

**BOARD OF EDUCATION OF HOWARD COUNTY
MEETING AGENDA ITEM**

TITLE: Services for Students of International Origin **DATE:** May 18, 2017

PRESENTER(S): Maha Abdelkader and Caroline Walker

VISION 2018 GOAL: Students Staff Families and Community Organization

OVERVIEW:

This report contains an overview of HCPSS policies, practices, and recommendations designed to ensure that the rights of English learners and students of international origin are protected in our schools. The HCPSS mission to prepare all students for college and career success guides every decision regarding English learners and students of international origin.

RECOMMENDATION/FUTURE DIRECTION:

Consider the rights of students of international origins as Policy is developed and revised. Continue to provide professional learning opportunities that enhance ESOL services in the classroom and inform the community about the rights of students of international origin.

**SUBMITTED
BY:**

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**APPROVAL/
CONCURRENCE:**

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Overview

HCPSS continues to lead Maryland in enrollment growth. As the number of students increases, so does the diversity among our student body. Students have national origins representing 100 countries and are speakers of more than 80 languages. HCPSS believes in enriching learning by valuing diversity. Conversations about equity and inclusion must reflect how the HCPSS provides student services, as well as our curriculum, instruction, and assessment practices.

This report contains an overview of HCPSS policies, practices, and recommendations designed to ensure the rights of English learners and students of international origin are protected in our schools. The HCPSS strives to prepare all students for college and career success. This mission guides every decision regarding English learners and students of international origin. Based on the research of Stanford's Schools to Learn From, the HCPSS must be attuned to the students' needs as well as their capacities. Actions, not just words, must demonstrate pride in and respect towards all cultures.

Students of International Origin and English Learners

Students of International Origin

Students of international origin are those students who are born outside of the United States. Diversity among students of international origin is vast and significant. It is critical all HCPSS staff understand the rights of students of international origin and that HCPSS procedures, instructional programs, and student services respond to the unique and specific academic and demographic profiles of each student, while refraining from generalizing to all. Some but not all students of international origin are also English learners.

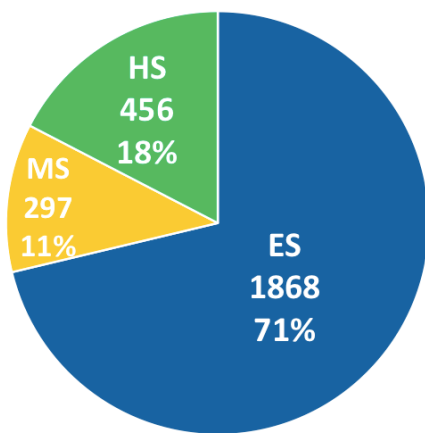
Some international origin students may also be undocumented. From the federal guide on supporting undocumented youth, "undocumented students represent one of the most vulnerable groups served by U.S. schools. Just 54 percent of undocumented youth have at least a high school diploma, compared to 82 percent of their U.S.-born peers. Further, only 5 to 10 percent of undocumented high school graduates continue their education and enroll in an institution of higher education, and far fewer successfully graduate with a degree." (<https://www2.ed.gov/about/overview/focus/supporting-undocumented-youth.pdf>) See Attachment A for information shared with administrators about students of international origin.

English Learners

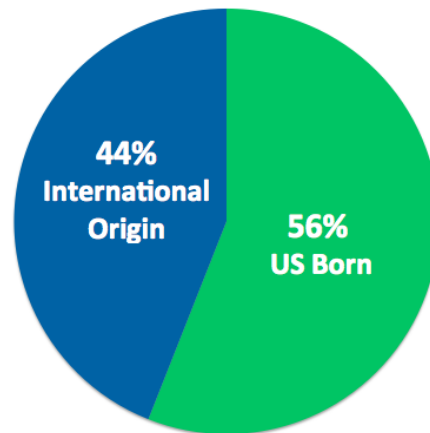
English learners (ELs) are students who qualify for language assistance programs (ESOL) in public schools. Title VI of the Civil Rights Act of 1964 requires public schools to provide language assistance programs for students who have limited proficiency in English. In order to fulfill this obligation, HCPSS must identify students who are eligible for ESOL services based on home language, and who then qualify for

