



SERVING ENGLISH LEARNERS





The State of New Mexico
Serving English Learners (ELs) Technical Assistance Manual

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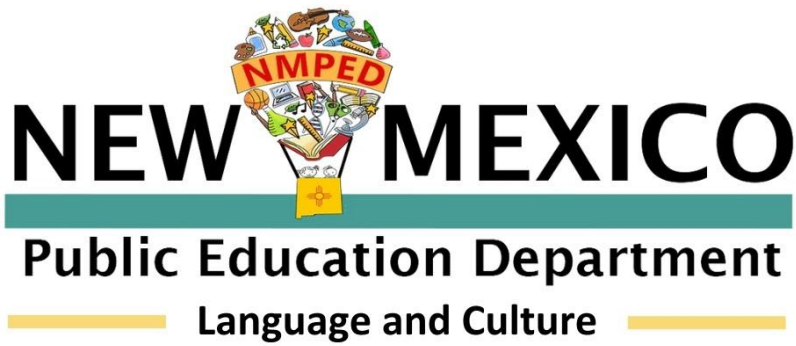
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Required Notice

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Purpose

This Technical Assistance Manual (TAM) provides guidance to districts regarding the policies and requirements of the U.S. Department of Education (ED) Office for Civil Rights (OCR) relating to the provision of equal educational opportunity for English Learners¹ (ELs), and those of *Title III* of the Elementary Secondary Education Act (ESEA), as amended by ESSA, and other state and federal statutory requirements.

The Serving EL TAM and other resources listed below are available on the [LCD Website](#). The PED encourages the following school personnel to explore the table below and the following links according to the program carefully to ensure compliance with state and/or federal law that meets the needs of students they serve:

Bilingual Multicultural Education Program (BMEP):				
• BMEP State Law	• BMEP Regulation	• BMEP PD Guidance	• BMEP Reports	
• BMEP Resources (forms)	• BMEP TAM		• SLA Standards	
Who should utilize these resources: BMEP Coordinators, Curriculum, Instructional Leaders, and Education Assistants; Directors, and Educators; District Test Coordinators (DTC); Literacy Coach; Native American Language & Culture (NALC) Educators; NOVA Coordinators (Data/Program Reporting); PED Staff as Appropriate; Principals/Charter School Directors; Special Education Directors; Superintendents; Tribal Education Leaders/Directors;				
Culturally and Linguistically Responsive (CLR) Instruction:				
• CLR Handbook	• CLR Framework Resources		• CLR PD Pathways	
• Equity Council	• Equity Council Resources		• M/Y Resources	
Who should utilize these resources: Administrators/Front office staff; ALL Educators; Counselors/Social-emotional Liaisons; Curriculum, Instructional Leaders, and Education Assistants; Equity Council members; NALC Educators; Nurse; Other Members of the Education Community that assists Parents/Families; Parent Liaison/Volunteer; PED Staff as Appropriate; Principals/Charter School Directors; School Boards/Governing Boards; School Psychologist, Diagnostician; Student Assistance Team (SAT) Leaders/Coordinators; Special Education Directors; Superintendents; Tribal Education Leaders/Directors;				
English Learner (EL) Programs:				
• EL Resources	• EL Identification	• ELDIF	• ELD Standards	• LUS Handbook
• Serving ELs TAM	• Identifying and Serving ELs with Disabilities Guidance Handbook			
Who should utilize these resources: Administrators/Front office staff; Curriculum, Instructional Leaders, and Education Assistants; English Language Development (ELD) Coordinators, and Educators; DTC; Individualized Education Program (IEP) Team; Literacy Coach; NOVA Coordinators; Nurse; Other Members of the Education Community that assists Parents/Families; Parent Liaison/Volunteers; PED Staff as Appropriate; Principals/Charter School Directors; School Psychologist, Diagnostician; SAT Leaders/Coordinators; Special Education Directors; Superintendents; Title III Directors; Tribal Education Leaders/Directors;				

¹ ELL and EL are terms more widely used in education. The previously used federal terminology Limited English Proficient (LEP) defines children in terms of lack and is considered deficit-oriented and is not used in this manual because of the shift towards using more asset-based terms such as *emerging bilingual* or more simply *language learner*. In this manual, the term EL or ELL replaces LEP to reflect the updated federal language now used in the ESSA which replaced NCLB. ELL is only used in reference to ELL data in NOVA, and when referring to the WIDA ACCESS for ELLs assessment.

State Seal of Bilingualism-Biliteracy (SSBB) Resources:			
• SSBB State Law	• SSBB Regulation	• SSBB Educator Info	• SSBB Resources
• SSBB One-Pager	• SSBB Handout	• SSBB TAM	• SSBB Power-point
<i>Who should utilize these resources:</i> Administrators/Front office staff; Counselors/Social-emotional Liaisons; Curriculum, Instructional Leaders, and Education Assistants; High School Administrators; NOVA Coordinators; Parent Liaison/Volunteer; PED Staff as Appropriate; Registrars, and Counselors; SAT Leaders/Coordinators; Superintendents; Tribal Education Leaders/Directors;			
Title I Part C: Migrant Education Program (MEP - Federal Subgrants):			
• MEP Federal Law	• Comprehensive Needs Assessment		• ID&R Manual
• National COE		• Service Delivery Plan	
<i>Who should utilize these resources:</i> Administrators/Front office staff; Counselors/Social-emotional Liaisons; NOVA Coordinators; Other Members of the Education Community that assists Parents/Families; Parent Liaison/Volunteer; PED Staff as Appropriate; MEP Subgrantees and Directors; MEP Recruiters, and Liaisons;			
Title III: ELA and Immigrant Programs (Federal Subgrants):			
• Title III Federal Law		Title III PD Guidance	
• Title III TAM: Supplemental Support for EL Programs and Services			
<i>Who should utilize these resources:</i> NOVA Coordinators; Other Members of the Education Community that assists Parents/Families; Parent Liaison/Volunteer; PED Staff as Appropriate; Title III Subgrantees; EL Coordinators, Directors, and Educators;			
World Language Program Resources:			
• World Languages Regulation		• World Language TAM	
• World Readiness Standards		• World Readiness Standards Crosswalk	
<i>Who should utilize these resources:</i> Curriculum, Instructional Leaders, and Education Assistants; DTC; Literacy Coach; PED Staff as Appropriate; Principals/Charter School Directors; Special Education Directors Superintendents; World Language Coordinators, Directors and Educators; Tribal Education Leaders/Directors;			

Office of Civil Rights: Requirements for Serving ELs

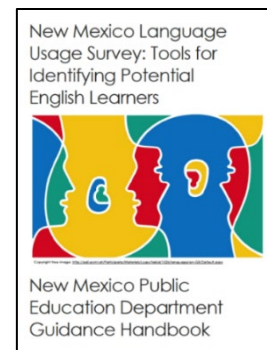
ELs are protected under the Title VI of the Civil Rights Act of 1964 and under the Equal Educational Opportunities Act (EEOA) of 1974. The EEOA requires that public schools take “appropriate action to overcome language barriers that impede equal participation by [their] students in [their] instructional programs” (Education Law Center). Non-compliance with Title VI of the Civil Rights Act in serving ELs could potentially mean a loss of all federal funding, such as special education, Title I, Title II, and Title III.

The Office of English Language Acquisition (OELA) provides an [EL Toolkit](#) that “is designed to help state and local educational entities in meeting their legal obligations to ELs and in providing all ELs with the support needed to attain English Language Proficiency (ELP) while meeting college and career readiness standards”. The Toolkit is a companion to the [Dear Colleague Letter](#) sent out in 2015 by the OCR and the Department of Justice (DOJ).

Identification of ELs

All guardians of students entering the public school system for the first time must complete a Language Usage Survey (LUS). Each student should have only one LUS completed during his or her New Mexico (NM) public education career. The LUS is kept in the student’s cumulative file and transfers as part of the student record to the schools that the student attends in NM.

If there are one or more responses confirming the use of a language other than English by the student in questions 1-7 of the LUS, then the district must continue the identification process by administering the WIDA Screener for Kindergarten for students entering kindergarten and the WIDA Screener Online for students entering grades 1-12. The WIDA Screener for Kindergarten and the WIDA Screener are the only department approved ELP screening assessments in NM. The placement criteria can be found in the charts below. The WIDA Screener results must be kept in the cumulative file of the student as part of the student records.



WIDA Screener for *Kindergarten* Placement Criteria

GRADE	DOMAINS	SCORE INDICATES STUDENT AS AN EL	SCORE INDICATES STUDENT <u>IS NOT</u> AN EL
Students entering in 1 st Semester	Listening Speaking	Oral Language Composite Score of 4.0 or lower*	Oral Language Composite Score of 4.5 or higher
Student entering in 2 nd Semester	Listening, Speaking, Reading, Writing	Overall Composite Score of 4.0 or lower*	Overall Composite Score of 4.5 or higher

WIDA Screener Placement Criteria

GRADE	DOMAINS	SCORE IDENTIFIES STUDENT AS AN EL	SCORE INDICATES STUDENT <u>IS NOT</u> AN EL
Grades 1-12	Listening, Speaking, Reading, Writing	Overall Composite Score of 4.0 or lower*	Overall Composite Score of 4.5 or higher

*The composite scores for the WIDA Screeners will be reported as integers and with 0.5 interval scores (for example, scores of 1, 1.5, 2, 2.5, etc.).

The use of American Sign language (ASL) cannot, in and of itself, serve as the basis for determining that a student is an EL that is eligible for EL program or services. In the case that a parent or guardian answers “yes” in response to any of the LUS questions #1-6 and indicates one or more language(s) *in addition* to ASL, the student would continue to be screened using the ELP screener. A student identified could be eligible for Title III.

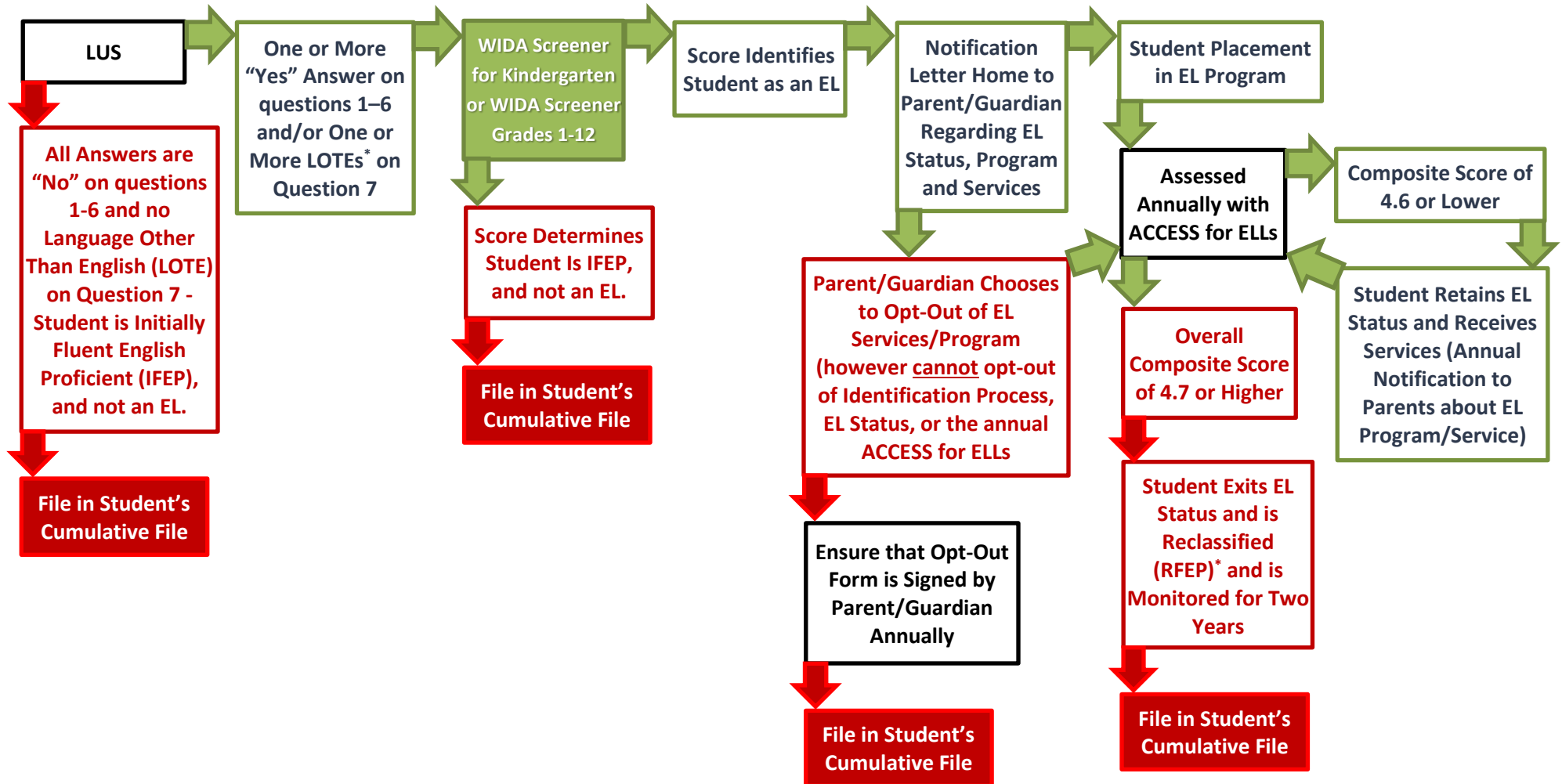
An answer of “yes” in response to any of the LUS questions #1-6 and indicating ASL *only* for #7 would *not* result in administering the ELP screener.

In the case that a district or state charter suspects possible erroneous EL identification of a student, that is, the standardized statewide entrance procedures were not followed, please use the following guidance.

- Please obtain the students LUS and ELP screener scores. If, after reviewing these documents, it is determined that there was an error in the EL identification process, document the circumstances of this discrepancy in the students cumulative file and correct the students EL status in the district/charter school student information system and NOVA.
- Staff from the LCD are available to provide support and guidance through this process. You may also review question 4 on page 46 of the [Non-Regulatory Guidance](#).

Process for Identifying, Serving, and Reclassifying EL Students

(New student to public education with no LUS on file)



*Reclassified Fluent English Proficient.

Students Transferring from Other Schools in New Mexico

The following guidance is on the steps to obtain information on a student's prior LUS and possible ELP (WIDA Screener for Kindergarten or WIDA Screener for Grades 1-12) as well as ACCESS for ELLs or Alternate ACCESS assessment results. These are for students who have attended a public school in NM previously, **not** for students who are newly enrolling in public education.

1. Please specifically request from the previous school/district the following:
 - LUS (or home language survey)
 - WIDA Screener for Kindergarten (W-APT for students in kindergarten prior to SY21-22) or WIDA Screener for Grades 1-12 results (or English language placement test results for older students)
 - ACCESS for ELLs or Alternate ACCESS results (or NMELPA results for older students)

2. If these required documents cannot be obtained, then look for student information in the following:

Directions for obtaining EL status in NOVA:

1. Log in NOVA > Nova Production Reports > District and School reports > General Reports > Student Display 2023-2024 Year Long.
2. Choose live production ODS. Enter the students' State ID number and press apply.
3. Click on actions > NOVA will populate the report.
4. Check the field called ELL Program Eligibility in the blue bar called Student Info and Demographics. This will give you information about the students' EL Status. Additionally, please review the ELP codes reported for the student in NOVA. If these are in logical order: 1 = current ELL and a year or a few years later the following codes in order progressing annually 2 = RFEP1, 3 = RFEP2, 4 = RFEP3, etc., the student could be considered an exited EL and remains coded as RFEP. Please note, do not code an RFEP student with English proficiency code = 0 IFEP, which is IFEP.

Scroll down to Assessments. If the student has taken the ELP assessment, please check the scores reported. If there is a composite score of 4.7 or higher under ELP starting in School year 2022-2023 (or a composite score of 5.0 or higher under ELP previous to that), or a composite score of P1 or higher, the student has exited EL Status and is a RFEP student. In case this information is not available on NOVA, please search in STARS.

Directions on obtaining student EL status on STARS:

1. Log into STARS > Reporting Staging > eScholar Framework – verify > District and Location Reports > General Reports > Student Display
2. Enter the students state ID number and press apply.
3. Click on actions > STARS will populate the report.
4. Check the field called ELL Program Eligibility in the green bar called student. This will give you student EL status in prior years.

Scroll down to Assessment Fact. If the student has taken the ELP assessment, please check the scores reported. If there is a composite score of 4.7 or higher under ELP starting in School year 2022-2023 (or a composite score of 5.0 or higher under ELP previous to that), or a composite score of P1 or higher, the student has exited EL Status and is a RFEP student.

3. If, after following all the steps above, you are still unable to determine the EL status of the student, please follow the state's three step EL Identification process starting with the LUS.

If a NM school receives a student from **out of state**, including the Bureau of Indian Education, please follow the three step EL identification process, starting with the LUS. The identification process for potential ELs should only take place once in a student's NM public-school journey.

