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Multilingual Learner (MLL) Regulation Sections and Overview of Changes

The Rhode Island Department of Elementary and Secondary Education, as approved by the Council on Elementary and Secondary Education is proposing changes to the Regulations Governing the Education of Multilingual Learners (200-RICR-20-30-3). The regulations were last updated in 2007 and do not currently comport with changes in the Every Student Succeeds Act (ESSA), current legal requirements nor do they incorporate nationally recognized best practices. The following is a summary table of the major changes in the proposed regulations. The changes proposed are in alignment with the [Rhode Island Blueprint for MLL Success](#) and [Strategic Plan](#)

Regulations Section	Key Topic	Proposed Change	Why the Proposed Change is Important
3.1 Introduction and Authority	MLL education across the state	<p>Proposing expanding use of partner languages.</p> <p>Removed specific reference to the name of the standards from the regulations. These standards have been endorsed by the state with the same process as all other academic standards.</p> <p>Changed English language Learner (ELL) to Multilingual Learner MLL (this change appears throughout the document).</p>	<p>Reinforces an asset-based approach to language use for instruction that embraces the native language of the MLL as central to the student’s learning success.</p> <p>As standards are updated over time, future adoption of standards will avoid the need to open revisions to the full MLL Regulations.</p>
3.2.A.1 Students and Parents Definitions	Definition of student and parent	<p>Updated and added definitions.</p> <p>Removed language on identifying varieties of the English language.</p>	<p>Aligned to federal guidance.</p> <p>Updated to address students and languages with an asset-based approach.</p>
3.2.A.2 Administrative Terms Definitions	Definition of terminology used in the regulation	<p>Included additional terms and definitions to bring the Regulations up to current language supporting MLLs, defined the term ‘period’ as equivalent to at least forty-five (45) consecutive instructional minutes.</p>	<p>Updated terminology to current use and integrated new terms.</p> <p>Added terminology specification to clarify statewide interpretation and support implementation.</p>

		Moved the definitions of Home Language Survey, Home or Native Language, and Cultural Competence and Responsiveness to other sections.	
3.2.A.3 Local Education Agency (LEA) Categorization Definitions	Categorization of Local Education Agencies (LEAs)	Expanded LEA categories from low and high incidence to low, medium, and high incidence. Updated how incidence is determined from over/under 150 MLL students to both the total number of MLLs and/or the percentage of MLLs of the LEA's total student population.	Changed to allow RIDE to differentiate regulatory requirements, technical assistance, and support for LEAs.
3.2.A.4. Personnel Definitions	Roles and qualifications for MLL-related personnel	Revised the definitions of MLL administrator, assessor, coach, coordinator, teacher, paraprofessional, family liaison, and guidance counselor. Provided list of certification names and certification extensions relevant to the roles.	Clarified roles and requirements for each role and brought the terms into alignment with other regulations. The list of certification names will then align to the proposed Certification Regulations for further requirements.
3.2.A.5. LIEP– Including Dedicated & Integrated Definitions	Definition and components of the Language Instruction Educational Program (LIEP)	Revised the definition of LIEP. Added definitions of Dedicated English Language Development (Dedicated ELD) and Integrated Language and Content Instruction (Integrated Instruction).	Aligned to federal regulations and guidance, as well as current research and best practices. Elevates instructional design to more effectively support MLLs.
3.2.A.6. Instructional Program Models– Bilingual Education & Content Based Definitions	Program models for delivery of instruction to Multilingual Learners	Organized the framework for program models under LIEPs, streamlining the program model organization into two approaches of Bilingual Education and Content-Based Education. Changed the name of and revised the definition of Sheltered content instruction to Content-based instruction. Added and/or revised the following program model definitions: One-Way Dual Language, Two-Way Dual Language, Transitional Bilingual Education, Transitional Bilingual Education for	Aligned to federal guidance, current research, and best practices. Streamlined instructional approaches and clearly defined program models to allow for a consistent student experience in any district in the state and for RIDE to provide targeted assistance to LEAs.

