

English Learners and Recent Immigrants

All academic and performance expectations apply equally to second language learners; however, it is imperative to recognize critical processes and features of second language acquisition including the affective, linguistic, and cognitive needs as described in section 89.1210(e) of 19 TAC Chapter 89, Subchapter BB:

(1) **Affective.** Limited English proficient students shall be provided instruction using second language methods in English to introduce basic concepts of the school environment which instills confidence, self-assurance, and a positive identity with their cultural heritages. The program shall address the history and cultural heritage associated with both the students' home language and the United States.

(2) **Linguistic.** Limited English proficient students shall be provided intensive instruction to develop proficiency in the comprehension, speaking, reading, and composition of the English language. The instruction in academic content areas shall be structured to ensure that the students master the required essential knowledge and skills and higher order thinking skills.

(3) **Cognitive.** Limited English proficient students shall be provided instruction in English, Mathematics, Science, Health, and Social Studies using second language methods. The instruction in academic content areas shall be structured to ensure that the students master the required essential knowledge and skills and higher order thinking skills. It is also imperative to modify the **instruction, pacing, and materials** to ensure that English learners have a full opportunity to meet these expectations. The expectations apply to the second language learner at his/her level of proficiency in English. **Students who have waived the services of the Bilingual/EL Program will be graded according to DISD Grading and Reporting Procedures without consideration given to the student's English language proficiency level.**

English as a Second Language

Promotion and Retention of English Learners

Students will be promoted or retained as specified below:

1. English Learners making satisfactory progress in academic skills for their grade level should be promoted to the next grade level.
2. The expectation of meeting the state and local curriculum as outlined by the TEKS apply to the second language learner at his or her level of proficiency in English [Texas Administrative Code Chapter 128]. An English Learner may not be retained due to lack of academic progress if the student is making progress in learning English. If the student has made progress as documented by required district testing instruments, then the student should not be retained regardless of academic progress.
3. Students who fail to make academic progress and fail to make progress in English could be retained provided that documentation of adaptations, pacing, and the use of appropriate English as a Second Language strategies including sheltered instruction and materials support the decision to retain. Retention should only be considered when extensive adaptations, instructional pacing, the use of appropriate materials and use of ESL methodologies have been unsuccessful as documented through the campus student intervention team.
4. Teachers will report grades and conduct following DISD Grading and Reporting Procedures in all skill areas during each grading period.
5. Parent-teacher communication is scheduled to address individual student needs.

Bilingual and ESL Program Grading (K-6)

The following procedures and expectations will be utilized for students in Bilingual or ESL Programs. ELs in the bilingual program are to be assessed for progress and achievement through native language instruction, as well as assessing progress in learning English. For Spanish speaking students in the bilingual program, the Spanish Report Card will be used to report grades to parents/guardians every nine weeks. In accordance with state requirements, the DISD is currently implementing both a Bilingual and an ESL program for elementary (PreK-6). The Bilingual program provides academic instruction in the native language as well as instructional time to English language acquisition, with the amount of instruction in each language being commensurate with the students' level of proficiency in each language and their level of academic achievement. The ESL Program provides instruction in English through sheltered instruction strategies to support comprehensive input and to accelerate language acquisition.

1. Teachers will report grades following District guidelines in all content areas during each grading period.
2. Teachers will report conduct grades in accordance with District procedures for all grade levels.
3. Parent/Guardian-teacher communication is scheduled to address individual student needs.

English as a Second Language (ESL) Grading (Secondary)

It is very important for teachers of English Learners (ELs) to differentiate between academic achievement and language proficiency. The students may be unfamiliar with the specialized English language that is unique to each subject area and will have little practice in using English as a medium of thought with the subject matter. The students may have more difficulty in mastering the content area because of the language demands required by the actual content material.

