Effective July 1, 2021, the EIP program is no longer waivable for Strategic Waiver School Systems, Charter Systems, or Charter Schools. The Rubrics are required for districts and schools to use along with other supporting documents in making EIP placement and exit decisions.

Contact Information:

Anisha Donald, ELA & EIP Program Specialist
Curriculum, Instruction, and School Climate
adonald@doe.k12.ga.us
Following the 2021 Legislative session, Senate Bill 59 was signed into law on March 31, 2021 and became effective **July 1, 2021** includes the following language:

**For Strategic Waivers School Systems (amends § O.C.G.A. 20-2-82(e))**

“The state board shall not be authorized to waive or approve variances on any federal, state, and local rules, regulations, court orders, and statutes relating to civil rights; insurance; the protection of the physical health and safety of school students, employees, and visitors; conflicting interest transactions; the prevention of unlawful conduct; any laws relating to unlawful conduct in or near a public school; the early intervention program provided for in Code Section 20-2-153; any reporting requirements pursuant to Code Section 20-2-320 or Chapter 14 of this title; the requirements of Code Section 20-2-210; the requirements of Code Section 20-2-211.1; or the requirements in subsection (c) of Code Section 20-2-327."

**For Charter Systems and Charter Schools (amends O.C.G.A. § 20-2-2065 (b))**

“In determining whether to approve a charter petition or renew an existing charter, the local board and state board shall ensure that a charter school, or for charter systems, each school within the system, shall be:

15) Subject to the provisions of Code Section 20-2-153 relating to the early intervention program."

**Legislative Intent:** GaDOE has confirmed that intent of this legislation was to ensure the appropriate students are identified as EIP and are receiving the services and resources they need to be successful in the classroom. **This legislation ensures entrance and exit requirements cannot be waived and will ensure parents are notified if their child qualifies for EIP.** Also, this change puts Georgia's valuable EIP program in line with other non-waivable requirements like civil rights and the health and safety of students.

**Per state law:** Effective **July 1, 2021**, the EIP program requirements, such as class size and certification waivers, are **no longer waivable** for Strategic Waivers School Systems, Charter Systems, and Charter Schools.

**The Early Intervention Program (EIP) program, as outlined in Title 20 and State Board rule, and related funding has not been eliminated.** The following EIP instructional models that are laid out in state law and in SBOE rule are still available and will still be funded for FY22:

1. Self-contained
2. Pull-out
3. Augmentation
4. Reading Recovery
5. Innovative Model, which must offer: a) an appropriate and effective program for accelerating student learning; b) services through a state-certified teacher; c) the use of EIP funds that provide supplemental instruction above and beyond those services provided by the state; d) compliance with the maximum class size rule; e) parental notification; f) EIP student identification based on GaDOE rubrics or other measures identified in GaDOE guidance; g) and any other provisions in **Code Section 20-2-153**.
Instructional models that are no longer in compliance with SB 59 can be funded using CARES I, CARES II, and ARP ESSER (including learning loss) funds. CARES/ARP funding do not have “supplement versus supplant” requirements and programs/initiatives funded by CARES/ARP funding are not restricted by class size waivers or other flexibilities afforded by your performance contracts.

This guidance has been updated to reflect the legislative intent and EIP provisions of Senate Bill 59, which specify that the requirements of the Early Intervention Program are not waivable, and tailors EIP instructional models to those specifically outlined in Code Section 20-2-153 (Class Augmentation, Self-Contained, Pull-Out, and Reading Recovery). Legislative intent also allows for the use of Innovative Models that meet certain criteria. The criteria for Innovative Models include:

- an appropriate and effective program for accelerating student learning.
- services through a state-certified teacher.
- the use of EIP funds that provide supplemental instruction above and beyond those services provided by the state.
- compliance with the maximum class size rule.

The guidance provided in the following pages is primarily referenced from the following laws and rules:

- O.C.G.A. § 20-2-153 Early intervention program for students at risk of not reaching or maintaining academic grade level
- O.C.G.A. § 20-2-182(i) maximum class sizes
- O.C.G.A. §20-2-82(e) Contract terms for local school systems requesting flexibility
- O.C.G.A. §20-2-2065(b) Waiver of provisions of this title; requirements for operating; control and management
- State Board of Education Rule 160-4-2-.17 EARLY INTERVENTION PROGRAM (EIP)
- State Board of Education Rule 160-5-1-.08 CLASS SIZE
Early Intervention Program (EIP) Guidance

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PURPOSE OF EARLY INTERVENTION

Children start school at a designated chronological age but differ greatly in their individual development and experience base. The Early Intervention Program (EIP) is designed to serve students who are at risk of not reaching or maintaining academic grade level. The purpose of the Early Intervention Program is to provide additional instructional resources to help students who are performing below grade level obtain the necessary academic skills to reach grade level performance in the shortest possible time.

