications in English State-to-State for English Language Learners. This ~~WIDA-developed~~ means a state-endorsed assessment instrument ~~is~~ administered annually ~~and that~~ measures the social and academic English language proficiency of Multilingual English Language Learners in four domains: listening, speaking, listening, reading, and writing.
- ~~i. "Home or native language" means the language or languages that a child first learns or uses in the home and/or for daily communication, as recorded on file in the student's permanent record file.~~
- ~~j. "Home language survey" means a survey instrument created by RIDE used to identify English Language Learners.~~

8. Professional Learning

- a. "Multilingual Learner Competencies" means the competencies established by RIDE that articulate teacher, administrator, and other school personnel knowledge and practices for the Multilingual Learner instruction. These competencies shall be aligned to nationally-recognized teaching English to speakers of other languages standards. Each competency shall include components and concepts that must be addressed within approved provider programs. The depth and breadth of content within these

627 competencies defines the difference between awareness and
628 proficiency expectations.

629 b. "Awareness expectations" means teachers, administrators, and
630 other school personnel are required to exhibit awareness in the
631 knowledge and practices of the Multilingual Learner instruction.
632 Essential components of awareness are aligned with the
633 Multilingual Learner Competencies. Awareness expectations shall
634 align to the minimum depth of nationally-recognized teaching
635 English to speakers of other languages standards that all teachers,
636 administrators, and other school personnel must possess to serve
637 MLLs.

638 c. "Proficiency expectations" means teachers, administrators, and
639 other school personnel are required to exhibit proficiency in the
640 knowledge and practices of the Multilingual Learner instruction.
641 Proficiency expectations align with the Multilingual Learner
642 Competencies. Proficiency expectations shall align to the depth of
643 nationally-recognized teaching English to speakers of other
644 languages standards for educators commensurate to the MLL
645 educator endorsement.

646 **3.3 Language Identification of All Potential Multilingual Learners**

647 A. LEAs shall determine the home/native language(s) of all public-school ~~children~~
648 ~~students~~ when ~~these children are~~ registering in the LEA. This determination
649 shall be made through the Home Language Survey developed by RIDE.

650 B. The Home Language Survey shall not be used to deny any student the right to
651 participate in, or benefit from, any program or service.

652 C. Data from the Home Language Survey shall be filed in the student's permanent
653 record.

654 D. If the Home Language Survey indicates that a student's home/native language is
655 ~~not other than~~ English, ~~a background interview with the student, and with his or~~
656 ~~her parents, shall take place. Before this interview takes place,~~ the parents shall
657 be informed in writing, in a language they ~~understand~~prefer, about the
658 procedures used in the identification, ~~assessments~~screening, and placement of
659 ~~MLLs in addition to their rights and the benefits to accessing a Language~~
660 ~~Instruction Educational Program~~ELL students. Based on the ~~information reported~~
661 ~~in the Home Language Survey~~findings of this interview, the student shall be
662 referred for an ~~timely~~English Language Screener within a timeframe that allows
663 ~~student placement as per § 3.6 of this Part~~screening assessment. The LEA shall
664 make a tentative educational assignment and provide the teacher with relevant
665 information about the student pending the results of the ~~E~~nglish Language
666 ~~Screener~~P-screening assessment. The LEA shall use the appropriate data from

667 the student's previous schools, when available, to make program placements.
668 Additional information on the student's background may be collected via an
669 interview with the student and with their parents to further support program
670 placement~~this tentative assignment.~~

671 **3.4 Initial Assessment for Program Placement**

672 A. The state-endorsed English Language WIDA-ACCESS Placement Test or
673 Screener shall be used to measure the student's ~~ability to understand, speak,~~
674 ~~and read English proficiency~~ at a level appropriate to the student's age and grade
675 placement. ~~Tests and s~~Screeners must be administered by qualified assessors.
676 For purposes of these regulations, the following levels of English proficiency shall
677 be recognized in accordance with state-endorsed ELD Standards and ELP
678 assessments:

- 679 1. Entering
- 680 2. ~~Beginning~~ Emerging
- 681 3. Developing
- 682 4. Expanding
- 683 5. Bridging
- 684 6. Reaching

685 B. To assist in program decisions, ~~any student scoring at the Developing,~~
686 ~~Expanding, or Bridging Level shall be given an additional English reading~~
687 ~~assessment.~~ When possible, a reading assessment in the first home/native
688 language of the student will be given to all EMLLs regardless of English
689 ProficiencyELP level. All available test data from the student's previous schools
690 shall be used in the placement process.

691 **3.5 Program Standards**

692 A. In order to ensure that MLLs are provided with the support needed to attain
693 English language and academic content proficiency, LEAs ~~ELL programs~~ shall:

- 694 1. Meet the linguistic and academic needs of the English Language Learners
695 MLLs as indicated by the identification and screening assessment
696 process.
- 697 2. Determine which instructional approach is best suited for MLLs. In doing
698 so, LEAs must consider the student's:
 - 699 a. ELP level;

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b. Grade level;

c. Educational background; as well as

d. Language background.

3. Ensure that all English Language Learners-MLLs attain proficiency in speaking, listening, ~~to~~, reading, and writing English at a level sufficient to enable them to succeed in the school's ~~general~~ academic programs.

43. ~~Be a~~Aligned instructional programs with:

a. Rhode Island's endorsed English-~~L~~anguage ~~p~~Proficiency Standards,

b. ~~Common Core State Standards (July, 2010), and~~

~~e. content area sStandards as defined in § 3.2(A)(2)(b) of this Part.net addressed by Common Core State Standards (July, 2010) (National Education Technology Standards www.CNET.ISTE.org/students/s_stands.html; Fine Arts Standards of the RI Arts Learning Network www.riartslearning.net/proficiency/; National Standards for History Basic Edition, 1996 http://nchs.ucla.edu/standards/; National Council for the Social Studies – NCSS Standards www.ncss.org/standards/).~~

54. Provide clear pathways for each student to meet the Rhode Island ~~Graduation by Proficiency~~Diploma Requirements.

65. Use research-based instructional practices recognized as sound by experts in the education of English Language Learners-MLLs at the elementary, middle, and high-school levels.

76. Provide opportunities for achievement in all content-area classes or courses ~~through specialized language instruction for English Language Learners until the student has reached a level of English-language proficiency permitting him or her to succeed in the LEA's general academic program.~~

87. Encourage and support the use of students' home/native languages to scaffold rigorous content and access to core instruction. To the greatest extent possible, materials and supports in the student's home/native language shall be used to benefit academic progress.