Some assessment instruments are not appropriate for assessing academic knowledge of an EL. A large number of assessment instruments for content mastery assume native proficiency in English, in addition to knowledge of the content area. Limited English Proficient (LEP) students may score low on exams for the following reasons:

1. Students may be unable to use English as a medium of thought;
2. Students may require extra response time due to conceptual processing requirements in English;
3. Students may be unable to understand the content-area vocabulary or syntax;
4. Students may not have knowledge of the content area required to obtain a correct response.

Therefore, the teacher can design tests for EL students that have reduced demands on English by:

1. Simplifying the language used in the test by substituting less difficult words for demanding vocabulary the student may not know. (The teachers will not make substitutions for vocabulary words that are required by the content since these are taught during instruction.)
2. Ensuring that grammatical constructions are uncomplicated by lengthy sentences. (Students can concentrate more on the curriculum if they are not required to process long and complicated syntactical structures.)
3. Being aware of cultural differences that might make a difference.

Section 504

Section 504 of the Rehabilitation Act of 1973 states: “no qualified individual with disability shall, solely by reason of her or his disability, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.”

A qualified individual is any person who:

1. Has a physical or mental impairment which substantially limits one or more major life activities,
2. Has a record of such an impairment, or
3. Is regarded as having such impairment.

A Section 504 Committee will determine appropriate accommodations to enable qualified students to receive a free and appropriate education. These accommodations may change the presentation of material, the method of student response, or the setting, timing or scheduling of instruction. Students under Section 504 must still master the TEKS of a course. It is the classroom teacher’s responsibility to ensure that the accommodations are being implemented.

In summary, students who fall under the protection of Section 504 should be graded in such a way that their disability does not affect their ability to demonstrate their knowledge of the subject matter.

Students with Dyslexia

A student with dyslexia may be eligible for protection under Section 504, Special Education services, or assistance through the campus Student Intervention Team. Accommodations will be determined by the appropriate committee for these students. Some students with dyslexia may not be eligible for any of these services, and regular grading policies and procedures should be followed.

Special Education/Section 504 Accommodations – Pre-AP and AP

The following guidelines are intended to apply to eligible students who receive special education or Section 504 services who enroll in Pre-AP courses. While Pre-AP courses are open to all students, including students who receive Special Education or Section 504 services; counselors, parents, ARD Committees and Section 504 Committees should be aware that these are high-level academic classes. In order to be eligible for accommodations in a Pre-AP class, the student must be eligible for the *same accommodation* in a general education classroom. Accommodations may not alter the content or standards of the course. The following guidelines shall be applicable to all special education and Section 504 students who enroll in Pre-AP courses:

1. Students who receive Special Education or Section 504 services must have equal opportunity to participate in Pre-AP courses.
2. While ARD and Section 504 Committees may wish to consider Pre-AP courses in connection with transition plans for students who will be attending college. ARD Committees and Section 504 Committees are not required to place students in Pre-AP classes unless they can be reasonably expected to be successful there with the allowable accommodations described in the guidelines referred to below.
3. Accommodations for students who receive Special Education or Section 504 services may not alter the content or academic standards of the Pre-AP course. Thus, certain accommodations may include, but are not necessarily limited to the following:
 - Extended time for testing
 - Preferred seating (defined)
 - Opportunity to repeat and explain instructions
 - Assignment notebook
 - Minimize distractions
 - Large print, Braille/peer to read aloud
 - Behavior intervention plan
 - Assistive technology as defined by the ARD or 504 committee
 - Altered format of exams, such as highlighted instructions or alternative spacing of questions (Content may not be altered or reduced.)
 - Altered assignments as needed for persons with motoric or visual impairment
4. The following are examples of accommodations which may alter the content or the standards of the course, and therefore might not be allowed:
 - Reduced assignments
 - Special projects in lieu of assignments
 - Exams of reduced length
 - Open book exams
 - Peer tutoring/paired work arrangement (is not allowed except when offered to the entire class)
 - Any reduction of content or standards of the course
 - Reduced mastery

While the decision to enroll in a Pre-AP class is ultimately to be made by the parent or student, the ARD or Section 504 Committees may meet and recommend removal of the student from the classroom if the student is not meeting the standards applicable to students in that program and, as a result, is failing or at risk of failure.