ESOL services based on limited English proficiency. Eligible students are identified using a Home Language Survey (HLS) included on the HCPSS registration form. The survey is completed by the parents/guardians when enrolling the student. If a family indicates that the primary language spoken at home is not English, the student is eligible to be assessed for ESOL services. School staff members advise parents that the home language survey is used solely to offer appropriate educational services, not for determining immigration status (The National Clearinghouse for English Language Acquisition ToolKit). See Attachment B for the School Registration Form.

Staff assess students’ English proficiency using the state of Maryland’s language screener, the WIDA ACCESS Placement Test (WAPT). This test determines if the student qualifies for ESOL services based on the state’s eligibility criteria. Parents/guardians must be notified when their child qualifies for ESOL services and have the right to waive these services. Approximately 5% of HCPSS students are English learners. Some, but not all, English learners are of international origin, meaning that they were born outside of the United States. Approximately half of HCPSS ELs are born in the United States.



English Learners by Level 2016-2017



Percentage of English Learners Born in United States

International Exchange Students

The Howard County Public School System (HCPSS) allows the annual enrollment of international exchange students into our high schools. These students come to the United States through exchange programs approved by the Council on Standards for International Educational Travel (CSIET) and live with a host family for a full academic year. Students then return to their respective countries to complete their studies. Exchange students are required to have sufficient fluency in English. Students do not receive ESOL program services. Exchange students hold a J-1 visa to visit the United States.

The Rights of Students of International Origin in Public Schools

Attendance Rights

The U.S. Supreme Court ruled in *Plyler v. Doe* (457 U.S. 202, 1982) that all students of international origin, including undocumented children and young adults, have the same right to attend public primary and secondary schools as do U.S. citizens and permanent residents. Like other children, undocumented students are obligated under state law to attend school until they reach a mandated age.

As a result of the *Plyler* ruling, public schools may not:

- Deny admission to a student during initial enrollment or at any other time on the basis of immigration status.
- Engage in any practices to limit the right of access to school.
- Require students or parents to disclose or document their immigration status.
- Make inquiries of students or parents that may expose their undocumented status.
- Require social security numbers from all students as this may expose undocumented status.

In HCPSS schools, all students, regardless of whether they possess a social security number, are assigned a unique student identification number upon enrollment. Adults without a social security number who are applying for a free lunch and/or breakfast program on behalf of a student need only indicate on the application that they do not have a social security number. The application asks for the social security number as a unique identifier, but does not require one for receipt of services.

Language Assistance Rights

Title VI of the Civil Right Act of 1964 states that “No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance”. The US Supreme Court ruled in *Lau v. Nichols*, 414 U.S. 563 (1974), that discrimination on the basis of language proficiency is discrimination on the basis of national origin under Title VI of the CIVIL RIGHTS Act of 1964, and that treating students with different language acquisition needs in the same way is not equal treatment.

In the *Lau* ruling, the U.S. Supreme Court stated, in part, that “Basic English Skills are at the very core of what these public schools teach. Imposition of a requirement that, before a child can effectively participate in the educational program, he must already have acquired these basic skills, is to make a mockery of public education. We know that those

who do not understand English are certain to find their classroom experiences wholly incomprehensible and in no way meaningful”.

Federal regulations based on the *Lau* ruling ensure that English learners can participate meaningfully and equally in educational programs. In *Castaneda v. Pickard*, 648 F.2d 989 (5th Cir.1981), the Court of Appeals for the 5th Circuit articulated a three-part test for assessing a school system’s treatment of limited English proficient students, a standard that has also been incorporated into the federal regulations. The standard requires:

1. A sound approach to the education of English learners
2. Reasonable implementation of the approach
3. Outcomes reflecting that the approach is working

The *Castaneda* Test has been added to federal regulations for schools. These regulations drive enrollment and instructional practices, as well as accommodations provided during content instruction.

