

200-RICR-20-30-3

TITLE 200 – BOARD OF EDUCATION

CHAPTER 20 – COUNCIL ON ELEMENTARY AND SECONDARY EDUCATION

SUBCHAPTER 30 – STUDENT SUPPORTS

PART 3 – Regulations Governing the Education of Multilingual Learners

3.1 Introduction and Authority

- A. These regulations have been promulgated pursuant to R.I. Gen. Laws § 16-54-1, through R.I. Gen. Laws § 16-54-3, and are intended to support compliance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, et seq. and the Equal Education Opportunities Act of 1974, 20 U.S.C. § 1701, et seq., and are intended to:
1. Ensure that Multilingual Learners attain the content knowledge, cultural competence, and level of proficiency in English and partner language(s) that will permit them to
 - a. Succeed in their school's education program;
 - b. Meet Rhode Island's diploma requirements;
 - c. Be prepared for post-secondary education and work; and
 - d. Become an essential asset to Rhode Island's economic and social well-being.
 2. Require that Multilingual Learners be instructed, and their English language proficiency be annually assessed, in accordance with the English Language Proficiency Standards endorsed by the state. These standards also are intended to comply with Rhode Island's obligation to adopt English Language Proficiency Standards that are derived from the four (4) recognized domains of speaking, listening, reading, and writing; address the different proficiency levels of Multilingual Learners; and align the English Language Proficiency Standards with state-endorsed academic standards. See 20 U.S.C. § 6311.
 3. Ensure that Multilingual Learners meet state-endorsed academic standards in all subject areas.
 4. Ensure that Multilingual Learners have access to a free, appropriate, public education equal to the education provided to all other students. This

goal is to be reached by ensuring that programs for Multilingual Learners are:

- a. Based on sound educational theory, and evidence;
 - b. Appropriately supported and implemented, with adequate and effective staff and resources, so that the program may reasonably be expected to be successful; and
 - c. Annually evaluated and, if necessary, revised.
5. Facilitate the preservation and development of the home/native language skills of Multilingual Learners.
 6. Help ensure English and partner language proficiency in Rhode Island.

3.2 Definitions

- A. For the purposes of these regulations, the following terms have the following meanings:
 1. Students and Parents
 - a. "Multilingual Learner" or "MLL" means consistent with the definition of an English Learner in 20 USC § 7801(20), a student:
 1. Whose home/native language is other than English and who has been identified pursuant to § 3.3 of this Part,
 2. Who is now learning English, but
 3. Who has not yet attained enough proficiency in English to allow them to fully access and meaningfully engage in all of the school's curricular and extracurricular programs and services.
 - b. "Newcomer student" or "Newcomer" is a Multilingual Learner who has been in U.S. schools for less than 3 years.
 - c. "Parent", for the purposes of this Part, means the parent of a student and includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or guardian, as defined in the compulsory attendance laws of this state.
 - d. "Student with limited or interrupted formal education", or "SLIFE", is a student who is a Multilingual Learner who has experienced interrupted or limited education or has never had the opportunity to

participate in any type of schooling before entering school in the United States.

2. Administrative Terms

- a. "Commissioner" means the Commissioner of Elementary and Secondary Education or designee.
- b. "Core content area" means English language arts, mathematics, science, and social studies subject areas.
- c. "Council" means the Council on Elementary and Secondary Education.
- d. "Cultural competence and responsiveness" means the ability of individuals and organizations to understand, communicate, operate, and provide effective services to people who differ from them culturally and linguistically.
- e. "English to Speakers of Other Languages" or "ESOL" means an English language development instruction for students whose first/native language is other than English.
- f. "English Language Proficiency" or "ELP" means a student's ability to demonstrate language competence in social and academic contexts, through the use of the four domains of speaking, listening, reading, and writing, with defined progressive levels of language development.
- g. "Local Education Agency Strategic Plan" means a plan for the purposes of improving the performance of school districts, individual public schools, and the efficacy and equity of state and federal programs including an analysis of student and subgroup achievement gaps in core subjects and identification of specific improvement objectives.
- h. "Home language survey" means a survey instrument created by the Rhode Island Department of Elementary and Secondary Education used to identify Multilingual Learners.
- i. "Home or native language" means the language or languages that a child first learns or uses in the home and/or for daily communication, as recorded on file in the student's permanent record.
- j. "Instructional period" means the equivalent of at least forty-five (45) consecutive instructional minutes per day, in accordance with a school's specific schedule.

- k. "Linguistic competence" means the ability of individuals and organizations to understand, communicate, operate, and provide effective services to people who differ from them linguistically.
 - l. "Local educational agency" or "LEA" means a public board of education/school committee or other public authority legally constituted within the State for either administrative control or direction of one or more Rhode Island public elementary schools or public secondary schools.
 - m. "Multi-Tiered System of Supports" or "MTSS" means a systemic school improvement framework in which data-based decision-making is practiced across all levels of the educational system for supporting students and increasing student achievement and social-emotional competencies.
 - n. "Partner language" means, in bilingual programs, the language other than English used for instruction.
 - o. "Rhode Island Department of Elementary and Secondary Education" or "RIDE" means the executive agent of the Rhode Island Council on Elementary and Secondary Education. The Rhode Island Department of Elementary and Secondary Education is charged with the implementation of Council policies and regulations.
 - p. "School Improvement Plan" means a comprehensive annual plan for improving student performance designed to fulfill all planning requirements of state and federal education law.
 - q. "School Improvement Team" means a team composed of the principal and an appropriately balanced number of teachers, education support employees, students, parents, and other business and community citizens who are representative of the ethnic, racial, and economic community served by the school.
 - r. "Social-Emotional Learning" or "SEL" means the process through which students and adults acquire and apply knowledge, skills, and attitudes to develop healthy identities, manage emotions and achieve personal and collective goals resulting in higher academic achievement, improved behavior, and better-developed socio-emotional skills.
 - s. "Standards" mean the knowledge and skills associated with a particular subject area that defines what students need to know.
3. Categorizing Local Educational Agencies by Multilingual Learner Enrollment

- a. "High-incidence Local Educational Agency" means a Local Educational Agency with a Multilingual Learners student population that meets at least one of the following two criteria:
 - 1. Is greater than or equal to two hundred and fifty (250) total Multilingual Learners; or
 - 2. Is greater than or equal to twenty (20) percent of the Local Educational Agency's total student population.
- b. "Medium-incidence Local Educational Agency" means a Local Educational Agency that does not meet either of the criteria for a high-incidence Local Educational Agency, and has Multilingual Learner student population that meets either of the following two criteria:
 - 1. The Local Educational Agency Multilingual Learners student population is between one hundred (100) and two hundred and forty-nine (249) Multilingual Learners, and is also less than twenty (20) percent of the Local Educational Agency total student population; or,
 - 2. The Local Educational Agency Multilingual Learners student population is greater than or equal to five (5) percent but less than twenty (20) percent of the Local Educational Agency's total population, and is also less than or equal to two hundred and forty-nine (249) total Multilingual Learners.
- c. "Low-incidence Local Educational Agency" means a Local Educational Agency with a Multilingual Learners student population that meets both of the following two criteria:
 - 1. The Local Educational Agency's Multilingual Learners student population is less than one hundred (100) total students; and,
 - 2. The Local Educational Agency's Multilingual Learners student population is less than five (5) percent of the Local Educational Agency's total population.

