FILED
APR 23 2007
MISSISSIPPI
SECRETARY OF STATE

NOTICE OF PROPOSED RULE ADOPTION

STATE OF MISSISSIPPI
Department of Education
Office of Innovation and School Improvement

Department of Education
c/o Quentin Ransburg
Office of Innovative Support
359 North West Street
P O Box 771, Suite 162
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Specific Legal Authority authorizing the promulgation of Rule: {Insert citation to state or federal statute, or rule_____NCLB_____
_____}

Reference to Rules repealed, amended or suspended by the Proposed Rule:{ Insert citation to specific rule(s) repealed, amended or suspended _____
_____}

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule:

The *Guidelines for English Language Learners (ELL)* are being revised to reflect changes required by the U.S. Department of Education as a result of a monitoring visit report. The ELL Committee of Practitioners provided input to MDE staff on the revisions to the guidelines as follows:

a) providing criteria for exiting students from English language learner programs (pages 14, 18, and 19)
b) clarifying the exclusion of test scores of first-year English language learner students from Adequate Yearly Progress (AYP), Achievement Model, and Growth Model calculations which applies only to newly arrived students living one year or less in the United States (page 23)

This rule is proposed as a ☒ Final Rule, and/or a ☐ Temporary Rule (Check one or both boxers as applicable.)

Persons may present their views on the proposed rule by addressing written comments to the agency at the above address. Persons making comments should include their name and address, as well as other contact information, and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

Oral Proceeding: Check one box below:

☐ An oral proceeding is scheduled on this rule on Date: {Insert Date} Time: {Insert Time}
Place: {Insert Place}

If you wish to be heard and present evidence at the oral proceeding you must make a written request to the agency at the above address at least _____ day(s) prior to the proceeding to be placed on the agenda. The request should include your name, address, telephone number as well as other contact information; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

☒ An oral proceeding is not scheduled on this rule. Where an oral proceeding is not scheduled, an oral proceeding will be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address and telephone number of the person(s) making the request; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

Economic Impact Statement: Check one box below:

☒ The agency has determined that an economic impact statement is not required for this rule, or

☐ The concise summary of the economic impact statement required is attached.

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Date Rule Proposed: April 20, 2007

Proposed Effective Date of Rule: May 17, 2007

Quentin Ransburg

Quentin Ransburg, Bureau Director

SOS FORM APA 001
Effective Date 07/29/2005