Access to Instruction

Additional federal guidance has clarified that instructional services and programs for English learners must be:

- Provided based on appropriate, reliable, and valid evaluations and testing methods to that measure ELs’ acquisition of English and core-content knowledge.
- Designed to enable ELs to attain both English proficiency and parity of participation in the standard instructional program within a reasonable length of time.
- Provided by personnel necessary to effectively implement ESOL programs who receive adequate professional development and follow-up training to implement the ESOL program effectively. Necessary personnel include:
 - Teachers who are qualified to provide ESOL services
 - Core-content teachers who are highly qualified in their field as well as trained to support EL students
 - Administrators who have been trained and can evaluate these teachers.
- Limited in the extent that ELs are kept in segregated EL programs (or “EL-only” classes) for periods longer or shorter than required by each student’s level of English proficiency, time and progress in the EL program, and the stated goals of the EL program. While ELs may receive intensive English language instruction in separate classes, it would rarely be justifiable to segregate ELs from their non-EL peers.
- Provided alongside appropriate special education services to ELs with disabilities who are found to be eligible for special education and related services.

Education agencies must also provide equal opportunities for EL students to meaningfully participate in curricular, co-curricular, and extracurricular programs and activities. School Systems may not exclude ELs from specialized programs, such as AP and honors courses and must ensure that evaluation and testing procedures for specialized programs do not screen out ELs because of their English proficiency.

Parents have the right to opt their children out of ESOL programs or particular EL services. This decision must be voluntary and based on a full understanding of the child's rights, the range of services available to the child, and the benefits of such services to the child. If a parent decides to opt his or her child out of ESOL programs or particular ESOL services, that child still retains his or her status as an EL. School Systems must continue to monitor the English language proficiency (ELP) and academic progress of students who opt out of ESOL programs and services. If a student does not demonstrate appropriate growth in ELP or maintain appropriate academic levels, the school system must inform the parents in a language they understand and offer EL services.

Students exiting from EL status must be monitored for at least two years, to ensure that (1) they have not been prematurely exited; (2) any academic deficits incurred as a result of participating in the ESOL program have been remedied; and (3) they are meaningfully participating in the standard program of instruction comparable to their never-EL peers. School Systems must monitor the progress of all ELs in achieving English language proficiency (ELP) and in acquiring content knowledge.

Translation/Interpretation for Limited English Proficient Parents

All public schools are required by federal law, under the Civil Rights Act, to translate or interpret all documents and communications with parents not fluent in English into a language they can understand. On May 25, 1970, the Office for Civil Rights (OCR) of the U.S. Department of Health, Education and Welfare (the predecessor to the U.S. Department of Education) issued formal guidance establishing the policy that "school districts have the responsibility to adequately notify national origin-minority group parents of school activities which are called to the attention of other parents. In order to be adequate may have to be provided in a language other than English." In the 1974 U.S. Supreme Court case, *Lau v. Nichols*, 414 U.S. 563, the court affirmed the validity of these guidelines.

In 2000, OCR further reinforced these requirements by stating that it is a violation of the Civil Rights Act, if parents whose English is limited do not receive school notices and other information in a language they can understand.

HCPSS Board of Education Policy

HCPSS policies were reviewed to determine which specifically impact students of international origin. Policy 9000 Student Residency, Eligibility, Enrollment, and Assignment needs to be altered to draw a distinction between International Exchange Students and students who are immigrants attending HCPSS schools or seeking to attend

HCPSS schools. It also needs revision to allow for unaccompanied youth to enter schools more seamlessly and to clarify the documentation required for school entry for all students.