4. Personnel

- a. "Administrator of Programs for Multilingual Learners" or "MLL Administrator" means an administrator who is responsible for the Local Educational Agency's Language Instruction Educational Program. Pursuant to 200-RICR-20-20-1 Regulations Governing the Certification of Educators in Rhode Island, a Multilingual Learners Administrator must have:

1. An administrator certified as either a building administrator or district level administrator, who also possesses a teaching certification in either English to Speakers of Other Languages teaching “ESOL” or Bilingual and Dual Language; or,
 2. An administrator certified as either a building administrator or district level administrator, who also possesses one of the following certification: Early Childhood Multilingual Learners Integrated Content Teacher, Elementary Multilingual Learners Integrated Content Teacher, Middle Grades Multilingual Learners Integrated Content Teacher, or Secondary Grades Multilingual Learners Integrated Content Teacher; or,
 3. An administrator who possesses the District Level Administrator-Multilingual Learners certification.
- b. “Assessor” means a person who has been trained to administer prescribed English language development assessment tools and who is qualified to evaluate the results of these assessments. This person must have knowledge about the ways Multilingual Learners acquire English as an additional language.
- c. “Bilingual Dual Language Teacher”, or “BDL Teacher,” means a teacher who provides Integrated Language and Content Instruction in a partner language only or in a partner language and in English, appropriate to the instructional program model they teach in, and holds the appropriate certification pursuant to 200-RICR-20-20-1 Regulations Governing the Certification of Educators in Rhode Island that enables them to provide this instructional component.
- d. "Multilingual Learner Coach" or "MLL Coach" means an administrator or teacher certified pursuant to 200-RICR-20-20-1 Regulations Governing the Certification of Educators in Rhode Island, holding a certification as per § 3.2(A)(4)(a)(1) or § 3.2(A)(4)(a)(2), designated by the Local Educational Agency to carry out coaching duties.
- e. "Multilingual Learner Coordinator" or “MLL Coordinator” means an administrator with Multilingual Learners teaching experience or a teacher with an English to Speakers of Other Languages or Bilingual and Dual Language certification designated by a Local Educational Agency to coordinate the day-to-day operations of the Local Educational Agency's Language Instruction Educational Program.

- f. “Multilingual Learner Teacher” or “MLL Teacher” means a teacher who provides the Dedicated English Language Development and/or Integrated Language and Content Instruction components of a Language Instruction Educational Program as specified in § 3.2(A)(5)(b) and § 3.2(A)(5)(c) of this Part, and holds the appropriate certification, pursuant to 200-RICR-20-20-1 Regulations Governing the Certification of Educators in Rhode Island, that enables them to provide these instructional components.
- g. “Multilingual Learner Paraprofessional” means a teaching assistant who works under the supervision of a Multilingual Learner Teacher and an Multilingual Learner Coordinator or Administrator.
- h. “School and Community Liaison” means a person who:
 - 1. Facilitates communication with, and provides information to, the parents or families of a Local Educational Agency's MLL student population; and,
 - 2. Encourages involvement between the school and parents and among agencies, faith-based organizations, and community groups.
- i. “School Counselor for Multilingual Learners” means a person who has a Rhode Island school counselor certificate as defined in 200-RICR-20-20-1 Regulations Governing the Certification of Educators in Rhode Island.

5. Language Instruction Educational Program

- a. "Language Instruction Educational Program" or "LIEP" is the overarching framework of instruction for Multilingual Learner and may extend to pre-kindergarten grades. A Language Instruction Educational Program:
 - 1. Is educationally sound and rigorous;
 - 2. Enrolls Multilingual Learners for the purpose of developing and reaching English language proficiency, while meeting state academic standards;
 - 3. May follow nationally recognized standards for partner language instruction;
 - 4. May make instructional use of both English and a student's home/native language;

5. May include the participation of English proficient students;
 6. Employs one of two approaches of instruction described in § 3.2 of this Part: Bilingual Education or Content-Based Education;
 7. Includes Dedicated English Language Development and Integrated Language and Content Instruction;
 8. Is delivered via an instructional program model informed by educational theory and research as described in § 3.2 of this Part.
- b. "Dedicated English Language Development" or "Dedicated ELD" is an instructional component that:
1. Places Multilingual Learners according to their grade and English Language Proficiency levels, with instructional considerations, and
 2. Focuses on developing a Multilingual Learner's social, instructional, and academic proficiency in English to prepare the Multilingual Learner to succeed in a school's general education program; and
 3. Is aligned to English Language Proficiency Standards and performance indicators; and
 4. Includes English language learning that focuses on listening, speaking, reading, and writing; and
 5. Incorporates content knowledge and concepts aligned to state-endorsed academic standards; and
 6. Is taught by teachers who meet the Rhode Island certification requirements for English to Speakers of Other Languages instruction, pursuant 200-RICR-20-20-1 Regulations Governing the Certification of Educators in Rhode Island.
- c. "Integrated Language and Content Instruction" or "Integrated Instruction" is an instructional component that:
1. Places Multilingual Learners according to their grade with English Language Proficiency level support and instructional considerations, and

2. Provides Multilingual Learners with content instruction and language development simultaneously; and
3. Is aligned to the state-endorsed academic standards and English Language Proficiency Standards; and
4. Is taught by a content certified teacher who also holds one of the following certifications pursuant to 200-RICR-20-20-1 Regulations Governing the Certification of Educators in Rhode Island: an English to Speakers of Other Languages Certificate, or Bilingual and Dual Language Certificate; or
5. Is taught by a content certified teacher who possesses the Multilingual Learners Endorsement as authorized by 200-RICR-20-20-1 Regulations Governing the Certification of Educators in Rhode Island; or,
6. Is taught by a content certified teacher who has one of the following appropriate certifications pursuant to 200-RICR-20-20-1 Regulations Governing the Certification of Educators in Rhode Island: Early Childhood MLL Integrated Content Teacher, Elementary MLL Integrated Content Teacher, Middle Grades MLL Integrated Content Teacher, or Secondary Grades MLL Integrated Content Teacher; or,
7. Is taught by a content certified teacher who has completed a professional learning that meets the proficiency requirements as outlined in §3.12(C)(1)(a); or,
8. Is taught via a co-teaching model, in which a core content certified teacher teaches with an additional teacher who has the English to Speakers of Other Languages certificate.

