U.S. Department of Education








ENGLISH LEARNER TOOL KIT

for State and Local Education Agencies (SEAs and LEAs)






This document was prepared by the National Center for English Language Acquisition (NCELA), under Contract No. ED-ELA-12-C-0092, awarded to Leed Management Consulting, Inc. in Silver Spring, Maryland. Synergy Enterprises, Inc. also assisted with the publication of the document.

September 2015

ENGLISH LEARNER TOOL KIT
INTRODUCTION

The U.S. Departments of Education (ED) and Justice (DOJ) released joint guidance on January 7, 2015, reminding states, school districts and schools of their obligations under federal law to ensure that English Learners have equal access to a high-quality education and the opportunity to achieve their full academic potential. In this context, the Office of English Language Acquisition (OELA) at the U.S. Department of Education is pleased to provide the *English Learner (EL) Tool Kit, a companion to the Office for Civil Rights and Department of Justice "Dear Colleague Letter*" (DCL). The tool kit is designed to help state and local education agencies (SEAs and LEAs) in meeting their legal obligations to ELs and in providing all ELs with the support needed to attain English language proficiency while meeting college- and career-readiness standards. The *EL Tool Kit* is intended primarily for state, district, school administrators, and teachers, but may also inform other stakeholders concerned with the education of ELs.

The 10 chapters of the *EL Tool Kit*, published in serial form over the last number of months, correspond to the 10 sections of the January 2015 DCL. Each chapter provides (1) explanations of the civil rights and other legal obligations to ELs; (2) checklists SEAs, LEAs, and schools can use as self-monitoring tools; (3) sample tools that may be used or adapted for use in SEAs, LEAs, and schools to aid with compliance; and (4) additional resources that may provide further relevant information and assistance.* The tool kit does not encompass all resources about EL services, only a sample. For the reader's convenience, the tools and resources are free and accessible via the Internet.

The chapters of the tool kit are:

Chapter 1: Tools and Resources for Identifying All English Learner Students
Chapter 2: Tools and Resources for Providing English Learners with a Language Assistance Program
Chapter 3: Tools and Resources for Staffing and Supporting an English Learner Program
Chapter 4: Tools and Resources for Providing English Learners Meaningful Access to Core Curricular and Extracurricular Programs
Chapter 5: Tools and Resources for Creating an Inclusive Environment for and Avoiding the Unnecessary Segregation of English Learners
Chapter 6: Tools and Resources for Addressing English Learners with Disabilities
Chapter 7: Tools and Resources for Serving English Learners Who Opt Out of EL Programs
Chapter 8: Tools and Resources for Monitoring and Exiting English Learners from EL Programs and Services
Chapter 9: Tools and Resources for Evaluating the Effectiveness of a District's EL Program
Chapter 10: Tools and Resources for Ensuring Meaningful Communication with Limited English Proficient Parents

As part of the Department's mission, OELA provides national leadership to help ensure that ELs and immigrant students attain English language proficiency and achieve rigorous academic standards, identify major issues affecting the education of ELs, and support state and local systemic reform efforts to improve EL achievement. This tool kit, used in conjunction with the January 2015 DCL, serves an important role in accomplishing these goals by helping SEAs and LEAs to better understand and meet their obligations to ELs.

OELA led the development of the tool kit, with assistance from the U.S. Department of Education's Office of Elementary and Secondary Education (OESE), the Office for Civil Rights (OCR), the Institute for Education Sciences (IES), the Office of the General Counsel (OGC), and the Office of Special Education and Rehabilitative Services (OSERS), as well as staff from the U.S. Department of Justice (DOJ). The National Clearinghouse for English Language Acquisition (NCELA) also was integral to developing the tool kit.

**No official endorsement by the Department of any product, commodity, service, or enterprise mentioned in this publication is intended or should be inferred. For the reader's convenience, the tool kit contains information about and from outside organizations, including URLs. Inclusion of such information does not constitute the Department's endorsement.*

CHAPTER 1

TOOLS AND RESOURCES FOR IDENTIFYING ALL ENGLISH LEARNERS

This is the first chapter of the English Learner Tool Kit, which is intended to help state and local education agencies (SEAs and LEAs) in meeting their obligations to English Learners (ELs). This tool kit should be read in conjunction with the U.S. Department of Education Office for Civil Rights and the U.S. Department of Justice's joint guidance, "English Learner Students and Limited English Proficient Parents," which outlines SEAs' and LEAs' legal obligations to EL students under civil rights laws and other federal requirements.

IDENTIFYING POTENTIAL ENGLISH LEARNERS

KEY POINTS

- **LEAs must identify in a timely manner EL students in need of language assistance services.**
- **The home language survey (HLS) is the most common tool used to identify potential ELs.**
- **An HLS must be administered effectively to ensure accurate results.**



LEAs must identify in a timely manner EL students in need of language assistance services. The home language survey (HLS) is a questionnaire given to parents or guardians that helps schools and LEAs identify which students are potential ELs and who will require assessment of their English language proficiency (ELP) to determine whether they are eligible for language assistance services. Many SEAs either require a state-developed HLS or provide a sample for LEAs to use; thus, it is advisable to check with the SEA about HLS guidance.

Research has shown that there is a great deal of variation in HLS instruments across the United States (Bailey & Kelly, 2010). However, an HLS typically includes questions about what language(s) the student first learned, understands, uses, and hears, and in what contexts. Additional questions about a student's language exposure and background (e.g., languages used in the home) help ensure that ELs are not missed, and guard against inaccurate reporting of the student's English abilities. Information from the HLS informs placement into a language assistance program (e.g., a bilingual and/or English as a Second Language [ESL] program).

To obtain accurate information, schools should reassure parents that the HLS is used solely to offer appropriate educational services, not for determining legal status or for immigration purposes. Parents and guardians should also be informed that, even if their child is identified as an EL, they may decline the EL program or particular EL services in the program.

The following checklist is intended to assist with developing HLS instruments and procedures. The checklist provides suggestions only, and schools and LEAs should check their SEA's policies to ensure compliance with state requirements.

Content of the Home Language Survey

- ★ Is the purpose and use of the HLS clearly communicated to both families and those who administer the survey?
- ★ Does the HLS elicit information about the student's current English abilities?
- ★ Are the questions clear and understandable to those who administer the HLS?

You can access **Tools and Resources for Identifying All English Learners** at http://www2.ed.gov/about/offices/list/ocr/ellresources.html.

Translation of the Home Language Survey

- ★ Is the HLS translated into the home languages of students, and parents and guardians, in the school and LEA?
- ★ Are qualified oral interpreters available when needed to help families complete the HLS?