Based on these needed updates, and others not pertaining to immigration status, Policy 9000 has been chartered for review in the 2017-2018 school year. As this Policy moves forward, a committee will be formed to make these and other needed changes. However, changes have already been made to enrollment procedures such that student or parents' immigrant status is no longer inquired of or recorded. Staff who are part of student enrollment process (ISRC staff, PPWs, etc.) have received professional development on the new procedures. Staff will receive further professional development aligned with any changes made to Policy 9000 and its implementation procedures following the full review.

Please note that HCPSS staff continue to collect information at registration on the student's country of birth and the date of the student's entry into the U.S. This is distinct from any question related to the legality of student's residence or their citizenship, questions that are not asked. The country of birth and date of entry into the country information are provided to the state of Maryland for the purpose of disbursing Title III funding for language Instruction for Limited English Proficient and Immigrant Students.

The country of birth and date of student's entry into the U.S. are Personally Identifiable Information (PII). As defined by Policy 9050 Student Records, PII is any information that, alone or in combination, would make it possible to identify an individual with reasonable certainty. As such, this information is treated confidentially, with school system officials protecting personally identifiable information (PII) and not disclosing or transmitting records related to students or the PII contained therein to unauthorized parties. This policy is aligned with the Family Educational Rights and Privacy Act (FERPA), which protects the privacy of student education records.

Training on the proper means of recording, storing, and transmitting confidential information has been given to staff involved in enrolling students and keeping registration information. This training is revised annually for all staff involved in student enrollment and more frequently for the staff members most involved with the registration of international families.

The current Policy 1010 Discrimination protects against discrimination based on national origin. As that policy and its implementation procedures are revised in the upcoming months, the committee, under the direction of the Board of Education, should be thoughtful about how to protect these students and what professional learning will be necessary to ensure all staff understand how to properly implement the policy.

Students who are new to the United States are provided with ESOL services as appropriate for their level of English fluency. Students whose families identify as Hispanic/Latino may also receive additional services through the school system's Hispanic Liaisons. Other international students and their families may receive assistance through the International Liaisons and HCPSS's interpretation and translation services

through the International Student and Family Services Office. However, such services are provided based on student and family needs and it's important to keep in mind that not all students of international origin are in need of or eligible for such services.

The HCPSS ESOL Program

The HCPSS ESOL program serves English learners in grades K-12. In the 2017-2018 school year, every school will have an ESOL program. Currently, only River Hill High School does not. The primary role of ESOL teachers is to provide direct instruction on English language development.

The International and ESOL Office supervise curriculum development, resource selection, and professional learning for ESOL teachers.

ESOL Program Models

Instructional Level	Service Delivery Model	Canvas Courses
Elementary School	<ul style="list-style-type: none"> ● Push-in ● Co-teach ● Pull-out 	<ul style="list-style-type: none"> ● ESOL teachers at the ES level use Canvas resources such <i>ESOL Content Connections</i> to align language instruction with the academic language demands of their students' grade-level content.
Middle School	<ul style="list-style-type: none"> ● Push-in ● Co-teach ● Pull-out 	<ul style="list-style-type: none"> ● ESOL English Language Development 6-8
High School	<ul style="list-style-type: none"> ● Entering student services 	<ul style="list-style-type: none"> ● Entering English Language Development ● Entering English Literacy Development ● ESOL Introduction to U.S. History
	<ul style="list-style-type: none"> ● English Immersion 	<ul style="list-style-type: none"> ● English Language Development 1 ● English Language Development 2 ● English Language

		Development 3
	<ul style="list-style-type: none"> ● Sheltered Instruction (English Language Arts only) 	<ul style="list-style-type: none"> ● ESOL English 9 ● ESOL English 10
	<ul style="list-style-type: none"> ● Intervention Supports 	<ul style="list-style-type: none"> ● ESOL Tutorial 1 ● ESOL Tutorial 2

Instructional Accommodations for English Learners

ESOL teachers also coordinate the process of determining EL Accommodations. These are level the field supports that are required in every instructional setting, and are the responsibility of all staff who work with English learners. They:

- Provide equitable access during instruction and assessment by mitigating the effect of the student’s limited proficiency in English.
- Enable students to participate more fully in instruction and assessment and to demonstrate their knowledge and skills.
- Do not reduce learning or achievement expectations.
- Must be described and documented in writing.