6. Instructional Program Models

- a. "Bilingual Education" is an approach that serves Multilingual Learners at all stages of English Language Development and who share a common home/native language. The goal of this approach is proficiency and literacy in English and a partner language, as well as content achievement in both English and a partner language. Instruction is provided in both English and home/native or partner language. The Bilingual Education approach consists of Dedicated English Language Development and Integrated Language and Content Instruction components and can be structured in any of the following instructional program models:
 1. "One-Way Dual Language" is an instructional program model that serves Multilingual Learners who share the same

home/native language but at enrollment are not yet proficient in English. This instructional program model provides literacy and content instruction through the partner language and English, with minimum 50% of instruction time in partner language. It consists of Integrated Language and Content Instruction and may include Dedicated English Language Development based on programmatic needs. This instructional program model promotes bilingualism and biliteracy, grade-level academic achievement, and sociocultural competence and responsiveness for all students. This model is typically initiated in kindergarten and continues through grade twelve (12).

2. "Two-Way Dual Language" is an instructional program model that serves a balanced number of Multilingual Learners who, at enrollment, are monolingual or dominant in the same partner language and students who are monolingual or dominant in English. There may also be students who have proficiency in both languages at the time of enrollment. This program model provides literacy and content instruction through the partner language and English, with minimum 50% of instruction time in partner language. It consists of Integrated Language and Content Instruction components and may include Dedicated English Language Development based on programmatic needs. This instructional program model promotes bilingualism and biliteracy, grade-level academic achievement, and sociocultural competence and responsiveness for all students. This model is typically initiated in kindergarten and continues through grade twelve (12).
3. "Transitional Bilingual Education", or "TBE", is an instructional program model that serves Multilingual Learners who share the same home/native language but are not yet proficient in English. The Transitional Bilingual Education program model consists of Dedicated English Language Development and Integrated Language and Content Instruction components. Home/native language instruction is used to support English language proficiency and is gradually phased out as a student's English language proficiency increases and moves towards full-time English instruction. The rate of transitioning to full-time English instruction will vary and should be aligned with the needs of students enrolling in the instructional program model to support their success in school. Transitional Bilingual Education program models may be initiated at any grade level but are particularly recommended for secondary

grades. The Transitional Bilingual Education instructional program models include Developmental Transitional Bilingual Education and Early Exit Transitional Bilingual.

4. "Transitional Bilingual Education for Students with Limited and/or Interrupted Formal Schooling," or "TBE for SLIFE", is an instructional program model that serves Multilingual Learners who share the same home/native language and have limited and/or interrupted formal education. The Transitional Bilingual Education for Students with Limited and/or Interrupted Formal Schooling program model consists of Dedicated English Language Development and Integrated Language and Content Instruction components. It also offers intensive literacy, numeracy, and content instruction, designed to address gaps in students' schooling. It uses both English and students' home/native language for instruction. Home/native language instruction is gradually phased out as a student's English language proficiency increases. The rate of transitioning to full-time English instruction will vary and should be aligned with the needs of students enrolling in the instructional program model to support their success in school. The Transitional Bilingual Education for Students with Limited and/or Interrupted Formal Schooling program model is limited in time and scope and lasts until the Local Education Agency transitions the student to another instructional program model based on the student's proficiency level and duration in program.

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

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

English, and content achievement. Instruction is in English with the use of Multilingual Learner strategies, scaffolding, and the home/native language as support. The Content-Based Instruction program model consists of Dedicated English Language Development and Integrated Language and Content Instruction components. The integrated grade-level content classrooms include a combination of Multilingual Learners and non-Multilingual Learners, while the Dedicated English Language Development instruction includes Multilingual Learners only. The Content-Based Instruction program model may start at any age or grade, depending on student identification as Multilingual Learner, and last until the student is exited from Multilingual Learner status.

2. Content-Based Instruction for Newcomers" or "CBI for Newcomers" is an instructional program model that serves Multilingual Learners who are recent arrivals, who are at early stages of English Language Development, and who may not share a common home/native language. Content-Based Instruction for Newcomers is delivered in English with the use of Multilingual Learner strategies, scaffolding, and the home/native language as support. The Content-Based Instruction for Newcomers program model consists of Dedicated English Language Development and Integrated Language and Content Instruction components. The program model may be self-contained for a transitional time. The Content-Based Instruction for Newcomers program model may start at any age or grade, is limited in time and scope, and lasts until the student is transitioned to the Content-Based Instruction or another program model based on the student's proficiency level and duration in program.
3. "Content-Based Instruction for Students with Limited and/or Interrupted Formal Education", or "CBI for SLIFE", is an instructional program model that serves Multilingual Learners who have limited and/or interrupted formal education and who may not share a common home/native language. The Content-Based Instruction for Students with Limited and/or Interrupted Formal Education program model consists of Dedicated English Language Development and Integrated Language and Content Instruction components and offers intensive literacy, numeracy, and foundational content instruction, designed to address gaps in students' schooling. Instruction is in English with the use of Multilingual Learner and structured literacy strategies, scaffolding, and the home/native language as support. The

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

7 Assessment for Multilingual Learners

- a. "English Language Screener" means an initial screening instrument adopted by the Rhode Island Department of Elementary and Secondary Education to measure a student's proficiency level in listening, speaking, reading, and writing in English. The purpose of this screening is to help Local Educational Agencies make decisions about whether a student qualifies to be identified as a Multilingual Learner.
- b. "English Language Proficiency Assessment" or "ELP Assessment" means a state-endorsed assessment instrument administered annually that measures the social and academic English language proficiency of Multilingual Learners in four domains: listening, speaking, reading, and writing.

8. Professional Learning

- a. "Multilingual Learner Competencies" means the competencies established by RIDE that articulate teacher, administrator, and other school personnel knowledge and practices for the Multilingual Learner instruction. These competencies shall be aligned to nationally-recognized teaching English to speakers of other languages standards. For each standard, RIDE shall identify components and concepts that must be addressed within approved provider programs, as well as the depth and breadth of content aligned to these standards being differentiated between awareness and proficiency expectations. The standards are as follows:
 - 1. Knowledge about language;
 - 2. Multilingual Learners in the sociocultural context;
 - 3. Planning and implementing instruction;
 - 4. Assessment and evaluation;
 - 5. Professionalism and leadership.
- b. "Awareness expectations" means the minimum depth of nationally-recognized teaching English to speakers of other languages

standards, aligning to Multilingual Learner Competencies, that all teachers, administrators, and other certified personnel must attain to serve Multilingual Learners.