Procedures for Administering, Interpreting, and Managing Results of the Home Language Survey

- ★ Has a welcoming environment been established where the HLS is disseminated, made available, or administered?
- ★ Are there standard and uniform procedures for administering and interpreting the HLS results?
- ★ Do the procedures describe whose responsibility it is to administer the HLS, how it is to be done, and in what forms it should be administered (i.e., orally, written, in English, or in a home language translation)?
- ★ Are there procedures to document and describe how to train the staff who will administer the HLS and how often refresher training will occur?
- ★ Do procedures provide specific guidelines for interpreting HLS responses that include but are not limited to the following considerations: (a) Which responses indicate that a student will take an ELP placement test?; (b) How should responses be interpreted as a whole?; and (c) What are the next steps if responses are unclear or contradictory?
- ★ Do procedures include methods to record HLS results in the student's permanent records and to record the translation and interpretation needs of the EL's parents in the student information system?
- ★ What is the continuous review process? Is there a process to gather feedback from parents and school personnel? Is there a process to revise the HLS, including piloting a new version as appropriate?

Reference: Linquanti, R.,& Bailey, A.L. (2014). Reprising the Home Language Survey: Summary of a National Working Session on Policies, Practices, and Tools for Identifying Potential English Learners. Washington, DC: Council of Chief State School Officers. Retrieved from http://www.ccsso.org/Documents/2014/CCSSO%20Common%20EL%20Definition%20Reprising%20the%20Home%20Language%20Survey%2001242014.pdf.

DETERMINING WHICH STUDENTS ARE ENGLISH LEARNERS

KEY POINTS

- **All potential ELs must be assessed with a valid and reliable assessment to determine if they are in fact ELs.**
- **Parents and guardians must be informed in a timely manner of their child's ELP level and EL program options.**
- **LEAs are required to communicate information regarding a child's ELP level and EL program options in a language the parent understands.**



Once students are identified as potential ELs, they must be assessed with a valid and reliable assessment to determine if they are indeed ELs. LEAs and SEAs commonly refer to these assessments as "placement/screener tests." Placement/screener tests are typically selected at the SEA level. Such ELP tests must assess the proficiency of students in all four language domains (i.e., speaking, listening, reading, and writing). Some SEAs and LEAs also use ELP assessments that evaluate speaking, listening, pre-reading, and pre-writing for entering kindergarten students with a primary or home language other than English.

Placement tests require that those administering and scoring them receive some level of training. LEA guidelines should describe who will administer and score assessments, and what training is required to ensure valid and reliable results. After the student completes the assessment, parents or guardians must receive in a timely manner information about the student's ELP level and program options, and an opportunity to opt out of the EL program or particular EL services in the program. Translating this information into the family's home language is critical, and if a written translation is not provided, an oral interpretation should be made available whenever needed.

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IDENTIFYING ALL ENGLISH LEARNERS

TOOLS

The U.S. Department of Education does not mandate or prescribe particular curricula, lesson plans, assessments, or other instruments in this tool kit. Rather, this tool kit contains examples, adaptations of, and links to resources created and maintained by other public and private organizations. This information is provided for the reader's convenience and is included here as an example of the many resources that educators, parents, advocates, administrators, and other concerned parties may find helpful and use at their discretion. The U.S. Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Further, the inclusion of links to resources does not reflect their importance, nor is such inclusion intended to endorse any views expressed or materials provided.

HOME LANGUAGE SURVEYS

The following information about home language surveys is provided for the reader's convenience and is included here to offer examples. LEAs are reminded to check with their SEAs to see if a particular HLS is prescribed, and, if so, what the current version is.

The following three HLS questions have been approved by the U.S. Department of Education Office for Civil Rights (OCR) and the U.S. Department of Justice (DOJ) in their compliance work under *Title VI* of the *1964 Civil Rights Act* and the *Equal Educational Opportunities Act of 1974*. Asking these three questions, and then testing a student whose parent or guardian responded to one or more of these three questions with a language other than English, is considered minimally compliant under the law.



OCR- and DOJ-approved home language survey questions:

1) What is the primary language used in the home, regardless of the language spoken by the student?

2) What is the language most often spoken by the student?

3) What is the language that the student first acquired?

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SAMPLE #1

Home Language Survey

To make sure that all students receive the education services they need, the law requires us to ask questions about students' language backgrounds. The answers to Section A below will tell us if a student's proficiency in English should be evaluated and help us to ensure that important opportunities to receive programs and services are offered to students who need them. The answers to Section B below will help us communicate with you regarding the student and all school matters in the language you prefer.

Student's Name: Date of Birth:

SECTION A: Please answer the questions below.

1. What are the primary languages used in the home regardless of the language spoken by the student? ***(Select up to three.)***

☐ English	☐ Cape Verdean Creole	☐ Haitian-Creole	☐ Russian	☐ Other (Please specify)
☐ Arabic		☐ Italian	☐ Somali	
☐ Burmese	☐ French	☐ Korean	☐ Spanish	_____
☐ Cambodian	☐ Greek	☐ Mandarin	☐ Toishanese	
☐ Cantonese	☐ Hmong	☐ Portuguese	☐ Vietnamese	

2. What is the language most often spoken by the student? ***(Select only one.)***

☐ English	☐ Cape Verdean Creole	☐ Haitian-Creole	☐ Russian	☐ Other (Please specify)
☐ Arabic		☐ Italian	☐ Somali	
☐ Burmese	☐ French	☐ Korean	☐ Spanish	_____
☐ Cambodian	☐ Greek	☐ Mandarin	☐ Toishanese	
☐ Cantonese	☐ Hmong	☐ Portuguese	☐ Vietnamese	

3. What is the language that the student first acquired? ***(Select only one.)***

☐ English	☐ Cape Verdean Creole	☐ Haitian-Creole	☐ Russian	☐
☐ Arabic		☐ Italian	☐ Somali	☐ Other (Please specify)
☐ Burmese	☐ French	☐ Korean	☐ Spanish	
☐ Cambodian	☐ Greek	☐ Mandarin	☐ Toishanese	_____
☐ Cantonese	☐ Hmong	☐ Portuguese	☐ Vietnamese	

Parent/Guardian Signature: Date:

SECTION B: Please answer the questions below.