Students with Disabilities

Students with disabilities receive instruction in a variety of settings as determined by the Admission, Review, and Dismissal (ARD) Committee. Each student with a disability must have an Individualized Education Plan (IEP) that is properly developed, implemented, and maintained in the least restrictive environment that is appropriate to meet the student's educational needs.

The Texas Education Code Section 28.002 states that all students shall participate actively in a balanced curriculum designed to meet individual needs. The TEKS represent the core knowledge, skill, and competencies all students should learn in order to be effective and productive members of society. Students with disabilities shall be instructed in the TEKS in a manner appropriate to their needs. The student's IEP must include a statement of measurable annual goals designed to meet the child's needs that result from the child's disability to enable the child to be involved in and make progress in the general curriculum. For students taking alternate assessments aligned to alternate achievement standards, the IEP must also include goals and short term objectives. The following guidelines are meant to ensure that grades convey meaningful information to parents regarding their child's progress.

Category 1: Students participating in the general education classroom without curriculum content accommodations:

The ARD Committee may determine that a student with a disability will be responsible for mastering the entire general education curriculum without curriculum accommodations. (The student may have environmental or behavioral accommodations that are not related to grading.)

Category 2: Students participating in the general education classroom with curriculum content accommodations:

The ARD Committee may determine that a student with a disability will be responsible for mastering the entire general education curriculum with content accommodations. Curriculum accommodations do not alter the content or academic standards of the course. Thus, certain accommodations may include, but are not necessarily limited to the following:

- Extending time for testing
- Preferred seating (defined)
- Copy of class notes/outline
- Retest for major test or quiz when score is below 70 within specified time (e.g. 3 days)
- Opportunity to repeat and explain instructions
- Assignment notebook
- Minimize distractions
- Large print, Braille/peer to read aloud
- Behavior intervention plan
- Assistive technology as defined by the ARD or 504 committee
- Altered format of exams, such as highlighted instructions or alternative spacing of questions
- Altered assignments as needed for persons with motoric or visual impairment

Accommodations such as these are not coded on the report card. Documentation reflecting the implementation of accommodations is required. District grading policies will apply to students

participating in the general education curriculum with content accommodations unless determined otherwise by the ARD Committee.

Category 3: Students participating in the general education classroom with curriculum content modifications:

The ARD Committee may determine that a student with a disability is responsible for mastering only specific TEKS of a course and not the entire District curriculum. This is a modification to the curriculum and will be documented in the IEP, with a copy provided to the general and special education teachers responsible for delivering primary or support instruction. Students receiving curriculum modifications in a general education course will receive instruction in the entire curriculum. The student with a disability must be provided with the same opportunities to earn grades as non-disabled students such as extra credit points or non-content related points such as participation grades. Students receiving a modified curriculum in general education classrooms will receive their grade from the general classroom teacher or jointly with special education teachers as determined by ARD Committee.

The following are examples of modified curriculum which may alter the content or the standards of the course:

- Reduced assignments (modifies curriculum scope or complexity)
- Special projects in lieu of assignments (modifies curriculum scope or complexity)
- Exams of reduced length (modifies curriculum scope)
- Open book exams (modifies the memory requirements)
- Any reduction of content or standards of the course
- Reduced mastery (modifies curriculum scope or complexity)

Category 4: Students participating in the general education classroom for reasons other than mastery of course curriculum:

Some students with disabilities may participate in general education courses for reasons other than mastery of the course content (e.g. socialization). Classes taken for no credit as part of the IEP will be graded solely based upon criteria outlined in the particular student's IEP such as progress in social skills or classroom participation.