- c. "Proficiency expectations" means the depth of nationally-recognized teaching English to speakers of other languages standards, aligning to the Multilingual Learners Competencies, that teachers must attain to be able to provide Integrated Language and Content Instruction. Pathways to Proficiency are based on the same Multilingual Learner Competencies.

3.3 Language Identification of All Potential Multilingual Learners

- A. LEAs shall determine the home/native language(s) of all public-school students when registering in the LEA. This determination shall be made through the Home Language Survey developed by RIDE.
- B. The Home Language Survey shall not be used to deny any student the right to participate in, or benefit from, any program or service.
- C. Data from the Home Language Survey shall be filed in the student's permanent record.
- D. If the Home Language Survey indicates that a student's home/native language is other than English, the parents shall be informed in writing, in a language they prefer, about the procedures used in the identification, screening, and placement of MLLs in addition to their rights and the benefits of accessing a Language Instruction Educational Program. Based on the information reported in the Home Language Survey, the student shall be referred for an English Language Screener within a timeframe that allows student placement as per § 3.6 of this Part. The LEA shall make a tentative educational assignment and provide teachers with relevant information about the student pending the results of the English Language Screener. The LEA shall use the appropriate data from the student's previous schools, when available, to make program placements. Additional information on the student's background may be collected via an interview with the student and with their parents to further support program placement.

3.4 Initial Assessment for Program Placement

- A. The state-endorsed English Language Screener shall be used to measure the student's proficiency at a level appropriate to the student's age and grade placement. Screeners must be administered by qualified assessors. For purposes of these regulations, the following levels of English proficiency shall be recognized in accordance with state-endorsed ELP Standards and ELP assessments:

1. Entering;
 2. Emerging;
 3. Developing;
 4. Expanding;
 5. Bridging;
 6. Reaching.
- B. To assist in program decisions, when possible, a reading assessment in the home/native language of the student will be given to all MLLs regardless of ELP level. All available test data from the student's previous schools shall be used in the placement process.

3.5 Program Standards

- A. In order to ensure that MLLs are provided with the support needed to attain English language and academic content proficiency, LEAs shall:
1. Meet the linguistic and academic needs of the MLLs as indicated by the identification and screening process.
 2. Determine which instructional approach is best suited for MLLs. In doing so, LEAs must consider the student's:
 - a. ELP level;
 - b. Grade level;
 - c. Educational background; as well as
 - d. Language background.
 3. Ensure that all MLLs attain proficiency in speaking, listening, reading, and writing in English at a level sufficient to enable them to succeed in the school's academic programs.
 4. Align instructional programs with:
 - a. Rhode Island's endorsed English-Language Proficiency Standards;
 - b. State-endorsed standards of the content areas defined in § 3.2(A)(2)(s) of this Part.
 5. Provide clear pathways for each student to meet the Rhode Island Diploma Requirements.

6. Use research-based instructional practices recognized as sound by experts in the education of MLLs at the elementary, middle, and high-school levels.
7. Provide opportunities for achievement in all content-area classes or courses.
8. Encourage and support the use of students' home/native languages to scaffold rigorous content and access to core instruction. To the greatest extent possible, materials and supports in the student's home/native language shall be used to benefit academic progress.
9. Ensure equitable access to all services and materials that are provided to all other students.
10. Include sufficient personnel and resources to effectively implement the program.
11. Provide for the maintenance, analysis and use of data within a culturally and linguistically responsive Multi-Tiered System of Supports (MTSS) framework to support closing all achievement gaps.
12. Ensure that instruction in LIEP for MLLs is provided by teachers who meet the state certification requirements as per 200-RICR-20-20-1 Regulations Governing the Certification of Educators in Rhode Island and proficiency requirements as specified in §3.12(C)(1).
13. Provide all teachers with regular, sustained, high-quality, job-embedded professional learning.
14. Ensure, if an MLL is not making targeted progress in the LIEP and MTSS framework, that a robust culturally and linguistically responsive referral and evaluation process is in place that uses valid and reliable practices that ensure appropriate identification of an MLL who might be eligible for special education and related services.
15. Consult with at least the following stakeholders in the design and selection of program models:
 - a. Certified teachers pursuant to 200-RICR-20-20-1 Regulations Governing the Certification of Educators in Rhode Island;
 - b. Parents of MLLs;
 - c. MLL students; and
 - d. Building administrators.

16. Distribute MLLs within instructional program models in the LEA's facilities in such a way that MLLs are not inappropriately clustered away from students in the school's education programs or assigned to only a restricted range of certified teachers or schools, when other school-housing options are available to provide quality services based on students' educational needs and evidence based instructional models. Cooperative service agreements between LEAs shall not operate in a way that abridges this principle.
- B. LEAs are encouraged to open Bilingual/Dual Language Programs, especially LEAs where overall student enrollment includes 250 or more MLL students who share the same home/native language.

3.6 Student Placement Standards

- A. Whenever an identified MLLs is placed in a Language Instruction Educational Program, the MLL Administrator and/or the MLL Coordinator shall review all the student's identification and assessment data. This data shall include:
1. Home Language Survey;
 2. The student's English-proficiency level;
 3. The student's literacy level in their home/native language or languages when such assessment tool is available, or through a transcript review;
 4. Number of years the student has attended school;
 5. Continuity of the student's schooling;
 6. Student retention-information;
 7. Review of school transcripts; and
 8. Information on whether the student is receiving special education, whether the student may be in need of special education, or whether the student needs alternative supports for academic performance or access to school facilities.
- B. A student's instructional placement must address their academic needs. To meet these needs:
1. An MLL shall be classified in accordance with these regulations and shall be placed in the appropriate grade for their age, except when the learner's educational background indicates a need for an alternative placement as a result of limited or interrupted formal schooling.