1. In which language do you prefer to receive **written** school communications? (Select only one.)

☐ English	☐ Cape Verdean Creole	☐ Haitian-Creole	☐ Russian	☐ Other (Please specify)
☐ Arabic		☐ Italian	☐ Somali	
☐ Burmese	☐ French	☐ Korean	☐ Spanish	_____
☐ Cambodian	☐ Greek	☐ Mandarin	☐ Toishanese	
☐ Cantonese	☐ Hmong	☐ Portuguese	☐ Vietnamese	

2. In which language do you prefer to receive **oral** school communications? (Select only one.)

☐ English	☐ Cape Verdean Creole	☐ Haitian-Creole	☐ Russian	☐ Other (Please specify)
☐ Arabic		☐ Italian	☐ Somali	
☐ Burmese	☐ French	☐ Korean	☐ Spanish	_____
☐ Cambodian	☐ Greek	☐ Mandarin	☐ Toishanese	
☐ Cantonese	☐ Hmong	☐ Portuguese	☐ Vietnamese	

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The following home language surveys are provided for the reader's convenience and also included here as examples of such surveys. The inclusion of these examples, or of links to resources, does not reflect their importance, nor is their inclusion intended to endorse any views expressed, or materials provided in them. LEAs should check if their SEA prescribes a particular home language survey because SEAs often do and also continually update them.

SAMPLE #2

Primary/Home Language Survey for All New Kindergarten and Incoming Students

Instructions for schools in completing the survey:

1. Interview the parents or guardians of ALL new kindergarten and incoming students in grades k–12 and record all information requested.
2. Provide interpretation services whenever necessary.
3. Check to see that all questions on the form are answered.

Student Information (The parents or guardians should complete this section.)	
First Name:_____ **Last Name:**_____	**Date of Birth: (Month/Day/Year)**

Questions for Parents or Guardians	Response
What language(s) is (are) spoken in your home?	
Which language did your child learn first?	
Which language does your child use most frequently at home?	
Which language do you most frequently speak to your child?	
In what language would you prefer to get information from the school?	

Parent or Guardian's Signature: Date:

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SAMPLE #3

Complete this home language survey at the student's initial enrollment in school. This form must be signed and dated by the parent or guardian. It must be kept in the student's file. This form will be used only for determining whether the student needs English Learner services and will not be used for immigration matters or reported to immigration authorities.

School: Student ID #:

Student's Last Name:

Student's First Name:

ENGLISH

1. Is a language other than English spoken in your home? ☐ No ☐ Yes _____ (specify language)
2. Does your child communicate in a language other than English? ☐ No ☐ Yes _____ (specify language)
3. Which language did your child learn first? _____ (specify language)
4. In which language do you prefer to receive information from the school? _____ (specify language)
5. What is your relationship to the child? ☐ Father ☐ Mother ☐ Guardian ☐ Other (specify) _____

ESPAÑOL (SPANISH)

1. ¿Se habla otro idioma que no sea el inglés en su casa? ☐ No ☐ Sí _____ (especifique idioma)
2. ¿Habla el estudiante un idioma que no sea el inglés? ☐ No ☐ Sí _____ (especifique idioma)
3. ¿Cuál fué el primer idioma que aprendió su hijo/a? _____ (especifique idioma)
4. ¿En que idioma prefiere recibir comunicaciones de la escuela? _____ (especifique idioma)
5. ¿Cuál es su relación con el estudiante? ☐ Padre ☐ Madre ☐ Guardián ☐ Otro (especifique) _____

FRANÇAIS (FRENCH)

1. Parle-t-on une autre langue que l'anglais chez vous ? ☐ Non ☐ Oui _____ (veuillez préciser la langue)
2. Votre enfant parle-t-il une autre langue que l'anglais ? ☐ Non ☐ Oui _____ (veuillez préciser la langue)
3. Quelle langue votre enfant a-t-il apprise en premier ? _____ (veuillez préciser la langue)
4. Dans quelle langue préférez-vous recevoir les communications de l'école ? _____ (veuillez préciser la langue)
5. Quelle est votre lien de parenté avec l'enfant ? ☐ Père ☐ Mère ☐ Tuteur ☐ Autre (veuillez préciser) _____

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Tiếng Việt (VIETNAMESE)

1. Có nói tiếng nào khác tiếng Anh không được nói ở nhà quý vị không?
   ☐ Không ☐ Có _____ (hãy cho biết tiếng nào)
2. Con quý vị có nói tiếng nào khác tiếng Anh không?
   ☐ Không ☐ Có _____ (hãy cho biết tiếng nào)
3. Con quý vị đã học tiếng nào đầu tiên? _____ (hãy cho biết tiếng nào)
4. Quý vị muốn nhận được thông tin từ trường học bằng tiếng nào?
   _____ (hãy cho biết tiếng nào)
5. Quý vị có quan hệ như thế nào đối với con?
   ☐ Cha ☐ Mẹ ☐ Người giám hộ ☐ Quan hệ khác (hãy cho biết) _____

CHINESE

1. 除了英语之外，您家是否还说其他语言？
   o 否 o 是 _____（请说明是哪种语言）
2. 除了英语之外，您的孩子是否还说其他语言？
   o 否 o 是 _____（请说明是哪种语言）
3. 您的孩子最先学习的是哪种语言？_____（请说明是哪种语言）
4. 您希望学校用哪种语言授课？_____（请说明是哪种语言）
5. 您与孩子的关系？
   o 父亲 o 母亲 o 绚 o 其他（请说明）_____

AMHARIC

1. ከእንግሊዝኛ ውጪ የሆነ ቋንቋ በቤትዎ ውስጥ ይነገራል? ☐ አይ ☐ አዎ _____ (ቋንቋውን ይጥቀሱ)
2. ከእንግሊዝኛ ውጪ በሆነ ቋንቋ ልጅዎ ይናገራል/ትናገራለች? ☐ አይ ☐ አዎ _____ (ቋንቋውን ይጥቀሱ)
3. ልጅዎ መጀመሪያ የተማረው ቋንቋ ምንድነው? _____ (ቋንቋውን ይጥቀሱ)
4. ከትምህርት ቤቱ መረጃን በምን ቋንቋ ማግኘት ይፈልጋሉ? _____ (ቋንቋውን ይጥቀሱ)
5. ከልጅዎ ጋር ያለዎት ዝምድና ምንድነው? ☐ አባት ☐ እናት ☐ ሞግዚት/አሳዳጊ
   ☐ ሌላ (ይጥቀሱ) _____

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ARABIC

١. هل توجد لغة أخرى منطوقة في منزلك بخلاف اللغة الإنجليزية؟
o لا o نعم _____ (حدد اللغة)

٢. هل يتواصل طفلك مع غيره بلغة أخرى بخلاف اللغة الإنجليزية؟
o لا o نعم _____ (حدد اللغة)

٣. ما أول لغة تعلمها طفلك؟ _____ (حدد اللغة)

٤. بأي لغة تفضل أن تستقبل المعلومات من المدرسة؟ _____ (حدد اللغة)

٥. ما العلاقة التي تربطك بالطفل؟
o والده o والدته o الوصي عليه o صلة أخرى (الرجاء التحديد)
_____

Signature of Parent/Guardian: Date:

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This information about placement tests is provided for the reader's convenience and is included here to offer examples. Inclusion of links to items does not reflect their importance, nor is it intended to endorse any views expressed, or materials provided.