Only Exception: If the student is transferring from a state that is a current WIDA consortium Member, ACCESS for ELLS or Alternate ACCESS results can be obtained. In this case, the parent or guardian would not complete a LUS and the student would not need to be administered the ELP Screener. A score of 4.7 or higher on the ACCESS for ELLS (starting in school year 2022-2023) or a score of P1 or higher on the WIDA Alternate ACCESS indicate that the student has exited EL status and is a RFEP Student in the State of NM. Please file ACCESS for ELLs or Alternate ACCESS results received from the sending state's district/charter school in the student's cumulative file.

EL Status and Reclassification

If a student is not yet proficient in English, as measured by the WIDA Screener for Kindergarten or the WIDA Screener for Grades 1-12, the student is classified as an EL. The student must take the department-approved annual ELP assessment, ACCESS for ELLs, annually until s/he achieves an overall composite score of 4.7 or higher, at which point the student is no longer classified as an EL. ELs with the most significant cognitive disabilities who also take the Dynamic Learning Maps (DLM) Alternate Assessment, exit EL status when they earn a P1 or higher composite overall score on the annual Alternate ACCESS for ELLS (Alternate ACCESS) assessment.



Per 6.29.5.12 NMAC, the former EL's English proficiency status must be changed to RFEP status, and the student must be monitored for two years to ensure that s/he succeeds academically. After scoring proficiency, RFEP students must **no longer** be assessed for ELP on the ACCESS for ELLs or Alternate ACCESS assessment. For a Sample Worksheet on Monitoring Exited EL Students (RFEP), on the [English Learners](#) webpage. If an RFEP student is not making the expected academic progress, please see the section on Reentering an RFEP Student into EL Status.

EL Programs

ELs are protected under the Title VI of the Civil Rights Act of 1964 and the EEOA of 1974, which require public schools to ensure that all ELs have equal access to a high-quality education and an opportunity to achieve their full academic potential. For an EL program to meet legal obligations under civil rights laws and other federal requirements, it must meet the following two goals:

1. ELs attain ELP, and
2. ELs can participate meaningfully in the standard instructional programs without EL support within a reasonable amount of time.

To meet these two goals, the EL program design must include a dedicated ELD block or class of at least 45 minutes, where the primary goal is for ELs to learn English. EL students are grouped based on their ELP level. This block of time addresses not only receptive language (listening and reading) but especially expressive language (speaking and writing). ELD can be a pull-out class or course at the elementary, middle school, or high school level, or a dedicated block within the self-contained classroom in the elementary setting.

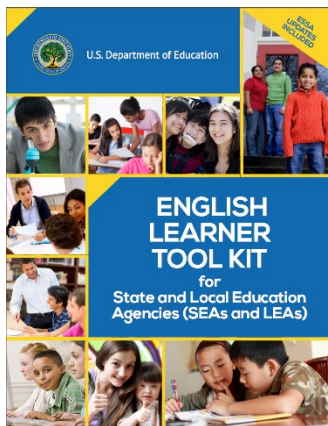
ELD instruction is differentiated based on the ELP level of the ELs, they are able to use English in increasingly sophisticated ways and attain ELP, as measured by the ACCESS for ELLs assessment.

The following questions are helpful when planning for ELD instruction:

- Does the ELD instruction prepare ELs to participate in the standard grade-level curriculum in English?
- Is the ELD instruction tailored to the ELP levels of the ELs?
- How is the progress toward ELP measured on an ongoing basis?

To ensure that ELs succeed in content areas while they are learning English, instruction is sheltered with appropriate language support. Teachers use the state’s adopted ELD standards and framework to support ELs in all classes and set high academic expectations for EL students. *“The basis for holding high expectations for all children under our care is respect for them as individuals and the belief in their unlimited range of possibility as learners.”* (Schreck M.)

For an EL program or service to meet federal civil rights requirements, it should meet the following standards as established by the U.S Court of Appeals for the Fifth Circuit in *Castañeda v. Pickard*, 1981, which are the standards applied by the OCR and DOJ.



EL Program standards must consider the following three specific areas:

- (1) **Research-based.** Is the program based on an educational theory recognized as sound by experts in the field? Or is the program considered to be a legitimate experimental strategy?
- (2) **Attainable.** Are programs and practices, including resources and personnel, reasonably calculated to implement this theory effectively? In other words, can you do it well with what you have?
- (3) **Timely results.** Does the program succeed, after a legitimate trial, in producing results, indicating that students’ language barriers are being overcome within a reasonable period? Is it working?

By meeting the two goals of an EL program, districts and schools ensure that ELs can successfully reach their academic potential and meet college and career readiness standards. The table below includes guidance on how ELD instruction can be delivered.

ELD pull-out course and sheltered instruction in content areas: English language instruction in the ELD course is differentiated based on the ELP level of the students.
ELD block and sheltered instruction in content areas (elementary grades only): English language instruction is differentiated based on the ELP level of the students (minimum-45 minutes daily)
Integrated ELD—English Language Arts (ELA) course and sheltered instruction in content grades (secondary grades only): For ELs with an ACCESS for ELLs overall composite score that is nearing proficiency. English language instruction is integrated with grade level ELA.

ELs may also be served through BMEPs, if the selected program model is appropriately designed to ensure ELs achieve both ELP and meet college-and-career readiness standards. An EL program or service is part of Layer 1 instruction and must align to the state’s grade-level content standards and correspond with the department-adopted ELD standards ([6.29.5.11-NMAC](#)). Considerations include:

- Are ELs, who are the least proficient, receiving the most intensive instruction?
- Are ELs, who are nearing ELP, continuing to receive the necessary services until they achieve ELP and are reclassified as an RFEP student?

The EL Toolkit, offers further resources. The following are questions that can be used to develop and improve their EL programs or services:

- What criteria will the district or school use to **measure the effectiveness of such a program** or service?
- If the program or service is **not producing results**, what is the **process for modifying or replacing** the program?

Multi-Layered System of Support (MLSS) Framework

MLSS is a holistic intervention framework that guides educators, those closest to the student, to intervene quickly when students need additional support.

The MLSS framework reflects the support that the classroom teacher, school, family, and health and wellness staff offer toward readying students to experience academic and behavioral success in school resulting in students being ready for success.

In NM, **Layer 1** is core instruction and differentiation for all students. The focus of Layer 1 is universal screening, appropriate delivery of core instruction with differentiated instruction, data-based targeted interventions to support the acquisition of core content, behavioral interventions, and positive supports. This includes ELD and Culturally and Linguistically Responsive (CLR) instruction and instruction in a language other than English (bilingual multicultural instruction as appropriate).



Linguistic ability is not the same as cognitive ability.

A student's linguistic competency should not be confused with his/her cognitive ability. Many beginning ELs are capable of understanding and processing high-level information and abstract concepts. However, English proficiency may temporarily limit the student's ability to articulate this knowledge. Teachers need to be aware that the student may have relevant schema, conceptual understanding, and/or working knowledge, and therefore, must be assisted and challenged at an age-appropriate level while acquiring the second (English) language.

If a student is identified as an IFEP student, but it appears that the student is struggling academically and/or behaviorally due to difficulties with English proficiency, a teacher observation form can be used as part of data collection. The SAT gathers available data on the student, develops a hypothesis regarding the possible cause for the problem, and then designs an individualized SAT intervention plan and/or Behavioral Intervention Plan (BIP), as necessary. If the interventions and frequent progress monitoring indicate that difficulties are related to lack of ELP, the SAT team can, in such a case, make the decision to administer the WIDA Screener for Kindergarten if the student is in kindergarten or WIDA Screener if the student is in grades 1-12 to the student at that time. Working collaboratively with parents and families is desirable and strongly encouraged. For further information on the SAT: [MLSS - SAT Guide](#).

If the student has been unresponsive to prescribed SAT interventions based on progress monitoring data, and it is suspected that the student may possess an unidentified disability, then the SAT may recommend a referral for special education or gifted evaluation.

The NMTEAM Manual offers the following guidance on the assessment process when evaluating students for special education services: Assessment of students, who are Culturally and Linguistically Diverse (CLD), is a process that explores language and cultural and acculturation issues, while gathering data from numerous sources in different contexts and through a variety of techniques. Specific information should be gathered and analyzed concerning a student's levels of language proficiency and acculturation, as well as information regarding the student's own cultural and sociolinguistic background.

A comparison to the development of other students from a similar background is imperative. Language and cultural matters must permeate the multilingual diagnostic evaluation and interpretation of findings. The complexity of these issues should be considered for any student in a dual language instructional program who is being referred for assessment, regardless of whether or not English is the first language of the student.

Bias during the assessment and evaluation process may contribute to too many students who identify as CLD, being identified as having a disability and needing special education services. [TEAM - NMPED](#)

Reentering a RFEP Student into EL Status

A student who has exited from EL status and is RFEP must be monitored for academic progress for at least two years. If the student is not progressing academically as expected and the monitoring suggests that the student still needs English language support, an SAT team must convene. This SAT team must include a Second Language Acquisition (SLA) specialist, such as a teacher holding a TESOL or bilingual endorsement. The SAT gathers available data on the student, develops a hypothesis regarding the possible cause for the difficulties in academic progress, and then designs an individualized SAT intervention plan and/or Behavioral Intervention Plan (BIP), as necessary.

If the interventions and frequent progress monitoring indicate that difficulties are related to lack of ELP, the SAT team can, in limited cases, make the decision to re-administer the WIDA Screener for Kindergarten for a student in kindergarten or the WIDA Screener for a student in grades 1-12 to the student at that time. If the ELP screening assessment identifies the student as an EL, the school must obtain parental consent to re-enter the student as an EL and offer EL programs and services that will meet the academic and language learning needs of the student.

Monitoring RFEPs is an integral part of providing an EL program that meets the needs of its students. The monitoring process informs districts about the effectiveness of its programs to ensure the continued success of ELs once they exit EL status and reclassify to RFEP. Please see a Sample Worksheet for Monitoring Exited ELs.

EL Students and Equal Access to All Programs

Districts and schools must provide special education and related services to ELs with disabilities who are eligible for such services. ELs with disabilities are protected under IDEA 2004, Section 504 of the Rehabilitation Act of 1973, Title VI of the Civil Rights Act of 1964, and the EEOA. Thus, **special education services do not supersede language support services** for which the EL student is eligible or vice versa. A student who is identified as an EL with a disability qualifies for both services: language support services as well as the services per the student's IEP.

The EL toolkit mentions “it is essential that the IEP team include participants who have knowledge of the student’s language needs. It is also important that the IEP team include professionals with training, and preferably expertise, in SLA and how to differentiate between the student’s needs stemming from a disability or lack of ELP.” Although an IEP is a program based on the students’ disability and related services the whole student is discussed, including the status as an EL and any ELP data and assessment results.

The determination of how ELD instruction is provided for ELs with disabilities can look different depending on the student’s disability, the services under the IEP, and individual needs. If the student's disability services also support ELD, then this would be noted in the student’s IEP including how the teacher is qualified to support language.

For example, a student who qualifies for services under IDEA due to a diagnosis of ADHD might participate in pull-out ELD instruction in addition to disability-related services, which depending on the student's needs may not be specific to language. On the other hand, a student, who has been identified with a specific learning disability in reading, may be working with a reading specialist, who could be building English through reading skills. In such a case, pull-out ELD instruction may not be needed depending on the student's needs and ELP level.

ELs in Gifted Programs

ELs must be provided equal access to gifted programs by their districts and schools, however, as stated in the Exploratory Study on the Identification of ELs for Gifted and Talented Programs by the National Center for Research on Gifted Education. In their report below, *"ELs are the fastest growing population of learners in the U.S. However, despite the growing numbers, their representation in gifted identification and programming continues to lag behind not only traditional populations of learners from advantaged communities, but also other underserved populations of learners."* [NCRGE EL Lit-Review](#)

One reason for the lack of parity in Gifted Programs is the use of language-based intelligence tests, which are unlikely to provide accurate data on ELs, since language-heavy assessments may reflect ELP rather than intelligence. Therefore, districts and schools must ensure that evaluation procedures do not unfairly screen ELs due to such factors as ELP and cultural bias. For further guidance can be found on the [Special Education](#) website.

ELs in Advanced Courses

Not only are districts and schools required to offer equal access to the core curriculum and to all curricular, co-curricular, and extracurricular activities but also provide equal access to Advance Placement (AP), honors, and International Baccalaureate (IB) courses. Districts and schools must ensure that ELs are entitled to an equal opportunity to participate in all programs available. Just offering participation may not be enough; rather district and schools should evaluate the parity of participation of ELs in these programs as compared to IFEP and RFEP students.

Students with Limited or Interrupted Formal Education (SLIFE)

SLIFE will need support and processes in place for meeting their unique social-emotional, language, and academic needs. This section is structured in a question-and-answer format to ensure a common definition for SLIFE and provide further information on the characteristics of and instructional recommendations for serving students considered to be SLIFE. The original term is SIFE, i.e., Students with Interrupted Formal Education, an acronym still used by many experts.

Some areas of the U.S. have now adopted the acronym SLIFE, Students with limited or interrupted formal education, which was coined by Andrea DeCapua, ED.D., who added the word 'limited' to the original term to signify the missed educational instruction opportunities these students experienced.

Who are SLIFE?

SLIFE is an umbrella term used to describe a diverse subset of EL students who share several unifying characteristics. Generally, these students enter or re-enter the U.S. school system after the second grade. SLIFE have had inconsistent access to education; they have never had the opportunity to participate in any type of schooling before entering school in the U.S. or have experienced limited education in their home countries due to an array of economic or civil difficulties, such as displacement, war, disease, famine, or other adversities resulting in missed educational instruction. SLIFE are often at risk of dropping out of school and may need intensive support as they integrate into the U.S. educational system.

What are some specific characteristics of SLIFE?

SLIFE meets the following criteria:

- come from a home where English is not the primary language.
- come to the U.S. after the 2nd grade.
- have at least two years less schooling than their peers.
- function at least two years below expected grade level in reading and mathematics; and
- may be unable to read and write in their native language.

Where do SLIFE come from?

According to the American Federation of Teachers, the highest percentage of SLIFE in the U.S. come from Latin America, mainly the Caribbean, Central America, and Mexico. Refugee children make up the second-highest number, with students from Asia, Africa, and the Middle East. Other smaller groups are composed of immigrant children from countries where educational resources have been limited or school has not been accessible due to geography or economics.

What EL services and support are available to SLIFE?

It is very important to reiterate that SLIFE are a subgroup of EL students. Thus, the students are protected under Title VI of the Civil Rights Act of 1964 and the EEOA, which require public schools to ensure that all EL students have equal access to high-quality education and an opportunity to achieve their full academic potential. Language programs for EL students need to be academically comprehensive in theory and effective in practice; however, the civil rights laws do not require any specific program or method of instruction for EL students.

SLIFE may need more than the dedicated ELD block or course that is at least 45 minutes and where the primary goal is for students to learn English. Programming models for SLIFE require an alternative approach to ELD instruction that is based on the review of students' educational history, linguistic inventory, cultural knowledge, and experience. Alternatively, school districts may use a curriculum that temporarily emphasizes ELD due to the intensive English Language Acquisition needs of the student over other subjects, provided that any interim academic deficits in other subjects are remedied within a reasonable length of time.

Considerations for EL Programs for SLIFE

- Focus on English language and literacy development.
- Build foundational skills necessary to develop basic English skills and progress to grade level academic English by providing ELD that is intensive, consistent, and age appropriate.
- Acknowledge and incorporate students' existing skills and knowledge to facilitate connection to learning the necessary skills and academics to be successful in their school journey.
- Design equitable, intentional, responsive, and strategic academic programming.
- Afford supplemental support programs before or after school, and during the summer to accelerate language acquisition and academic progress.
- Collaboration among teachers who work with SLIFE to teach the students age-level literacy and numeracy skills.

Note: Students who have experienced interrupted education and who are not ELs would be best supported through [Instructional Acceleration](#), which accompanies the [NM Instructional Scope](#).

How are Newcomer Students and SLIFE connected?

The ED published an update to the Newcomer Tool Kit in 2017 in which the term 'newcomer' refers to any foreign-born students and their families who have recently arrived in the U.S. Thus, SLIFE who have recently arrived would also be considered newcomer students. However, not all newcomer students are SLIFE.

How can schools partner with the families of SLIFE?

According to the Newcomer Tool Kit the U.S. school system and the expectations, explicit or implicit, for families will be foreign to most newcomer families. In their home countries, many newcomer families did not collaborate with the school because such action was viewed as interfering with educators in their profession. The families of SLIFE may need help adjusting to U.S. schools' expectation that families take an active role in their child's learning, engage with the school, and take on diverse roles on behalf of their child and school.