2. The student shall not be placed more than one grade level below that appropriate to their age except as provided for in § 3.6 of this Part.
3. At the secondary level, LEAs must review the MLLs' previous educational records to ensure that the student receives appropriate credit for prior course-work.
4. The placement decision shall respect the right of an MLL to participate in other programs and services for which they are eligible or entitled to including but not limited to Multi-Tiered System of Supports, Social-Emotional Learning, special education, targeted interventions, college and career readiness opportunities, enrichment opportunities, extracurricular opportunities, or gifted programs; so as to ensure that the student's educational needs are met on a basis equal to that provided to other students.
5. All MLLs shall receive an assessment of their home/native language literacy when valid evaluation instruments are available.
6. Placement of MLLs in a LIEP for MLLs shall be made within the first twenty (20) school days of the school year, and if the student enrolls thereafter, within ten (10) days from the date the student's enrollment completion. See also: § 3.3(D) of this Part.
7. All student assessment and placement data, including questions of exceptionality, shall be sent to the appropriate LEA administrator. These data shall be recorded in the student's permanent record.
8. LEAs shall provide a student's parents with a complete description of the student's placement and the reasons for that placement. This notice shall be in English and in the language parents prefer. When possible, RIDE shall provide sample notification letters for use by LEAs.
9. Parents shall be informed of the date of their student's placement and of their right to approve or waive the proposed placement. If the parents choose to waive the student's Language Instruction Educational Program placement, the LEA is responsible for assessing the English language proficiency of the student on the annual ELP assessment as well as for conducting a six (6) months monitoring of the student's academic progress without the benefit of a Language Instruction Educational Program. Parents must be notified of the results of both the ELP assessment and monitoring so that the placement decision might be reviewed annually.

3.7 Dually Identified Student Rights

- A. If evidence suggests that an MLL has one or more disabilities, the LEA shall promptly begin a referral for a culturally and linguistically appropriate special

education evaluation, and if qualifying, provide services in addition to English Language Development.

- B. Dually identified MLLs must receive the entirety of services to which they are entitled according to 20 U.S.C. § 1400, et seq., 34 C.F.R. 300.1, et seq., and 200-RICR-20-30-61, et seq..
- C. LEAs must not identify or determine that MLLs are differently abled solely based upon English language proficiency.

3.8 Time Requirements

- A. LEAs are encouraged to provide continuous support for MLLs throughout the instructional day. However, at a minimum, LEAs shall fully implement the time requirements below by the beginning of the school year 2030-2031.
 - 1. MLLs at entering and emerging levels must receive a minimum of three (3) periods of MLL instruction a day. Upon full implementation of these regulations according to the above timeline:
 - a. At least one of these three periods shall be Dedicated ELD; and
 - b. LEAs shall have flexibility in determining whether the two (2) remaining periods of required MLL instruction will be Dedicated ELD or Integrated Language and Content Instruction.
 - 2. MLLs at developing levels must receive a minimum of two (2) periods of MLL instruction a day. Upon full implementation of these regulations according to the above timeline:
 - a. At least one of these two periods shall be Dedicated ELD; and,
 - b. LEAs shall have flexibility in determining whether the remaining one (1) period will be Dedicated ELD or Integrated Language and Content Instruction.
 - 3. MLLs at expanding level must receive a minimum of one (1) period of MLL instruction a day. Upon full implementation of these regulations according to the above timeline:
 - a. LEAs shall have flexibility in determining whether the one (1) required period is either Dedicated ELD or Integrated Language and Content Instruction.
 - 4. MLLs at bridging and reaching levels would benefit from Integrated Language and Content Instruction for core content areas when deemed necessary.

- B. During the Interim Period Prior to SY2030-2031:
1. Entering and emerging level MLLs must receive a minimum of three (3) periods of MLL instruction a day taught by a MLLs Teacher pursuant to 200-RICR-20-20-1 Regulations Governing the Certification of Educators in Rhode Island.
 2. Developing MLLs must receive a minimum of two (2) periods of MLL instruction a day taught by an MLL Teacher pursuant to 200-RICR-20-20-1 Regulations Governing the Certification of Educators in Rhode Island.
 3. Expanding MLLs must receive a minimum of one (1) period of MLL instruction a day taught by an MLL Teacher pursuant to 200-RICR-20-20-1 Regulations Governing the Certification of Educators in Rhode Island.
- C. RIDE shall provide guidance for LEAs to fully implement the time requirements above. This guidance shall take into account the following considerations:
1. Student ELP levels;
 2. Student grade level;
 3. Student educational background;
 4. Type of LIEP students are enrolled in;
 5. Operational feasibility and considerations for LEAs.
- D. LEAs may apply for performance-based waivers to the Commissioner for select requirements herein if they can demonstrate MLLs in a particular school are making adequate yearly progress. The Commissioner shall review the academic performance of MLLs, components of the school's program models, and adherence to these regulations when considering the approval of a performance-based waiver.

3.9 Class Size

- A. Class size shall be kept at a student-to-teacher ratio that permits effective instruction as defined in § 3.5 of this Part. It is the responsibility of the LEA to assess the needs of MLLs, assign personnel in accordance with those needs, and evaluate the efficacy of the implementation of the Language Instruction Educational Program to determine whether the LEA's program conforms to the requirements of this Part.
- B. Every LEA shall provide RIDE with its policy to determine the number and types of personnel required under this section, and a description of the public process the LEA used to develop its policy. Every LEA shall report annually to RIDE the LEA's plan, pursuant to said policy, to comply with this regulation, including the

number of full-time equivalent positions of staff it uses to meet the needs of MLLs.

- C. The Commissioner may establish a class size maximum and/or staffing ratios for any group(s) of personnel, class, school, or LEA, if the Commissioner determines that:
 - 1. The plan submitted by the LEA is insufficient to fulfill the requirements of this section; or
 - 2. The LEA has failed to comply with the terms of the plan submitted by the LEA; or
 - 3. Student performance within or throughout the LEA warrants intervention as dictated by R.I. Gen. Laws § 16-7.1-5.
- D. Any decision made under this section by the Commissioner may be appealed under R.I. Gen. Laws § 16-39-3.

3.10 Instructional Program Models

- A. LEAs may choose one (1) or more of the following models, as defined in § 3.2 of this Part, to provide the most appropriate program for each MLL:
 - 1. Bilingual Education:
 - a. One-Way Dual Language;
 - b. Two-Way Dual Language;
 - c. Transitional Bilingual Education;
 - d. Transitional Bilingual Education for Students with Limited and/or Interrupted Formal Education;
 - 2. Content-Based Education:
 - a. Content-Based Instruction;
 - b. Content-Based Instruction for Newcomers;
 - c. Content-Based Instruction for Students with Limited and/or Interrupted Formal Education.