9. Ensure equitable access to all services, and materials that are provided to all other students.

- 734 108. Include sufficient personnel and resources to effectively implement the
735 program.
- 736 119. Provide for the maintenance, analysis and use of data within a culturally
737 and linguistically responsive Multi-Tiered System of Supports (MTSS)
738 framework concerning student academic progress to help support closing
739 all achievement gaps in English Language Learner achievement levels.
- 740 120. Ensure that specialized language instruction in LIEP for English Language
741 Learners MLLs is provided by teachers who meet the state certification
742 requirements as per 200-RICR-20-20-1 Regulations Governing the
743 Certification of Educators in Rhode Island and proficiency requirements as
744 specified in §3.12(C)(1). appropriately certified and endorsed teachers
745 who are highly qualified and
- 746 13. Provide all teachers ~~who are provided~~ with regular, sustained, high-
747 quality, job-embedded professional ~~development~~ learning.
- 748 14. Ensure, if an MLL is not making desired progress in the LIEP and MTSS
749 framework, that a robust culturally and linguistically responsive referral
750 and evaluation process is in place that uses valid and reliable practices
751 that ensure appropriate identification of an MLL who might be eligible for
752 special education and related services.
- 753 15. Consult with at least the following stakeholders in the design and selection
754 of program models: ~~Be designed by LEA administrators in consultation~~
755 ~~with:~~
- 756 a. ~~certified or endorsed ESL teachers~~ pursuant to 200-RICR-20-20-1
757 Regulations Governing the Certification of Educators in Rhode
758 Island;
759 b. ~~endorsed bilingual education teachers,~~
760 eb. ~~parents of English Language Learners MLLs;~~
761 cd. MELL students; and
762 de. building administrators.
- 763 162. ~~Be d~~ Distribute MLLs within instructional program models ~~d~~ in the LEA's
764 facilities in such a way that English Language Learners MLLs are not
765 inappropriately clustered away from students in the school's regular
766 education programs or assigned to only a restricted range of certified
767 teachers or schools, when other school-housing options are available to
768 provide quality services based on students' educational needs and
769 scientifically researchevidence based instructional models. Cooperative

770 service agreements between LEAs shall not operate in a way that
771 abridges this principle.

772 3.6 Student Placement Standards

773 A. Whenever an identified ~~English Language Learner~~ MLLs is placed in an ~~ELL~~
774 Language Instruction Educational Program, the ~~MELL~~ Administrator and/or the
775 MLL Coordinator shall review all the student's identification and assessment
776 data. This data shall include:

777 1. Home Language Survey;

778 2. the student's English-proficiency level;

779 3. the student's literacy level in ~~her or his~~ their home/native language or
780 languages when such assessment tool is available, or through a transcript
781 review;

782 4. number of years the student has attended school;

783 5. continuity of the student's schooling;

784 6. student retention-information; ~~and~~

785 7. review of school transcripts; and

786 8. information on whether the student is receiving special education, whether
787 the student may be in need of special education, or whether the student
788 needs alternative supports for ~~has a disability that affects his or her~~
789 ~~academic performance or limits his or her~~ access to school facilities.

790 B. A student's instructional placement must address ~~his or her~~ their academic needs.
791 To meet these needs:

792 1. An ~~MLL English Language Learner~~ shall be classified in accordance with
793 these regulations and shall be placed in the appropriate grade for ~~his or~~
794 ~~her~~ their age, except when the learner's educational background indicates
795 a need for an alternative placement as a result of limited or interrupted
796 formal schooling.

797 2. The student shall not be placed more than one grade level below that
798 appropriate to ~~his or her~~ their age except as provided for in § 3.6 of this
799 Part.

800 3. At the secondary level, LEAs must review the ~~English Language Learner's~~
801 MLLs' previous educational records to ensure that the student receives
802 appropriate credit for prior course-work.

- 803 4. The placement decision shall respect the right of an English Language
804 Learner-MLL to participate in other programs and services for which ~~he or~~
805 ~~she is~~they are eligible or entitled to including but not limited to Multi-Tiered
806 System of Supports, Social-Emotional Learning, special education,
807 targeted interventions, college and career readiness opportunities,
808 enrichment opportunities, extracurricular opportunities, or gifted programs;
809 so as to ensure that the student's educational needs are met on a basis
810 equal to that provided to other students.
- 811 5. All English Language Learners-MLLs shall receive an assessment of their
812 home/native language literacy when valid evaluation instruments are
813 available.
- 814 6. Placement of English Language Learners-MLLs in a specialized
815 instructional program LIEP for English Language Learners-MLLs shall be
816 made within the first twenty (20) school days of the school year, and if the
817 student enrolls thereafter, within ten (10) days from the date the student's
818 enrollment completion, of the Home Language Survey. See also: § 3.3(D)
819 of this Part. ~~[English Language Learners entitled to immediate tentative~~
820 ~~placement.]~~
- 821 7. All student assessment and placement data, including questions of
822 exceptionality, shall be sent to the appropriate LEA administrator. These
823 data shall be recorded in the student's permanent record.
- 824 8. LEA's shall provide a student's parents with a complete description of the
825 student's placement and the reasons for that placement ~~referral~~. This
826 notice shall be in English and in the language parents prefer home/native
827 language of the parents unless it can be demonstrated to RIDE that this
828 requirement would place an unreasonable burden on the LEA. When
829 possible, RIDE shall provide sample notification letters for use by ~~low-~~
830 ~~incidence~~ LEAs.
- 831 9. Parents shall be informed of the date of their ~~student's~~child's placement and
832 of their right to approve or waive the proposed placement. If the parents
833 choose to waive the ~~student's~~child's Language Instruction Educational ELL
834 Program placement, the LEA is responsible for assessing the English
835 Language Proficiency of the student on the annual ELP assessment as
836 well as for conducting a six (6) months monitoring of the student's
837 academic progress without the benefit of a Language Instruction
838 Educational Program ELL services. Parents must be notified of the results
839 of both the ELP assessment and monitoring so that the placement
840 decision might be reviewed annually.

841 **3.7 Dually Identified Student Rights**

842 A. If evidence suggests that an MLL has one or more disabilities, the LEA shall
843 promptly begin a referral for a culturally and linguistically appropriate special
844 education evaluation, and if qualifying, provide services in addition to English
845 Language Development. Dually identified MLLs must receive the entirety of
846 services to which they are entitled. LEAs must not identify or determine that
847 MLLs are differently abled solely based upon English language development.

848 **3.8 Time Requirements**

849 A. LEAs are encouraged to provide continuous support for MLLs throughout the
850 instructional day. However, at a minimum, LEAs shall fully implement the time
851 requirements below by the beginning of the school year 2029-2030.

852 1. MLLs at ~~E~~entering and ~~beginning-emerging~~ levels ~~English Language~~
853 ~~Learners~~ must receive a minimum of three (3) periods (or the equivalent)
854 ~~of ESMLL~~ instruction a day. Upon full implementation of these regulations
855 according to the above timeline:

856 a. At least one of these three periods shall be Dedicated ELD; and

857 b. LEAs shall have flexibility in determining whether the two (2)
858 remaining periods of required MLL instruction will be Dedicated
859 ELD or Integrated Language and Content Instruction.