Category 5: Students participating in special education courses:

Students who receive instruction in special education classes shall receive the grade from the appropriate special education teacher. The student's grade is not strictly a function of the student's ability to demonstrate progress on the goals/objectives selected by the ARD Committee but may include other measures as determined by the ARD Committee. The ARD Committee must determine how progress toward the IEP goals will be measured and how that progress will be reported to the parents.

In addition to considering how grades will be determined for students in categories 2, 3, 4 and 5 with content area IEP's, the ARD committee also determines how the child's progress toward the IEP goals/objectives will be measured and how that progress will be reported to the parents. The Report Card may not be used as substitute for reporting progress on IEP goals/objectives. Teachers are responsible for collecting data to aid ARD Committees in determining student progress on IEP goals/objectives.

Decision Making Responsibilities Related to Grading

ARD Committee (Makes individualized decisions for each student)	Administrator (Makes general decisions for a campus)
<ul style="list-style-type: none"> • Determines location, duration, and frequency of services that will allow a student to access and make progress in the general education curriculum. • Determines who (what position: Special Educator, General Educator, Related Service Provider, Etc.) is responsible for implementing and measuring progress toward IEP goals.* • Determines the accommodations, modifications, supports, and supplementary aids and services needed by each student with a disability to successfully be involved in and progress in the general curriculum while achieving the goals of the IEP • Determines “how often” and “how” the LEA will monitor and report the student’s progress towards IEP goals. • Determines promotion/retention decisions. *This determination is not a requirement, but ARD committee’s may find it helpful to include this information in a student’s IEP. • Determines modified grading policy if appropriate. ** 	<ul style="list-style-type: none"> • Determines any “campus” grading policies for all students • Determines master schedule for campus, including assignments of teachers and support staff. Administrator would also determine teacher of record for grading purposes. • Determines how to implement the district’s grading policy. • Determines when and how the LEA reports grades to parents. • Determines how those implementing the IEP would document supports, including accommodations, modifications, and specially designed instruction.

*ARD committees will make decisions pertaining to promotion and retention, serving also as the grade placement committee when a student fails, with the **exception of determining if a student receives “course credit” for high school.**

If appropriate accommodations, modifications and specially designed instruction are in place for a student, there should be few instances when there would be a need to alter the student’s individual grading policy. When doing so, the ARD committee should be able to defend the reason and ensure that the committee made the decision based on individual student needs. **The ARD committee must also ensure that the grading policy a student’s teachers use is one that is also available to all students regardless of special education eligibility.

Grading Responsibilities for Students with Disabilities

General Educator	Special Educator	Classroom Paraprofessional
<ul style="list-style-type: none"> • Maintains knowledge of the accommodations/ modifications to be implemented in the IEP. • Partners with special educators to determine appropriate implementation of accommodations and modifications for specific content standards. • Implements any accommodations/ modifications through development of appropriate assignments and assessments per the student’s IEP. • Maintains documentation (according to LEA policy) of the provision of special education services to students as specified in each student’s respective IEP. • Responsible for final grade determination for assignments and overall course/class (unless otherwise specified by the ARD committee). • Responsible for ensuring accurate reporting of grades. • Provides fair assessments that allow students an equal opportunity to demonstrate what they know (Bauer and Brown 2001). • Responsible for asking for a review of IEP through a staffing or ARD meeting if concerns/ questions exist regarding student’s IEP and/or lack of expected progress toward the annual goals and in the general education curriculum. 	<ul style="list-style-type: none"> • Ensures general educator is aware of any individual student IEP-directed accommodations and/or modifications, including goals/objectives related to the content/course. • Assists in incorporating IEP-required accommodations and/or modifications into lesson plans. • May assist in final grade determination for both assignments and overall course/class as determined by students’ IEPs. • Designs process/forms for collection of data on student progress on IEP goals/objectives. • May assist in grading assignments/tests. • May assist with recording and/or reporting of grades. • Responsible for asking for a review of IEP if concerns/ questions exist regarding student’s IEP and/or lack of expected progress toward the annual goals and in the general education curriculum, where appropriate. 	<ul style="list-style-type: none"> • Provides any information requested by teacher(s) for consideration of grading. • Assists in preparation of materials as needed to implement accommodations/ modifications. • Assists in documenting provided accommodations/ modifications. • Implements supports under the direction of teacher(s). • May assist in grading objective assignments/tests (i.e. multiple choice, fill in the blank, etc.). • May assist in clerical recording of grades. Note that some LEAs allow only the classroom teacher to enter grades in grade book/online grading system. • May assist in collection of data on student mastery of material using criteria/checklist developed by general or special educator.