The Early Intervention Program Placement and Exit Criteria are based on documented student achievement/performance in English Language Arts (ELA)/reading and mathematics.

EIP is also aligned with the Georgia’s Tiered System of Supports for Students framework as it provides a structure for meeting the instructional need of students to meet grade level expectations at the elementary level. The tertiary level of prevention for EIP is dependent on the model of service.

Georgia’s Tiered System of Supports for Students: Multi-Level Prevention System

Students receive services at all levels, depending on need.

Georgia’s Tiered System of Supports for Students (MTSS): Multi-Level Prevention System
<table>
<thead>
<tr>
<th>Tier I: Primary Level of Prevention (Core curriculum and instruction)</th>
<th>Focus</th>
<th>Instruction</th>
<th>Assessments</th>
</tr>
</thead>
<tbody>
<tr>
<td>ALL students</td>
<td>District curriculum and instructional practices that are evidence-based; aligned with state and district standards; and incorporate differentiated instruction</td>
<td>Screening, continuous monitoring for progress (formative assessments), and outcome measures or summative assessments</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Tier II: Secondary Level of Prevention (Intervention)</th>
<th>Focus</th>
<th>Instruction</th>
<th>Assessments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Students identified through screening and other data sources who need enrichment/acceleration or are at risk for poor learning and behavioral outcomes</td>
<td>Supplemental instruction and/or intervention that is: delivered to small groups, targeted to the area of need, and implemented with fidelity (i.e., consistent with the way it was designed)</td>
<td>Progress monitoring (minimum of once per month), diagnostic</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Tier III: Tertiary Level of Prevention (Intensive Intervention)</th>
<th>Focus</th>
<th>Instruction</th>
<th>Assessments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Students who have not responded to primary or secondary levels of prevention or who need enrichment/acceleration. SST are most often initiated at this tier.</td>
<td>Intensive, supplemental instruction delivered to small groups or individually</td>
<td>Progress monitoring (minimum of once per week), diagnostic</td>
<td></td>
</tr>
</tbody>
</table>
I. PROGRAM STRUCTURE

1. **STAFF**: EIP must be staffed by certificated teachers. Full-time paraprofessionals may assist kindergarten EIP teachers for the purposes of reducing the student-teacher ratio to meet class size reduction rules.

2. **CLASS SEGMENT DEFINITION**: A segment for grades K-3 is defined as a minimum of 45 minutes (daily). A segment for grades 4-5 is defined as a minimum of 50 minutes (daily). A Reading Recovery segment is defined as a minimum of 30 minutes (daily). **While delivery models can be optimized to meet student needs, to maximize student outcomes, students should receive the total number of EIP minutes weekly: K-3 225 minutes; 4-5 250 minutes.**

3. **DELIVERY MODELS**: Any combination of the following models may be used within a system or school depending on the unique needs and characteristics of the students and school. If regular school operation is interrupted, the following models could be implemented using distance learning.

There are five **allowable** models:

   **(1) Self-Contained** – This model is used to reduce the class size to provide more emphasis on instruction and increased academic achievement.

   **(2) Pull-Out** – EIP students are removed from the classroom for instruction by an additional certified teacher. This model may serve a maximum of 14 students at a time.

   **(3) Augmented** - The augmented model incorporates EIP services into the regular group class size by providing an additional early childhood certified teacher to reduce the teacher/pupil ratio while providing EIP services.

   **(4) Reading Recovery Program** – Students are removed from the classroom for one segment of reading. One segment of Reading Recovery is defined as a minimum of 30 minutes. Students must be served a minimum of 45 days. Students served by Reading Recovery may be counted for one segment of EIP instruction for the entire year.

   **(5) Innovative** – Use of this model must adhere to the following guidelines:

   - an appropriate and effective program for accelerating student learning.
   - services through a state-certified teacher.
   - the use of EIP funds that provide supplemental instruction above and beyond those services provided by the state.
   - compliance with the maximum class size rules.
4. **MAXIMUM CLASS SIZES:** A class for EIP must follow the class size rule (SBOE 160-5-1-.08).