860 2B. MLLs at ~~D~~developing ~~English Language Learners~~ levels must receive a
861 minimum of two (2) periods (or the equivalent) of ~~ESMLL~~ instruction a day.
862 Upon full implementation of these regulations according to the above
863 timeline:

864 a. At least one of these two periods shall be Dedicated ELD
865 instruction; and,

866 b. LEAs shall have flexibility in determining whether the remaining one
867 (1) period will be Dedicated ELD or Integrated Language and
868 Content Instruction.

869 3C. MLLs at ~~E~~xpanding and ~~Bridging English Language Learners~~ level must
870 receive a minimum of one (1) period (or the equivalent) of ~~ESMLL~~
871 instruction a day. Upon full implementation of these regulations according
872 to the above timeline:

873 a. LEAs shall have flexibility in determining whether the one (1)
874 required period is either Dedicated ELD or Integrated Language
875 and Content Instruction.

876 4. MLLs at bridging and reaching levels would benefit from Integrated
877 Language and Content Instruction for core content areas when deemed
878 necessary.

879 B. During the Interim Period Prior to SY2029-2030:

880 1. Entering and emerging level MLLs must receive a minimum of three (3)
881 periods of MLL instruction a day taught by a MLLs Teacher pursuant to
882 200-RICR-20-20-1 Regulations Governing the Certification of Educators in
883 Rhode Island.

884 2. Developing MLLs must receive a minimum of two (2) periods of MLL
885 instruction a day taught by an MLL Teacher pursuant to 200-RICR-20-20-
886 1 Regulations Governing the Certification of Educators in Rhode Island.

887 3. Expanding MLLs must receive a minimum of one (1) period of MLL
888 instruction a day taught by an MLL Teacher pursuant to 200-RICR-20-20-
889 1 Regulations Governing the Certification of Educators in Rhode Island.

890 C. RIDE shall provide guidance for LEAs to fully implement the time requirements
891 below. This guidance shall take into account the following considerations:

892 1. Student ELP levels;

893 2. Student grade level;

894 3. Student educational background;

895 4. Type of LIEP students are enrolled in;

896 5. Operational feasibility and considerations for LEAs.

897 D. LEAs may apply for performance-based waivers to the Commissioner for select
898 requirements herein if they can demonstrate MLLs in a particular school are
899 making adequate yearly progress. The Commissioner shall review the academic
900 performance of MLLs, components of the school's program models, and
901 adherence to these regulations when considering the approval of a performance-
902 based waiver.

903 ~~This ELL instruction must:~~

904 ~~1. Develop the English Language Learner's ability to understand, speak,~~
905 ~~read, and write academic English,~~

906 ~~2. Be aligned with WIDA standards, and~~

907 ~~3. Incorporate content knowledge and concepts aligned to Common Core~~
908 ~~State Standards (July, 2010).~~

909 ~~E. The ELL instructional period shall have the same length as the school's general~~
910 ~~content-area periods.~~

911 **3.89 Class Size**

912 A. Class size shall be kept at a student-to-teacher ratio that permits effective
913 instruction as defined in § 3.5 of this Part. It is the responsibility of the LEA to
914 assess the needs of ~~English language learners~~MLLs, assign personnel in
915 accordance with those needs, and evaluate the ~~efficacy delivery of the~~
916 ~~implementation of the Language Instruction Educational Program services~~ to
917 determine whether the LEA's program conforms to the requirements of this Part.

918 B. Every LEA shall provide RIDE with its policy to determine the number and types
919 of personnel required under this section, and a description of the public process
920 the ~~agency-LEA~~ used to develop its policy. Every LEA shall report annually to
921 RIDE the LEA's plan, pursuant to said policy, to comply with this regulation,
922 including the number of full-time equivalent positions of staff it uses to meet the
923 needs of ~~English language learners~~MLLs.

924 C. The Commissioner may establish a class size maximum and/or staffing ratios for
925 any group(s) of personnel, class, school, or LEA, if the Commissioner determines
926 that:

927 1. The plan submitted by the LEA is insufficient to fulfill the requirements of
928 this section; or

929 2. The LEA has failed to comply with the terms of the plan submitted by the
930 LEA; or

931 3. Student performance within or throughout the LEA warrants intervention
932 as dictated by R.I. Gen. Laws § 16-7.1-5.

933 4. Any decision made under this section by the Commissioner may be
934 appealed under R.I. Gen. Laws § 16-39-3.

935 ~~3.9 Coordination with other requirements.~~

936 ~~A. All programs in LEAs receiving Title III, (Elementary and Secondary Education~~
937 ~~Act, 1965) funds are expected to meet the state's Annual Measurable~~
938 ~~Achievement Objectives ("AMAO") as required by Title III of the No Child Left~~
939 ~~Behind Act, (Elementary and Secondary Education Act, 1965, as amended,~~
940 ~~2001). After LEA's receive notification of their AMAO status, those LEAs that~~
941 ~~have failed to meet their AMAOs must prepare a revised improvement plan and~~
942 ~~inform parents of the LEA's status within thirty (30) days.~~

943 ~~B. The English language skills of all English Language Learners shall be assessed~~
944 ~~annually through ACCESS, the state's English language proficiency assessment,~~
945 ~~approved by RIDE. Assessment shall continue until the student is formally exited~~

946 from the English Language Instructional Program and, at the LEA's discretion, for
947 an additional two (2) years during the monitoring period.

948 **3.10 Instructional Program Models & Components**

949 A. LEAs may choose one (1) or more of the following models, ~~or components from~~
950 ~~these models~~, as defined in § 3.2 of this Part, to provide the most appropriate
951 program for each ~~English Language Learner~~MLL:

952 1. Bilingual Education:

953 a. One-Way Dual Language;

954 b. Two-Way Dual Language;

955 c. Transitional Bilingual Education;

956 d. Transitional Bilingual Education for Students with Limited and/or
957 Interrupted Formal Education;

958 ~~English as a Second Language~~

959 2. ~~Sheltered Content-Based Instruction~~Education:

960 a. Content-Based Instruction;

961 b. Content-Based Instruction for Newcomers;

962 c. Content-Based Instruction for Students with Limited and/or
963 Interrupted Formal Education.

964 3. ~~Collaborative ESL & General Education~~

965 4. ~~Bilingual Education~~

966 5. ~~Two-Way/Dual Language~~

967 6. ~~Newcomer Program~~

968 **3.11 Personnel—MLL Administrators and Personnel Requirements**

969 A. An LEA ~~with an English Language Learner program~~ shall designate an
970 administrator whose primary responsibility is the development and management
971 of the LEA's Language Instruction Educational Program according to the
972 following requirements:

973 1. "High-incidence LEAs" shall appoint a full-time MLL Administrator means
974 an LEA with a total of one hundred fifty (150) or more English Language
975 Learners. to be responsible for this program.

976 2. Medium-incidence LEAs shall employ a full-time MLL Administrator. If
977 prior to SY2027-2028 a medium incidence LEA does not employ an MLL
978 Administrator, the LEA shall employ an MLL Coordinator in the interim. An
979 administrator in a low incidence LEA who does not have an English as a
980 Second Language teaching certificate or an English as a Second
981 Language endorsement must appoint an ELL Coordinator, who must have
982 at least one of these credentials. High incidence LEAs must appoint a full-
983 time ELL Administrator whose primary responsibility is the development
984 and management of the LEA's ELL program.