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Accommodations, Modifications, and How IEP Goals Impact Grading Students with Disabilities

There is a great deal of confusion and misconceptions amongst educators and parents regarding how accommodations, modifications, and IEP goals impact and affect grading practices for students with disabilities. Frequently the words, “accommodation” and “modification” are used interchangeably; however, these words in an educational context have very different meanings. A student may have both accommodations and modifications, or just accommodations, or just modifications.

IDEA 2004 requires the ARD committee to determine and provide the accommodations, modifications, supports, and supplementary aids and services needed by each student with a disability to successfully be involved in and progress in the general curriculum while achieving the goals of the IEP regardless of which state assessment the student is taking.

Curriculum accommodations are changes in how the student is accessing content and materials. Accommodations do not change the learning standards for the student, but allow the student to participate in and demonstrate mastery of the general curriculum. There are other types of accommodations, such as behavioral or environmental accommodations that do not impact grading.

Modifications are changes to the depth or breadth of what students are taught and tested. Modifications change the expectation of learning by changing the content of the curriculum.

An ARD committee may decide that a student needs specific accommodations and modifications for instruction while needing different accommodations and modifications for assessment. This section will clarify how these specific aspects of a student’s ARD impact grading.

Curriculum Accommodations

Curriculum accommodations are intended to reduce or even eliminate the effects of a student’s disability but do not reduce learning expectations. A curriculum accommodation is a change that is necessary and does not fundamentally alter or lower the standard or expectations, but may change the manner in which students demonstrate mastery of knowledge or skills. If an ARD committee determines it is necessary to provide a student with a disability a curriculum accommodation(s) in order for him or her to participate, access, and progress in the general curriculum, the educator must implement the accommodations for instruction and assessment as prescribed by the IEP and will then grade the student according to the established learning criteria. If a student’s accommodations are not implemented as written in the IEP, it is unfair to grade a student on such an assignment.

Since an accommodation does not change the mastery expectation there is no need to indicate accommodations when reporting grades. However, while accommodations should not be included with the reporting of grades, this does not mean that their implementation does not require documentation. (Refer to the local requirements and expectations for documenting accommodations provided per a student’s IEP.)

Modifications

Modifications are practices and procedures that change the expected content acquisition via the nature of the task or target skill. A modification is a change in content that is necessary for a student to gain access and make progress in the general curriculum. Modifications fundamentally alter or lower the standard or expectations for the student. When an ARD committee determines that modifications are necessary, it is important that all members of the team, including the student and parent(s), have a clear understanding of how the student's educators will implement the modifications. ARD committees consider modifications on a content-by-content basis in conjunction with the student's disability. Educators implement modifications in subject areas only when the student requires modifications in order to meet his or her needs. Educators provide modifications to instruction in coordination with the student's assignments and assessments.

Educators must modify assignments or assessments prior to grading a student's work. Following this procedure allows for a student's individual achievement to be the basis of his or her grade and provides for a true reflection of his or her mastery of content as demonstrated through completed modified work, assignments, and tasks, etc. This allows for a shift away from subjective grades and allows objective measures and mastery of assignments to be the basis for grades in compliance with TEC §28.0216.

In order to communicate a clear meaning of a student's grade, educators may include a notation for grades achieved on modified assignments and assessments. Additionally, educators may include these types of notations on students' report cards. Consistent with the underlying purpose of a report card, these notations provide information that informs parents about their child's progress or level of achievement in specific classes, course content, or curriculum.