(1) **Self-Contained and Pull-out Models**

<table>
<thead>
<tr>
<th>Grade(s) Subject(s)</th>
<th>Funding Class Size</th>
<th>Maximum System Avg. Class Size</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kindergarten</td>
<td>11</td>
<td>14</td>
</tr>
<tr>
<td>Grades 1-3</td>
<td>11</td>
<td>14</td>
</tr>
<tr>
<td>Grades 4-5</td>
<td>11</td>
<td>14</td>
</tr>
</tbody>
</table>

*Self-contained classes may be multi-grade level provided the class size does not exceed the maximum.*

(2) **Augmented**

<table>
<thead>
<tr>
<th>Grade(s) Subject(s)</th>
<th>Funding Class Size</th>
<th>Maximum System Avg. Class Size</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kindergarten</td>
<td>15</td>
<td>18</td>
</tr>
<tr>
<td>Kindergarten with full-time paraprofessional</td>
<td>15</td>
<td>20</td>
</tr>
</tbody>
</table>

*A state certified early childhood/elementary teacher will work for a minimum of one segment (45 minutes) with no more than 14 Early Intervention Program students.*

<table>
<thead>
<tr>
<th>Grade(s) Subject(s)</th>
<th>Funding Class Size</th>
<th>Maximum System Avg. Class Size</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grades 1-3</td>
<td>17</td>
<td>21</td>
</tr>
<tr>
<td>Grades 1-3 with full-time paraprofessional</td>
<td>17</td>
<td>21</td>
</tr>
</tbody>
</table>

*A state certified early childhood/elementary teacher will work for a minimum of one segment (45 minutes) with no more than 14 Early Intervention Program students.*

<table>
<thead>
<tr>
<th>Grade(s) Subject(s)</th>
<th>Funding Class Size</th>
<th>Maximum System Avg. Class Size</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grades 4-5</td>
<td>23</td>
<td>30</td>
</tr>
</tbody>
</table>

*A state certified early childhood/elementary teacher will work for a minimum of one segment (50 minutes) with...*

(4) **Reading Recovery**

<table>
<thead>
<tr>
<th>Funding Class Size</th>
<th>Maximum System Avg. Class Size</th>
</tr>
</thead>
<tbody>
<tr>
<td>11</td>
<td>14</td>
</tr>
</tbody>
</table>

*Students served by Reading Recovery may be counted for one segment of EIP instruction for the entire year.*
(5) **Innovative Model Maximum Class Size Guidelines for the 2021-2022 School Year**

Must comply with the State Rule for Maximum Class Size:

<table>
<thead>
<tr>
<th>Grade(s) Subject(s)</th>
<th>Maximum Individual Class Size</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regular Kindergarten</td>
<td>18</td>
</tr>
<tr>
<td>Regular Kindergarten with full-time professional</td>
<td>20</td>
</tr>
<tr>
<td>Grades 1-3</td>
<td>21</td>
</tr>
<tr>
<td>Grades 4-5</td>
<td>28</td>
</tr>
</tbody>
</table>

II. **ELIGIBILITY FOR PLACEMENT (See Appendix 2)**

The following will apply for student eligibility:

- Under Method 1, eligibility determination is made at the school level by identifying the students functioning below the normal expectation for the respective grade as determined by criteria established by the Georgia Office of Student Achievement (GOSA).
- Placement of students under Method 2 of the GOSA criteria must be consistent throughout the system.
- For kindergarten and grade 1, Method 2 allows students to qualify for EIP based on various criteria, including the EIP Rubric.
- For grades 2-5, Method 2 allows up to 3% of the students to qualify for EIP based on various criteria, including the EIP Rubric.

III. **ASSESSMENT AND ACCOUNTABILITY**

1. **REPORTING PROCEDURES:** Eligibility records and exit documentation must be maintained at the local school and made available for monitoring upon request.

2. **STUDENT ASSESSMENT:** Students must be moved into EIP, provided assistance, and moved out of EIP upon reaching grade level performance. Students placed in the EIP must be administered a formative assessment that will reflect achievement gains throughout the academic year.

3. **EXIT CRITERIA:** Program exit criteria are developed by the Governor’s Office of Student Achievement.

4. **PARENTAL INVOLVEMENT:** The school shall provide a ten calendar-day notice for an opportunity to conference with the student’s parents or guardians and the student to discuss the student’s performance and the role of the Early Intervention Program. EIP funds may not be used for parent workshops. *Title 20 Chapter 2 Article 6 Part-4 20-2-167*
5. ACCOUNTABILITY: The Office of Student Achievement will consider the following EIP data in identifying performing and non-performing schools:

- The length of time that students spend in the EIP; and
- Performance/achievement of EIP students on the Georgia Milestones, if available.