PLACEMENT TEST CHECKLISTS

The following checklists provide suggestions and some requirements (as indicated) for assisting with reviewing placement/screener tests used to determine a student's EL status.

State Education Agency Checklist

- ★ Has the SEA clearly communicated to LEAs which placement test is recommended or required?
- ★ Is SEA guidance about EL placement testing readily available to LEAs?

If a placement test (i.e., assessment) is required or recommended by the SEA:

- ★ In what year was the assessment developed? Have items been refreshed since its initial development? What is the refreshment cycle?
- ★ Does the assessment developer follow best practices in placement test development, such as pilot testing, field testing, and ensuring consistency with state ELP standards?
- ★ Has the assessment developer provided information about the reliability and validity of the assessment?
- ★ Does the assessment developer provide a test administration manual and test administration training for those administering the assessment and scoring results?
- ★ Have templates been developed in languages representative of the EL community for LEAs to use in communicating placement information to EL families?

Local Education Agency Checklist

- ★ Have LEA or school staff checked with the SEA to determine whether to adopt a required or recommended placement test?

If a required test is not provided and the LEA selects a placement test:

- ★ Does the placement test assess English language proficiency appropriately, including the required testing in all four domains (speaking, listening, reading, and writing)?
- ★ In what year was the assessment developed? Have items been refreshed since its initial development? What is the refreshment cycle?
- ★ Does the assessment developer follow best practices in placement test development, such as pilot testing, field testing, and ensuring consistency with SEA ELP standards?
- ★ Has the assessment developer provided information about the reliability and validity of the assessment?
- ★ Does the assessment developer provide a test administration manual and test administration training for those administering the assessment and interpreting the results?

Administration Procedures

- ★ Have LEA or school staff created detailed administration procedures to describe (1) whose responsibility it is to administer the assessment, (2) what the training requirements are (based on the test developer's recommendations), and (3) whether refresher training is suggested?
- ★ Have procedures for record keeping been developed, including, for example, how assessment results will be stored and linked to the student's permanent records, and shared with appropriate instructional staff?
- ★ Are the purpose and use of the placement test clearly communicated to stakeholders?
- ★ Have procedures and translated forms been developed for communicating placement information to EL families?
- ★ Has the LEA established a process by which teachers may recommend a student for further ELP testing if, for example, the student's language needs as observed in class indicate that the student is EL despite the placement tests results to the contrary?

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IDENTIFYING ALL ENGLISH LEARNERS

RESOURCES

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Abedi, J. (2009). English language learners with disabilities: Classification, assessment, and accommodation issues. *Journal of Applied Testing Technology,* 10 (4), pp. 1–30. Davis, CA: University of California/Davis, National Center for Research on Evaluation, Standards, and Student Testing. Retrieved from http://www.testpublishers.org/assets/documents/Special%20issue%20article%202.pdf

This article addresses issues concerning the assessment, identification, and classification of ELs with disabilities. Accommodations for ELs with disabilities are discussed and recommendations for more accessible assessments for these students are provided.

Bailey, A. (2011). Lessons from AZ's EL identification issues: How guidance could strengthen process. *NCLB Advisor,* 6(4), pp. 5–8. Retrieved from http://eveaproject.com/doc/A%20%20Bailey%27s%20Piece%209_26_11%20SO.pdf

This article reviews the limitations of Arizona's single-question HLS and provides ways these surveys can be improved and complemented to ensure ELs are identified for assessment and receive the services they need.

Bailey, A. and Kelly, K. (2010). *ELPA Validity Evaluation: Creating Enhanced Home Language Survey Instruments*. Retrieved from http://www.eveaproject.com/doc/HomeLanguageSurveyInstrument.pdf

This document guides the creation of enhanced home language surveys to better discriminate between students in the general k–12 student population who may need further assessment or placement in English language support services. It also provides a validity argument that the responses to new items will produce meaningful information so that an HLS can be more effectively used for its intended purpose of initially identifying the EL student population.

Bailey, A., and Kelly, K. (2010). The use and validity of home language surveys in state English language proficiency assessment systems: A review and issues perspective. Retrieved from http://www.eveaproject.com/doc/Bailey%20%20Kelly%20HLS%20EVEA%20%20white%20paper%20July%202010%20revised%20Jan%202011and%20Sept%202011.pdf

This paper focuses on the home language surveys used by five SEAs to initially identify students who may be eligible for language assistance services. Contents include a brief history of the use of such surveys in U.S. schools and current practices, with examples from selected SEAs. The authors also examine the evidentiary bases for current HLS design; summarize challenges for initially identifying ELs; provide suggestions for designing validation plans; and offer alternative approaches for existing home language surveys and make recommendations for guidance and validation of them.

You can access **Tools and Resources for Identifying All English Learners** at http://www2.ed.gov/about/offices/list/ocr/ellresources.html.

Linquanti, R., and Bailey, A. (2014). Reprising the home language survey: Summary of a national working session on policies, practices, and tools for identifying potential English Learners. Retrieved from http://www.ccsso.org/Documents/2014/CCSSO%20Common%20EL%20Definition%20Reprising%20the%20Home%20Language%20Survey%2001242014.pdf

This document is the first in a series of working papers that elaborate on a framework of four key stages in moving toward a common definition of EL. The paper summarizes a national working session of September 2013, which deliberated on the first stage in the Council of Chief State School Officers' guidance document, *Toward a 'Common Definition of English Learner'—Identifying a student as a potential EL*. The goal was to build understanding and consensus among assessment consortia, participating states, and other stakeholders on key issues, and on strengthening related policies, practices, and tools.

Linquanti, R., and Cook, H.G. (2013). Toward a "common definition of English Learner": Guidance for states and state assessment consortia in defining and addressing policy and technical issues and options. Retrieved from http://www.ccsso.org/Documents/2013/Toward_a_Common_Definition_2013.pdf

This paper provides guidance that consortium member states can use to move toward establishing a common EL definition in ways that are theoretically sound, evidence-based, pragmatic, and sensitive to many policy, technical, and legal issues. Specifically, the paper outlines central issues, and discusses policy and technical options for defining ELs using a four-stage framework of key criteria and processes to (1) identify a student as a potential EL; (2) classify (confirm or disconfirm) a student as an EL; (3) establish an ELP performance standard on the state or consortium ELP test against which to assess ELs' English language proficiency; and (4) reclassify an EL student to former EL status through the use of multiple exit criteria.