Professional Learning

As more students enter our schools as English Learners, whether born here or as immigrants, there is a need to provide staff with professional development about teaching content to English Learners, and providing accommodations in order to meet the diverse needs to students of international origin. The International and ESOL Office has been working with leadership teams, and colleagues in Curriculum and Instruction to develop professional learning resources to meet these growing needs.

This professional learning is part of the greater diversity, inclusion, and personalized instruction work that the Howard County has embraced. While this work is larger than the school system, HCPSS is committed to providing staff with the professional learning necessary to meet all children where they are, to celebrate student diversity, and to ensure that all students, regardless of country of origin, graduate college and career ready.

Below is an example of the variety of individualized professional activities which were planned and facilitated by the International and ESOL Office. The ESOL Program staff provide ongoing, job-embedded, individualized professional learning to teachers as well as teams of educators throughout the school year. Outcomes for professional learning are focused on:

- Establishing high standards, and clear outcomes for language, and content acquisition for English Learners.
- Differentiating assessments and monitoring progress of learning outcomes.

- Providing instructional accommodations and robust supports, to ensure English Learners can meet high standards for learning.
- Differentiating linguistic complexity without compromising cognitive rigor.
- Essential skills for ELs to thrive in rigorous academic settings, such as using technology, asking for clarifications, note taking and organizational skills.
- Strategies and routines to explicitly teach academic language.
- Promoting school experiences that affirm the social, cultural and historical experiences of all students.

International and ESOL Program SY 2016-2017 Professional Learning Activities

Staff	Countywide	Curriculum Office	School-Based	Canvas
ESOL Teachers	A combination of ESOL specific Session and Curriculum/Grade level Sessions	Level-specific quarterly professional learning sessions	On going support from ESOL Resource Teacher	Canvas K-12 ESOL Community ESOL Curriculum and PL Modules
Classroom Teachers/ Content Teachers	<p>August PL Day Focus on Differentiating Math Instruction for ELs 8/24/16</p> <p>Curriculum Gathering 10/18/16 - Algebra session</p> <p>Math Gatherings Sessions 11/9, 12/12, recorded and on Canvas</p> <p>MAST-Science presentation 10/21</p>	<p>IIT full day workshops 1/18/17 3/7/17</p> <p>Title I Teacher Training 2/16/17 3/16/17</p> <p>Elementary Reading Specialists 1/6/17 2/3/17</p> <p>Secondary Social Studies Teachers 6/8/17</p> <p>Secondary Science Teachers 6/6/17</p>	<p>CHS - Grade 9 Team 10/6 AHS - Grade 9 Team 12/14 DRES - Staff Meetings 2/13/17, 3/20/17,4/25/17, 5/9/17 AES 4/24/17 Staff Meeting</p> <p>OMHS- ESS Planning for ELs</p>	<p>Content Teacher Modules in ESOL Canvas Community</p> <p>OISFS Canvas Community Resources for Interpretation and Translation Services</p>
Para-educators	Prepared a PL session for Fall Conference	On going support from ESOL Resource Teacher	<p>DRES - Staff Meetings 2/13/17, 3/20/17,4/25/17, 5/9/17 AES 4/24/17 Staff Meeting</p>	Module posted within K-12 ESOL Community

Guidance Counselors	HS Catalog Meeting 12/2 HS Counselor Meetings 11/14 & 11/15	On going support from ESOL Resource Teacher	Ongoing consultation with 2 ESOL Support Counselors	Canvas Modules in Guidance Counselor Canvas Community
School Psychologists		ESOL Sessions 3/16/17 5/10/17	Ongoing collaboration with ESOL Program staff	
Administrators	8/25/17 Elementary Curriculum Staff WIDA Workshop	2/27/17 & 2/28/17 WIDA Workshop with ES Principals	12/1/16 12/13/16 AM & PM 12/15/16 ES Principal ESOL Sessions	



Collection and Reporting of Data for Students of International Origin

The Howard County Public School System (HCPSS) is required to identify English Learners and immigrant students and report this information to the Maryland State Department of Education (MSDE) in compliance with the Every Student Succeeds Act.