IV. FUNDING

Students reported with a grade level of kindergarten who are receiving services under the Early Intervention Program should be reported with a PROGRAM CODE = E for each segment served in the program. Refer to GaDOE Rule 160-4-2-.17 Early Intervention Program (EIP) for additional information.

Students reported with a grade level of 1 through 3 who are receiving services under the Early Intervention Program should be reported with a PROGRAM CODE = F for each segment served in the program. Students who are removed from the general education classroom for one segment to participate in the Reading Recovery Program may be counted for one segment of EIP instruction for the year. Refer to GaDOE Rule 160-4-2-.17 Early Intervention Program (EIP).

Students reported with a grade level of 4 and 5 who are receiving services under the Early Intervention Program should be reported with a PROGRAM CODE = G for each segment served in the program. Refer to GaDOE Rule 160-4-2-.17 Early Intervention Program (EIP) and Official Code of Georgia (OCGA) 20-2-16 Quality Basic Education Formula.

All Full-Time Equivalent (FTE) questions should be directed to the GaDOE Help Desk at (1) 800-869-1011.
APPENDIX 1

GOVERNOR’S OFFICE OF STUDENT ACHIEVEMENT (GOSA)
EIP ELIGIBILITY CRITERIA

Placement Procedures for the Early Intervention Program (EIP) Grades K-5

Eligibility for the Early Intervention Program (EIP) is determined by an assessment process at the local school system level. The eligibility determination is made by identifying the students functioning below the normal expectation for the respective grade using criteria provided by the Governor’s Office of Student Achievement (GOSA).

There are different methods that may be used to establish eligibility for placement depending on grade level and includes the following:

**For students entering Kindergarten or in Kindergarten:**

**Use the following method/s to identify students entering or in Kindergarten.**

Method/s: This includes students whose documented performance/achievement indicates needing extra instructional assistance using **two or more** of the following:

- local assessments; or
- standardized norm-referenced tests (below the 35th percentile); or
- portfolios; or
- Georgia Pre-K Work Sampling System documentation; or
- Student Support Team (SST) Checklist; or
- EIP Rubric; or other checklist; or
- GKIDS Readiness Check
- **retained kindergarten students** whose documented achievement levels indicate “Not Yet Demonstrated” or “Emerging” on the majority of elements on the English Language Arts and/or Mathematics Georgia Kindergarten Inventory of Developing Skills (GKIDS).

**For students entering or in Grade 1:**

**Use the following method/s to identify students entering or in Grade 1.**

Method/s: This includes students whose documented achievement levels indicate:

- “Not Yet Demonstrated” or “Emerging” on the majority of elements included on the English Language Arts and/or Mathematics Georgia Kindergarten Inventory of Developing Skills (GKIDS); or
- other indicators such as local assessments;
- standardized norm-referenced tests (below the 35th percentile);
• portfolios;
• Student Support Team (SST) Checklist or other checklists;
• EIP Rubric; or
• retained students.

For students entering or in Grades 2-5:
(The Georgia Milestones Tests are not administered in Grades 1 or 2. Refer to the criteria listed below for students without Georgia Milestones scores.)

Use Method 1 to identify students entering or in Grades 2-5.

Method 1: This includes students who score at the Beginning Learners level on the Georgia Milestones in mathematics or ELA with a Reading status of Below Grade Level.

Use Method 2 to identify students who do not qualify using Method 1.

Method 2: This includes students who score at the Developing Learners level on the Georgia Milestones in ELA with a Reading status of Below Grade Level or mathematics, but whose local records of documented achievement/performance shows that they are performing at the Beginning Learners level on the Georgia Milestones in reading or mathematics. This population of students who score at the Developing Learners level on the Georgia Milestones but still need additional instructional assistance shall not exceed 3% of the population at the system, school, or grade level.

For students in Grades 1-5 without GEORGIA MILESTONES scores:

This includes students who do not have Georgia Milestones scores but whose documented achievement shows that they are performing below grade level in reading or mathematics.