Processes	Strategies for newcomers
Collaboration	<ul style="list-style-type: none">• Examine assumptions and cultural biases, recognize, and employ families' assets, bring parent voices into planning for their child and the school's success, craft multi-modal informational resources on everything families need to know and do.• Bring families and staff together to co-construct meaningful communications and resources for families and to collaborate in the delivery of learning and support activities for families.• Encourage and Enlist parents to develop leadership skills to participate in decision making throughout the school and the community and conduct parent learning opportunities on parenting across cultures, promoting child development, supporting learning, and planning for college and careers.
Capacity Development	<ul style="list-style-type: none">• Build staff capacity to challenge deficit mind-sets related to the traditional expectations and encourage an asset orientation to effectively carry out multiple roles (advocate, supporter, encourager, decision maker, etc.).• Create parent and family welcome kits with information about the school. Include parent rights and responsibilities; school schedules; phone numbers; procedures; and any other information that will help parents feel welcome, informed, and integrated into the school.• Sponsor and encourage parents to attend family literacy events where parents or students can read books together
Assets Orientation	<ul style="list-style-type: none">• Establish opportunities for listening to parents, incorporate the cultural strengths of families and the community into the school curriculum and activities and strive to meet high expectations, aspirations, and hopes by drawing on cultures, language, knowledge, and skills.• Ensure that families are represented in the school's decision-making bodies.
Multi-Modal Communications and Language Supports	<ul style="list-style-type: none">• Use multiple methods to conduct focus groups and/or advisory committees (newsletters translated in the languages represented in the school, telephone trees, school website, parent outreach workers) and structures to communicate and get input on decision-making structures, concerns, questions, and recommendations.• Ensure that language support is available for all educational communications and activities, using suggestion boxes, surveys, targeted and short interviews, or polling with the appropriate language supports to encourage parents to voice their concerns and ideas to inform school planning.
Continuous Improvement	<ul style="list-style-type: none">• Identify strategies so that families can continuously improve engagement by examining multiple data sources to assess the impact of policies and practices enriching the school community culture by sharing their personal and cultural assets.• Include families' values and perspectives to promote cross-cultural understanding and strengthen their 21st century skills through volunteer experiences.

What best practices should educators take into consideration when working with SLIFE?

Many SLIFE come to the U.S. ready to get a quality education, become successful members of a community, and find new opportunities. School structures and processes that honor and reinforce their assets and skills will provide them the greatest opportunity to thrive in the school environment.

The Newcomer Tool Kit provides program components with examples of processes or practices listed below are district based; however, schools may implement these practices or advocate for components.

Newcomer Program Component with Examples of Processes or Practices
<p>Develop clear vision and goals.</p> <p><i>Examples:</i> Set academic and social goals for the students and build a program to meet them.</p> <ul style="list-style-type: none"> • Define entry criteria and exit criteria for the students in the program. • Hold newcomer students to the same high standards as other students. • Communicate the vision and goals to school, district, and community stakeholders. • Conduct initial intake interviews with students and families in their home language.
<p>Develop common values about newcomer students and accept shared accountability for their education.</p> <p><i>Examples:</i> Put forth an ambitious mission, focus on preparing all students for college and career success.</p> <ul style="list-style-type: none"> • Hold a mindset of continuous improvement. • Recognize that the entire school shares responsibility for students' success. • Determine the needs of the students, their families, and design, adapt school structures that meet those needs, with continuous improvement based on evidence. • Maintain a strong sense of pride in and respect for all cultures
<p>Design specific courses for Students with Limited or Interrupted Formal Education (SLIFE).</p> <p><i>Example:</i> Develop a separate literacy course or courses for students with interrupted educational backgrounds.</p>
<p>Design instruction for development of conceptual, analytic, and language practices simultaneously.</p> <p><i>Examples:</i> Create or adopt a unified language development framework integrating content, analytic practices, and language learning.</p> <ul style="list-style-type: none"> • Consider developing bilingual, dual language, or two-way immersion programs to support home languages and English. • Review general education and EL programs to ensure that there is an explicit focus on building academic literacy and cultivating ELD. • Promote cross-disciplinary and cross-grade literacy expectations and teacher collaboration. • Be aware of the SLA process and be able to detect when a delay may not be due to the language learning process, but the result of a disability.
<p>Promote the use and development of a home language at school and in the community.</p> <p><i>Examples:</i> Promote the development, use, and maintenance of students' native language skills and incorporate native language instruction into the curriculum where possible through school and community partnerships.</p>
<p>Provide alternative school day, and year schedules, and structures based on student and family needs.</p> <p><i>Examples:</i> Provide student engagement, learning, and effort through creative scheduling and rigorous coursework, extra learning time through after-school, summer school, Saturday school, and/or vacation institutes.</p>

Why is CLR instruction critical in the education of SLIFE?

CLR instruction carries a significant role in meeting the social and emotional needs of SLIFE as it transforms teaching and learning experiences for building and bridging students to succeed in the culture of academia and schools in the U.S. [The CLR Guidance Handbook](#) may inform processes, policies, programs, systems, and instruction. The LCD defines CLR as validating and affirming an individual's home culture and language to create connection with other cultures and languages in various social contexts.

In CLR, educators contribute to a positive school climate by validating and affirming students' home languages and cultures. Validation is making the home culture and language legitimate, while affirmation is making clear that the home culture and language are positive assets. Further, validation and affirmation are the intentional effort to reverse negative stereotypes of non-dominant cultures and languages and must be intentional and purposeful, consistent, authentic, proactive, and reactive.

Building and bridging must intentionally align to the validation and affirmation to allow students to toggle between home culture and school culture and linguistic behaviors and expectations. Inherently, CLR empowers the vision, mission, and policy of the school or district to pursue excellence in promoting inclusive education that creates supportive and developmental educational opportunities for all students, but specifically CLD students, to be healthy, secure in their identity, and holistically prepared for college, career path, and life.

To serve SLIFE’s families, schools should produce and sustain authentic family engagement that is framed for validating and affirming cultures of SLIFE and their respective families and is actively bridging between home culture and school culture. The CLR Guidance Handbook suggests that districts and schools should aim for strong, in-depth, and effective family engagement to learn from families and create a bridge between the school and home culture. When district or school leaders design family engagement programs that respect cultures, traditions, languages, values, and beliefs, they foster a barrier-free school community. It is also important to remember that districts or schools should aim to collaborate with families of SLIFE to improve their academic achievement.

What are some additional resources for Educators working with SLIFE?

Description
This Q&A focuses on best practices to improve instruction for SLIFE students who are new to the U.S. public education system. Dr. Deborah Short conducts research and provides PD on content-based ESL, sheltered instruction, and academic literacy. She co-developed the SIOP Model and directed research on ELLs and newcomer programs for the Carnegie Corporation of New York, the Rockefeller Foundation, and the ED. She is a former ESL/EFL teacher and is on TESOL’s Board of Directors. Focus On-SLIFE
This Q&A focuses on SLIFE students, who they are, the diversity one can encounter within the SLIFE student population, and how school districts can support educators to better serve this student population. Dr. Andrea DeCapua is an educator, researcher, and educational consultant. She specializes in teacher training, particularly those working with struggling language learners. She has published numerous articles in a variety of journals and is the author/co-author of seven books. All About SLIFE
Jane Govoni, Ph.D. has a conversation with Dr. DeCapua providing an insightful understanding of SLIFE students compared to ELs, by explaining the term SLIFE, discussing underlying cultural differences, and providing guidance on how to teach different populations of students. SLIFE

Is there additional funding available for districts and schools for SLIFE?

Under the provisions of state statute 22-8-23.3 NMSA 1978, a school district or charter school is eligible to receive at-risk funding through the State Equalization Guarantee distribution if it establishes a plan that identifies services implemented to improve the academic success of at-risk students. The amount of funding received annually is based on the number of program units a school district or charter school generates from those students identified within the NMF Funding Formula as ‘at-risk’. One component in the calculation of at-risk units is the percentage of student membership classified as ELs.

The Immigrant Award is a competitive grant under Title III federal funding that is used for funding activities that provide enhanced instructional opportunities for immigrant children and youth. Districts that are experiencing substantial increases in the number of immigrant children and youth and who propose high quality programming are eligible for the grant. [Title III: Supplemental Support for EL Programs and Services.](#)

Is there an exemption for SLIFE students for participation in statewide assessments?

No, students are expected to participate in statewide assessments, including the ACCESS for ELLs ELP assessment, please see [6.29.1.9. NMAC](#). For further information on assessing EL students, please see the section on Assessment of EL Students.

Supporting EL Programs and Services

Districts and schools must provide the necessary personnel to implement the EL program and services they choose. For ELs to become proficient in English and to be able to meaningfully participate in grade-level content area instruction within a reasonable amount of time, teachers must be trained to teach in the EL program and content-area teachers must be trained to appropriately support ELs. Administrators must be trained to evaluate teachers who serve ELs. Additionally, educational assistants who support ELs must have adequate training, and they must work under the direct supervision of a qualified teacher.

Professional Development (PD)

Districts and schools must prepare and support their staff by providing adequate PD and follow-up training to effectively implement the EL program or service. Teachers serving ELs must be well-prepared and effectively use their training and skills in the classroom to ensure that the EL program successfully achieves its educational objectives—assist ELs develop ELP and ensure that ELs have access to grade-level content. Below are the five core principles for effective PD.

The PD purpose is to produce adult behavior changes in the classroom that benefit students and thereupon affect student behavior and outcomes in a positive and measurable way. These core principles are based on tenets of adult learning theory and should be used to structure PD opportunities to facilitate successful outcomes.

- **Build on a foundation of skills, knowledge, and expertise.** The PD links new knowledge and activities to the foundation of skills and knowledge that the educators already have; thus, the PD builds on the foundation of knowledge of the participants.
- **Engage participants as learners.** It is important to engage educational personnel as learners—with a variety of opportunities to: apply new skills and knowledge, experiment with innovative methods in a safe environment prior to moving on to the next topic and prepare for the new methodologies' use with students. As in the classroom, effective PD is delivered in a variety of modes that invite participants to engage with the material as it suits their different learning preferences and needs.
- **Provide practice, feedback, and follow-up.** Linking new information to current knowledge and skills allows participants to construct their own meaning. After participants have had a chance to practice applying the new skill, it is essential to observe, provide feedback, and reinforce this nascent knowledge through follow-up activities.
- **Measure changes in teacher knowledge and skills.** Effective PD increases the skills and knowledge level of the participants to be manifested in their practice. The increase in skills should be measured by *the variety of skills* the participant uses in the instructional setting and *the effect of these skills on student learning or behavior*.
- **Measure changes in student performance.** Increased skill and knowledge translate into measurable improvements in student performance, achievement, and/or behavior. Such a link to student outcomes informs the district or school whether the PD is effective. A district or school that is building a long-term PD plan has to establish the measurable outcome that it wants to change and then measure the effect of the PD by the actual changes in the student outcome to establish whether the particular PD is having the desired effect and thus is useful.

Guidance on Providing Student Resources

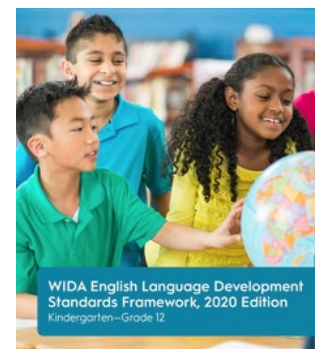
Districts and schools must provide the resources needed to effectively implement the EL program or service. These materials and resources are aligned with grade-level state content standards, offer challenging academic content, and are at the appropriate English proficiency level for the EL students, including ELs with disabilities.

Language Instruction: Each LEA using funds under Title I or Title III (6.29.5.11 NMAC and ESSA, Section 1112(e)(3)(A)) to provide a language instruction educational program as determined under Title III shall, no later than **30** days after the beginning of the school year, inform parents of an EL student being identified for participation or participating in such program, of:

- Reasons for the instruction of their child as an EL and in need of placement in a language instruction educational program.
- Child's level of English proficiency, how such a level was assessed, and the status of the child's academic achievement; Title I parents Rights-to-Know requirements December 8, 2023 (Pg 3 of 4)
- Methods of instruction used in the program in which their child is, or will be, participating and the methods of instruction used in other available programs, including how such programs differ in content, instructional goals, and the use of English and native language instruction.
- How the program in which their child is, or will be, participating will meet the educational strengths and needs of their child.
- How such a program will specifically help their child learn English and meet age-appropriate academic achievement standards for grade promotion and graduation.
- Specific exit requirements for the program, including expected rate of transition from such program into classrooms that are not tailored for ELs, and the expected rate of graduation from high school (including four-year adjusted cohort graduation rates and extended year adjusted cohort rates for such program) if funds under this part are used for children in high school.
- In the case of a child with disability, how such programs meet the objectives of the IEP of the child as described in section 614(d) of the IDEA (20U.S.C. 1414(d)); and
- Information pertaining to parental rights that includes written guidance—
 - Detailing the right that parents have to have their child immediately removed from such program upon request.
 - Detailing the options that parents have to decline to enroll their child in such program or to choose another program or method of instruction, if available; and assisting parents in selecting among various programs and methods of instruction, if more than one program or method is offered by the eligible entity.

WIDA ELD Standards Framework 2020 Edition

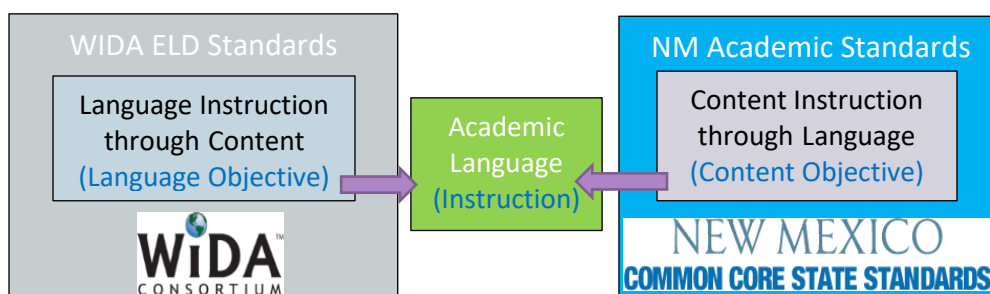
The ELD Standards Framework provides the updated framework to the state adopted ELD standards. The framework discusses how EL students engage with curriculum and how educators can work together to build on the assets of students. Earlier versions of the ELD Standards have historically represented the integration of content and language. The 2020 Edition makes the content–language connection more explicit and specific, it includes new ways of looking at the integration of content and language such as Key Language Uses, Language Expectations, and Collaborative Planning for Content and Language.



Relationship of NMCCSS content and academic language

Use of the ELD Standards ensures that ELs gain meaningful access to content. For students to grasp and master content, as per NM Common Core State Standards ([NMCCSS](#)), students must have access to discipline-specific academic language. Content reflects the declarative and procedural knowledge associated with the content, whereas language proficiency focuses on the language associated with the content areas.

The NMCCSS (content) is *what* must be learned, whereas ELD Standards (language) represents our state’s framework for *how* (vehicle) such learning should occur.



Development of EL Students’ Academic Language Across Content Areas

All teachers working with ELs are required to use the current ELD Standards during instruction. The [Elevate NM](#) observation protocol makes this expectation explicit. Teachers of ELs must not only ensure that they intentionally address and plan for academic content but also, based on student data, be responsive to the language learning needs of each EL student. The proper assessment and placement of ELs and the degree of knowledge that the instructor has about first, and SLA are important considerations for providing effective ELD instruction, additional support, and/or language services. All teachers, including secondary or content area specialists, must develop EL students’ academic language related to their disciplines (subject or content areas).

What is Academic Language?

The WIDA ELD standards framework organizes social, instructional, and academic language into three features: discourse, sentence, and word/phrase level. How well students understand and express themselves is analyzed at all three levels of language use—words, sentences, and full discourse. To assess students’ ability to recognize and express singular words and phrases, the performance criterion is **vocabulary usage**. This measure includes general, specific, and technical language as well as multiple meanings of words and phrases, nuance, and shades of meaning, and idiomatic expressions.

To assess how proficient students are in understanding and expressing themselves at the sentence level, the criterion used to measure performance is **language forms and conventions**. Aspects of language—such as types of grammatical structures; matching of language forms to purpose; and conventions, mechanics, and fluency—provide an understanding of students’ facility at this level.

Features	Performance Criterion
Word/phrase level	Vocabulary Usage
Sentence	Language forms and conventions
Discourse level	Linguistic complexity

The performance criterion at the discourse level is **linguistic complexity**, which includes such features of language as the amount and structure of speech or written text and the organization and cohesion of ideas.

Another way to describe academic language proficiency is that it is the “*ability to construct meaning from oral and written language, to relate complex ideas and information, to recognize features of different genres, and to use various linguistic strategies to communicate*” (Dutro & Moran).

Thus, academic language serves as the bridge between the ELD Standards and the NMCCSS (or any NM grade-level content standard). In addition to the ELD Standards, other useful [Resources](#) to support ELs locally include:

- [WIDA ELD Standards Framework](#)
- WIDA Can Do Philosophy
- WIDA Guiding Principles

- WIDA Essential Actions Handbook
- WIDA Can Do Descriptors, Key Uses Editions
- Research, briefs, presentations, and more.



ELP Assessments

ACCESS for ELLs

All ELs must participate in the annual ELP assessment, ACCESS for ELLs. The student's ELP is determined by his or her receptive language skills, which include listening and reading domains, as well as by the student's expressive language skills, which include speaking and writing domains. Once an EL student achieves an overall composite score of 4.7 or higher on this assessment, the student is considered proficient in English (achieving RFEP status) and will no longer be assessed using this assessment. The overall composite score is calculated by combining the four domain tests according to the following weight: 35% Reading; 35% Writing; 15% Listening; and 15% Speaking. For the assessment language codes, please see the link to the current [NOVA Manual](#) under the Student Snapshot Template.