Immigrant Indicator is a field in state reports used to identify students born outside of the United States and living in this country for 3 years or less. The information is self-declared by parents during school registration, and recorded in the “Date of entry into the United States” field in Synergy.

HCPSS does not request information on or investigate immigrant status, nor request any documentation related to immigration, visa type, or status, with the exception of students visiting HCPSS through international exchange programs.

Registration Guidelines

All children living in the U.S., regardless of resident status, have a legal right to attend public school. School staff need to be aware of the following restrictions.

- Denying a student admission or limiting access to school on the basis of immigration status is illegal.
- School staff may not ask students or parents/guardians to disclose or document their immigration status. If a student or family member volunteers any information regarding immigration status, staff should refrain from commenting on, recording or sharing this information.
- Students and adults are not required to provide a social security number.
 - Students without a social security number will be assigned a student ID number by the school.
 - Adults without a social security number who are applying for a free lunch and/or breakfast program on behalf of a student may simply indicate on the application that they do not have a social security number.

A full list of the documentation needed for school registration is provided on the Enrollment and Registration webpage (<http://www.hcpss.org/enroll/>).

Purpose

Maryland law requires that public school systems gather and report data on student immigrant status. The information is used to ensure compliance with state requirements for providing students with essential services and supports.

HCPSS receives a total of nearly \$8 million in annual state funding and federal grants based upon the number of English Learners.

For more information, contact Maha Abdelkader, Acting Coordinator, International and ESOL Office, at maha_abdelkader@hcpss.org.

ATTACHMENT B

HOWARD COUNTY PUBLIC SCHOOLS REGISTRATION FORM

Enrollment School Name: _____

Has the student ever attended a Howard County Public School? Yes No

If yes, name of school _____

Student's Legal Name (as it appears on evidence of birth):

Last First Middle Suffix

Student's Preferred Name: _____

Date of Birth: ____/____/____ Gender: Male Female
Month Day Year

Birth Country: _____

U.S. Entry Date: ____/____/____ U.S. School Entry Date: ____/____/____
Month Day Year Month Day Year

Home Language: _____

Dominant Language: _____

Native Language: _____

Social Security Number (optional): _____-_____-____

Student Home Phone: (____) _____ Student Cell Phone (____) _____

Student Work Phone (____) _____ Student E-mail: _____

Ethnicity (check one): Hispanic/Latino Yes No

Race (check all that apply): American Indian/Alaskan Native Asian Black/African American Native Hawaiian or other Pacific Islander White

Present Address: _____
Street

City State Zip Code

Mailing Address (if different from physical address): _____
Street

City State Zip Code

Previous Address: _____
Street

City State Zip Code

Previous School Attended: _____ (____)
Name of School School Phone Number

Street

City State Zip Code

Page 1 of 2 – Please turn form over and complete.

For Office Use Only

ID# _____

Grade _____

Date ____/____/____ Code _____

Bus # _____ Homeroom _____

Counselor _____

Evidence of Birth

- Birth Certificate Passport/Visa
- Physician's Certificate Parent's Affidavit
- Baptismal or Church Certification
- Hospital Certificate Birth Registration
- Other _____

Parent Photo ID Yes No

Proof of Parental Relationship Yes No

Custody Documents Yes No

Immunization Records received Yes No

Out of District Yes No

Home School _____

Proof of Residence

Deed Lease Utility Bill

Multiple Family

Multiple Family Proof 1

Multiple Family Proof 2

Registrar Signature: _____