3.11 MLL Administrators and Personnel Requirements

- A. An LEA shall designate an administrator whose primary responsibility is the development and management of the LEA's Language Instruction Educational Program according to the following requirements:
 - 1. High-incidence LEAs shall appoint a full-time MLL Administrator to be responsible for this program.
 - 2. Medium-incidence LEAs shall employ a full-time MLL Administrator. If prior to SY2028-2029 a medium incidence LEA does not employ an MLL Administrator, the LEA shall employ an MLL Coordinator in the interim.
 - 3. Low-incidence LEAs that utilize an MLL Administrator on a less than full-time basis must also appoint an MLL Coordinator, who must have a workday that includes enough time dedicated to coordinator duties to ensure that these duties are adequately carried out.
 - 4. LEAs that face operational and fiscal challenges with employing a full-time MLL Administrator may apply for a waiver to employ an administrator on a less than full-time basis as long as all of the requirements of these regulations are adequately implemented.
 - 5. When LEAs enter into a Cooperative Service Agreement under R.I. Gen. Laws § 16-3.1-1 to provide a Language Instruction Educational Program, the agreement should be formulated with input from RIDE to ensure that MLLs receive quality services. The Commissioner shall determine through the Cooperative Service Agreement approval process whether the Agreement is so comprehensive that appointment of an MLL Administrator is required.
- B. LEAs shall employ a sufficient number of MLL Teachers certified pursuant to 200-RICR-20-20-1 Regulations Governing the Certification of Educators in Rhode Island to ensure that MLL students receive the instruction and the support required by these regulations.
- C. LEAs may adopt a co-teaching approach when feasible, to ensure that language and literacy skills develop while students participate in an equitable learning environment with full access to grade-level opportunities.
- D. It is recommended that LEAs employ a sufficient number of MLL Coaches to ensure that MLL Teachers are supported in ensuring the day-to-day delivery of instructional models as required in this Part. MLL Coaches shall:
 - 1. Have experience teaching MLLs and hold an appropriate certificate pursuant to 200-RICR-20-20-1 Regulations Governing the Certification of Educators in Rhode Island;

2. Have a workday that includes enough time dedicated to coaching duties to ensure that these duties are adequately carried out.
- E. All LEAs shall identify at least one individual to serve as a School and Community Liaison to effectively support the LEA's Language Instruction Educational Program. This liaison shall:
1. Familiarize all MLLs and their families with their new community and assist families in participating in family engagement activities;
 2. Have knowledge of the culture(s) and linguistic diversities of the LEA's MLL population and/or have completed cultural competency training to enable them to carry out the duties of a School and Community Liaison. School and Community Liaisons may meet this requirement by completing awareness or proficiency training as outlined in § 3.12 of this Part.
- F. All LEAs shall ensure regular pertinent communication with MLL families, including pre-kindergarten, and encourage these families to participate in the LEA's family engagement activities.
- G. It is recommended that High and Medium incidence LEAs employ school counselors who are proficient in at least one of the predominant language(s) of the school's or LEA's MLL population.

3.12 Ongoing Professional Learning

- A. Language Instruction Educational Program ongoing professional learning activities shall be included in the LEA's professional development plan, in LEA Strategic and School Improvement Plans, and in teachers' learning plans. These activities shall be aligned with Rhode Island's Professional Development Standards.
- B. As part of its comprehensive professional learning plan, LEAs must provide ongoing sustained, high-quality, job-embedded professional learning to meet the requirements of this Part to all certified and other personnel and support staff, inclusive of pre-kindergarten.
- C. By the beginning of the SY 2030-2031 and each subsequent year thereafter, in addition to the ongoing professional learning as described in this Part, teachers, administrators, and other personnel as defined in this Part, employed in Rhode Island public schools, must demonstrate awareness or proficiency aligned to the MLL competencies:
1. For Educators:
 - a. Proficiency is required for teachers responsible for Integrated Language and Content Instruction.

- b. Awareness is required and proficiency is recommended for teachers not responsible for Integrated Language and Content Instruction.
 - c. Awareness is required for all other teachers, administrators, and other certified personnel.
 - d. Awareness is recommended for other non-certified personnel, for example, office staff, paraprofessionals, parent center staff, unless holding an MLL credential pursuant to 220-RIC-20-20-1 Regulations Governing the Certification of Educators in Rhode Island.
- 2. Teachers may fulfill the proficiency requirement, which also satisfies the awareness requirement, by:
 - a. Completing RIDE-approved proficiency training; or
 - b. Holding a Multilingual Learner Endorsement pursuant to 220-RIC-20-20-1 Regulations Governing the Certification of Educators in Rhode Island; or
 - c. Holding one of the MLL Integrated Content certifications pursuant to 220-RIC-20-20-1 Regulations Governing the Certification of Educators in Rhode Island.
- 3. Teachers, administrators, and other certified personnel may fulfill the awareness requirement by:
 - a. Completing RIDE-approved awareness training; or
 - b. Meeting any of the proficiency requirements above.
- 4. Teachers, administrators, and other certified personnel who hold an English to Speakers of Other Languages Certificate or a Bilingual and Dual Language Certificate pursuant to 220-RIC-20-20-1 Regulations Governing the Certification of Educators in Rhode Island are considered to have met both awareness and proficiency requirements.
- 5. By the beginning of the SY 2030-2031, if a teacher has not met proficiency requirements, LEAs shall not place that teacher in a role requiring proficiency. LEAs may grant teachers who were unable to meet the proficiency requirement due to extenuating circumstances one (1) additional year to do so and remain in a position requiring proficiency.
- 6. By the beginning of the SY 2030-2031, and each subsequent year thereafter, educators who complete a state-approved Educator

Preparation Program must meet proficiency or awareness requirements, as determined by their role.

7. By the beginning of the SY 2030-2031, and each subsequent year thereafter, out-of-state teachers, administrators, and other certified personnel will have two (2) years from date of appointment to provide evidence of meeting proficiency or awareness requirements, as determined by their role.
8. By the beginning of the SY 2030-2031, and each subsequent year thereafter, teachers working in roles that require awareness who move to a role requiring proficiency will have two (2) years from date of appointment to meet the proficiency requirement.
9. By the beginning of the SY 2030-2031, and each subsequent year thereafter, educators working on a preliminary certification will work toward meeting proficiency or awareness requirements as determined by their role while working under preliminary certification.

D. Local Education Agency (LEA) Responsibilities

1. Ongoing professional learning provided by LEAs should be based on student need as identified within each LEA's Strategic Plan and each school's School Improvement Plan, pursuant to § 3.19 of this Part.
2. All LEAs should align and integrate ongoing professional learning for the LIEP with the professional learning plan for all other content areas in the district.
3. LEAs shall provide proficiency and/or awareness training at no cost to the teachers, administrators, and other school personnel needing proficiency and/or awareness training.
4. When possible, proficiency and awareness trainings will be completed during the workday.
5. LEAs may develop and submit for RIDE's approval in-district proficiency and/or awareness training.
6. If an LEA has demonstrated progress but has not met or will not meet full implementation by 2030-2031, that LEA may request a waiver for up to two (2) years. The waiver will be at the discretion of the Commissioner and must include a corrective action plan.