985 3. Low-incidence LEAs that utilize an MELL Administrator on a less than full-
986 time basis must also appoint an MELL Coordinator, who must have a
987 workday that includes enough time dedicated to coordinator duties to
988 ensure that these duties are adequately carried out.-

989 4. LEAs that face operational and fiscal challenges with employing a full-time
990 MLL Administrator may apply for a waiver to employ an administrator on a
991 less than full-time basis as long as all of the requirements of these
992 regulations are adequately implemented.

993 5. When LEAs enter into a Cooperative Service Agreement under R.I. Gen.
994 Laws § 16-3.1-1 to provide a Language Instruction Educational
995 Program~~ELL services~~, the agreement should be formulated with input from
996 RIDE to ensure that EMLLs receive quality services. The Commissioner
997 shall determine through the Cooperative Service Agreement approval
998 process whether the Agreement is so comprehensive that appointment of
999 an EMLL Administrator is required.

1000 ~~B.~~ D. LEAs shall employ a sufficient number of MELL T teachers certified
1001 pursuant to 200-RICR-20-20-1 Regulations Governing the Certification of
1002 Educators in Rhode Island -to ensure that EMLL students receive the instruction
1003 and the support required by these regulations.

1004 E. LEAs may adopt a co-teaching approach when feasible, to ensure that language
1005 and literacy skills develop while students participate in an equitable learning
1006 environment with full access to grade-level opportunities.

1007 F. It is recommended that LEAs employ a sufficient number of MLL Coaches to
1008 ensure that MLL Teachers are supported in ensuring the day-to-day delivery of
1009 instructional models as required in this Part. MLL Coaches shall:

1010 1. Have experience teaching MLLs and hold an appropriate certificate
1011 pursuant to 200-RICR-20-20-1 Regulations Governing the Certification of
1012 Educators in Rhode Island;

1013 2. Have a workday that includes enough time dedicated to coaching duties to
1014 ensure that these duties are adequately carried out.

1015 ~~CG.~~ All high-incidence LEAs shall have at least one School and/ Community Liaison
1016 to effectively support the LEA's Language Instruction Educational ~~ELL~~ Program.
1017 This liaison shall:

1018 ~~1. Familiarize all English Language Learners-MLLs and their families with~~
1019 ~~their new community and assist families to in participateing in family~~
1020 ~~engagement activities.~~

1021 ~~2. Have knowledge of the culture(s) and linguistic diversities of the LEA's~~
1022 ~~MLL population and/or have completed cultural competency training to~~
1023 ~~enable them to carry out the duties of a school and community liaison. The~~
1024 ~~liaison shall also help ensure that English Language Learners receive~~
1025 ~~those programs and services that are required by these regulations. Low-~~
1026 ~~incidence LEAs will ensure regular pertinent communication with their ELL~~
1027 ~~families and encourage these families to participate in the LEA's family~~
1028 ~~engagement activities.~~

1029 ~~HD.~~ All LEAs shall ensure regular pertinent communication with MLL families and
1030 ~~encourage these families to participate in the LEA's family engagement activities.~~

1031 ~~I.~~ It is recommended that High and Medium incidence LEAs employ school
1032 ~~counselors who are:~~

1033 ~~1. Proficient in at least one of the predominant language(s) of the School's~~
1034 ~~LEA MLL population; or~~

1035 ~~2. have received training in second language acquisition and cultural~~
1036 ~~competency. LEAs shall provide on-going professional development for~~
1037 ~~those teacher assistants who work with English Language Learners.~~

1038 **3.12 Ongoing Professional Development Learning**

1039 A. Language Instruction Educational Program ongoing professional learning
1040 activities shall be included in the LEA's professional development plan, in LEA
1041 and school improvement plans, and in teachers' learning plans. These activities
1042 shall be aligned with Rhode Island's Professional Development Standards.

1043 B. As part of its comprehensive professional learning plan, LEAs must provide
1044 ongoing sustained, high-quality, job-embedded professional learning to meet the
1045 requirements of this Part to all certified personnel and support staff, inclusive of
1046 Pre-Kindergarten staff.

1047 C. By the beginning of the SY 2029-2030 and each subsequent year thereafter, in
1048 addition to the ongoing professional learning as described in this Part, teachers
1049 and administrators as defined in this Part, employed in Rhode Island public
1050 schools, must demonstrate awareness or proficiency in the knowledge and
1051 practices of MLL instruction:

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1. Educators and administrators may fulfill this requirement by:
 - a. Holding an appropriate MLL certification or endorsement as defined in §3.2(A)(5)(c)(4), or
 - b. Completing RIDE-approved proficiency or awareness training, as specified by the individual's role.
2. For educators:
 - a. Proficiency training is required for core content educators and special educators responsible for Integrated Language and Content Instruction.
 - b. Proficiency training is recommended, but only awareness training is required for core content educators and special educators not responsible for Integrated Language and Content Instruction.
 - c. Awareness is required for all non-core content educators.
3. All school and building leaders are required to complete the awareness training or hold appropriate MLL credential as defined by RIDE.
4. Other school personnel are recommended to complete the awareness training, unless holding an MLL credential as defined by RIDE.
5. By the beginning of the SY 2029-2030, if a teacher does not meet proficiency requirements, LEAs may not place that teacher in a role requiring proficiency and must grant teachers who were unable to complete proficiency training due to extenuating circumstances one (1) additional year to do so and remain in a position requiring proficiency.
6. By the beginning of the SY 2029-2030, and each subsequent year thereafter, an educator or administrator who completes a state-approved Educator Preparation Program must meet proficiency or awareness requirements, as determined by their role.
7. By the beginning of the SY 2029-2030, and each subsequent year thereafter, out-of-state teachers will have two (2) years from date of appointment to provide evidence of meeting proficiency or awareness requirements, as determined by their role.
8. By the beginning of the SY 2029-2030, and each subsequent year thereafter, teachers working in roles that require awareness who move to a role requiring proficiency will have two (2) years from date of appointment to meet proficiency requirements.

1086 9. By the beginning of the SY 2029-2030, and each subsequent year
1087 thereafter, teachers working on a preliminary certification will work toward
1088 meeting proficiency or awareness requirements while working under
1089 preliminary certification.

1090 D. Local Education Agency (LEA) Responsibilities

1091 1. Ongoing professional learning provided by LEAs should be based on
1092 student need as identified within each LEA's strategic plan and each
1093 school's School Improvement Plan, pursuant to § 3.20 of this Part.

1094 2. All LEAs should align and integrate ongoing professional learning for the
1095 LIEP with the professional learning plan for all other content areas in the
1096 district.

1097 3. LEAs shall provide proficiency and awareness training at no cost to the
1098 teachers, administrators, and other school personnel needing proficiency
1099 and awareness training.