Documented achievement must include **two or more** of the following:

• local assessments, or
• standardized norm-referenced tests (below the 35th percentile), or
• portfolios, or
• Student Support Team (SST) Checklist, or
• EIP Rubric, or
• other checklists, or
• performance as described by Achievement Level Descriptors of the Beginning Learners level of the Georgia Milestones
EIP Rubrics

EIP Rubrics may be downloaded from the GaDOE website at this link:

**Reading** – A total score of less than (<) 15 on the EIP grade level rubric, in addition to one other data source, indicates eligibility for EIP services. (See Chart Below)

**Mathematics** – The rubric score varies by grade level, e.g., a total score of less than (<) 14 on the EIP Kindergarten rubric, in addition to one other data source, indicates eligibility for EIP services. (See Chart Below)

### EIP Rubrics

<table>
<thead>
<tr>
<th>Grade Level</th>
<th>Reading</th>
<th>Mathematics</th>
</tr>
</thead>
<tbody>
<tr>
<td>K</td>
<td>15</td>
<td>14</td>
</tr>
<tr>
<td>1</td>
<td>15</td>
<td>15</td>
</tr>
<tr>
<td>2</td>
<td>15</td>
<td>17</td>
</tr>
<tr>
<td>3</td>
<td>15</td>
<td>14</td>
</tr>
<tr>
<td>4</td>
<td>15</td>
<td>17</td>
</tr>
<tr>
<td>5</td>
<td>15</td>
<td>23</td>
</tr>
</tbody>
</table>
Exit Procedures for the Early Intervention Program (EIP) Grades K-5

Early Intervention Program exit criteria, developed by the Georgia Office of Student Achievement (GOSA), include the following:

**For students in Kindergarten:** This includes kindergarten students whose

a. achievement levels indicate meets or exceeds on the majority of elements included on the English Language Arts and/or Mathematics Georgia Kindergarten Inventory of Developing Skills (GKIDS); or

b. documented achievement indicates “on or above grade level” as documented by one or more of the following: local assessments, portfolios, Student Support Team (SST) Checklist, EIP Rubric, or other checklists.

**For students in Grades 1-5:** This includes students in grades 1-5 who

(The Georgia Milestones Tests are not administered in Grades 1 and 2. Refer to the criteria listed in bullet b.)

a. score at/above the *Proficient* level on the Georgia Milestones Tests in reading or mathematics; or

b. score at/above the *Developing Learners* level on the Georgia Milestones Tests in reading or mathematics and whose achievement indicates “on or above grade level” as documented by one or more of the following: local assessments, portfolios, Student Support Team (SST) Checklist, EIP Rubric, other checklists, or student work as described by Georgia Milestones Achievement Level Descriptors for the *Developing Learners, Proficient Learners* or *Distinguished Learner* levels.

**For students in Grades K-5 without Georgia mandated test results:**

This includes students whose performance indicates “on or above grade level” as documented by one or more of the following: local assessments, portfolios, Student Support Team (SST) Checklist, EIP Rubric, other checklists, or student work as described by Georgia Milestones Achievement Level Descriptors for the *Developing Learners, Proficient Learners* or *Distinguished Learner* levels.
**APPENDIX 3**

**EIP Frequently Asked Questions**

**Q1:** How should parents be notified of student participation in EIP?

**A:** **Before** services begin, the school shall provide a ten calendar-day notice for an opportunity to conference with the student’s parents or guardians and the student to discuss the student’s performance and the role of the Early Intervention Program.

**Q2:** Since Georgia Milestones data are not available for the 2019-2020 school year, what were used for placement and exit criteria?

**A:** Local school districts will be able to determine the type/s of documented performance/achievement data for placement and exit purposes.

---

**For students in Grades 1-5 without Georgia Milestones scores:**

This includes students who do not have Georgia Milestones scores but whose documented performance/achievement shows that they are performing at the **Beginning Learner** level on the Georgia Milestones in reading or mathematics. Documented achievement must include one or more of the following: local assessments, standardized norm-referenced tests (below the 35\(^{th}\) percentile), portfolios, Student Support Team (SST) Checklist, EIP Rubric, other checklists, or performance as described by Achievement Level Descriptors for the **Beginning Learner** level of the Georgia Milestones.

Students whose assessment achievement/performance is above the **Beginning Learner** level but who still need additional instructional assistance via the Early Intervention Program shall not exceed 3\% of the population at the system, school, or grade level.

**Q3:** How is Georgia’s Tiered System of Supports for Students (MTSS) connected to EIP?

**A:** Since the purpose of the Early Intervention Program is to provide additional instructional resources to help students who are performing below grade level obtain the necessary academic skills to reach grade level performance in the shortest possible time, the connection to MTSS is clear. EIP is a part of the MTSS framework, which includes academics and behavior. The instruction that is occurring in the EIP classrooms needs to be at the center of the school’s attention. The tertiary level of prevention for EIP is dependent on the model of service. For EIP services to be considered a Tier 2 level of prevention, the instruction that is occurring would be in addition to Tier 1 and be evidence-based.