U.S. Department of Education, Office for Civil Rights, and U.S. Department of Justice. (January 2015). English Learner Students and Limited English Proficient Parents. Retrieved from http://www2.ed.gov/about/offices/list/ocr/ellresources.html

This document provides guidance to assist SEAs, school districts, and all public schools in meeting their legal obligations to ensure that EL students can participate meaningfully and equally in educational programs and services. This guidance provides an outline of the legal obligations of SEAs and school districts to EL students under the civil rights laws. Additionally, the guidance discusses compliance issues that frequently arise in OCR and DOJ investigations under Title VI and the EEOA and offers approaches that SEAs and school districts may use to meet their Federal obligations to EL students. The guidance also includes discussion of how SEAs and school districts can implement their Title III grants and subgrants in a manner consistent with these civil rights obligations. Finally, the guidance discusses the Federal obligation to ensure that LEP parents and guardians have meaningful access to district- and school-related information.

You can access **Tools and Resources for Identifying All English Learners** at http://www2.ed.gov/about/offices/list/ocr/ellresources.html.

Published March 2015

CHAPTER 2

TOOLS AND RESOURCES FOR PROVIDING ENGLISH LEARNERS WITH A LANGUAGE ASSISTANCE PROGRAM

This is the second chapter of the English Learner Tool Kit, which is intended to help state and local education agencies (SEAs and LEAs) meet their obligations to English Learners (ELs). This tool kit should be read in conjunction with the U.S. Department of Education Office for Civil Rights' (OCR) and the U.S. Department of Justice's (DOJ) Dear Colleague Letter on "English Learner Students and Limited English Proficient Parents," published in January 2015, which outlines SEAs' and LEAs' legal obligations to ELs under civil rights laws and other federal requirements. The Dear Colleague Letter can be found at http://www2.ed.gov/about/offices/list/ocr/ellresources.html.

PROVIDING ENGLISH LEARNERS WITH A LANGUAGE ASSISTANCE PROGRAM

KEY POINTS

- **EL services and programs must be educationally sound in theory and effective in practice.**
- **EL programs must be designed to enable ELs to attain both English proficiency and parity of participation in the standard instructional program within a reasonable length of time.**
- **LEAs must offer EL services and programs, until ELs are proficient in English and can participate meaningfully in educational programs without EL support.**
- **Additionally, LEAs must provide appropriate special education services to ELs with disabilities who are found to be eligible for special education and related services.**



After ELs have been identified using a valid and reliable English language proficiency (ELP) assessment, LEAs must provide ELs with appropriate language assistance services and programs, commonly known as "EL services and programs." LEAs must also provide special education services to ELs who have been identified as children with disabilities under the Individuals with Disabilities Education Act (IDEA) or as qualified students with disabilities under Section 504 of the Rehabilitation Act of 1973 (Section 504). Meeting the needs of ELs with disabilities will be discussed in depth in Chapter 6 of the EL Tool Kit.

LEAs have the flexibility to choose the EL services and programs that meet civil rights requirements and best meet the needs of their EL population. Appropriate EL services and programs enable ELs to attain both English proficiency and parity of participation in the standard instructional program within a reasonable amount of time. LEAs must offer appropriate EL services until ELs are proficient in English and can participate meaningfully in educational programs without EL support. This includes continuing to provide EL services to ELs at the highest levels of English proficiency until they have exited from EL services and programs.

To determine which EL services and programs are best suited for a student identified as an EL, LEAs must consider the student's (1) English proficiency level, (2) grade level, and (3) educational background, as well as (4) language background for bilingual programs. Other child-centered factors that LEAs may consider include the student's native language literacy; acculturation into U.S. society; and age he or she entered the United States. LEAs

You can access **Tools and Resources for Providing ELs with a Language Assistance Program** at http://www2.ed.gov/about/offices/list/ocr/ellresources.html.

must ensure that qualified teachers provide EL services and it is important for school personnel to understand and address these factors.

LEAs should apply the same standards that OCR and DOJ apply when evaluating whether their chosen EL services and programs meet civil rights requirements. These standards, established in Castañeda v. Pickard, include a three-pronged test: First, is the program based on an educational theory recognized as sound by some experts in the field or considered a legitimate experimental strategy? Second, are the programs and practices (including resources and personnel) reasonably calculated to implement this theory effectively? Third, does the program succeed in producing results indicating that students' language barriers are being overcome within a reasonable period of time?

Some common EL programs considered educationally sound in theory under the first prong include: (1) English as a Second Language (ESL) or English Language Development (ELD); (2) Structured English Immersion (SEI); (3) Transitional Bilingual Education (TBE) or Early-Exit Bilingual Education; and (4) Dual Language or Two-Way Immersion. The first two programs are usually taught in English, and the latter two are taught both in English and in the EL's primary language.

Additionally, for new arrivals and students with interrupted formal education (SIFE), LEAs may establish newcomer programs. These programs offer specialized services and classes to help these students acclimate to U.S. schools, develop foundational skills in content areas (e.g., basic literacy and math concepts), and prepare them for the program options above. Newcomer programs are short-term, typically lasting no longer than one year.

Finally, there is increased focus on the large number of ELs who, despite many years in US schools, are still not proficient in English. These students are often referred to as Long Term English Learners (LTELs). To ensure that LEAs have selected and implemented EL services and programs that succeed within a reasonable period of time, LEAs should monitor the progress of ELs and adjust EL services and programs to ensure that students are making expected progress.

The following checklist is intended to assist with providing appropriate EL services and programs. The checklist provides suggested questions only. LEAs should check their SEA's policies and federal guidance to ensure compliance.

- ★ On which educational theory are the EL services and program options based?
- ★ What are the resources needed to effectively implement the chosen program?
- ★ Does the school have qualified staff to implement the chosen program?
- ★ How are placement in a particular EL program and the provision of EL services informed by a student's English proficiency level, grade level, and educational and language backgrounds?
- ★ Are EL services and programs provided to all eligible ELs, regardless of scheduling conflicts, grade, disability, or native language?
- ★ Does the chosen EL program include instruction aligned to the state ELP standards and grade-level content standards?
- ★ Do the EL services and programs provide ELs in all grades with equal opportunities to participate meaningfully and equally in all of the schools' curricular and extracurricular programs?
- ★ Are EL services and programs designed to provide more intensive instruction for ELs who are the least proficient in English?
- ★ Are ELs at the highest levels of ELP continuing to receive EL services until they have exited from EL services and programs?
- ★ Are there additional EL services and programs available for ELs who have not made expected progress despite extended enrollment in the EL program (i.e. LTELs)?
- ★ What criteria is the LEA using to evaluate its program and determine if it is meeting its goals?