		<p>Students with Limited and/or Interrupted Formal Education, Content-Based Instruction for Newcomers, and Content-Based Instruction for Students with Limited and/or Interrupted Formal Education.</p> <p>Removed English as a second language and Collaborative ESL instruction program models.</p>	
3.2.A.7. Assessment for MLLs Definitions	Name of the assessment for MLLs.	Removed the specific reference to assessment providers and assessment names.	As assessments are updated over time, future changes will avoid the need to open revisions to the full MLL Regulations when assessments change.
3.2.A.8. Professional Learning Definitions	Professional learning requirements for educators and administrators working with MLLs	Added a new section on professional learning with definitions of MLL competencies, awareness expectations, and proficiency expectations.	Aligned to the principle of shared responsibility of the MLL Strategic Plan, Goal 2 Capacity of Educators and Administrators in the MLL Strategic Plan, and federal requirements. Provides requirements for educators to effectively support MLLs.
3.3 Language Identification of all potential MLLs	Process to identify potential MLLs	Added specificity on the process and steps for LEAs to follow.	Aligned to federal regulations and guidance.
3.4 Initial Assessment for Program Placement	Use of assessment to identify and place MLL students	Removed specific name of assessment, added specification of alignment to state endorsed English Language Proficiency Standards.	As assessments are updated over time, future changes will avoid the need to open revisions to the full MLL Regulations.
3.5 Program Standards	Standards to guide the alignment of language programs	<p>Added more specifications and revised language.</p> <p>Framed the learning of students attaining proficiency of language and academic content simultaneously.</p>	Aligned to federal requirements and to current pedagogy for instructional approaches for MLLs.

		<p>Encouraged use of home/native language for learning purposes.</p> <p>Added culturally and linguistically responsive Multi-Tiered System of Support.</p>	
3.6 Student Placement Standards	Standards to guide student placement	<p>Revised language to include specifications on process and practice.</p> <p>Added the review of the Home Language Survey and review of transcripts to the process informing student placement.</p> <p>Strengthened federal requirement on language access for parents and caregivers.</p>	Aligned to federal regulations and guidance.
3.7 Dually Identified Student Rights	LEA responsibilities for differently abled MLLs	Added language to guide LEAs in dually identified student evaluation and placement.	Aligned with US Department of Education requirements to clarify that dually identified students receive both MLL and Special Education instruction.
3.8 Time Requirements	Minimum instructional time requirements for English language development	<p>Added an implementation timeline with clarifications of the interim period and full implementation.</p> <p>Revised the composition of the minimum periods into Dedicated ELD and Integrated Instruction, differentiated by student proficiency level.</p> <p>Clarified the requirement for a Dedicated ELD period every day with an appropriately certified teacher. Dedicated ELD instruction is further enhanced by Integrated Content Instruction provided by an appropriately certified teacher.</p> <p>The number of required MLL instruction by an appropriately certified teacher remains unchanged from current regulations, the shift is in</p>	<p>Accounted for staggered implementation at LEAs.</p> <p>Aligned to federal regulations and guidance and to the current best practices for Multilingual Learner program design.</p>

		<p>the specification on how MLL instruction is delivered.</p> <p>Removed the requirement and replaced with recommendation for MLL instruction for students at Bridging and Reaching levels of proficiency.</p> <p>Added RIDE guidance and performance-based waivers.</p>	
Former 3.9 Coordination with other requirements	Coordination with federal requirements and student assessment timelines	Regulatory language removed.	Aligned to federal regulations and guidance.
3.9 Class Size	Class size and ratio of teachers to students	Minor revision of terminology.	Updated terms to reflect current best practices.
3.10 Instructional Program Models	Program models approved in Rhode Island	Streamlined the list of program models into two approaches of Bilingual Education and Content-Based Education. Removed the language of choosing components of program models.	Aligned to Section 3.2.A of these regulations, federal guidance, current research, and best practices.
3.11 MLL Administrators & Personnel Requirements	Personnel requirements differentiated by LEA categorization	<p>Revised MLL administrator requirement per LEA categorization.</p> <p>Added recommendations for MLL teachers, coaches, school counselors, and school and community liaisons, per LEA categorization.</p>	Ensured adequate staffing levels for Language Instruction Educational Program.
3.12 Ongoing Professional Learning	Preparation and ongoing professional learning for educators and administrators	<p>Reorganized the section for clarity.</p> <p>Added awareness and/or proficiency requirements differentiated by teacher, administrator, and other roles.</p> <p>Added the timeline and ways of fulfilling the awareness and proficiency requirements.</p>	Ensured adequate teacher and administrator preparation levels for implementing the Language Instruction Educational Program.