This assessment is computer-based and administered at school sites by trained Test Administrators (TA). Each TA must have on file a valid certificate for administering the ACCESS for ELLs assessment for the school year in which he or she is administering this assessment. This training material, updated information, TA manuals, accessibility, and accommodations guidelines, as well as DTC and TA certification procedures for and support to the ACCESS for ELLs are available on the [WIDA](#) website. Login credentials are necessary to access secure sections of the website. Please see your local DTC or see: [Assessment – NMPED](#).

For additional information, visit the NM state page at the [WIDA Consortiums](#) website for state-specific guidance and the ACCESS for ELLs calendar. For questions about the WIDA website or secure portal accounts or issues contact WIDA at 1-866-276-7735 or via email: help@wida.us. For state-specific inquiries related to ACCESS for ELLs, WIDA Screener for Kindergarten or the WIDA Screener Online, please see the [LCD Staff page](#) for specific staff contact information.

Alternate ACCESS

All ELs with the most significant cognitive disabilities must participate in an annual ELP assessment. Students who take or are expected to take the DLM Alternate Assessment can be administered the Alternate ACCESS if this is written in the student's IEP and as long as the student meets WIDA's Participation Criteria; please see: [Alt-Access-Participation-Criteria-Diagram](#)

This assessment is a large-print, paper-based, individually administered ELP assessment to students in grades 1-12, who are identified as ELs with the most significant cognitive disabilities who also take or are expected to take the DLM Alternate Assessment. Alternate ACCESS is thus designed for ELs who have disabilities that prevent them from meaningfully participating in ACCESS for ELLs Online or Paper. Alternate ACCESS meets federal requirements for monitoring and reporting ELs progress toward ELP under the Individuals with Disabilities Education Act (IDEA) and ESSA.

Alternate ACCESS tests student's language in four domains: Listening, Reading, Speaking, Writing. Test scores can be used to inform instruction and monitor progress of ELs in a school or district. The student's ELP is determined by his or her receptive language skills, which include listening and reading domains, as well as by the student's expressive language skills, which include speaking and writing domains. Once an EL student achieves an overall composite score of P1 or higher on this assessment, the student is considered proficient in English (achieving RFEP status) and will no longer be assessed using the Alternate ACCESS.

The overall composite score is calculated by combining the four domain tests according to the following weight: 35% Reading; 35% Writing; 15% Listening; and 15% Speaking. For questions on who can administer Alternate ACCESS and for online training/certification, please see: [NM-online-checklist](#)

WIDA Assessment Management System (AMS)

The [WIDA](#) AMS is the interface with the administrative functions of the Data Recognition Corporation (DRC) INSIGHT Online Learning System. DRC INSIGHT is the online testing system for ACCESS for ELLs. The WIDA AMS houses the tools and information needed for the WIDA Screener and ACCESS for ELLs administrations. Test coordinators use the system to set up test administrator and technology coordinator accounts, designate permissions for those users, register for online testing, order any needed paper test materials (including Kindergarten and Alternate ACCESS for ELLs), and set up test sessions.

- Test administrators use the system to view and print test tickets and test session rosters.
- Technology coordinators use the system to view technology preparation materials—such as user guides and web-based modules—and to download testing software from the system.

For questions about the WIDA AMS system, ordering test materials, and online student test administration, please contact DRC at 1-855-787-9615 or email: WIDA@datarecognitioncorp.com.

Recommendations for Test Scheduling

It is the School Test Coordinator's (STC) responsibility to inform TAs about the testing schedule so that there is enough time for each student to complete each of the four domains of the assessment. Schools must provide an appropriate testing environment that will assure fair student results. ACCESS for ELLs is not a timed test, only individual Speaking test responses are timed once the Record-button is clicked. For estimated administration times for the ACCESS for ELLs, please refer to the most current test administration guidance on the WIDA website.


It is important when administering ACCESS for ELLs that it be given the same importance as the other statewide student assessments. Otherwise, a student may not show the ELP level s/he is capable of in the four domains of language.

Each district and school should have a process in place for providing the STC and the TA with the list of students requiring specific accommodation so that tests can be scheduled appropriately and with the correct accommodations. For more information regarding accessibility and accommodations guidelines, IEP Checklist, student preparation, and scores and reports, please refer to the WIDA [Access](#) for ELLs webpage. Please follow here for the [Accessibility and Accommodations Manual](#).

Testing Irregularities

The test or a particular subtest area must be invalidated if there are testing irregularities or unusual circumstances that prevent the completion of any testing session including the WIDA Screener for Kindergarten, WIDA Screener, ACCESS for ELLs, and Alternate ACCESS. The invalidated test will not be scored.

NM state regulation, 6.10.7.14 NMAC, requires that school districts report suspected testing irregularities to the NMPED by phone or e-mail within three working days of being notified of a suspected testing irregularity.


Test Irregularity Reporting Form for English Language Proficiency Screeners 2023-2024

Districts and charters shall report by telephone or e-mail suspected testing irregularities to the department within three (3) business days of being notified of a suspected testing irregularity (6.10.7.14 NMAC). All sections of this form must be completed by district personnel and submitted to the NMPED's Language and Culture Division by email to language.culture@ped.nm.gov within 10 days of the incident. Failure to do so may result in a reprimand. Use additional pages as necessary. All sections of this form, along with supporting documentation, must be typed.

School District Code:	School District Name:	Date of Incident:
Assessment: <input type="checkbox"/> WIDA Screener for Kindergarten <input type="checkbox"/> WIDA Screener Grades 1-12		
Name/Position of Person Reporting:		
Phone:	Email:	
SCHOOL AND STUDENT INFORMATION		

Academic Achievement Assessment

All EL students must participate in the NM statewide student assessment program. Students who have been in U.S. schools for fewer than three consecutive years must participate in the state assessment program in one of three ways. The student may participate in the

1. standard administration of the English language version of the assessment without accommodations.
2. English language version of the assessment with appropriate accommodations; or
3. standard administration of the Spanish language version of the assessment (where available and appropriate).

Students who are enrolled **for the first year** in a U.S. school may receive an exemption from the system of assessments for ELA, including all subtests therein. (6.29.1.9.M.(2)(a)(i) NMAC).

Testing Accommodations for ELs

As stated in state regulation 6.29.1.9.M.(2)(a)(iii) NMAC “...districts and charter schools shall provide accommodations to ELLs after consideration of their appropriateness for the individual student.” Appropriate accommodation for EL students must be decided by a school-based team, which consists of at least three members of the school staff. The accommodations have to be based on what is used daily in the classroom and must be determined on a case-by-case basis and **justified by data** including the student’s ELP level in each of the four domains of language, annual review of the student’s progress to attain ELP, the primary language of instruction used in the content area to be assessed, the length of time that the student has received instruction in that language, as well as the grade level of the student. The accommodation must be documented and kept in the student’s cumulative file.

An allowable accommodation should have been used in daily instruction for a sufficient period prior to testing for a student to become comfortable with it. Using an accommodation during assessment that is not used during instruction might be detrimental to the student’s performance on the assessment. Therefore, it is not allowable to indiscriminately provide an accommodation because it is typically administered to a group of students. Please note that decisions about selecting and using accommodations should be shared with students’ teachers as well as students’ parents or guardians.

The [NM Student Assessment Accommodations Manual](#) provides details on special considerations for assessment accessibility for ELs, assessment options for ELs, and allowable accommodations for ELs. A detailed table listing allowable accommodations and assessments are available in Appendix B.

Testing in English Waivers to Continue Assessing Student in the Home Language of Spanish

The NM state assessment program allows for accommodating *eligible* ELs by providing the assessment in the home language *of Spanish*, when approved by the Secretary. Statute and regulation allow for an EL to take an assessment, where appropriate and available, in Spanish for up to the first three years the student has attended a U.S. school.

After three years, if a district determines (on a case-by-case basis) that academic assessments in the EL student’s home language of Spanish would yield more accurate and reliable information about his/her knowledge of a subject, the district may request a waiver from the NMPED. The waiver allows the district to continue to assess the EL student in his/her home language of Spanish if the student has been in a U.S. school under five years. Approved waivers are effective for the current year only, with a maximum of two waiver requests allowed (6.29.1.9.M.2(a)(ii) NMAC). The request must be submitted in advance by the District Superintendent to the Secretary of Education for approval. Waiver forms are available on the Assessment website.

EL Program Evaluation

The EL Toolkit states *a successful EL program must be designed for EL students to be able to attain both English proficiency and parity of participation in the standard instructional program within a reasonable period.* **Districts and schools must evaluate their EL programs for effectiveness.** Evaluation should be integrated into all aspects of EL programming—such as procedures, program and practices, resources, staffing, and student outcomes. Additionally, evaluation should be continuous, providing multiple data points. The longitudinal data that is collected should be analyzed and used to change or modify the EL program, as appropriate. Through analyzing longitudinal data, the performance of EL students can be compared to the performance of RFEP and IFEP students, this will help districts and schools determine whether ELs are:

- meeting college and career-ready standards
- participating and performing comparably to their IFEP peers
- accessing the same curricular and extracurricular opportunities as their IFEP peers
- exiting EL program and services at appropriate rates.

Additional student performance evaluation indicators may include grade point averages, rates of retention, dropout rates, graduation rates, quality of parent and/or community involvement, school safety, and parity of honors and awards.

To ensure compliance with federal requirements and prevent violations and further investigations, districts should ensure that the following areas of possible concern are evaluated and addressed:

Percentage/proportion of ELs in special education	High staff turnover for those serving ELs
Percentage/proportion of ELs in the gifted program	Data accuracy and reporting issues
School rating: achievement gaps and/or different educational outcomes when comparing non-ELs and ELs (graduation rates, etc.)	Parent and community concerns
	Any other issue that would negatively impact ELs

Required Documents in Student cumulative files for ELs:	Source
LUS (or old home language survey)	6.29.5.11.C NMAC
Initial ELP <i>Screening</i> Assessment (one of the following) <ul style="list-style-type: none">• WIDA Screener for Kindergarten (W-APT for students prior to SY21-22)• WIDA Screener for Grades 1 - 12	6.29.5.11.C NMAC
Initial EL Parent Notification Letter	State Policy
Annual EL Parent Notification Letter — Every year the student has been enrolled in an EL program or service	State Policy
Annual ELP Assessment results which include ACCESS for ELLs, Alternate ACCESS, or NMELPA for older high school students — Every year the student has been identified as EL	6.29.5.11.E. NMAC
Parent Opt-Out of EL Service/program letter — signed annually	State Policy- LUS handbook
EL accommodations in the statewide student assessment system and must report to the NMPED Assessment bureau — Written documentation of accommodation(s).	6.29.1.9M.2(a) (iii) NMAC
Evidence of monitoring RFEPs (exited ELs) for academic progress for two years after student being reclassified	State Policy- LUS handbook

Communicating with Families and Engaging Parents

Communicating with parents in a language that they can understand is of utmost importance. Dialogue not only creates a welcoming school community that fosters collaboration and partnership, but it is also required.

All parents benefit from access to the essential information regarding their child’s school and education. Strong parental involvement in education supports common understanding and investment in academic and behavioral expectations and in student growth. Research also shows that strong family-school relationships are an indicator of student success (Weiss, Lopez, & Rosenberg).

Districts and schools must have a process to determine the primary and preferred language of the parents as well as their language needs. Districts and schools must “*provide them [parents] with free and effective language assistance, such as translated materials or an appropriate and competent interpreter*” (EL Toolkit). Such interpreters or translators should have oral and written proficiency in the target language(s). They should have knowledge of specialized terms or concepts, be trained in their role and in the ethics of interpreting and translating and understand the need for confidentiality. **Note:** Expecting children to translate for their parents may involve them in dialogue that may not be age-appropriate and impede the ability of addressing sensitive matters discretely. Further, doing so may create undue family stress, tension, and disrupt family roles and/or cultural practices.

Successful communication is part of building strong relationships between schools and families. Districts and schools have an obligation to meaningfully communicate with parents who are not proficient in English and inform them adequately of any program, service, or activity that is called to the attention of English proficient parents. This ensures that all families can make informed decisions about their child’s education.

The NMPED also has a Family-Cabinet, which is a group of volunteer parents, foster parents, grandparents, and legal guardians of K-12 public school students that partner with the NMPED to learn and share information about K-12 public education in NM. The Family Cabinet, which does not serve a governance function or make policy decisions, is organized into two groups, the Secretary’s Family Advisory, and the Family-School Partnership Academy.

In 2019, NM Vistas was created to help provide a great education for New Mexico’s students and to help families and others in our communities identify schools that are doing well in relation to their family and the community’s values. NM Vistas allows families to review school data, insights, and offerings to make informed school choice decisions. NM Vistas provides information in English and Spanish on a variety of measures of school quality and success. In addition to these measures, NM Vistas allows schools and districts to describe some of the most important facts about their goals and their approach to achieving them.

EL Records and State Reporting

Accuracy and thoroughness in reporting student data is of critical importance to a student's academic journey. Students' EL classifications must be reported correctly in Nova. This is completed through the EL data review at the 40th, 80th, and 120th days. EL data review efforts impact the following funding formulas:

- The 40D EL count is used for the At-Risk Index.
- The average of 80D and 120D EL counts are the basis for Title III formula grants for districts and state charter schools that apply for this federal subgrant.

EL reporting provides evidence of compliance with state and federal laws starting with the EL identification process, to EL services, and finally EL reclassification and monitoring. Districts and charter schools are required to report information related to:

- EL or reclassification status
- EL identification process
 - LUS results and language(s) indicated on question 7 of the LUS
 - ELP screener results
- EL participation code

Nova Reporting Process

The table below describes the process that districts and the NMPED follow to review data related to EL counts (student membership counts) that must be submitted to NOVA. Data quality is critical for programmatic and instructional decision-making, planning, and student outcomes. Additionally, correct student and program information is necessary for ensuring that districts receive all funding for which they are eligible.

There are several queries that can be run within NOVA to support districts in self-monitoring and reviewing to increase data quality control to accurately report EL counts and program data. For the most current NOVA User Guide and Reference Materials, information, and other resources, including information on upcoming training opportunities, please visit [NOVA - NMPED](#).

Nova Data Collection Templates for ELs

- Starting from SY24-25 the following must be reported for all students.
- LUS results
- ELP *screening* results
- Languages indicated in the LUS (question #7), and the following fields/values below:

Template	Field #	Values
Student Template	#113 English Proficiency Code (EL Status)	0= IFEP 1= Current EL Student 2= RFEP1 (year 1) 3= RFEP2 (year 2) 4= RFEP3 (year 3) 5= RFEP4 (year 4) 6= RFEP5+ (year 5+)
Assessment Fact	#2 Test Description	LUS = Language Usage Survey NMELPAPT = WIDA Screener for Grades 1-12 ELKPS = WIDA Screener for Kindergarten
Programs Fact	#5 Programs Code	ELL—all ELs must be coded to this program, or T3— all ELs if the district is a Title III subgrantee
Programs Fact	#18 Participation Information Code	ELL/T3— 06 = Parent Refusal of Services 07 = ELD pull-out course and sheltered instruction in content areas — The student is pulled out for instruction in ELD based on the ELP level of the student and provided sheltered instruction in content areas. 08 = ELD block and sheltered instruction in content areas (elementary grades only) — The student receives instruction in ELD for a minimum of 45 minutes in a self-contained elementary setting based on the ELP level of the student and provided sheltered instruction in content areas. 09 = Integrated ELD – ELA course and sheltered instruction in content areas (secondary grades only) — The student that is nearing proficiency in English receives instruction in an integrated ELD-ELA course at the middle and high school level and sheltered instruction in content areas.

In the Programs Fact Template Specifications Field # 5, the program code ELL or T3 (for Title III subgrantees only) is for reporting all ELs in a district. Once this code is reported a participation information code for ELL and/or T3 Programs Fact must be chosen.

Reporting the EL Identification Process

Language Usage Survey (LUS)

Every student enrolled in kindergarten for the first time in the fall semester should have a LUS record. Parents or guardians should only complete one LUS during their child's public education journey in New Mexico. As of the 2017-2018 school year, districts and charter schools began including data from individual student's LUS forms in their STARS and Nova submissions.

Subtest	Possible Scenarios	Achievement Level Code	Interpretation of Achievement Level
LUS	“No” responses to questions 1-7 of the LUS	“0”	Student is IFEP
	A “Yes” response to at least one of questions 1-7 of the LUS	“1”	Administer the ELP screener

Under Assessment Fact, the following fields are relevant to the LUS as they help identify potential ELs: Assessment ID, Subtest Description, Subtest Identifiers, and Achievement Level Code.

- Assessment ID: LUS
- Subtest Description: LUS
- Achievement Level Code: “1” = The parent or guardian responded yes to at least one of the questions in the LUS.

The image below demonstrates what the LUS entry looks like in the student snapshot in Nova.