  For example:

  a. Are there processes and criteria in place to monitor ELs in and across programs in both academic content and ELP?
  b. Is there a process for modifying or replacing the EL program if data shows that students are not making expected progress within a reasonable period of time?
  c. Is there a process for monitoring ELs after exiting the program?

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PROVIDING ENGLISH LEARNERS WITH A LANGUAGE ASSISTANCE PROGRAM

TOOLS

The U.S. Department of Education does not mandate or prescribe particular curricula, lesson plans, assessments, or other instruments in this tool kit. This tool kit contains examples of, adaptations of, and links to resources created and maintained by other public and private organizations. This information is provided for the reader's convenience and is included here to offer examples of the many resources that educators, parents, advocates, administrators, and other interested parties may find helpful and use at their discretion. The U.S. Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Further, the inclusion of links to items does not reflect their importance, nor is it intended to endorse any views expressed, or materials provided.

The following set of tools is intended to help schools, LEAs, and SEAs in providing ELs with appropriate language assistance services and programs, commonly known as "EL services and programs," and sometimes referred to as "language instruction education programs (LIEPs)." The tools give examples of how schools can understand the individual needs of students, identify the needs of subgroups of students, and apply systemic considerations when determining what EL services and programs they should offer.

Tool #1, Guiding Questions to Learn About Your EL Population, can help schools/LEAs learn important information about their ELs.

Tool #2, Long Term English Learners, provides a checklist for schools and LEAs to address the needs of this particular group of ELs.

Tool #3, Research-Based Considerations, offers broad-based considerations for EL services and programs.

Tool #4, English Learner Program Chart, gives a brief overview of some EL programs.



You can access **Tools and Resources for Providing ELs with a Language Assistance Program** at http://www2.ed.gov/about/offices/list/ocr/ellresources.html.

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TOOL #1
GUIDING QUESTIONS TO LEARN ABOUT YOUR EL POPULATION

In order to select or create an appropriate EL program model, it is necessary to understand the local EL population. To help do this, the Education Alliance at Brown University's 2003 publication *Claiming Opportunities: A Handbook for Improving Education for English Language Learners Through Comprehensive School Reform* provides a "Student Population Discussion Tool." This set of ten questions, listed below, can assist schools or LEAs in discussing and learning about their EL populations, and help teachers frame these discussions. Organizations may add to or modify these questions to obtain more information about various sub-populations, including ELs with disabilities.

STUDENT POPULATION DISCUSSION TOOL

1. How many or what percentage of students in the school have a home language other than English?
2. What languages are spoken in their homes?
3. What places of origin are represented?
4. Are students from urban or rural backgrounds?
5. What community organizations represent various groups?
6. What educational backgrounds are represented? (Continuous or interrupted prior schooling, no prior schooling, schooling in home country, rural or urban schooling, preschool, kindergarten?)
7. Are some students literate in another language?
8. Are ELs the subject of many disciplinary referrals or actions in your school?
9. How many or what percentage of students in the school are actually classified as EL?
    - How many students currently receive language services?
    - How are these students distributed across grade levels?
    - What are their levels of English proficiency?
    - What language services do ELs currently receive?
    - In what types of classrooms do they receive literacy and content instruction?
    - What are these ELs' academic strengths and weaknesses? (What is the evidence?)
10. How many students (for whom English is a second language) have met exiting criteria and are now classified as "English proficient"?
    - How are these students distributed across grade levels?
    - What services, such as monitoring or transitional support, do exited ELs currently receive?
    - How do they perform in mainstream classes? (What is the evidence?)
    - What are their academic strengths and weaknesses? (What is the evidence?)

Source: Vialpando, J., Yedlin, J., Linse, C., Harrington, M., & Cannon, G. (2005). *Educating English language learners: Implementing instructional practices*. Washington, DC: National Council of La Raza. Retrieved from http://www.brown.edu/academics/education-alliance/sites/brown.edu.academics.education-alliance/files/publications/edells_impinstprct.pdf

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TOOL #2
LONG TERM ENGLISH LEARNERS

The following checklist has been reprinted with permission from Californians Together, a statewide group of parents, teachers, educators, and civil rights leaders promoting equal access to quality education for all children. It is taken from *Reparable Harm: Fulfilling the Unkept Promise of Educational Opportunity for California's Long Term English Learners* by Laurie Olsen. Though it references the California English Language Development Test (CELDT) and the California Standards Tests, the checklist can be adapted and used to address the needs of LTELs in other states.

A DISTRICT CHECKLIST
STEPS FOR ADDRESSING THE NEEDS OF LONG TERM ENGLISH LEARNERS

District and school leadership should be knowledgeable about the diversity of the EL enrollment (typologies) and understand the implications of that diversity for program design, program implementation and instructional practices. District systems should be created to prevent the development of Long Term English Learners and serving those Long Term English Learners who are enrolled in secondary schools across the district.

A district addressing the needs of Long Term English Learners should have the following in place:

- ★ We have a formal definition for Long Term English Learners.
- ★ We have designated annual benchmark expectations for English Learners by number of years in United States schools and by progress towards English proficiency.
- ★ We have conducted our own inquiry (including analysis of data, student interviews, and focus groups, review of cumulative file histories, and classroom observations) to develop a deeper understanding of our own Long Term English Learner population.
- ★ We have an English Learner Master Plan that includes descriptions of research based program models for different typologies of English Learners, including a designated program and pathway for Long Term English Learners.
- ★ Site and district leadership are knowledgeable about the diversity of the English Learner enrollment in our district, including the different needs of newcomer students, normatively progressing English Learners, and Long Term English Learners.
- ★ Our data system enables us to analyze English Learner achievement data by length of time in United States schools and by English proficiency levels.
- ★ We can analyze data longitudinally to assess issues of program consistency and long-term program impact for our English Learners.
- ★ We regularly disaggregate English Learner data by length of time in the United States and English proficiency level and review that data to inform and trigger district planning.
- ★ We identify "Long Term English Learner candidates" in fourth grade and develop a catch up and program consistency plan for those students.
- ★ At the secondary school level, we have specially designed English Language Development (ELD) to focus on the unique needs of Long Term English Learners, including academic language and writing.