1100 4. When possible, proficiency and awareness trainings will be completed
1101 during the workday.

1102 5. LEAs may develop and submit for RIDE's approval in-district proficiency
1103 and/or awareness training.

1104 E. Educator Preparation Program (EPP) Responsibilities

1105 1. By June 30, 2028, each RIDE approved educator preparation program
1106 must submit materials demonstrating how they prepare candidates to
1107 meet proficiency and awareness requirements for approval from RIDE.

1108 2. By June 30, 2029, each RIDE approved educator preparation program
1109 shall post on its website information describing how it prepares teachers to
1110 meet proficiency and awareness requirements.

1111 3. Starting in August 2029, each RIDE approved educator preparation
1112 program must include the completion of proficiency or awareness
1113 requirements as a condition for completion.

1114 4. By July 31, 2030, each RIDE approved educator preparation program
1115 shall include in its Index Report to the Department of Elementary and
1116 Secondary Education a description of programs that prepare teachers to
1117 teach using MLL instruction.

1118 F. RIDE Responsibilities~~All LEAs with ELL programs must provide sustained, high~~
1119 ~~quality job-embedded professional development for administrators, coordinators,~~
1120 ~~instructional coaches, school and community liaisons, guidance counselors, all~~
1121 ~~teachers and other personnel who work with English Language Learners. The~~

1122 following topics, along with other topics the LEA deems to be appropriate, shall
1123 be addressed on a quarterly basis:

1124 1. RIDE will provide guidance to LEAs on high-quality ongoing professional
1125 learning opportunities on a variety of topics, including, but not limited to:

1126 a. Research-based instructional methods and assessment practices;
1127 for ELLs and ELLs with disabilities

1128 2b. Second-L language acquisition;

1129 3c. Culturally Responsive and Sustaining Education Practices;

1130 4d. Family and Community involvement strategies; and

1131 5e. Diversity within MLL student population and instructional
1132 implications. Language minority issues in education

1133 2. RIDE will develop MLL Competencies for educators and administrators.

1134 3. RIDE will articulate proficiency and awareness level components of MLL
1135 Competencies for teachers and administrators, which must be addressed
1136 within approved provider programs.

1137 a. RIDE will articulate the depth and breadth of the MLL
1138 Competencies components to define the difference between
1139 awareness and proficiency expectations.

1140 b. RIDE will approve proficiency and awareness trainings developed
1141 by LEAs and professional learning providers.

1142 4. RIDE will publish a list of:

1143 a. approved proficiency and awareness training providers, and

1144 b. LEAs whose in-district proficiency and awareness training has been
1145 approved by RIDE as part of their strategic and school
1146 improvement plans.

1147 5. Starting with the SY 2025-2026, RIDE will annually report the percentage
1148 of each LEA's educators and administrators that meet these requirements.

1149 ~~B. During their first year of employment, all LEA staff who work with English~~
1150 ~~Language Learners shall be trained in ELL program requirements as well as in~~
1151 ~~LEA practices and procedures for English Language Learners.~~

1152 ~~C. ELL professional development activities shall be included in the LEA's~~
1153 ~~professional development plan, in LEA and school improvement plans, and in~~

1154 ~~teachers' I-Plans, and these activities shall be aligned with Rhode Island's~~
1155 ~~Professional Development Standards.~~

1156 **3.13 Reporting Student Progress**

- 1157 A. The same policy for reporting a student's progress in the generalschool-
1158 education program shall be used in reporting a student's progress in the
1159 Language Instruction Educational ELL pProgram. Progress reports shall be in
1160 English and in a language parents prefer the home/native language of the
1161 student and shall include an explanation of the school's grading system in a
1162 language parents prefer. the home/native language of the parents unless it can
1163 be demonstrated to RIDE that this requirement would place an unreasonable
1164 burden on the LEA.

1165 **3.14 Annual Assessment of Student Progress**

- 1166 A. All English Language Learners-MLLs shall be evaluated at least once a year
1167 through the state's English language proficiency test ELP assessment, as a part
1168 of the statewide accountability system, pursuant to ESSA 1111(b)(2)(G)(i).
1169 Assessment shall continue until the student is formally exited from active MLL
1170 status. Results of the assessment will be collected and publicly reported through
1171 each LEA and school's Report Card as required by ESSA
1172 1111(g)(2)(N). ACCESS for English Language Learners.
- 1173 B. When a student fails to progress appropriately within the Language Instruction
1174 Educational ELL pProgram, other assessment procedures that have been normed
1175 or aligned to state endorsed ELD standards shall be used to determine the
1176 reason for the lack of progress. Appropriate instructional interventions shall be
1177 provided. An MLL English Language Learner shall not be retained solely on the
1178 basis of his or her their English language proficiency MLL status. MLLs ELL
1179 students shall participate in the State Assessment Program in accordance with
1180 state assessment policies, and their progress shall be reported as required by
1181 R.I. Gen. Laws § 16-7.1-13.

1182 ~~**3.15 Participation in General Education**~~

- 1183 ~~— An English Language Learner shall be eligible to participate without ESL support~~
1184 ~~in any content area when there is documented evidence of the student's ability in~~
1185 ~~English to be successful. Parents must be informed of any change in the English~~
1186 ~~Language Learner's program or service. Written notification concerning any~~
1187 ~~significant change in a student's program or services must be sent to the parent~~
1188 ~~with a simple description of the rationale for the program or service change and~~
1189 ~~must include information about the student's new program or service. A record of~~
1190 ~~this notification shall be maintained by the LEA in the student's permanent~~
1191 ~~record. Notification to parents shall be in English and the home/native language~~
1192 ~~of the parents, unless it can be demonstrated to RIDE that this requirement~~
1193 ~~would place an unreasonable burden on the LEA.~~

3.156 Student Exit from Active Multilingual Learner Status

- A. A student shall be eligible to exit from an active MLL status ELL program when ~~she or he~~ they ~~has~~ have met all state-defined required exit criteria as described in the English Language Instructional Program Exit Criteria document.
- B. Written notification of the proposed exit decision must be sent to the parent along with a description of the rationale for exit and a description of the student's new program placement. Notification shall be in English and in the home/native language of the parents prefer, ~~unless it can be demonstrated to RIDE that this requirement would place an unreasonable burden on the LEA.~~ A record of this notification shall be maintained by the LEA in the student's permanent record.
- C. Parents shall be informed of their right to appeal the LEA's decision to exit their child-student from active status the school's English Language Learner program in accordance with § 3.23 of this Part.