		Added LEA, Educator Preparation Program (EPP), and RIDE responsibilities related to professional learning.	
3.13 Reporting Student Progress	Progress reports	<p>Minor revisions to language use.</p> <p>Removed the language around optional translation/interpretation regarding student progress.</p> <p>Clarified the requirement of providing information on grading system and progress reports in the parents' preferred language.</p>	Aligned to federal regulations and guidance.
3.14 Annual Assessment of Student Progress	Annual assessment of English Language Proficiency	<p>Added federal laws regarding assessments, accountability, and public reporting.</p> <p>For students who do not progress appropriately, other assessment procedures that have been normed or aligned to state endorsed ELD standards shall be used to determine the reason for the lack of progress.</p>	Accountability and public reporting as required by ESSA.
Former 3.15 Participation in General Education	<p>Eligibility of MLLs participating in any content area.</p> <p>Parent communication regarding student's program placement</p>	<p>Removed limitations on student access to general education prior to reaching language proficiency.</p> <p>Specified the requirement for parent notifications and communication in a language they prefer.</p>	<p>Aligned to federal requirements, research, and best practices, which specify that language and academic content are learned simultaneously.</p> <p>Aligned to Section 3.20 of these regulations.</p>
3.15 Student Exit from Active MLL Status	Eligibility and criteria to exit MLL status	<p>Revised terminology around exit and MLL status.</p> <p>Added specifications on the statewide process for changing exit cut scores.</p>	Aligned to federal guidance and clarified the language on exiting status.

3.16 Monitoring Student Performance	Progress monitoring of exited MLLs	Added clarification on monitoring timeline and interventions.	Aligned to federal guidance.
3.17 Responsibilities of RIDE	RIDE's role	Added MLL Advisory Council By-laws. Revised formatting of the section.	Provided clarity.
3.18 RIDE Monitoring	Required RIDE actions regarding MLL Regulations	Section was moved. Minor updates to terms.	Provided consistency with other sections of these regulations.
3.19 LIEP & LEA Strategic and School Improvement Planning	District strategic and school improvement planning in connection to Language Instruction Educational Program (LIEP)	Added a requirement for LEAs to embed the MLL programming into their strategic and school improvement plans, to review the plans every year, and to evaluate program effectiveness annually and over long-term. Added a requirement for LEAs to establish monitoring protocols for assessing student growth.	Aligned to federal regulations and guidance, as well as current research and best practices.
3.20 Parent Involvement & Notification	LEA's obligations regarding parent involvement and notifications	Revised the section title and combined it with former section 3.22. Added requirement that LEA communicate with families in their preferred language by providing translation and interpretation.	Ensured equitable access for families to information.
3.21 Procedural Safeguards	Appeals process	Added a requirement for RIDE to prepare a brief and accessible explanation and distribution of the appeals process in the top ten languages spoken in RI and additional home languages as needed.	Ensured linguistic equity and access in the appeals process so that parents understand their rights.
3.22 MLL Parent & Educator Input in LEA	MLL parent engagement in	Changed the section title.	Ensured MLL parents are part of their school community, instead of being siloed. Aligned to

Strategic and School Improvement Planning	district and school decisions	<p>Removed the requirement of a stand-alone MLL Advisory for each LEA.</p> <p>Added an option for LEAs to continue an MLL parent committee or include MLL parents in already existing district and school structures (i.e. School Improvement Teams) with representation of at least the top five language groups in the LEA.</p> <p>Added a requirement for LEAs to solicit and implement MLL parents' input on strategic and school improvement planning.</p>	Section 3.19 of these regulations and best practices.
3.23 Census	Collection and reporting of student data	Added requirement of reporting of students who are potential MLLs in state pre-kindergarten grade.	For improvement of state-wide data collection and reporting.
3.24 Review of Regulations	Periodic review of regulations	Changed to a five-year review process that includes stakeholders.	Alignment to the 5 years cycle of the state MLL State Strategic Plan review.