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TOOL #2: LONG TERM ENGLISH LEARNERS (CONTINUED)

- At the secondary school level, Long Term English Learners are in classes with high quality SDAIE [Specially Designed Academic Instruction in English] instruction in clusters within rigorous classes along with English fluent students.
- Our programs at the elementary, middle and high schools support the development of students' native language to threshold levels of rich oral language and literacy—and students have the opportunity to develop their native language through Advanced Placement levels.
- Our elementary school programs are research-based and we use the most powerful models of English Learner language development. The district monitors and ensures these are well-implemented with consistency.
- We hold meetings, publish materials, and fully expect that all administrators, teachers, English Learner students, and their parents know about and understand the reclassification criteria.
- We report annually to English Learner parents on: their child's status compared to the number of years that research indicates English Learners need to achieve English proficiency and compared to district expectations. These reports include longitudinal test data for their child including the CELDT initial score and date, plus all subsequent CELDT proficiency levels, as well as scores on the California Standards Test in English Language Arts and Math for the three most recent years, and yearly benchmark growth targets for English Learners based on the California Standards Test and CELDT by years of United States schooling.
- The district has adopted and purchased English Language Development materials and our teachers have received professional development in their use.
- Our Long Term English Learners are knowledgeable about the purposes of the CELDT and implications of their CELDT scores. They know what they need to do in order to reach reclassification criteria.
- We calendar the CELDT with sufficient advance notice so sites can protect the testing window and ensure supportive conditions for testing. Students are tested by their English teachers and the district provides subs and release time to enable teachers to do the testing.
- Professional development and collaborative planning time for teachers of classes with Long Term English Learners is a high priority for the use of professional development funds.
- We assign the most experienced and most prepared teachers to the classrooms and sites with the highest need.
- We monitor student schedules and class schedules to ensure that English Learners have access to the full curriculum.
- We provide supplementary materials and relevant literature for academic classes with Long Term English Learners in order to enhance access, engagement, and academic success.
- Our secondary school counselors have received professional development in appropriate placements and monitoring for Long Term English Learners, and work together with district/site English Learner Coordinators in developing each individual English Learner's schedule and in planning the school master schedule to facilitate flexible and accelerated progress.

Source: Olsen, L. (2010). *Reparable harm: Fulfilling the unkept promise of educational opportunity for California's Long Term English Learners*. Long Beach, CA: Californians Together. Retrieved from www.californianstogether.org/docs/download.aspx?fileId=227

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TOOL #3
RESEARCH-BASED CONSIDERATIONS

The following excerpt, "Conclusions and Recommendations," from the report *Succeeding with English Language Learners: Lessons Learned from the Great City Schools,* has been reprinted with permission from the Council of the Great City Schools. The document is an open-source document made available to Users by the Attribution-NoDerivs CC BY-ND license http://creativecommons.org/licenses/by-nd/4.0/. This license allows redistribution, commercial and non-commercial, as long as it is passed along unchanged and in whole, with credit to the Council of the Great City Schools. As such, the excerpt below is unchanged. It uses the term "English Language Learner (ELL)" to refer to students otherwise referred to as "ELs" in the EL Tool Kit.

CONCLUSIONS AND RECOMMENDATIONS

Despite the diversity of the districts profiled in this study, a fairly consistent picture emerged of the preconditions and practices that existed in improving districts. These strategies for improving ELL achievement closely mirrored those identified in *Foundations for Success* as having contributed to districts' efforts to improve teaching and learning for all students. However, such across-the-board district reform efforts do not automatically or inevitably lead to high quality ELL programming. Districts that saw improvement of their ELL instructional program—and of ELL student achievement—demonstrated the capacity and political will to explicitly address the academic needs of English Language Learners.

While no school or school district has found a way to meet every student's needs and to close the gap between ELLs and native English speakers, clearly some districts are setting higher standards for all of their students and making progress toward these goals. Based on what we have learned from their experiences and approaches to reform, several broad-based recommendations can be made to help district leaders think about ELL program reform efforts in their own cities. These recommendations fall into two broad categories: context and strategy.

CONTEXTUAL RECOMMENDATIONS

It was clear from the results of this study that improving the academic achievement of English language learners involved more than instructional strategy and traditional bilingual education models. It also meant creating an environment conducive to implementing and sustaining districtwide reform efforts. To create these preconditions for progress, the Council would propose that districts—

- ★ Develop a clear instructional vision and high expectations for ELLs. This means being clear about academic goals for these students, communicating these goals emphatically to stakeholders in the district, and ensuring that ELLs are held to the same high standards as other students throughout the district.
- ★ Approach external pressure to improve services for ELLs and other students as an asset rather than a liability. Rather than addressing state or court directives defensively or adopting measures aimed solely at ensuring legal compliance, external requirements should be approached as mandates for long-term, systemic reform efforts to raise student achievement.
- ★ Incorporate accountability for ELLs organizationally into the broader instructional operation of the school district. This entails being clear at the leadership level that everyone is accountable for the academic attainment of these students—not simply ELL teachers and ELL department staff. This not only spurs collaboration, but it provides greater assurance that these students have broader and fuller access to the general education curriculum and resources.

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- ★ Empower strong ELL program administrators to oversee progress. Prioritizing ELL reform also means appointing and empowering someone in the district to serve as a "point person" on ELL issues. In improving districts, the office of ELLs and its director were included in the highest levels of decision making and given the authority to oversee implementation of the district's strategy for ELL reform.
- ★ Pursue community support for initiatives designed to accelerate achievement among English language learners. Having the community behind the district's efforts to improve academic performance helps create the political conditions under which reforms can be sustained.