Assessments											
District Code	District Name	School Code	School Name	Student ID	First Name	Last Name	Test Date	Item Description Code	Test Description n Code	Test Description	Standard Achieved Code
								LUS	LUS	Language Usage Survey	

Language(s) Indicated on LUS Question 7

In the Student Education Organization Association collection on Nova, there is an option for language, which will allow for a language used descriptor to be entered. Please use the "Other language proficiency" descriptor to submit any language(s) listed for question #7 of the LUS. (If the parent answered YES on one or more questions #1-6, record languages other than English that are used in the home).

languages > uses	languageUseDescriptor	string (306)	A description of how the language is used (e.g. Home Language, Native Language, Spoken Language).	PED: Required Ed-Fi: Required	Use the "Home Language" descriptor to identify the language used at home. Use "Other language proficiency" descriptor to submit the LUS languages from question 7 of the Language Use Survey (LUS). Submit as many languages with this descriptor as needed. The question is, what language(s) other than English does the student use most frequently at home?
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Submit as many languages with the descriptor as indicated on the LUS. Please note that English is not an allowable language in this field and ASL can only be reported along with another language other than English (see page 7 for more information). Language codes can be found in the [Nova Manual](#) starting on page 119.

English Language Proficiency (ELP) Screener Results

A potential EL and will be assessed by using one of the department-approved ELP screeners to determine their English proficiency. These English proficiency screeners are identified in Nova as:

- **NMELPAPT** "New Mexico English Language Proficiency Assessment Placement Test" is used to represent the current screener utilized in the state of New Mexico for potential ELs, the WIDA Screener Online for grades 1-12. Again, if the students' LUS Assessment Fact achievement code is "1" and they were not screened in kindergarten, there should also be an NMELPAPT record for the student.
- **ELPKS** "English Language Proficiency Kindergarten Screener" is used to represent the current screener utilized in the state of New Mexico for potential ELs entering or enrolled in kindergarten, the WIDA Screener for Kindergarten. This screener is intended for the initial identification of ELs in kindergarten who are for the first time registering in the public education system in New Mexico. Thus, a kindergarten student who has an achievement code of "1" in the LUS Assessment Fact should have a record for the ELP Kindergarten Screener as well.

The table below shows ELP screener results and achievement codes. An overall score of 4.5 or higher indicates that the student is IFEP and is not an EL. A score of 4.0 or lower indicates the student is an EL and he/she will need EL services.

Subtest	Possible Scenarios	Achievement Level Code	Interpretation of Achievement Level Code
ELP Screeners	Overall composite score of 4.5 or higher	"0"	Student is IFEP
	Overall composite score of 4.0 or below	"1"	EL Student

Under **Assessment Fact**, the following fields are relevant to the ELP screeners, as they corroborate whether the potential EL is in fact an EL or is an IFEP student: Assessment ID, Subtest Description, Subtest Identifiers, and Achievement Level Code.

- Assessment ID: **NMELPAPT**
- Subtest Description: **ELP Screener**
- Achievement Level Code: If the student's overall composite score is less than 4.5, this indicates the student is an EL. An achievement level code of "1" will be entered. If the student's overall composite score is 4.5 or greater, an achievement level code "0" is entered and the student is classified as IFEP.

Assessment Fact Template

Target Table: ASSESSMENT_FACT
 Data Submission Schedule: 40D, 80D, 120D, EOY
 Grain: One record per district / test description / assessment school year dat
 Load Sequence/Dependencies:

Load Sequence/Dependencies	Optional	Lookup
1. STUDENT	N	N

Template Description
 The Assessment Fact Template collects assessment data for the following:

- DDA = Dual Discrepancy Model Assessment
- EARLY CHILDHOOD = Early Childhood Assessment
- HL = Home/Heritage Language (language other than English)
- NMELPAPT = ENGLISH LANGUAGE PROFICIENCY SCREENER
- LUS = Language Usage Survey
- SAT = Student Assistance Team referral
- EOC = End of Course Exams
- DYS = Dyslexia Screening
- ELPKS = English Language Proficiency Kindergarten Screener

Reporting Current ELs

Beginning in school year 2024-2025 schools must report the LUS results, WIDA Screener results, languages indicated in the LUS (under question 7), ELL or Title III Program Code, and the Program Participation Codes. The screenshot below shows an example of a complete entry for a current EL in Nova. Under the Student section, the following fields are relevant to ELs: ELL Program Eligibility and English Proficiency Code. For this student, both fields are completed with a "Y" and "1" respectively to indicate that the student is an EL. The image below is from Nova shows the relevant fields.

Student Info and Demographics											↓	↓
District Code	District Name	School Code	School Name	Student ID	First Name	Last Name	Gifted Participation Code	Gifted Level Of Integration	Sex	ELL Program Eligibility	English Proficiency Code	Homeless Status
										Y	1	

The following are the Nova descriptions for the Participation Information Code for the ELL/T3 Programs Fact. Each EL student must have either an ELL or Title III program participation code. Districts and charter schools must report EL students under either ELL or Title III codes, depending on whether is a Title III subgrant recipient.

6. Parent Refusal of Services
Received in writing from parent (opt-out form)
7. ELD pull-out course and sheltered instruction in content areas
English language instruction in the ELD course is differentiated based on the ELP level of the students.
8. ELD block and sheltered instruction in content areas (elementary grades only)
The English language instruction is differentiated based on the ELP level of the students (minimum of 45 minutes daily)
9. Integrated ELD—ELA course and sheltered instruction in content grades (secondary grades only)
For ELs with an ACCESS for ELLs score that is nearing proficiency. English language instruction in the ELD-ELA course is integrated with grade level ELA instruction.

Reporting Reclassified Fluent English Proficient (RFEP) Students

The ACCESS for ELLs assessment is administered in the winter testing window, which typically spans from January to March, results are usually available in the late spring (May–June). As results become available and program placement decisions for the following school year are made, the English proficiency codes for EL students, who meet the exit criteria (achieve overall composite score of 4.7 or higher or overall composite score of Level 3, P1 2023 and prior, or higher on the Alternate ACCESS), must be updated to reflect the change in language status (EL to RFEP1) at the next school year’s 40D NOVA data submission.

Template	Field	Values
Student Template	English Proficiency Code (EL Status)	0= IFEP 1= Current EL Student 2= RFEP1 (year 1) 3= RFEP2 (year 2) 4= RFEP3 (year 3) 5= RFEP4 (year 4) 6= RFEP5+ (year 5+)

Example Scenario for an Exiting EL

In the spring 2016 administration of ACCESS for ELLs, a student achieved a composite score of 5.1. This means that at the 40D NOVA data submission for SY16–17, this student’s language proficiency code must be changed from EL (Code = 1) to RFEP1 (Code = 2). In the SY16–17 school year, this student must no longer be assessed on the ACCESS for ELLs during the spring 2017 testing window.

- At the 40D NOVA data submission for SY17–18, this student’s language proficiency code must now be updated to RFEP2 (Code = 3).
- At the 40D NOVA data submission for SY18–19, this student’s language proficiency code must be updated to RFEP3 (Code = 4).
- At the 40D NOVA data submission for SY19–20 this student’s language proficiency code must be updated to RFEP4 (Code = 5).
- At the 40D NOVA data submission for SY20–21 this student’s language proficiency code must be updated to RFEP5+ (Code = 6). For every year after the SY20–21 school year the student will remain an RFEP5+.

Federal Laws, Court Decisions, and OCR Policy Concerning ELs

Legislation, Court Decisions, and OCR Policy

Civil Rights Act, Title VI (1964)

Passed by Congress, that prohibited discrimination based on race, color, or national origin. Title VI of the Act states, “No person shall, on the grounds of race, color, or national origin, be denied the benefits of, or be subjected to, discrimination under any program or activity receiving federal financing assistance.”

Bilingual Education Act (1968)

The ESEA of 1965 was amended to add Title VII, The Bilingual Education Act. This program established federal policy recognizing bilingual education as a viable method for economically disadvantaged, language minority students; allocated funds for innovative programs; and recognized the unique educational disadvantages faced by non-English speaking students.

May 25 Memorandum (1970)

Director of the OCR in the Department of Health, Education, and Welfare (DHEW) sent a memo to all school districts reminding them of their responsibilities under Title VI of the Civil Rights Act of 1964. Pottinger wrote that “the district must take affirmative steps to rectify the language deficiency in order to open its instructional program to these students.”

***Lau v. Nichols* (1974)**

In suit on behalf of the Chinese students in San Francisco public schools, the Supreme Court ruled that identical education does not constitute equal education under the Civil Rights Act by “merely providing students with the same facilities, textbooks, teachers, and curriculum; for students who do not understand English are effectively foreclosed from any meaningful education.” School districts must take ‘affirmative steps’ to overcome educational barriers faced by non-English speakers. No specific methodology was mandated.

Equal Educational Opportunity Act (EEOA) (1974)

Within weeks of *Lau v. Nichols*, Congress passed the EEOA, mandating that no state shall deny EEO to any individual “by the failure by an educational agency to take appropriate action to overcome language barriers that impede equal participation by students in an instructional program.” This was an important piece of legislation because it defined what constituted the denial of education opportunities. However, no definition/specification of appropriate action was mandated.

Amendments to Title VII (1974)

The first reauthorization of ESEA’s Title VII included a new section focusing on teacher and PD and native language instruction. The newly amended law required states to include instruction in students’ native language and culture and to spend at least 15 percent of their money towards training bilingual teachers. Another new amendment was an expansion of eligibility of who could participate in Title VII programs. Any student, regardless of socioeconomic status, who was of “Limited English-Speaking Ability (LESA),” could participate.

Lau Remedies (1975)

The DHEW designed a set of education standards that would satisfy the ruling on *Lau v. Nichols*. These standards were named the “Lau Remedies” and gave the federal government influence over educational decisions made by local and state education authorities.

Amendments to Title VII (1978)

The reauthorization of Title VII of the ESEA emphasized the strictly transitional nature of native language instruction, expanded eligibility to students who were LEP, and permitted enrollment of English-speaking students in Bilingual Education.

Notice of Proposed Rulemaking (NPRM) (1980)

These regulations sought to replace the “Lau Remedies” with official documentation. NPRM was an attempt to create requirements for EL students. Regulations required that only qualified teachers were to give bilingual instruction. Services to ELLs were required to have four components: identification, assessment, services, and exit for students in these programs.

Legislation, Court Decisions, and OCR Policy

***Castañeda v. Pickard* (1981)**

The 5th District Court of Appeals mandated special help for ELLs. This court case defined criteria for the “appropriate action” schools should take to educate LEP students. Criteria for schools included pedagogically sound plans for LEP students, qualified staff for instruction, effective implementation of programs, and plans for the evaluation of programs.

***Plyler v. Doe* (1982)**

The US Supreme Court struck down a Texas law that excluded children lacking proof of legal residency or full tuition from attending public schools. Justice Brennan wrote, “It is difficult to understand precisely what the state hopes to achieve by promoting the creation and perpetuation of a subclass of illiterates.” The *Plyler v. Doe* decision, based on the Fourteenth Amendment, set the precedent that children could not be denied an education based on immigration status.

Amendments to Title VII (1984)

The 1984 reauthorization of Title VII of the ESEA implemented several new grant programs in the areas of family English literacy, academic excellence, developmental bilingual education, Early Start, and special education students. The reauthorization also emphasized the importance of teacher training and academic goals for LEP students.

Amendments to Title VII (1988)

The reauthorization of Title VII of the ESEA included increased funding to SEAs, expanded funding for “special alternative” programs where only English was used, a three-year limit on participation in most Title VII programs, and the creation of fellowship programs for professional training.

Amendments (Improving America’s Schools Act) (1994)

The reauthorization of the ESEA entailed comprehensive educational reforms, including a reconfiguration of Title VII programs. New provisions reinforced PD programs, increased attention to language maintenance and foreign language instruction, improved research, and evaluation at state and local levels, supplied additional funds for immigrant education, and allowed participation of some private school students.

Executive Order 13166 “Improving Access to Services for persons with LEP” (2000)

This presidential order required all federal agencies and sponsored projects to “ensure that the programs and activities they normally provide in English are accessible to LEP persons and thus do not discriminate on the basis of national origin in violation of Title VI of the Civil Rights Act of 1964.”

***Alexander v. Sandoval* (2001)**

This US Supreme Court case dealt with the issues of disparate impact (unintended consequences) and private right of action (whether an individual can sue the state under Title I of Civil Rights Act) regarding non-native English speakers. Martha Sandoval, native Spanish speaker, had sued the state of Alabama, claiming that the state’s English-only driver’s license test discriminated against Spanish speakers, which violated Title VI of the Civil Rights Act. The Supreme Court, in a 5–4 vote, ruled against Sandoval stating that a private citizen cannot sue the federal government under Title VI. That a plaintiff has to prove that the actions taken against them were intentional acts of discrimination. Thirdly, that a language is not considered an act of discrimination protected in the Civil Rights Act, only race, color, and national origin are included.

The No Child Left Behind Act (Changes from ESEA, Title VII) (2002)

The reauthorization renamed federal support for education as the *NCLB Act*. It replaced the ESEA Title VII program with Title III program providing funding to states for ELA programs only, i.e., new provisions focused only on promoting English acquisition and helping ELLs meet challenging content standards by creating aligned systems of standards and assessments. States issued sub-grants to school districts; both systems were held accountable for LEP and immigrant students’ academic progress and English attainment. PD programs were also supported.

Legislation, Court Decisions, and OCR Policy

Every Student Succeeds Act (ESSA) (2016)

ESSA reauthorizes the ESEA. ESSA will replace the NCLB Act of 2001. The transition to full implementation of ESSA will take place over SY15–16 and 16–17, with full implementation expected in SY17–18.

***Martinez/Yazzie Vs. NM* (2018)**

The First Judicial District Court rules that the State of NM violated students' fundamental rights by failing to provide a sufficient public education, as required under the state constitution. All NM students have a right to be college and career ready and that the State is failing to meet this obligation; an educational system that ensures at-risk students, including ELs, Students with Disabilities, Native American students, and students that are economically disadvantaged, will have the opportunity to become so prepared.

Glossary of Terms & Acronyms

The glossary of terms and acronyms are below:

Acronym/Term	Definition	LCD Guidance Associated
AAPPL	Assessment of Performance toward Proficiency in Languages: Provided by the American Council on the Teaching of Foreign Language's (ACTFL) which uses the World-Readiness Standards for learning languages. Participants engage in virtual video chats, creating wikis, and emailing, among other tasks. The AAPPL measures interpersonal listening/speaking, writing, and interpretive reading.	SSBB TAM
Academic Conversation / Discourse	Academic Conversations are sustained and purposeful conversations about school topics.	ELDIF Handbook
Academic Language	refers to the language used in academic content found in formal schooling contexts, including specialized or technical language and discourse related to each content area.	SSBB TAM
Academic Vocabulary	Vocabulary used in an academic, school setting and words which are content, skill-based words.	ELDIF Handbook
ACCESS for ELLs	New Mexico's statewide, standards-based, criterion-referenced English Language Proficiency (ELP) assessment designed to annually measure K–12 English language learners' (ELLs) social and academic proficiency in English. This assessment is computer-based.	BMEP TAM; ELDIF Handbook; Serving ELs TAM; LUS Handbook; SSBB TAM; Title III TAM;
Accommodations	Changes in procedures or materials that do not fundamentally alter the content or performance expectation for a student.	Identifying and Serving ELs w/ Disabilities Handbook
ACT	American College Testing: is a national college admissions examination that consists of subject area tests in English, mathematics, reading, and science. Scores range from 1 (low) to 36 (high).	SSBB TAM
ADA	Americans with Disabilities Act of 1990	LUS Handbook
Agricultural Work	The production or initial processing of crops, dairy products, poultry, or livestock, as well as the cultivation or harvesting of trees. It consists of work performed for wages or personal subsistence.	ID & R Manual
<u>Alliance Française</u>	refers to a non-profit. There are well over 100 Alliances Françaises in the USA under the 501(c) 3 non-profit Federation of Alliances Françaises. Each alliance is dedicated to teaching the French language and enjoying the culture of French-speaking countries. The federation makes available cultural offerings—à la carte. These are reasonably priced, local, or national programs that are listed on the Federation's website.	SSBB TAM

Acronym/Term	Definition	LCD Guidance Associated
Alternate ACCESS	The annual large-print ELP assessment that is administered individually to students in grades 1-12 who are identified as ELs with the most significant cognitive disabilities. This assessment is paper based.	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
AP	Advanced Placement: is a program of coursework provided by the College Board. Students can take college-level classes taught by their specially prepared teachers. At the end of the course, students can sit for the AP exam that, with a high-enough score, can earn them college credit and even allow them to place out of introductory college coursework.	SSBB TAM
ASL	American Sign Language: ASL is a visual-gestural language used primarily by members of the North American Deaf community and is considered a language other than English.	SSBB TAM
<u>ASLPI</u>	ASL Proficiency Interview: is a holistic language evaluation used to determine global ASL proficiency. The basic precept in this type of evaluation is to determine, through a face-to-face interview, what an individual can do with the target language at a given point in time and is a 20–25-minute video-recorded interactive dialogue between the examinee and the interviewer.	SSBB TAM
Asset-Based Approach	Teaching that is grounded in what students can do rather than what they cannot do or areas of weakness. It is an embodiment of growth mindset in instruction.	Identifying and Serving ELs w/ Disabilities Handbook
Asylee	Asylees: are individuals who, on their own, travel to the United States and subsequently apply for or receive a grant of asylum. Asylees do not enter the United States as refugees. They may enter as students, tourists, on business, or with “undocumented” status. U.S. Department of Health and Human Services [HHS], n.d.a	BMEP TAM; Serving ELs TAM; Title III TAM
Avant	is a language proficiency assessment vendor.	SSBB TAM
BAR	Budget Adjustment Request: Requests for net increases and decreases to the budget that may include increases due to new grant funds and decreases due to the need to reduce appropriations to keep spending within available revenues—BARs must be approved by designated authority prior to posting as a budget adjustment.	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
Bicultural	Identifying with the cultures of two different cultural groups—to be bicultural is not necessarily the same as being bilingual, and vice versa.	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
Bilingualism	Refers to the ability to command two languages existing on a continuum of language skills.	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
Biliteracy	The ability to effectively communicate or understand thoughts and ideas through two language systems and vocabularies, using both written symbols.	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM

Acronym/Term	Definition	LCD Guidance Associated
Block Scheduling	Method, typically used in secondary schools, to extend instructional periods from a traditional program of shorter sessions to longer class periods that meet fewer times each day and week.	Identifying and Serving ELs w/ Disabilities Handbook
BMEAC	Bilingual Multicultural Education Advisory Council: that has been created in the BME Act to advise the Secretary and NMPED staff on the effective implementation of the BME Act.	BMEP TAM; Serving ELs TAM; Title III TAM
BMEPs	Bilingual Multicultural Education Programs: that provide instruction in, and the study of, English and the home or heritage language of the student. It may also include the delivery of the content areas in the home or heritage language and English, and it incorporates the cultural heritage of the child into specific aspects of the curriculum.	BMEP TAM; ELDIF Handbook; Identifying and Serving ELs w/ Disabilities Handbook; Serving ELs TAM; Title III TAM;
CAMP	College Assistance Migrant Program: assists migratory students in completing their first year of college and provides follow-up services to help them continue in postsecondary education.	ID & R Manual
CCSS	Common Core State Standards: The state-led effort to develop the Common Core State Standards was launched in 2009 by state leaders—including governors and state commissioners of education from 48 states, two territories, and the District of Columbia—through their membership in the National Governors Association (NGA) Center for Best Practices and the CCSSO.	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
CCSSO	Council of Chief State School Officers	BMEP TAM; ELDIF Handbook; LUS Handbook; Serving ELs TAM; Title III TAM
CEFR	Common European Framework of Reference: is a learning, teaching, and assessment that acts as a framework of reference for Languages used in Europe but also on other continents. It was designed to provide a transparent, coherent, and comprehensive basis for the elaboration of curriculum guidelines and language syllabi, the design of teaching and learning materials, and the assessment of foreign languages. It is now available in 39 languages.	SSBB TAM
COE	Certificate of Eligibility: is a form established by the Secretary of Education that consists of required data elements and required data sections necessary for documenting a child’s eligibility for the MEP. 34 CFR § 200.89(c).	ID & R Manual
Child Count	a “ child count ” is the state’s numeric calculation of the total unduplicated number of eligible migratory students statewide who can be counted for funding purposes. ED collects two separate child counts, known as the Category 1 and Category 2 child counts.	ID & R Manual

Acronym/Term	Definition	LCD Guidance Associated
CLD	Culturally and Linguistically Diverse: students who are of a different cultural background than the dominant United States culture and who may have inherited a home or heritage language other than English from their family, tribe, or country of origin.	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
CLEP	College-Level Examination Program: which is a group of standardized tests that assesses college-level knowledge in several subject areas. These tests, are administered at more than 1,700 colleges and universities across the United States and can earn students credit for, and placement out of, college classes.	SSBB TAM
<u>College Board</u>	This is a mission-driven, not-for-profit organization that assists students to transition from high school to college through programs such as SAT college entry testing and the AP program.	SSBB TAM
Comprehensive Evaluation	Use of a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the child, including information provided by the parent, that may assist with determining whether the child is a child with a disability under §300.8.	Identifying and Serving ELs w/ Disabilities Handbook
SDP	Also known as a comprehensive state Service Delivery Plan , describes the services the SEA will provide on a statewide basis to address the unique educational needs of migratory students.	ID & R Manual
Content Areas	All subject matter areas of the school’s curriculum, as defined in the New Mexico standards for Excellence, 6.29.1-11 NMAC, Content Standards and Benchmarks. It especially refers to the core content areas— language arts, math, science, and social studies.	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
Continuation of Service	The statute provides three circumstances in which a LOA may continue to provide services to children whose eligibility has ended: (1) a child who ceases to be a migratory child during a school term shall be eligible for services until the end of such term; (2) a child who is no longer a migratory child may continue to receive services for one additional school year, but only if comparable services are not available through other programs; and (3) students who were eligible for services in secondary school may continue to be served through credit accrual programs until graduation. [Note: Before the agency provides services under these provisions, it should consider whether the child’s unmet unique educational needs are addressed by the general school program and whether migratory children who have a priority for services have already been served.]	ID & R Manual
CES	Each state has a “land grant” college or university that addresses agricultural issues and supports a statewide system of Cooperative Extension Service offices. The county agents for each CES office often have in-depth knowledge of local farms and crops and have many contacts in the farming community. The CES may also offer annual statewide activities such as farm shows or agricultural days that are good places to meet employers.	ID & R Manual
CSPR	Consolidated State Performance Report: Is the instrument SEAs use to report to ED on the performance of many ESEA formula grant programs, including the MEP.	ID & R Manual
Crop	Is a plant that is harvested for use by people or by livestock.	ID & R Manual

Acronym/Term	Definition	LCD Guidance Associated
CRT	Culturally Responsive Teaching: is the validation and affirmation of home culture and language for the purpose of building and bridging the student to success in the culture of academia.	ELDIF Handbook
Culture	Deep patterns of values, beliefs, practices, and traditions that have been compiled and normalized over a period of time, setting the standard for what is normal and expected. This socially acquired knowledge may be learned and is shared among individuals in the home, community, and/or institutions.	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
<u>DELE</u>	Diplomas of Spanish as a Foreign Language: is the official accreditation of the degree of fluency of the Spanish language. It is issued and recognized by the Ministry of Education, Culture and Sport of Spain. The Instituto Cervantes is the institution in charge of organizing the exams, while the University of Salamanca oversees the preparation, correction, and final evaluation of all tests.	SSBB TAM
DEL F	Diplôme d'Etudes en Langue Française: is an official qualification awarded by the French Ministry of Education to certify the competency of candidates from outside France in the French language. These diplomas are valid for life. DELF is composed of four independent diplomas that correspond to the levels of the CEFR mentioned above.	SSBB TAM
Designated ELD	Instruction to develop the ELP of EL students based on the student's ELP level and grade level; instruction shall be distinct from content-area instruction.	Identifying and Serving ELs w/ Disabilities Handbook
DFA	Department of Finance Administration	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
DHEW	Department of Health, Education, and Welfare	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
Differentiated Instruction	An approach that teachers can use to make grade level content comprehensible to all students with specific attention to the diverse language and learning needs of their ELs.	ELDIF Handbook
Diploma of Excellence	refers to a New Mexico high school diploma. Diploma of excellence is the terminology used in NMSA 22-1-9.1 and 6.32.3.5 NMAC.	SSBB TAM
Discussion Etiquette	The outlined decorum and good form a student must project during Academic Discourse and/or all class discussion.	ELDIF Handbook
District	A unit for administration of a public-school system often comprising several towns within a state—excluding state charter schools (each its own district), there are 89 school districts in NM, with Albuquerque Public Schools being the largest and Mosquero Municipal Schools being the least populated.	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
DOK	Depth of Knowledge: the depth of understanding required to answer or explain an assessment-related item or a classroom activity. The concept of depth of knowledge was developed in the	ELDIF Handbook

Acronym/Term	Definition	LCD Guidance Associated
	1990s through research by Norman L. Webb, a scientist at the Wisconsin Center for Education Research.	
DTA/DTC	District (or Charter) Test Administrator/Coordinator: who is a licensed school instructor, counselor, student success advisor, or administrator in a school district, charter school, state educational institution, or bureau of Indian education school (BIE) designated by the district superintendent, charter administrator, or governing authority of a state educational institution or BIE school with the overall responsibility for distributing and administering standardized tests, training school personnel in test security matters, etc.	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
DLI	Dual Language Immersion: A BMEP model designed to develop proficiency in two languages	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
Economic Necessity	Means that the child and the worker (if the child is not the worker) moved because they could not afford to stay in the current location. The MEP is premised on the understanding that migratory children have unique needs in view of their mobility, and generally are in low-income families. The statutory requirement that a qualifying move be made due to “economic necessity” clarifies that, under the ESEA, it is integral to a move that makes a child a “migratory” child.	ID & R Manual
ED	The U.S Department of Education: This is the agency of the federal government that establishes policy for and administers and coordinates most federal assistance to education. It assists the president in executing his education policies for the nation and in implementing education laws enacted by Congress.	BMEP TAM; ELDIF Handbook; LUS Handbook; Serving ELs TAM; Title III TAM
EEOA	The Equal Educational Opportunities Act of 1974. It is a U.S. federal law that prohibits discrimination against faculty, staff, and students—including racial segregation of students—and requires school districts to take action to overcome barriers to students' equal participation.	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
ELA	English Language Arts	BMEP TAM; SSBB TAM
ELA Program	English Language Acquisition Program: See Title III and LIEP	ELDIF Handbook; Serving ELs TAM; Title III TAM
EL	English learners: These are students whose home or heritage language influence is not English, and who are unable to speak, read, write, and understand English at a level comparable to their grade-level English proficient peers, as determined by objective measures of proficiency. The term EL replaces ELL.	BMEP TAM; ELDIF Handbook; Identifying and Serving ELs w/ Disabilities Handbook; LUS Handbook; Serving ELs TAM; SSBB TAM; Title III TAM
ELD	English Language Development: refers to instruction designed specifically for ELs to further develop their listening, speaking, reading, and writing skills to achieve ELP.	BMEP TAM; ELDIF Handbook; Identifying and

Acronym/Term	Definition	LCD Guidance Associated
		Serving ELs w/ Disabilities Handbook; Serving ELs TAM; Title III TAM;
ELD Standards	State-adopted English language development standards under 6.29.5 NMAC.	BMEP TAM; ELDIF Handbook; Identifying and Serving ELs w/ Disabilities Handbook; Serving ELs TAM; Title III TAM;
Eligibility Determination Team	Group of people who determine whether the student is eligible for and in need of special education and related services under one or more of the eligibility categories defined by IDEA (2004). This group must include the student's parents, general education teacher(s), special education teacher(s), a representative of the public agency, an individual who can interpret evaluation results, other individuals who have knowledge and expertise, and the student (as appropriate).	Identifying and Serving ELs w/ Disabilities Handbook
ELL	English Language Learner: See EL above.	BMEP TAM; ELDIF Handbook; LUS Handbook; Serving ELs TAM; SSBB TAM; Title III TAM;
ELP	English language proficiency.	BMEP TAM; ELDIF Handbook; LUS Handbook; Serving ELs TAM; Title III TAM
ELP Screeners	WIDA Screener online (grades 1-12) and WIDA Screener for Kindergarten are tests approved by the NMPED to measure ELP as part of the EL identification process.	BMEP TAM; ELDIF Handbook; Identifying and Serving ELs w/ Disabilities Handbook; LUS Handbook; Serving ELs TAM;
Emancipated Youth	Are children who have not reached adult age (in accordance with state law) who are no longer under the control of a parent/guardian and who are solely responsible for their own welfare.	ID & R Manual
Engaged in New Qualifying Work	Soon after a qualifying move, is one of the criteria for determining whether a worker is a migratory agricultural worker or migratory fisher. In this context, engaged in new qualifying work means that the worker began temporary or seasonal employment in agriculture or fishing (e.g., picking strawberries).	ID & R Manual

Acronym/Term	Definition	LCD Guidance Associated
Enrichment	A BMEP model designed to further develop the home language of fully English proficient students.	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
EoC	End-of-Course exams are intended to be final exams for specific courses. They measure student proficiency of a subset of the Common Core State Standards (CCSS) for language arts and mathematics and the New Mexico State Standards (NMSS) for other courses.	SSBB TAM
EOY	End of Year: The acronym is often used by the New Mexico Public Education Department to describe EOY reporting.	SSBB TAM
EPSS	Educational Plan for Student Success: a long-range plan for improvement that is developed by individual schools and districts	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
ESEA	Elementary and Secondary Education Act of 1965. The act is an extensive federal statute that funds primary and secondary education. It also emphasizes equal access to education and establishes high standards and accountability. In addition, it aims to shorten the achievement gaps between students by providing each child with fair and equal opportunities to achieve an exceptional education. As mandated in the act, the funds are authorized for PD, instructional materials, resources to support educational programs, and parental involvement promotion.	BMEP TAM; ELDIF Handbook; Identifying and Serving ELs w/ Disabilities Handbook; LUS Handbook; Serving ELs TAM; Title III TAM;
ESL	English as a Second Language: It is an educational approach in which EL students are provided explicit instruction in the use of the English language. Instruction is based on a targeted curriculum that focuses on English language learning (not subject matter content). ESL is traditionally taught as a separate course for ELs only.	BMEP TAM; ELDIF Handbook; Serving ELs TAM; SSBB TAM; Title III TAM;
ESSA	Every Student Succeeds Act reauthorizes the ESEA of 1965 and was signed into law by President Obama December 10, 2015. ESSA will replace the NCLB Act of 2001. The transition to full implementation of ESSA will take place over SY15–16 and SY16–17, with full implementation expected in SY17–18.	BMEP TAM; ELDIF Handbook; LUS Handbook; Serving ELs TAM; Title III TAM
Ethnographic Interviews	Open-ended interviews that allow the interviewer to gain deep understanding of an interviewee's perspectives, beliefs, and understandings.	Identifying and Serving ELs w/ Disabilities Handbook
Expressive Language	using language to express information, ideas, or concepts in either oral, signed, or written communication.	SSBB TAM
Extrinsic Factors	Variables including the quality of classroom instruction, designated and integrated ELD instruction, physical and psychological factors (personal and cultural), language factors, and previous and current learning environment factors that affect learning and are external to disability.	Identifying and Serving ELs w/ Disabilities Handbook

Acronym/Term	Definition	LCD Guidance Associated
FEP	Fluent English Proficient: See IFEP and/or RFEP.	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
Fish Farm	Is a tract of water, such as a pond, a floating net pen, a tank, or a raceway reserved for the raising or harvesting of fish or shellfish. Large fish farms sometimes cultivate fish in the sea, relatively close to shore. The fish are artificially cultivated, rather than caught, as they would be in “fishing.” Fish species raised on fish farms include, but are not limited to, catfish, tilapia, salmon, cod, carp, eels, oysters, and clams.	ID & R Manual
Fishing Work	Is the catching or initial processing of fish or shellfish, as well as the raising or harvesting of fish or shellfish at fish farms, that is performed for wages or personal subsistence.	ID & R Manual
Formal Education	Formal Education is institutionalized, intentional and planned through public organizations and recognized private bodies and – in their totality – constitute the formal education system of a country. Formal education programs are thus recognized as such by the relevant national education authorities or equivalent authorities, e.g., any other institution in cooperation with the national or sub-national education authorities. Formal education consists mostly of initial education. Vocational education, special needs education and some parts of adult education are often recognized as being part of the formal education system.	BMEP TAM; Serving ELs TAM; Title III TAM
FAPE	Free & Appropriate Public Education: Under IDEA (2004), public schools are required to provide each student with a free and appropriate public education in the student’s least restrictive environment, at no cost to the student’s family.	Identifying and Serving ELs w/ Disabilities Handbook; LUS Handbook;
Guardian	A “ guardian ” is any person who stands in the place of the child’s parent (in “ <i>loco parentis</i> ”), whether by voluntarily accepting responsibility for the child’s welfare or by a court order.	ID & R Manual
Heritage Language program	A BMEP model designed to support and revitalize a student’s heritage language and culture through oral and written communication; for Native American languages that are oral only, the literacy component shall be measured only in the skill areas or domains of listening, speaking and comprehension.	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
Heritage Language	The language other than English that is inherited from a family, tribe, community, or country of origin—whether the student is proficient in the language	BMEP TAM; Identifying and Serving ELs w/ Disabilities Handbook; Serving ELs TAM; Title III TAM;
Heritage Speaker	A student whose first (dominant) language is English and home/heritage language(s) include both English and a language(s) other than English. Heritage speakers may be initially classified as either IFEP or EL as a result of the ELP screening.	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM

Acronym/Term	Definition	LCD Guidance Associated
HEP	High-School Equivalency Program: assists migratory students who are 16 years or older in obtaining a High School Equivalency (HSE) certificate or the equivalent of a high school diploma.	ID & R Manual
Holistic Observation	Framework for gathering information on a student before a referral is made to have the student evaluated for special education eligibility.	Identifying and Serving ELs w/ Disabilities Handbook
Home Base	Many migratory families have a home base or hometown where they live for much of the year, then travel or migrate to other places to work for temporary or seasonal work out of economic necessity. For example, a migratory family might consider Florida to be their home base work through the citrus harvest in the spring, and then they move to South Carolina to work during the peach harvest, and then return to their home base in the fall.	ID & R Manual
Home Language	Language other than English that is the primary or heritage language spoken at home or in the community.	BMEP TAM; ELDIF Handbook; Identifying and Serving ELs w/ Disabilities Handbook; Serving ELs TAM; Title III TAM;
<u>IB</u>	International Baccalaureate: which is a non-profit, educational foundation offering four highly respected programs of international education that develop the intellectual, personal, emotional, and social skills needed to live, learn, and work in a rapidly globalizing world.	SSBB TAM
IDEA	The Individuals with Disabilities in Education Act of 1975	Identifying and Serving ELs w/ Disabilities Handbook; LUS Handbook;
Identification & Recruitment	“Identification” means determining the location and presence of migratory children. “Recruitment” means contacting migratory families, explaining the MEP, securing the necessary information to determination that the child is eligible for the MEP, and recording the basis of the child’s eligibility on a COE or like form.	ID & R Manual
IEP	Individualized Education Program as required by the Individuals with Disabilities Education Act. An IEP is a legal document that spells out a child’s learning needs, the services and accommodations the school will provide, and how progress will be measured.	BMEP TAM; ELDIF Handbook; Identifying and Serving ELs w/ Disabilities Handbook; Serving ELs TAM; Title III TAM;
IEP Team	Group responsible for reviewing, developing, or revising the IEP for a student with a disability. The team must include the student’s parents, general education teacher(s), special education teacher(s), a representative of the public agency, an individual who can interpret evaluation results, other individuals who have knowledge and expertise, and the child (as appropriate).	Identifying and Serving ELs w/ Disabilities Handbook

Acronym/Term	Definition	LCD Guidance Associated
IFEP	Initial Fluent English Proficient: formerly known as “never ELL”. May refer to a student whose LUS indicated that there is no influence of languages other than English in the student’s home (Native English speaker) OR it may refer to a student who scored proficient on the ELP screener (WIDA Screener for Kindergarten or Grades 1-12).	BMEP TAM; ELDIF Handbook; Identifying and Serving ELs w/ Disabilities Handbook; Serving ELs TAM; Title III TAM;
Immigrant Children/Youth	Children and Youth Individuals who are aged 3 through 21, were not born in any U.S. state (including District of Columbia and the Commonwealth of Puerto Rico) and have not been attending one or more schools in any one or more states for more than three full academic years.	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
Initial Processing	Is work that (1) is beyond the production stage of agricultural work and (2) precedes the transformation of the raw product into something more refined. It means working with a raw agricultural or fishing product.	ID & R Manual
Integrated ELD	Integrated instruction to attain ELP and meet content standards and benchmarks; it shall occur in all content-area instruction.	Identifying and Serving ELs w/ Disabilities Handbook
Interstate Coordination	Refers to collaborative activities undertaken by two or more states to improve the education of migratory children in those states. Ideally, this term refers to the collaborative activities that two or more states assume to improve the education of migratory children who move between those states.	ID & R Manual
Intrastate Coordination	Refers to efforts involving two or more LOAs within a state to improve educational services to migratory children in that state. The SEA may facilitate these efforts among LOAs or the LOAs may conduct them directly.	ID & R Manual
Join Date	<p>Also referred to as “to join” date, refers to situations where the child and parent do not move together. The “to join” date is the day that the child and worker complete the move to be together. If the child’s move precedes the worker’s move, the QAD is the date that the worker arrived. If the child’s move followed the worker’s move, the QAD is the date the child arrived.</p> <p>The SEA should establish a reasonable time limit for “to join” moves. If the SEA has not established a time limit, the recruiter should determine what is reasonable based on the circumstances. ED believes that, as a best and safe practice, the child’s move should generally occur within 12 months of the worker’s move, and that after one year, it is difficult to link the child’s move to the worker’s move. Nonetheless, there may be unusual circumstances that prevent a child from moving within 12 months of the worker’s move, or vice versa. In these cases, the SEA should document in the Comments section of the COE the basis for determining that the child moved to “join” a worker after such a prolonged period of time between the two moves, or that the worker moved to join the child after a similarly prolonged period.</p>	ID & R Manual

Acronym/Term	Definition	LCD Guidance Associated
L1	Home or Primary Language is the language, other than English, spoken at home. The following terms are interchangeable: first language (L1), native language, primary language, mother tongue and/or home language. May include heritage language.	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
L2	Second Language is used in several ways and can refer to the second language learned.	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
LA	Language Acquisition: The process of acquiring a language.	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
LAS	Language Assessment Scales: An approved Spanish language proficiency assessment option used in the state of New Mexico for students participating in state funded, BMEPs.	ELDIF Handbook
Language Majority	A person or language community that is associated with the dominant language of the country.	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
Language Proficiency	A measure of how well an individual can speak, read, write, and comprehend a language comparable to the standard expected for native speakers of the language. Language proficiency is composed of oral (listening and speaking) and written (reading and writing) components, as well as academic and non-academic language and comprehension of said language. The methods and assessments used for measuring language proficiency are varied. Language proficiency is an agreed-upon construct dependent on tribes, communities, and/or institutions.	BMEP TAM; ELDIF Handbook; Identifying, and Serving ELs w/ Disabilities Handbook; Serving ELs TAM; Title III TAM;
LCD	Language and Culture Division of the NMPED works too, meet federal obligations to ELs by providing policy and guidance on EL programs, leveraging Title III English Language Acquisition Subgrants to maximize positive outcomes for ELs and Immigrant students, implementing state-funded BMEPs, providing effective World Language instruction, provide guidance on the Seal of Bilingualism-Biliteracy on the NM Diploma of Excellence, and implement Culturally and Linguistically Responsive Instruction.	BMEP TAM; ELDIF Handbook; LUS Handbook; Serving ELs TAM; Title III TAM
LEA	Local Education Agency: Synonymous with a local school system—usually a local school district or a state charter school—indicating that a public board of education or other public authority maintains administrative control of the public schools in a city or county.	BMEP TAM; ELDIF Handbook; LUS handbook; Serving ELs TAM; Title III TAM
Leading Questions	Leading questions can often be answered by “yes” or “no” responses and prompt the interviewee to give a particular answer. On the other hand, open-ended questions prompt the interviewee to provide more information than simply “yes” or “no.” In the example below, “you moved here to work in agriculture, right?” makes it appear that “yes” is the “correct” response. Rephrasing the	ID & R Manual

Acronym/Term	Definition	LCD Guidance Associated
	question to “Why did you move here?” allows the interviewee to provide various reasons without having a predetermined answer in mind.	
Least Restrictive Environment	Requirement in federal and state law that students with disabilities receive their education, to the maximum extent appropriate, with nondisabled peers. Special education students should not be removed from regular classes unless, even with supplemental aids and services, education in regular classes cannot be achieved satisfactorily.	Identifying, and Serving ELs w/ Disabilities Handbook
LEP	Limited English Proficient is the term previously used by the federal government to identify those students who have insufficient English to succeed in English-only classrooms. The term EL replaces LEP.	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
LESA	Limited English-Speaking Ability	ELDIF Handbook
Lessons Learned	In recognition of the experience of the ID&R community, OME has interspersed “ lessons learned ” from veteran ID&R staff throughout the National ID&R Manual. Lessons learned reflect advice from veteran ID&R staff regarding both strategies to adopt and pitfalls to avoid. These lessons learned help new and veteran recruiters alike benefit from the experience of others.	ID & R Manual
LIEP	Language Instruction Educational Programs refers to instructional programs that assist ELs and immigrant students to attain ELP, develop high levels of academic attainment in core academic subjects, and meet the same challenging, state academic standards as all children are expected to meet.	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
Livestock	Refers to any animal produced or kept primarily for breeding or slaughter purposes, including, but not limited to, beef cattle, hogs, sheep, goats, and horses. For purposes of the MEP, livestock does not include animals that are raised for sport, recreation, research, or pets. ED does not consider the term “livestock” to include animals hunted or captured in the wild.	ID & R Manual
LOA	Local Operating Agency	ID & R Manual
LOTE	Language Other Than English	BMEP TAM; ELDIF Handbook; LUS Handbook; Serving ELs TAM; SSBB TAM; Title III TAM;
LUS	Language Usage Survey: a survey designed to identify a LOTE in a student’s background to determine if language screening is necessary, as federally required.	BMEP TAM; ELDIF Handbook; Identifying, and Serving ELs w/ Disabilities Handbook; LUS Handbook; Serving ELs TAM; Title III TAM;

Acronym/Term	Definition	LCD Guidance Associated
Maintenance	A BMEP model designed to develop and maintain proficiency and literacy in the home language while developing a student's literacy and oral skills in English.	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
MCNL Endorsement	Modern, Classical, and Native Language Endorsement: available to licensed New Mexico teachers	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
MEP	<p>Migrant Education Program: is authorized by Part C of Title I of the ESEA, as amended. The MEP provides formula grants to SEAs to establish or improve education programs for migratory children. The purpose of the grants is:</p> <ul style="list-style-type: none"> • to assist states in supporting high-quality and comprehensive educational programs and services during the school year and, as applicable, during summer or intersession periods, that address the unique educational needs of migratory children. • to ensure that migratory children who move among the states are not penalized in any manner by disparities among the states in curriculum, graduation requirements, and challenging State academic standards. • ensure that migratory children receive full and appropriate opportunities to meet the same challenging State academic standards that all children are expected to meet. • to help migratory children overcome educational disruption, cultural and language barriers, social isolation, various health-related problems, and other factors that inhibit the ability of such children to succeed in school; and • to help migratory children benefit from state and local systemic reforms. 	ID & R Manual
Migratory Agricultural Worker	An individual who made a qualifying move in the preceding 36 months and, after doing so, engaged in new temporary or seasonal employment or personal subsistence in agriculture, which may be dairy work or the initial processing of raw agricultural products. If an individual did not engage in such new employment soon after a qualifying move, such individual may be considered a migratory agricultural worker if the individual actively sought such new employment and has a recent history of temporary or seasonal agricultural employment.	ID & R Manual
Migratory Child	<p>According to sections 1115(c)(1)(A) (incorporated into the MEP by sections 1304(c)(2), 1115(b), and 1309(3) of the ESEA, and 34 C.F.R. § 200.103(a) of ED's Title I regulations) a child is a "migratory child" and is eligible for MEP services if all of the following conditions are met:</p> <ol style="list-style-type: none"> 1) The child is not older than 21 years of age; and <ol style="list-style-type: none"> a) The child is entitled to a free public education (through grade 12) under state law, or b) The child is not yet at a grade level at which the LEA provides a free public education, and 	ID & R Manual

Acronym/Term	Definition	LCD Guidance Associated
	<p>2) The child made a qualifying move in the preceding 36 months as a migratory agricultural worker or a migratory fisher, or did so with, or to join a parent/guardian or spouse who is a migratory agricultural worker or a migratory fisher; and</p> <p>3) With regard to the qualifying move identified in paragraph 3, above, the child moved due to economic necessity from one residence to another residence, and</p> <p>a) From one school district to another; or</p> <p>b) In a state that is comprised of a single school district, has moved from one administrative area to another with such district; or</p> <p>c) Resides in a school district of more than 15,000 square miles and migrates a distance of 20 miles or more to a temporary residence.</p>	
Migratory Fisher	An individual who made a qualifying move in the preceding 36 months and, after doing so, engaged in new temporary or seasonal employment or personal subsistence in fishing. If the individual did not engage in such new employment soon after the move, the individual may be considered a migratory fisher if the individual actively sought such new employment and has a recent history of moves for temporary or seasonal fishing employment.	ID & R Manual
MLSS	Multi-Layered System of Supports Comprehensive instructional framework that aims to provide support to all students. It is a research-based framework for effective teaching and learning.	Identifying, and Serving ELs w/ Disabilities Handbook
Modifications	Changes in procedures or materials that fundamentally alters the content or performance expectation for a student.	Identifying, and Serving ELs w/ Disabilities Handbook
Move	A change from one residence to another residence that occurs due to economic necessity.	ID & R Manual
MSIX	The Migrant Student Information Exchange system is the technology that allows states to share educational and health information on migratory children who travel from state to state and who as a result, have student records in multiple states' information systems. MSIX works in concert with the existing migratory student information systems that states currently use to manage their migratory student data to fulfill its mission to ensure the appropriate enrollment, placement, and accrual of credits for migratory children nationwide.	ID & R Manual
Multilingualism	The ability to command three or more languages existing on a continuum of language skills.	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
NALC Certificate	Native American Language and Culture Certificate available to tribally approved proficient speakers of the tribe's language and/or licensed New Mexico teachers	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM

Acronym/Term	Definition	LCD Guidance Associated
Native English speaker	A student whose first and home language is English OR a student whose first (dominant) language is English and home/heritage language(s) include both English and a language(s) other than English. See related entries: heritage language, heritage speaker, home language.	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
Native Language	See home language and L1.	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
NCLB	No Child Left Behind Act: This act authorized several federal education programs that are administered by the states. The law was a reauthorization of ESEA. Under the 2002 law, states were required to test students in reading and math in grades 3–8 and once in high school. This law required data disaggregation by sub-groups, including ELs and Students with Disabilities for the first time since the ESEA was enacted in 1965.	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
Network	Is a supportive system of sharing information and services among individuals and groups having a common interest. The five most common information sources when building a recruitment network are: (1) employers; (2) local school staff; (3) community contacts, organizations, and commercial establishments; (4) other government agencies; and (5) migratory families or youth themselves. Although the recruiter wants to encourage the recruiting network to refer children who might be eligible for the MEP, the recruiter should let network members know that while referrals are appreciated, only those who work for the MEP can determine if a child is eligible to receive services.	ID & R Manual
Newcomer	Newcomers: refers to any foreign-born students and their families who have recently arrived in the United States. Throughout our country’s history, people from around the world have immigrated to the United States to start a new life, bringing their customs, religions, and languages with them. The United States is, to a great extent, a nation of immigrants. Newcomers play an important role in weaving our nation’s social and economic fabric, and U.S. schools play an important role in helping newcomers adapt and contribute as they integrate into American society.	BMEP TAM; Serving ELs TAM; Title III TAM
NMAC	New Mexico Administrative Code	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
NMPED	New Mexico Public Education Department	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
NMSBA	New Mexico Standards-Based Assessment	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM

Acronym/Term	Definition	LCD Guidance Associated
NMTeach	NMTEACH is an educator effectiveness system designed to establish a framework for continuous improvement and professional growth for teachers and principals, which, in turn, promotes student success.	ELDIF Handbook;
NOVA	The new state reporting system used by LEAs to report data to the NMPED.	BMEP TAM; Serving ELs TAM; Title III TAM;
OBMS	Operating Budget Management System: This is the required on-line system for data entry of accounting and budgeting information to be used by New Mexico public and charter school districts using the Uniform Chart of Accounts (UCOA).	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
OCR	The U.S. Department of Education's Office for Civil Rights has responsibility for enforcing Title VI of the Civil Rights Act of 1964.	BMEP TAM; ELDIF Handbook; LUS Handbook; Serving ELs TAM; Title III TAM
OELA	The U.S. Department of Education's Office of English Language Acquisition provides national leadership to help ensure that ELs and immigrant students attain English proficiency and achieve academic success.	BMEP TAM; ELDIF Handbook; LUS Handbook; Serving ELs TAM; Title III TAM
OIG	<p>Office of the Inspector General: Congress created the OIG and authorizing statute through the Inspector General Act of 1978. Although it reports to the Secretary, it is separate and distinct from the program office units in the ED, as an independent and objective unit that:</p> <ul style="list-style-type: none"> • conducts and supervises audits and investigations relating to the programs and operations of the ED; • provides leadership, coordination, and recommendations on activities that (1) promote economy, efficiency, and effectiveness and (2) reduce or detect fraud and abuse in the administration of programs; and • provides a means of keeping the Secretary and Congress informed about problems and deficiencies relating to the administration of the ED's programs and the necessity for corrective action. 	ID & R Manual
OPI	Oral Proficiency Interview: Takes place over the phone between a trained, certified, ACTFL tester and the candidate in a live, 30–45-minute conversation. It is a test that measures how well a person speaks a language.	SSBB TAM
Opt-Out	A parent's right to refuse services or program participation. A parent CANNOT refuse or opt out of EL status or the ACCESS for ELLs© (ELP assessment) conducted annually.	BMEP TAM; ELDIF Handbook; LUS Handbook; Serving ELs TAM; Title III TAM