3.167 Monitoring Student Performance

- A. The performance of all exited students shall be monitored for a minimum of two consecutive years after exiting to determine whether they are succeeding in the LEA's general-education program. The LEA shall continuously evaluate and document a student's progress, through review of the student's most recent report cards, parental feedback, teacher evaluations, and the student's recorded performance level on state and local assessments. The LEA shall implement appropriate procedures or benchmark assessments in order to determine whether additional interventions or other supports are needed. Monitored students shall be appropriately identified during the state assessment process.
- ~~B. When an exited student fails to progress in her or his current general-education placement, the LEA shall implement appropriate procedures or assessments in order to determine whether additional interventions or other supports are needed, including the provision of further ELL instruction.~~

3.178 Responsibilities of RIDE

- A. RIDE shall ensure that the sState EMLL Advisory Council is composed of representatives from the various MELL constituent groups and that it shall meet and act as per its By-laws. on a regular basis no fewer than four (4) times per year.
- B. RIDE shall inform LEAs of their respective fiscal entitlements as soon as possible, but not later than the beginning of the fiscal year.
- C. RIDE shall provide LEAs with appropriate applications, forms, guidance, and timelines, as may be necessary to ensure the successful implementation of these regulations.

1231 D. RIDE shall provide LEAs with technical assistance on program design,
1232 curriculum alignment, professional-development strategies, program
1233 management and evaluation, testing and instructional modifications, and parent
1234 engagementinvolvement.

1235 E. RIDE shall encourage LEAs to combine funds to establish collaborative
1236 programs to meet the needs of students.

1237 F. RIDE shall coordinate a comprehensive effort to disseminate information about
1238 successful and promising practices and procedures.

1239 G. RIDE shall prepare and submit to the Rhode Island General Assembly an annual
1240 financial and program evaluation report on the status of state and local efforts on
1241 behalf of MultilingualEnglish Language Learners.

1242 3.128RIDE Monitoring

1243 A. RIDE shall:

1244 1. Send the general timelines and criteria for monitoring to LEA's and/or
1245 superintendents.

1246 2. Establish specific monitoring dates in cooperation with local
1247 administrators.

1248 3. Notify LEA's and/or superintendents of monitoring visitation dates and
1249 purposes.

1250 4. Conduct periodic monitoring visitations to ensure that each LEA is
1251 performing according to the standards and procedures prescribed by law
1252 and by regulation governing MLLs' ELL-instruction.

1253 5. Monitor the quality of the programs or services including the rate of
1254 student English language and academic growth as indicated by statewide
1255 assessments tests and graduation rates.

1256 6. Ensure that all statewide assessment reports include data disaggregated
1257 by MLL ELL-status in accordance with R.I. Gen. Laws § 16-97.81-13. This
1258 disaggregation shall include separate statements of data describing
1259 students in the program and students that have been exited from program.
1260 Reporting of data will be in accordance with State English Language
1261 Proficiency assessment policy.

1262 7. Notify LEA's and/or superintendents and appropriate administrators in
1263 writing of monitoring-visitation findings.

1264 8. Provide technical assistance and support to schools and LEAs to help
1265 them:

- 1266 a. Comply with these regulations;
- 1267 b. Provide effective ~~the~~ Language Instruction Educational Program
- 1268 and ~~ELL~~ services to students; and
- 1269 c. Reach their school LEA improvement goals, specifically as these
- 1270 goals relate to ~~E~~MLL students and the ~~Language Instruction~~
- 1271 Educational ~~ELL~~ Program.

1272 9. If a RIDE monitoring visit demonstrates that an LEA is not in compliance

1273 with these regulations, a corrective action plan shall be developed in

1274 concert with ~~by~~ the LEA and submitted to RIDE. Where appropriate, this

1275 corrective action plan may become part of a Negotiated Agreement with

1276 the LEA. ~~RIDE~~ will monitor compliance with the corrective action plan

1277 for an agreed upon period of time. Nothing herein shall be construed to

1278 prevent the Commissioner from implementing other enforcement

1279 procedures, including, but not limited to requiring the LEA to implement

1280 certain components of Language Instruction Educational Program;

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1283 **3.19 Language Instruction Educational Programming and LEA**

1284 **Strategic and School Improvement Planning Responsibilities of**

1285 **LEAs**

- 1286 A. Each LEA with ~~MLLs ELL~~ students must incorporate into their Strategic and
- 1287 School Improvement Plan priorities, goals, initiatives, and/or action steps to
- 1288 ensure that MLLs meet their ELP growth targets. ~~write an annual action plan to~~
- 1289 ensure that all ELLs meet the AMAOs to be included in the LEA Strategic Plan.
- 1290 The ~~action~~ plan must include the ~~instructional program design components,~~
- 1291 outcomes, staffing, professional ~~development~~ learning, parent engagement
- 1292 initiatives, and steps ~~LEAs shall take to support MLLs to demonstrate proficiency~~
- 1293 to close gaps in ELL performance on state assessments. The ~~action~~ plan must
- 1294 be ~~updated at least annually to reflect additional support for MLLs not meeting~~
- 1295 their ELP growth targets or demonstrating proficiency on state assessments.
- 1296 ~~revised if the LEA failed to meet its AMAOs.~~
- 1297 B. LEAs must engage in annual program evaluation utilizing tools to monitor for
- 1298 effectiveness of program implementation and student language growth. LEAs
- 1299 must utilize quantitative data also made available by RIDE, along with locally
- 1300 collected qualitative and quantitative data, when such data is collected for all
- 1301 students.
- 1302 C. In line with data analysis for program evaluation, LEAs must collect and analyze
- 1303 longitudinal data in order to compare the performance of MLL groups. Such data

1304 collection and analysis shall not be limited to accountability purposes, and
1305 include program evaluation, student language growth, and the goals set by the
1306 LEA and the state.

1307 D. LEAs should establish rigorous monitoring systems that include benchmarks for
1308 expected growth and take appropriate steps to assist students who are not
1309 adequately progressing towards those goals.

1310 ~~3.20~~ **Responsibilities of Individual Schools**

1311 E. Each School Improvement Plan in a school with English Language Learners
1312 MLLs shall include an action plan that identifies measurable goals for EMLL
1313 instructional and support services and for the professional development-learning
1314 to be provided to those who teach English Language LearnersMLLs.

1315 ~~3.201~~ **Parent Involvement and Notification**

1316 A. All communications to parents must be provided in the language parents prefer,
1317 with a qualified translator or interpreter provided by the LEA. Criteria for Parent
1318 Involvement R.I. Gen. Laws § 16-54-3(6).

1319 B. Each LEA shall provide for translation and/or interpretation services to support
1320 and encourage the involvement of parents of English Language Learners-MLLs
1321 in the development, implementation, and evaluation of programs for these
1322 students.

1323 ~~3.22~~ **Minimum criteria for Parent Involvement**

1324 CA. The LEA together with the school and community liaison employed by the LEA,
1325 shall develop a written parent-involvement plan that includes outreach to the
1326 EMLL community. Parents shall be informed of the multiple ways that they can
1327 become involved in the education of their childrenstudents, not only in ELL
1328 programs, but also in otherand in all school programs, services, and activities.

1329 BD. The LEA shall provide culturally and linguistically appropriate-responsive parent-
1330 education programs or parent outreach and training activities that are designed
1331 to assist all parents of MLLs ELL-students to become active participants in the
1332 education of their childrenstudents.