**Q4:** Where can we find information on reporting guidance for EIP?

**A:** For information on data collection and reporting requirements visit GaDOE Data **Collections and Reporting**.
Q5: How should special education students be counted in EIP?

A: If a special education student was assigned to a regular education teacher all day and participated in EIP, this student may be included in the EIP data collection. If a special education student was assigned to a special education teacher all day and participated in EIP, this student may not be included in the EIP data collection. If this same student was assigned to a special education teacher part of the day, this student could be included in the data collection during a segment not served by the special education teacher.

Q6: Can Title I students who participated in EIP be included in the EIP data collection?

A: Yes, any student who receives EIP services should be included in the EIP data collection.

Q7: How many segments may qualified students be counted in FTE?

A: (1) Self-contained no more than 6 segments
(2) Pull out no more than 2 segments
(3) Augmented no more than 2 segments
(4) Reading Recovery no more than 1 segment for the entire year
(5) Innovative no more than 6 segments

Q8: What if a student is identified by the teacher for possible additional support without a Georgia Milestones score?

A: The EIP Rubric or local checklist may be used. See the eligibility section of the EIP guidance – Appendix 2. For entering kindergarten students, the GKIDS Readiness Check may be used to inform teachers as they individualize instruction and guide/inform the determination of any additional needed supports and interventions. The GKIDS Readiness Check will provide information about the readiness for learning necessary at this grade level.

Q9: Are ESOL students eligible to participate in the EIP program? How should they be found eligible? How should they be counted in FTE?

A: Yes, ESOL students can participate in the EIP program. They must be counted in FTE during a segment they are not being served in the ESOL program.

Although the Governor’s Office of Student Achievement (GOSA) criteria is followed to determine EIP eligibility, the school team should review data from the EL student’s English language proficiency (ELP) initial screener and most recent or previous annual ELP assessment results, as well as the student’s English language development (ELD) (growth trajectory) compared to like peers.

- The team should determine if the EL student’s ELP level has consistently remained low or the English language is not developing at the expected rate.
Georgia Department of Education

- Additional data to consider are the student’s literacy level (reading and writing skills) and student’s oracy level (listening and speaking skills – aka oral language) in both the student’s home or primary language(s), family culture, and educational history.

Visit: [ESOL Program](#)

If the EIP team is reviewing initial ELP screener data or annual ELP assessment data as another measure to guide the EIP eligibility decisions, please note which WIDA Screener and WIDA ACCESS scores are/were used to determine eligibility for English learner (EL) status. Please see [Resource Guide to Support District EL Programs](#) and the [EL Eligibility Flowcharts](#).

**Q10:** Can the 35-percentile cut-off from a norm-referenced assessment identify 3rd-5th graders scoring “Beginning Learner” on GA Milestones instead of checklist?

A: Yes

**Q11:** Can all EIP students in an Innovative Model be counted for 6 segments on FTE count day if the number of EIP students meets the requirements of the model ratio?

A: Yes, in the Innovative Model, if the number of EIP students meets the requirements of the model (see page 7 above) on FTE count day, you may count all of the EIP students in the class for all segments.

**Q12:** What is the meaning of “shall serve” in Georgia Code 20-2-153 regarding EIP?

A: GaDOE uses the word “shall” as found in Black’s Law Dictionary (8th ed. 2004): shall, vb, 1. Has a duty to; more broadly, is required to <the requester shall send notice>.

**Q13:** Should EIP services be supplemental or used in place of regular instruction?

A: EIP instruction must be in addition to and different from regular classroom instruction.

**Q14:** Can EIP students be assigned to the EIP teacher as their reading or mathematics teacher for the entire school year?

A: Students should be removed from EIP when they are able to perform at grade level.

**Q15:** What are the number of segments a student can be served in a model?

A:

<table>
<thead>
<tr>
<th>Models</th>
<th>Maximum number of segments (if student qualifies)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Mathematics</td>
</tr>
<tr>
<td>(1) Self-contained</td>
<td>6</td>
</tr>
<tr>
<td>(2) Pull-out</td>
<td>1</td>
</tr>
<tr>
<td>(3) Augmented</td>
<td>1</td>
</tr>
<tr>
<td>(4) Reading Recovery</td>
<td>N/A</td>
</tr>
<tr>
<td>(5) Innovative</td>
<td>6</td>
</tr>
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