It is essential to remember that, regardless of grading, educators must document the provision of modifications provided to a student according to local requirements (EDGAR Section 76.731). It is important to distinguish that neither a notation on the student's report card (when local policy allows) nor documenting the provision of services is IEP progress monitoring or reporting. Progress reporting of a student's mastery toward his or her IEP goals is separate from the reporting of the student's classroom grades.

Grading Example

In a Math class, the teacher expects students to calculate long division problems involving four digit numbers by two digit numbers accurately. The teacher designs an assessment that includes 20 word problems for students to complete in a 45-minute class period.

With Accommodations:

An accommodation for a student may allow him/her to break the assessment up over several sessions. When the student has completed the assessment, the teacher would grade it in the same manner as he or she did for students who did not receive the accommodation, in this case, as a percentage. If the student misses three of 20 questions on the test, with accommodations, he/she would score an 85 percent. There would be no need to make a notation with the grade or assessment in the grade book since the accommodation had no effect on the expectation of the assessment. The teacher may document the provision and efficacy of the accommodation.

With Modifications:

A modification for a student on this assessment might be to complete division problems involving three digits by one-digit numbers. This student's assessment would consist of the same problems with an altered number of digits to reflect the modification appropriately.

or

A student would only complete word problems involving numbers that evenly divide (no remainders).

In both modification examples, the modified assessment would be provided to the student and would then be graded based on his/her completion in the same manner as his/her peers who had not received modifications as a percentage. If the student misses three of the modified questions out of 20, he or she would score an 85 percent. The teacher may include a notation next to the assessment indicating the provided modification.

IEP Goals and IEP Progress Reporting

All students receiving special education services must have measurable annual IEP goals. All students receiving special education services in an academic area must have corresponding, standards-based annual goals that link to enrolled grade-level content standards. The student's Present Level of Academic Achievement and Functional Performance (PLAAFP) statement is the basis for his or her annual IEP goals. The student's PLAAFP inform the manner of the specially designed instruction that the student needs in order to progress toward enrolled grade-level standards. The curriculum standards in Texas are the Texas Essential Knowledge and Skills (TEKS) for students in Kindergarten - Grade 12. Preschool students should have goals aligned with the Texas Infant, Toddler, and Three-Year-Old Learning Guidelines, and/or The Texas Prekindergarten Guidelines or district adopted prekindergarten curriculum for students aged three and four.

While aligned with grade-level content standards, IEP goals are not a restatement of the standards. Once the ARD committee has developed measurable annual goals (consisting of standards based and/or functional goals) based on a student's PLAAFP, the ARD committee must decide how the LEA will measure the student's progress and how often the student's progress toward mastery of his or her goals will be reported throughout the year. Districts must report a student's progress toward mastery of all of his or her IEP goals. The ARD committee must note in the student's IEP when the LEA will

provide the student's parents with periodic reports of the student's progress toward meeting his/her annual goals.

The reporting of progress is distinctly different than the issuing of grades in the courses in which the student is enrolled. Best practice dictates that teachers should report a student's progress in the same manner in which the student's goals and associated objectives (if applicable) are measured; however, this is not a requirement.

Best Practices

After considering the legal requirements and decisions made by the ARD committee, teachers should review the following best practices.

Make Grades *Accurate*

Accurate grades separate student and teacher behaviors and attitudes from achievement scores. In doing so, grades are purely authentic measurements of achievement and focus solely on student proficiency in well-defined content and/or standards.

Make Grades *Meaningful*

Grades must communicate useful, concrete information to the student and parents about achievement and performance on specified standards.

Make Grades *Consistent*

The interpretation and description of clearly described performance standards and processes for grading should remain the same from teachers to teacher and are evident from classroom to classroom.

Make Grades *Support Learning*

Focus grading practices on quality of work and ensure that grades are a true reflection student learning, rather than just an accumulation of points.

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