1333 CE. The LEA shall include input from the parents of English Language LearnersMLLs
1334 when it considers improvements not only in Language Instruction Educational
1335 ELL-pP programs but also when it considers improvements in other school
1336 programs in which English Language LearnersMLLs may be involved.

1337 ~~D. The LEA shall present the annual ELL action plan from the LEA Strategic Plan~~
1338 ~~and the Federal Title III component of the Consolidated Resource Plan for parent~~

1339 ~~review. Results of English Language Learner performance on state assessments~~
1340 ~~and ELL graduation rates shall be provided annually to parents.~~

1341 ~~E. The LEA shall require each one of its schools to have at least one parent~~
1342 ~~representative of ELL students from each of the language groups with more than~~
1343 ~~twenty (20) students in that school to serve on School Improvement Teams (SIT).~~
1344 ~~School Improvement Teams shall receive training and information on relevant~~
1345 ~~ELL issues including, but not limited to, ELL state regulations and federal~~
1346 ~~programs~~

1347 F. Parents shall be informed of their right to voluntarily decline to have their child
1348 student participate in the Language Instruction Educational English Language
1349 Learner pPrograms and to remove their child-student from the Language
1350 Instruction Educational English Language Learner Pprograms pursuant to 20
1351 U.S.C. § 6312(e)(3)(A). Parents will also be informed that even though Language
1352 Instruction Educational ELL pProgram services are waived, the student will still
1353 be considered ~~to be an~~ active English Language Learner MLL who must be
1354 assessed on the state's annual English Language Proficiency assessment. If a
1355 family does not participate in the identification, assessment screening and
1356 placement process, the student shall not be penalized; additional outreach and
1357 attention shall be given to the family to educate-inform them about the process
1358 and to encourage participation.

1359 **3.213 Procedural Safeguards**

1360 Parents have the right to appeal any MELL decision affecting their child-student
1361 through the appeals process established by R.I. Gen. Laws §§ 16-39-1 and 16-
1362 39-2. RIDE will prepare a brief and accessible simple language-explanation of
1363 the appeals process for distribution to parents in the top ten (10) languages
1364 spoken in the state. In cases where a parent's primary language is not among
1365 the top ten languages provided, RIDE will include additional home/native
1366 languages as needed. This commitment aims to ensure that all parents,
1367 regardless of their home/native language, can effectively participate in the appeal
1368 process and understand their rights.

1369 **3.224 Multilingual Parent and Educator Input in LEA Strategic and** 1370 **School Improvement Planning Local Advisory Committee (LEA)**

1371 A. As a part of their LEA Strategic Planning process, LEAs shall articulate a system
1372 to solicit input from LEAs shall appoint an LEA-wide ELL Advisory Committee
1373 consisting of parents and educators of MLLs. The LEA shall ensure that each
1374 year the Committee has active members and regularly scheduled meetings. The
1375 LEAs, in consultation with parents of MELL students, may choose to have this a
1376 parent Committee be as a stand-alone committee or have it be as a
1377 subcommittee of an existing LEA Parent Advisory Committee. The MELL parent
1378 membership shall be representative of at least the top five (5) language groups in
1379 the LEA. Low-incidence LEAs are encouraged to create a regional advisory

1380 ~~committee. RIDE will provide guidance and assistance to LEAs that opt to create~~
1381 ~~regional advisory committees. The membership of the Committee shall include~~
1382 ~~representation from the School Improvement Team (SIT) of each school having~~
1383 ~~an ELL population. Membership of each local Committee shall be composed of~~
1384 ~~persons involved in or concerned with the education of ELL students. Family~~
1385 ~~members of ELL students shall make up a majority of the committee~~
1386 ~~membership, and at least fifty percent (50%) of this majority shall be selected by~~
1387 ~~the families of ELL students. Each local Committee shall also include a~~

1388 B. Schools shall, as part of their School Improvement Planning process, solicit input
1389 at minimum, from members of the School Improvement Teams, identified in §
1390 3.19 of this Part, and from each school in the LEA having an MLL population.
1391 Additionally, input should be solicited from former MELL student, an MELL
1392 Administrator and/or an MELL Coordinator, an MELL classroom Teacher, and a
1393 general-education classroom teacher and/or administrator. Additional solicitation
1394 membership shall be at the discretion of the LEA. Appointment Solicitation of
1395 input from community representatives from predominant appropriate-language
1396 groups is encouraged.

1397 CD. The LEA shall present the annual ~~ELL~~MLL -action plan from the LEA Strategic
1398 Plan and the Federal Title III component of the Consolidated Resource Plan for
1399 parent review. Results of MLL~~English Language Learner~~ performance on state
1400 assessments and ~~ELL~~MLL -graduation rates shall be provided annually to
1401 parents.

1402
1403 DE. The LEA shall require each one of its schools to have at least one parent
1404 representative of ~~MLL ELL~~ students~~Learners~~ from each of the language groups
1405 with more than twenty (20) students in that school to serve on School
1406 Improvement Teams (SIT). School Improvement Teams shall receive training
1407 and information on relevant ~~MLLs ELL~~ issues~~topics~~ including, but not limited to,
1408 MLL ~~ELL~~ state regulations and federal programs.

1411 ~~3.25—Functions and Responsibilities of Advisory Committees~~

1412
1413 E. Input solicited in the manner indicated in §3.19 of this Part must be incorporated
1414 into LEA Strategic Plans and School Improvement Plans, particularly ~~The~~
1415 Committee shall advise the LEA and individual schools in matters concerning:
1416 the ~~Language Instruction Educational ~~ELL~~~~ pPrograms currently offered, unmet
1417 needs of ~~MLLs ELL~~ students, the development and implementation of future
1418 plans, local compliance with state and federal laws and regulations, applications

1419 for state and federal funding; and evaluation of Language Instruction Educational
1420 ELL programs. The LEA shall provide information to the parents of MLLs ~~ELL~~
1421 ~~students~~ about the advocacy roles of the LEA Liaison and the system of
1422 solicitation of input for parents and educators on LEA Strategic and School
1423 Improvement Plans ~~the Advisory Committee~~ when their children ~~students~~ enter
1424 the school system. Such information shall be shared in the LEA top five (5)
1425 languages.