Acronym/Term	Definition	LCD Guidance Associated
PAC	<p>A Parent Advisory Committee, required by Bilingual Multicultural Education statute (NMSA 22-23) and regulation (6.32.2 NMAC), is a group of parent representatives of the language and cultural of the students to assist and advise in the development, implementation, and evaluation of the program.</p> <p>In the planning and operation of MEP programs and projects, SEAs and LOAs must consult with parents of migratory children, including a PAC, for programs not less than one school year in duration. The SEA must develop its comprehensive State plan in consultation with the State PAC or, for SEAs not operating programs for one school year in duration, in consultation with the parents of migratory children. This consultation must be in a format and language that the parents understand.</p>	<p>BMEP TAM; ELDIF Handbook; ID & R Manual; Serving ELs TAM; Title III TAM;</p>
Parent	parent, foster parent, or legal guardian.	<p>BMEP TAM; ELDIF Handbook; LUS Handbook; Serving ELs TAM; Title III TAM</p>
PARCC	Partnership for Assessment of Readiness for College and Career and is a consortium of states and the District of Columbia that have worked to create and implement uniform K–12 assessments in mathematics and ELA.	<p>ELDIF Handbook;</p>
PD	Professional Development: It is the continuous process of acquiring new knowledge and skills that relate to one's profession, job responsibilities, or work environment.	<p>BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM</p>
PED	Public Education Department: see also NMPED	<p>BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM</p>
Personal Subsistence	“Personal Subsistence” means that the worker and the worker’s family, as a matter of economic necessity, consume, as a substantial portion of their food intake, the crops, dairy products, or livestock they produce or the fish they catch.	<p>ID & R Manual</p>
PLC	Professional Learning Community: Group of educators that meets regularly, shares expertise, and works collaboratively to improve teaching skills and students’ academic performance.	<p>ELDIF Handbook; Identifying, and Serving ELs w/ Disabilities Handbook</p>
PPT	PowerPoint Software	<p>LUS Handbook</p>

Acronym/Term	Definition	LCD Guidance Associated
Priority for Services	“ Priority for services ” children, are migratory children who have made a qualifying move within the previous one-year period and who (1) are failing, or most at risk of failing, to meet the challenging state academic standards; or (2) have dropped out of school.	ID & R Manual
Proficiency	The ability to express oneself in a language with sufficient structural accuracy and vocabulary to participate effectively in most social and academic situations.	SSBB TAM
Purview	Range of operation, authority, control, concern, vision, insight, or understanding.	SSBB TAM
Q & A	Question & Answer	LUS handbook
QAD	Qualifying Arrival Date: A child’s eligibility for the MEP begins when the child completes a qualifying move. In situations where the child and parent do not move together, the “to join” date is the day that the child and worker complete the move to be together. If the child’s move precedes the worker’s move, the QAD is the date that the worker arrived. If the child’s move followed the worker’s move, the QAD is the date the child arrived. The reason for this is that the child does not establish eligibility as a migratory child until he or she physically arrives in the receiving school district.	ID & R Manual
Qualifying Move	A move due to economic necessity (A) from one residence to another residence; and (B) from one school district to another school district, except (i) in the case of a state that is comprised of a single school district, wherein a qualifying move is from one administrative area to another within such district; or (ii) in the case of a school district of more than 15,000 square miles, where a qualifying move is a distance of 20 miles or more.	ID & R Manual
Qualifying Work	Temporary or seasonal employment or personal subsistence in agriculture or fishing work.	ID & R Manual
Quality Control	An SEA must establish and implement a system of quality controls for the proper ID&R of eligible migratory children on a statewide basis. At a minimum, this system of quality controls must include the following components: <ul style="list-style-type: none"> • training to ensure that recruiters and all other staff involved in determining eligibility and in conducting quality control procedures know the requirements for accurately determining and documenting child eligibility under the MEP. • supervision and annual review and evaluation of the ID&R practices of individual recruiters • a formal process for resolving eligibility questions raised by recruiters and their supervisors and for ensuring that this information is communicated to all LOAs. • an examination by qualified individuals at the SEA or LOA level of each COE to verify that the written documentation is sufficient and that, based on the recorded data, the child is eligible for MEP services. 	ID & R Manual

Acronym/Term	Definition	LCD Guidance Associated
	<ul style="list-style-type: none"> • a process for the SEA to validate that eligibility determinations were properly made, including conducting prospective re-interviewing. • documentation that supports the SEA's implementation of this quality-control system and of a record of actions taken to improve the system where periodic reviews and evaluations indicate a need to do so. • a process for implementing corrective action if the SEA finds COEs that do not sufficiently document a child's eligibility for the MEP, or in response to internal state audit findings and recommendations, or monitoring, or audit findings of the Secretary. 	
Receptive Language	Processing language to comprehend information, ideas, or concepts in either oral, signed or written communication.	SSBB TAM
Refugee	A refugee is a person who has fled his or her country of origin because of past persecution or a fear of future persecution based upon race, religion, nationality, political opinion, or membership in a particular social group.	BMEP TAM; Serving ELs TAM; Title III TAM
RFEP	Reclassified Fluent English Proficient: formerly known as exited ELL. It refers to a student who has reached proficiency in the annual ELP assessment and is thus no longer classified as an EL.	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
Re-interviewing	Is the process of checking the eligibility determinations recorded on a State's COEs. It involves independently interviewing families and checking each criterion that makes children eligible for the MEP. States can use prospective re-interviewing for quality control before submission of annual child counts. Or states can use retrospective re-interviewing, which establishes valid and reliable defect rates that measure the quality of a state's eligibility determinations for an entire child count year (i.e., eligibility determinations made over the course of a three-year period).	ID & R Manual
RfR	Request for Reimbursement: is a method where districts, state charter schools, fiscal agents, etc. are reimbursed through the NMPED for allowable expenses charged to a certain program/fund and that do not exceed the limitations of their approved budgets for that program/fund.	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
SAT	Student Assistance Team: It is a school-based group of people whose purpose is to provide additional support to students who are experiencing academic or behavioral difficulties that are preventing them from benefiting from general education, because they are either performing below or above expectations.	BMEP TAM; ELDIF Handbook; Identifying, and Serving ELS w/Disabilities Handbook; LUS Handbook; Serving ELs TAM; Title III TAM;

Acronym/Term	Definition	LCD Guidance Associated
SAT	The Scholastic Aptitude Test is a globally recognized college admission test that provides students the opportunity to demonstrate to colleges their knowledge and their ability to apply that knowledge. The SAT tests knowledge of reading, writing, and math—subjects that are taught every day in high school classrooms.	SSBB TAM;
SBAC	State Bilingual Advisory Council: It was an ad hoc group that advised the NMPED through the LCD on all matters pertaining to bilingual multicultural education. Please see BMEAC.	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
Scaffold	An educator’s intentional act of building upon students’ already acquired skills and knowledge to teach new skills (WIDA, 2012).	ELDIF Handbook;
School Board	A local school board means the locally elected, policy-setting body of a school district. Its members serve four-year terms and can be re-elected indefinitely.	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
SDAIE	Specifically Designed Academic Instruction delivered in English: It is a teaching approach intended for teaching various academic content to students who are still learning English.	ELDIF Handbook;
SEA	State Education Agency: It is the state-level government agency within each state responsible for providing information, resources, and technical assistance on educational matters to schools and residents.	BMEP TAM; ELDIF Handbook; LUS Handbook; Serving ELs TAM; Title III TAM
Seasonal Employment	Employment that occurs only during a certain period of the year because of the cycles of nature and that, by its nature, may not be continuous or carried on throughout the year.	ID & R Manual;
Section 504	Section 504 is a part of the Rehabilitation Act of 1973 that prohibits discrimination based upon disability. Section 504 is an anti-discrimination, civil rights statute that requires the needs of students with disabilities to be met as adequately as the needs of the non-disabled are met.	LUS Handbook;
SEG	State Equalization and Guarantee: which is also known as the New Mexico public school funding formula. This applied school funding formula determines an equitable distribution of funds that are allocated state-wide in order to equalize educational opportunity for all children in New Mexico.	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
SEI	Structured English Immersion	ELDIF Handbook;
SGTs	School Growth Targets and refers to the state academic proficiency annual targets based on student performance on standards-based assessments.	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM

Acronym/Term	Definition	LCD Guidance Associated
SHARE	Statewide Human Resources, Accounting, and Financial Management Reporting System. The New Mexico State employee platform for managing processes and procedures related to human resources, accounting, and finances.	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
SharePoint®	The NMPED’s electronic database platform for completing and submitting Program Applications, Annual Reporting, as well as Local Plans submissions.	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
Sheltered Instruction	This approach integrates the development of ELP and the acquisition of grade-level academic content area knowledge and academic skills.	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
SIFE	Students with Interrupted Formal Education.	ELDIF Handbook;
<u>SLPI</u>	The Sign Language Proficiency Interview involves a one-on-one conversation in sign language between an interviewer and candidate/interviewee. Interview content varies according to the background, job responsibilities, schooling, and other interests of each SLPI candidate/interviewee.	SSBB TAM
Soon after the Move	“ Soon after the move ” be within 60 days of the worker’s move. A 60-day window allows for extenuating circumstances that would delay an individual’s engagement in new qualifying work immediately after the move (e.g., local conditions in agricultural or fishing operations, illness, or other personal circumstances), while still providing a reasonable temporal connection between the move and the worker’s engagement in qualifying work. The ESEA, as amended by the ESSA, establishes that whether one may be considered a migratory agricultural worker or fisher depends on whether the individual engaged in qualifying work soon after the move.	ID & R Manual
SPED	Special Education: as part of the Individuals with Disabilities Education Act (IDEA).	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
SSBB	State Seal of Bilingualism-Biliteracy	SSBB TAM
Standardized Curriculum	District curriculum that is aligned with the state academic content standards, benchmarks, and performance standards	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
STARS	Student Teacher Accountability Reporting System is a state reporting system used by New Mexico Public Schools to report data to the NMPED. A comprehensive student and staff information system that provides a standard data set for each student served by New Mexico’s 3Y–12 public education system.	ELDIF Handbook; Title III TAM

Acronym/Term	Definition	LCD Guidance Associated
Student Outside Texts	This refers to any text that is currently not being read in class. For example, if a class is reading To Kill A Mockingbird and the teacher requests that a comparison be made from an outside text, this text must be something that the student has already read either in or outside of class.	ELDIF Handbook;
Support(s)	Use of instructional strategies or tools used to assist students in accessing content necessary for classroom understanding or communication and to help construct meaning from language.	ELDIF Handbook;
SY	School Year: The abbreviation is used when discussing specific school years.	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
TA	A licensed school instructor, counselor, student success advisor, administrator, or instructional support provider in a school district, charter school, state educational institution, or BIE education school with the responsibility of administering tests under the guidelines outlined in 6.10.7 NMAC	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
TAFM	Technical Assistance and Focused Monitoring: This is the approach of the LCD to support district/state charters conduct required self-monitoring to evaluate whether their EL Program, use of Title III Funding, and BMEP are producing results.	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
Temporary Employment	It typically includes employment where the employer states that the worker was hired for a limited time frame (usually a few months, but no longer than 12 months); the worker states that the worker does not intend to remain in that employment indefinitely; or the SEA has determined on some other reasonable basis that the employment is temporary.	ID & R Manual
TESOL Endorsement	Teachers of English to Speakers of Other Languages: is an endorsement given to elementary- and secondary-licensed teachers qualified to teach ESL classes.	BMEP TAM; ELDIF Handbook; Identifying, and Serving ELs w/ Disabilities Handbook; Serving ELs TAM; Title III TAM;
Title I	Title I is supplemental federal funding provided to local school districts to improve the academic achievement of disadvantaged students. It is part of the ESEA first passed in 1965.	BMEP TAM; ELDIF Handbook; LUS Handbook; Serving ELs TAM; Title III TAM
Title II	Title II is supplemental federal funding provided to local school districts to improve educator quality and for teacher development (PD).	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
Title III	Title III is supplemental federal funding provided through formula-based subgrants for eligible districts/state charters to assist in increasing the ELP and academic achievement of its current ELs.	BMEP TAM; ELDIF Handbook; LUS Handbook; Serving ELs TAM; Title III TAM

Acronym/Term	Definition	LCD Guidance Associated
Title III-Immigrant	Competitive subgrants used to enhance instructional opportunities for districts experiencing significant increases in immigrant children and youth	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
Title VI	Title VI of the Civil Rights Act of 1964 prohibits discrimination based on race, color, or national origin in programs or activities that receive federal financial assistance.	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
Transitional	A BMEP model designed to develop skills in the home language and culture while developing continued skills and proficiency in English.	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
Tribal Language	This is a language specific to a particular Native American community or Tribe; it may include dialect spoken by members of a particular Native American community.	SSBB TAM
Two-Way, Programs	See BMEP Model - Dual Language Immersion (DLI).	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
Tydings Amendment	The statutory authority for the period for obligating and expending carryover funds is the Tydings Amendment, section 412(b) of the General Education Provisions Act (GEPA), 20 U.S.C. 1225(b).	BMEP TAM; ELDIF Handbook; Serving ELs TAM; Title III TAM
UDL	Universal Design for Learning: Teaching approach that works to accommodate the needs and abilities of all learners and eliminates unnecessary hurdles in the learning process. The four principles are engagement, representation, action, and expression.	Identifying, and Serving ELs w/ Disabilities Handbook
W-APT	The state-approved ELP screening test used in the EL identification process.	ELDIF Handbook;
<u>WIDA</u>	This is a consortium of states whose mission is to advance academic language development and academic achievement for linguistically diverse students through the promotion of high-quality standards and assessments, research, and educator PD. WIDA is the acronym for the consortium of original member states.	BMEP TAM; ELDIF Handbook; Identifying and Serving ELs w/ Disabilities Handbook; LUS Handbook; Serving ELs TAM; SSBB TAM; Title III TAM;
World Language	World Language: is used to distinguish English from languages other than English.	SSBB TAM
WPT	Writing Proficiency Tests are standardized tests for the global assessment of functional writing ability in a language. There are four prompts (i.e., descriptive, informative, narrative, and persuasive) to which the participant must respond in writing.	SSBB TAM

References

- Castañeda v. Pickard, 648 F.2d 989 (USCA, 5th Cir. 1981).
- Casteel, C., & Ballantyne, K. G. (Eds.). (2010). PD in action: Improving teaching for ELs. National Clearing House for ELA.
- Center for the Education and Study of Diverse Populations. (2011). Working together: School, family, and community partnerships. NM Highlands University: <http://www.cesdp.nmhu.edu/toolkit/index.asp>
- Cummins, J. (1981). The role of primary language development in promoting educational success for language minority students. California State Department of Education. Los Angeles: California State University.
- Dutro, S., & Moran, C. (2003). Rethinking English Language Instruction. In G. Garcia (Ed.), ELs: Reaching the highest level of English literacy. Newark, DE: International Reading Association.
- Education Law Center. (2015). EEOA. Retrieved from <http://www.educationjustice.org/federal/eoa.html>
- Educational Standards--BME. Guidelines for Implementing BMEPs, NMPED, 6.32.2 NMAC (11/30/05)
- ESEA of 1965, 20 U.S.C
- Hargett, G. R. (1998). Assessment In ESL and bilingual education. Portland, OR: Northwest Regional Education Laboratory.
- Harris, T., & Hodges, R.E. (Eds.). (1995). The literacy dictionary: The vocabulary of reading and writing. Newark, DE: International Reading Association.
- Krashen, S. (1997). Under attack: The case against bilingual education. CA: Language Education Associates.
- Lynch, A. (2003). Toward a theory of heritage language acquisition: Spanish in the U.S. In A. R. Colomgi (Ed.), Mi lengua: Spanish as a heritage language in the U.S, research, and practice.
- Muhammad, A., & Hollie, S. (2012). The will to lead, the skill to teach: Transforming schools at every level. Bloomington, IN: Solution Tree.
- NMPED (2011). Technical Evaluation and Assessment Manual.
- NMPED (2014). Response to intervention. Retrieved from http://ped.state.nm.us/ped/RtI_index.html
- No Child Left Behind (NCLB) Act of 2001, 20 U.S.C
- OELA, ED. (2015). EL Tool Kit. Retrieved from <http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html>
- Ortiz, A. (1992). Assessing appropriate and inappropriate referral systems for LEP special education students. Focus on Evaluation and Measurement, 1(2), 315-361.
- Roberts, C. A. (1995). BMEP models: A framework for understanding. The Bilingual Research Journal.
- Roca, A., & Colombi, M. C. (Eds.). (2003). Mi lengua: Spanish as a heritage language in the U.S, research and practice. Washington, DC: Georgetown University Press.

Saunders, W., Goldeberg, C., Marcelletti, D. (2013). ELD, American Educator, Summer.

School Personnel - Competencies for Licensure. Competencies for Entry-Level Bilingual Education Teachers, NMPED, 6.64.10 NMAC (05/314/06)

Schreck, M. (2011). You've got to reach them to teach them. Bloomington, IN: Solution Tree Press.

Vygotsky, L. (1978). Mind in society. Cambridge, UK: Cambridge University Press.

Wang, X. (1996). A View from Within: A Case Study of Chinese Heritage Community Language Schools in the U.S. Washington, DC: National Foreign Language Center.

Weiss, H. B., Lopez, M. E., & Rosenberg, H. (2010). Beyond Random Acts: Family, School, and Community Engagement as an Integral Part of Education Reform. Cambridge, MA: Harvard Family Research Project.

WIDA. (2020). ELD Standards. Retrieved from: <https://wida.wisc.edu/sites/default/files/resource/WIDA-ELD-Standards-Framework-2020.pdf>

WIDA. (2015). WIDA AMS User guide Part 1. Retrieved from: <https://www.wida.us/accesstraining/documents/widaamsuserguidepart1.pdf>

Wiley, T. G. (1996). Literacy and Language Diversity in the U.S. Language in Education: Theory and Practice 87. Washington, DC: Center for Applied Linguistics.