E. Educator Preparation Program (EPP) Responsibilities

1. By June 30, 2029, each RIDE approved educator preparation program must submit materials demonstrating how they prepare candidates to meet proficiency and/or awareness requirements for approval from RIDE.
2. By June 30, 2030, each RIDE approved educator preparation program shall post on its website information describing how it prepares candidates to meet proficiency and/or awareness requirements.
3. Starting in August 2030, each RIDE approved educator preparation program must include the completion of proficiency and/or awareness requirements as a condition for program completion.
4. By July 31, 2031, each RIDE-approved educator preparation program shall include in its Index Report to the Department of Elementary and Secondary Education a description of programs that prepare MLL educators.

F. RIDE Responsibilities

1. RIDE will provide guidance to LEAs on high-quality ongoing professional learning opportunities on a variety of topics, including, but not limited to:
 - a. Research-based instructional methods and assessment practices;
 - b. Language acquisition;
 - c. Culturally responsive and sustaining education practices;
 - d. Family and community involvement strategies; and
 - e. Diversity within MLL student population and instructional implications.
2. RIDE will develop MLL Competencies.
3. RIDE will articulate proficiency and awareness level components of MLL Competencies for teachers and administrators, which must be addressed within approved provider programs.
 - a. RIDE will articulate the depth and breadth of the MLL Competencies components to define the difference between awareness and proficiency expectations.
 - b. RIDE will approve proficiency and/or awareness trainings developed by LEAs and professional learning providers.
 - c. Awareness Training will be no more than 15 hours.
4. RIDE will publish a list of:

- a. Approved proficiency and awareness training providers; and
 - b. LEAs whose in-district proficiency and/or awareness training has been approved by RIDE as part of their Strategic and School Improvement Plans.
- 5. Starting with the SY 2026-2027, RIDE will annually report the percentage of each LEA's educators that meet these requirements.

3.13 Reporting Student Progress

- A. The same policy for reporting a student's progress in the school-education program shall be used in reporting a student's progress in the Language Instruction Educational Program. Progress reports shall be in English and in a language parents prefer and shall include an explanation of the school's grading system in a language parents prefer.

3.14 Annual Assessment of Student Progress

- A. All MLLs shall be evaluated once a year through the state's ELP assessment, as a part of the statewide accountability system, pursuant to ESSA 1111(b)(2)(G)(i). Assessment shall continue until the student is formally exited from active MLL status. Results of the assessment will be collected and publicly reported through each LEA and school's Report Card as required by ESSA 1111(g)(2)(N).
- B. When a student fails to progress appropriately within the Language Instruction Educational Program, other assessment procedures that have been normed or aligned to state-endorsed ELP standards shall be used to determine the reason for the lack of progress. Appropriate instructional interventions shall be provided. An MLL shall not be retained solely on the basis of their MLL status. MLLs students shall participate in the State Assessment Program in accordance with state assessment policies, and their progress shall be reported as required by R.I. Gen. Laws § 16-97-8.

3.15 Student Exit from Active Multilingual Learner Status

- A. A student shall be eligible to exit from active MLL status when they have met all exit criteria as approved by the Council on Elementary and Secondary Education. RIDE shall be responsible for evaluating the exit criteria and making recommendations on changes to exit criteria to the Council on Elementary and Secondary Education for their approval. RIDE shall consult the Statewide Advisory Council for MLLs, as established pursuant to R.I. Gen. Laws § 16-54-5, on any proposed revisions to MLL exit criteria prior to recommending changes to the Council on Elementary and Secondary Education for their approval.
- B. Written notification of the proposed exit decision must be sent to the parent along with a description of the rationale for exit and a description of the student's new

placement. Notification shall be in English and in the language parents prefer, A record of this notification shall be maintained by the LEA in the student's permanent record.

- C. Parents shall be informed of their right to appeal the LEA's decision to exit their student from active status in accordance with § 3.21 of this Part.

3.16 Monitoring Student Performance

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

3.17 Responsibilities of RIDE

- A. RIDE shall ensure that the state MLL Advisory Council is composed of representatives from the various MLL constituent groups and that it shall meet and act as per its By-laws.
- B. RIDE shall inform LEAs of their respective fiscal entitlements as soon as possible, but not later than the beginning of the fiscal year.
- C. RIDE shall provide LEAs with appropriate applications, forms, guidance, and timelines, as may be necessary to ensure the successful implementation of these regulations.
- D. RIDE shall provide LEAs with technical assistance on program design, curriculum alignment, professional-development strategies, program management and evaluation, testing and instructional modifications, and parent engagement.
- E. RIDE shall encourage LEAs to combine funds to establish collaborative programs to meet the needs of students.
- F. RIDE shall coordinate a comprehensive effort to disseminate information about successful and promising practices and procedures.
- G. RIDE shall prepare and submit to the Rhode Island General Assembly an annual financial and program evaluation report on the status of state and local efforts on behalf of Multilingual Learners.

3.18 RIDE Monitoring

A. RIDE shall:

1. Send the general timelines and criteria for monitoring to LEAs and/or superintendents.
2. Establish specific monitoring dates in cooperation with local administrators.
3. Notify LEAs and/or superintendents of monitoring visitation dates and purposes.
4. Conduct periodic monitoring visitations to ensure that each LEA is performing according to the standards and procedures prescribed by law and by regulation governing MLLs' instruction.
5. Monitor the quality of the programs or services including the rate of student English language and academic growth as indicated by statewide assessments and graduation rates.
6. Ensure that all statewide assessment reports include data disaggregated by MLL status in accordance with R.I. Gen. Laws § 16-97-8. This disaggregation shall include separate statements of data describing students in the program and students that have been exited from program. Reporting of data will be in accordance with state English Language Proficiency assessment policy.
7. Notify LEAs and/or superintendents and appropriate administrators in writing of monitoring visitation findings.
8. Provide technical assistance and support to schools and LEAs to help them:
 - a. Comply with these regulations; and
 - b. Provide effective Language Instruction Educational Program and services to students; and
 - c. Reach their school LEA improvement goals, specifically as these goals relate to MLL students and the Language Instruction Educational Program.
9. If a RIDE monitoring visit demonstrates that an LEA is not in compliance with these regulations, a corrective action plan shall be developed by the LEA and submitted to RIDE. Where appropriate, this corrective action plan may become part of a Negotiated Agreement with the LEA. RIDE will monitor compliance with the corrective action plan for an agreed upon

period of time. Nothing herein shall be construed to prevent the Commissioner from implementing other enforcement procedures, including, but not limited to requiring the LEA to implement certain components of Language Instruction Educational Program.