1426 ~~3.26 Responsibilities of the School LEA — Advisory Committee~~

1427 ~~A. The LEA shall provide assistance to the Advisory Committee in:~~

- 1428 ~~1. Developing the Advisory Committee's organizational structure and bylaws.~~
1429 ~~The organizational structure and bylaws of the Advisory Committee shall~~
1430 ~~become effective upon approval by the LEA;~~
- 1431 ~~2. Developing procedures for the Advisory Committee to carry out its~~
1432 ~~functions and responsibilities;~~
- 1433 ~~3. Providing technical and consultative services;~~
- 1434 ~~4. Making available appropriate records and data as permitted by law;~~
- 1435 ~~5. Providing in-service training for membership of the Advisory Committee in~~
1436 ~~such areas as: the role of Advisory Committees, the role of advocacy~~
1437 ~~groups, the conduct of meetings, state and federal laws and regulations,~~
1438 ~~procedural safeguards, community resources, establishing two-way~~
1439 ~~communication and support between the parent and the ELL student,~~
1440 ~~between the LEA and Advisory Committee, and between home and~~
1441 ~~school, including teachers and administrators; and~~
- 1442 ~~6. Notifying parents of the ELL Advisory Committee. When a student is~~
1443 ~~referred for an ELL placement, the LEA shall provide the family with~~
1444 ~~notification of the existence of the local ELL Advisory Committee and~~
1445 ~~responsibilities of the Committee. The notification shall indicate that a~~
1446 ~~majority of the local ELL Advisory Committee consist of families of ELL~~
1447 ~~students and shall inform the families how the chairperson of the local ELL~~
1448 ~~Advisory Committee can be contacted~~

1449 ~~3.27 Meeting Procedures for Advisory Committees~~

1450 ~~The Committee shall meet as often as necessary to conduct its business but at~~
1451 ~~least four (4) times annually. By July 1st of each year, the Committee shall~~
1452 ~~submit an annual report on the committee's activities, including any suggestions~~
1453 ~~it has made to the LEA. The LEA shall respond to the ELL Advisory Committee in~~
1454 ~~writing within sixty (60) calendar days of receiving the annual report. These~~
1455 ~~reports shall be made available to the public in a manner consistent with other~~

1456 ~~public reporting requirements. Reports and minutes of each meeting shall also be~~
1457 ~~forwarded to the school LEA's superintendent's office. The LEA shall respond to~~
1458 ~~the Committee within fifteen (15) calendar days after receiving the report. Official~~
1459 ~~minutes shall be kept of all Committee meetings and shall be made available to~~
1460 ~~the public on request. All Committee meetings and agenda items shall be publicly~~
1461 ~~announced prior to any meetings, and these meetings shall be open to the~~
1462 ~~public. Interpreters and other necessary services for committee members or~~
1463 ~~participants shall be provided at Committee meetings by the LEA. The~~
1464 ~~Committee membership shall serve without compensation but must be~~
1465 ~~reimbursed by the LEA for reasonable and necessary expenses for attending~~
1466 ~~meetings and performing duties.~~

1467 ~~3.28 RIDE Monitoring~~

1468 ~~A. RIDE shall:~~

- 1469 ~~1. Send the general timelines and criteria for monitoring to LEA's and/or~~
1470 ~~superintendents.~~
- 1471 ~~2. Establish specific monitoring dates in cooperation with local~~
1472 ~~administrators.~~
- 1473 ~~3. Notify LEA's and/or superintendents of monitoring visitation dates and~~
1474 ~~purposes.~~
- 1475 ~~4. Conduct periodic monitoring visitations to ensure that each LEA is~~
1476 ~~performing according to the standards and procedures proscribed by law~~
1477 ~~and by regulation governing ELL instruction.~~
- 1478 ~~5. Monitor the quality of the programs or services including the rate of~~
1479 ~~student English language and academic growth as indicated by statewide~~
1480 ~~tests and graduation rates.~~
- 1481 ~~6. Ensure that all statewide assessment reports include data disaggregated~~
1482 ~~by ELL status in accordance with R.I. Gen. Laws § 16-7.1-13. This~~
1483 ~~disaggregation shall include separate statements of data describing~~
1484 ~~students in the program and students that have been exited from program.~~
1485 ~~Reporting of data will be in accordance with State ELL assessment policy~~
- 1486 ~~7. Notify LEA's and/or superintendents and appropriate administrators in~~
1487 ~~writing of monitoring visitation findings.~~
- 1488 ~~8. Provide technical assistance and support to schools and LEAs to help~~
1489 ~~them:~~
 - 1490 ~~a. Comply with these regulations,~~
 - 1491 ~~b. Provide effective ELL services to students, and~~

1492 ~~e. Reach their school improvement goals, specifically as those goals~~
1493 ~~relate to ELL students and the ELL program.~~

1494 ~~9. If a RIDE monitoring visit demonstrates that an LEA is not in compliance~~
1495 ~~with these regulations, a corrective action plan shall be developed in~~
1496 ~~concert with the LEA. Where appropriate, this corrective action plan may~~
1497 ~~become part of a Negotiated Agreement with the LEA. Ride will monitor~~
1498 ~~compliance with the corrective action plan for an agreed upon period of~~
1499 ~~time. Nothing herein shall be construed to prevent the Commissioner from~~
1500 ~~implementing other enforcement procedures.~~

1501 ~~3.29 School-LEA Evaluations~~

1502 ~~A. The LEA shall:~~

1503 ~~1. Include in its annual action plan for ELL services the expected outcomes,~~
1504 ~~which shall be in accordance with the program outcomes for all students~~
1505 ~~as reflected in the state standards.~~

1506 ~~2. Determine the process for program improvement, which shall be in~~
1507 ~~accordance with closing the gaps for all students as required by R.I. Gen.~~
1508 ~~Laws § 16-7.1-1 and by federal laws applicable to the education of ELL~~
1509 ~~students.~~

1510 ~~3. Provide RIDE with an annual evaluation report which will include~~
1511 ~~recommendations for improvement should the LEA not achieve the~~
1512 ~~expected outcomes. Upon implementation of these recommendations, if~~
1513 ~~the LEA still does not achieve the expected outcomes, RIDE shall provide~~
1514 ~~technical assistance for program improvement or recommend the~~
1515 ~~development of a corrective action plan.~~

1516 ~~4. Ensure that all schools with an ELL population participate fully in the~~
1517 ~~Rhode Island School Accountability for Learning and Teaching (SALT)~~
1518 ~~Program.~~

1519 ~~5. RIDE shall prepare an annual statewide evaluation report based on the~~
1520 ~~evaluation reports submitted by the LEAs.~~

1521 ~~3.230~~ Census

1522 Information concerning students enrolled in English Language Instruction
1523 Educational Learner pPrograms shall be forwarded reported to the RIDE in a
1524 state-approved secure format. The identity of these students shall be treated as
1525 confidential in accordance with R.I. Gen. Laws §§ 16-71-13, 38-2-1, and the
1526 Federal Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, and 34
1527 C.F.R. §§ Part 99 et seq. Starting with SY2025-2026, information reported to
1528 RIDE by LEAs shall include pre-kindergarten students.-

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3.2431 Triennial Review of Regulations

The Commissioner of RIDE shall review this Part every ~~fifth third~~ (5th~~3rd~~) year from the date of its effect. Through this review the Commissioner will determine whether this Part is sufficient to support the provision of a free, appropriate, public education to all eligible EMLL students. In making this review, the Commissioner shall consider advice from stakeholders including, but not limited to, school administrators, the state and local EMLL Advisory Committees, School Improvement Team MLL representatives, and the results of monitoring activities performed by RIDE staff. Recommendations for changes shall be made by the Commissioner to the Council on Elementary and Secondary Education.