3.19 Language Instruction Educational Programming and LEA Strategic and School Improvement Planning

- A. Each LEA with MLLs must incorporate into their Strategic and School Improvement Plan(s) priorities, goals, initiatives, and/or action steps to ensure that MLLs meet their ELP growth targets. Plans must include the LIEP, outcomes, staffing, professional learning, parent engagement initiatives, and steps LEAs and schools shall take to support MLLs to demonstrate proficiency on state assessments. The plans must be updated at least annually to reflect additional support for MLLs not meeting their ELP growth targets or failing to demonstrate proficiency on state assessments.
- B. LEAs must engage in annual LIEP evaluation utilizing tools to monitor the effectiveness of program implementation and student language growth. LEAs must utilize quantitative data also made available by RIDE, along with locally collected qualitative and quantitative data.
- C. In line with data analysis for program evaluation, LEAs must collect and analyze longitudinal data in order to compare the performance of MLL groups. Such data collection and analysis shall not be limited to accountability purposes, and include program evaluation, student language growth, and the goals set by the LEA and the state.
- D. LEAs should establish rigorous monitoring systems that include benchmarks for expected growth and take appropriate steps to assist students who are not adequately progressing towards those goals.

3.20 Parent Involvement and Notification

- A. All communications to parents must be provided in the language parents prefer, with a qualified translator or interpreter provided by the LEA.
- B. Each LEA shall provide for translation and/or interpretation services to support and encourage the involvement of parents of MLLs in the development, implementation, and evaluation of programs.
- C. The LEA together with the school and community liaison employed by the LEA shall develop a written parent involvement plan that includes outreach to the MLL community. Parents shall be informed of the multiple ways that they can become involved in the education of their students, and in all school programs, services, and activities.

- D. The LEA shall provide culturally and linguistically responsive parent education programs or parent outreach and training activities that are designed to assist all parents of MLLs to become active participants in the education of their students.
- E. The LEA shall include input from the parents of MLLs when it considers improvements not only in Language Instruction Educational Programs but also when it considers improvements in other school programs in which MLLs may be involved.
- F. Parents shall be informed of their right to voluntarily decline to have their student participate in the Language Instruction Educational Programs and to remove their student from the Language Instruction Educational Programs pursuant to 20 U.S.C. § 6312(e)(3)(A). Parents will also be informed that even though Language Instruction Educational Program services are waived, the student will still be considered an active MLL who must be assessed on the state's annual English Language Proficiency assessment. If a family does not participate in the identification, screening and placement process, the student shall not be penalized; additional outreach and attention shall be given to the family to inform them about the process and to encourage participation.

3.21 Procedural Safeguards

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

3.22 Multilingual Parent, Student, and Educator Input in LEA Strategic and School Improvement Planning

- A. As a part of their LEA strategic planning and school improvement processes, LEAs shall articulate a system to solicit input from parents and educators of MLLs, as well as MLL students at least at the secondary level.
- B. The LEA shall require each one of its schools to have at least one parent representative of MLLs on School Improvement Teams (SIT). School Improvement Teams shall receive training and information on relevant MLL topics including, but not limited to, MLL state regulations and federal programs.
- C. LEAs, in consultation with parents of MLL students, may choose to have a parent advisory committee as a stand-alone committee or as a subcommittee of an existing LEA Parent Advisory Committee. The MLL parent membership shall be representative of at least the top five (5) language groups in the LEA.

- D. Schools with MLL populations shall, as part of their school improvement planning process, solicit input from members of the School Improvement Teams, ensuring the team has parents of MLLs on the team. Additionally, input on the School Improvement Plan should be solicited from MLL students, an MLL administrator and/or an MLL coordinator, an MLL teacher, and a general education teacher and/or administrator. Solicitation of input from community representatives from predominant language groups is also encouraged. Additional solicitation shall be at the discretion of the LEA.
- E. LEAS and schools are encouraged to solicit student input using formal structures such as MLL student-led advisories and/or student mentors or liaisons.
- F. The LEA shall present the annual MLL goals, initiatives, and/or action steps from the LEA Strategic Plan and the Federal Title III component of the Consolidated Resource Plan for parent review. Results of MLL performance on state assessments and MLL graduation rates shall be provided annually to parents.
- G. Input solicited in this manner must be incorporated into LEA Strategic Plans and School Improvement Plans, particularly concerning: the Language Instruction Educational Programs currently offered, unmet needs of MLLs, the development and implementation of future plans, local compliance with state and federal laws and regulations, applications for state and federal funding, and evaluation of Language Instruction Educational Programs. The LEA shall provide information to the parents of MLLs about the advocacy roles of the School and Community Liaison and the system of solicitation of input for parents and educators on LEA Strategic and School Improvement Plans when their students enter the school system. Such information shall be shared in the LEA top five (5) languages.

3.23 Census

Information concerning students enrolled in Language Instruction Educational Programs shall be reported to RIDE in a state-approved secure format. The identity of these students shall be treated as confidential in accordance with R.I. Gen. Laws §§ 16-71-3, 38-2-1, the Federal Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, and 34 C.F.R. §§99 et seq. Starting with SY2026-2027, information reported to RIDE by LEAs shall include pre-kindergarten students.

3.24 Review of Regulations

The Commissioner of RIDE shall review this Part every fifth (5th) year from the date of its effect. Through this review the Commissioner will determine whether this Part is sufficient to support the provision of a free, appropriate, public education to all eligible MLL students. In making this review, the Commissioner shall consider advice from stakeholders including, but not limited to, school administrators, the state and local MLL Advisory Committees, School Improvement Team MLL representatives, and the results of monitoring activities

performed by RIDE staff. Recommendations for changes shall be made by the Commissioner to the Council on Elementary and Secondary Education.

200-RICR-20-30-3

TITLE 200 - BOARD OF EDUCATION

CHAPTER 20 - COUNCIL ON ELEMENTARY AND SECONDARY EDUCATION

SUBCHAPTER 30 - STUDENT SUPPORTS

**PART 3 - REGULATIONS GOVERNING THE EDUCATION OF MULTILINGUAL
LEARNERS**

Type of Filing: Amendment

Agency Signature

Agency Head Signature

Agency Signing Date

Department of State

Regulation Effective Date

Department of State Initials

Department of State Date