STRATEGIC AND INSTRUCTIONAL RECOMMENDATIONS

The contextual recommendations allow for reforms to be articulated and sustained, but the district must couple them with a convincing instructional strategy that is capable of teaching ELLs to the highest standards. The Council of the Great City Schools would propose that districts—

- ★ Review general education and ELL programs to ensure that there is an explicit focus on building academic literacy and cultivating English language development. Focusing on academic literacy among ELLs—and all students—and providing them with specific language acquisition strategies are critical steps for ensuring the long-term academic success of students.
- ★ Ensure that all teachers of ELLs have access to high-quality professional development that provides differentiated instructional strategies, promotes the effective use of student assessment data, and develops skills for supporting second-language acquisition across the curriculum. This professional development should be made jointly available to ELL and general education teachers and evaluated for how well it is implemented and its effects on student achievement.
- ★ Assess district standards for hiring, placing, and retaining teachers, paraprofessionals, and staff members who work directly with ELLs to ensure that these students have access to highly qualified personnel. While these decisions are sometimes shaped by state policy, in other cases they are the result of locally determined policies and collective bargaining agreements that districts should be mindful of as they craft their ELL programs.
- ★ Conduct a comprehensive assessment of the level of access that ELLs have to the entire spectrum of district course offerings, including gifted and talented programs and special education. The results of these simple analyses can reveal to districts whether ELLs—and others—have equal access to educational opportunities and are held to the same academic standards as other students.
- ★ Ensure that resources generated by and allocated for English language learners are properly and effectively expended to provide quality ELL instruction and services. Districts also should be careful to not allow the categorical nature of various funding sources to limit ELL programming or services. General education funds, federal Title I funds, categorical state funds, and other resources can be used to ensure that these students get the support and instruction they need across the board.
- ★ Develop a system for tracking multiple measures of ELLs' educational progress. The collection and analysis of data on the characteristics, teachers, English proficiency level, program placement, and academic attainment of ELLs are critical to ensuring the success of these students. This means integrating all data on ELLs into the district's general database to ensure broader access and to promote regular review of this data by school and district instructional staff and the board.

Source: Council of the Great City Schools. (2009). *Succeeding with English language learners: Lessons learned from the Great City Schools.* Retrieved from http://cgcs.schoolwires.net/cms/lib/DC00001581/Centricity/Domain/35/Publication%20Docs/ELL_Report09.pdf

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TOOL # 4
ENGLISH LEARNER PROGRAM CHART

The following chart provides a brief overview of some common EL programs. Each program requires that teachers have specialized training in meeting the needs of ELs (e.g., an ESL or bilingual teaching credential and/or SEI or ELD training) and have demonstrated the skills to effectively implement the chosen EL program.

SOME EL PROGRAMS CONSIDERED EDUCATIONALLY SOUND IN THEORY UNDER CASTAÑEDA'S FIRST PRONG

Program Option	Program Goal	Language/s Used for Instruction
English as a Second Language (ESL) or English Language Development (ELD)	Program of techniques, methodology, and special curriculum designed to teach ELs explicitly about the English language, including the academic vocabulary needed to access content instruction, and to develop their English language proficiency in all four language domains (i.e., speaking, listening, reading, and writing).	Usually provided in English with little use of the ELs' primary language(s)
Structured English Immersion (SEI)	Program designed to impart English language skills so that the ELs can transition and succeed in an English-only mainstream classroom once proficient.	Usually provided in English with little use of the ELs' primary language(s)
Transitional Bilingual Education (TBE), or early-exit bilingual education	Program that maintains and develops skills in the primary language while introducing, maintaining, and developing skills in English. The primary purpose of a TBE program is to facilitate the ELs' transition to an all-English instructional program, while the students receive academic subject instruction in the primary language to the extent necessary.	Students' primary language and English
Dual Language or Two-Way Immersion	Bilingual program where the goal is for students to develop language proficiency in two languages by receiving instruction in English and another language in a classroom that is usually comprised of half primary-English speakers and half primary speakers of the other language.	English and another language

Source: U.S. Department of Education, Office for Civil Rights, & U.S. Department of Justice. (2015, January). *Dear colleague letter: English learner students and limited English proficient parents* (p. 12). Retrieved from http://www2.ed.gov/about/offices/list/ocr/letters/colleague-el-201501.pdf

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PROVIDING ENGLISH LEARNERS WITH A LANGUAGE ASSISTANCE PROGRAM

RESOURCES

The U.S. Department of Education does not mandate or prescribe particular curricula, lesson plans, assessments, or other instruments in this tool kit. This tool kit contains examples of, adaptations of, and links to resources created and maintained by other public and private organizations. This information is provided for the reader's convenience and is included here to offer examples of the many resources that educators, parents, advocates, administrators, and other interested parties may find helpful and use at their discretion. The U.S. Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Further, the inclusion of links to items does not reflect their importance, nor is it intended to endorse any views expressed, or materials provided.

August, D., & Shanahan, T. (Eds.). (2006). *Developing literacy in second-language learners: Report of the National Literacy Panel on Language-Minority Children and Youth* (Executive Summary). Mahwah, NJ: Lawrence Erlbaum Associates. Retrieved from http://www.bilingualeducation.org/pdfs/PROP2272.pdf

This executive summary presents the findings from an Institute of Education Sciences (IES) expert panel review of research related to the development of literacy in language-minority students. Research topics include the development of literacy; cross-linguistic relationships; sociocultural contexts and literacy development; instruction and professional development; and student assessment.

Calderón, M., Slavin, R., & Sánchez, M. (2011). Effective instruction for English learners. *Future of Children*, *21*(1), 103-127. Retrieved from http://files.eric.ed.gov/fulltext/EJ920369.pdf

This article reviews research related to programs and practices that have demonstrated improvement in reading and language outcomes in ELs. The authors discuss the following program models and model components for ELs: school structures and leadership; language and literacy instruction; integration of language, literacy, and content instruction in secondary schools; cooperative learning; professional development; parent and family support teams; tutoring; and monitoring implementation and outcomes. The authors assert that the quality of instruction is what matters most in educating ELs. They advocate whole-school interventions for ELs and recommend professional development to implement this approach.

Castañeda v. Pickard, 648 F.2d 989 (5th Cir. 1981). Retrieved from http://faculty.ucmerced.edu/khakuta/LAU/IAPolicy/IA1bCastanedaFullText.htm

This court case established the following three-part test to evaluate the adequacy of an LEA's program for ELs: First, is the program based on "an educational theory recognized as sound by some experts in the field or considered a legitimate experimental strategy"? Second, are the programs and practices, including resources and personnel, reasonably calculated to implement this theory effectively? Third, does the LEA evaluate its programs and make adjustments where needed to ensure language barriers are actually being overcome within a reasonable period of time?

Coleman, R., & Goldenberg, C. (2010, Summer). What does research say about effective practices for English learners? Part IV: Models for schools and districts. *Kappa Delta Pi Record, 46*(4), 156–163. Retrieved from http://www.sewanhaka.k12.ny.us/cms/lib3/NY01001491/Centricity/Domain/2473/KDP%20article%20series%20on%20ELLs.pdf

In Part IV of this series of articles, the authors discuss models for schools and LEAs that support EL programs. Also included are scenarios on how these programs might look based on examples from actual schools and LEAs, and specific practices for classroom teachers.

You can access **Tools and Resources for Providing ELs with a Language Assistance Program** at http://www2.ed.gov/about/offices/list/ocr/ellresources.html.

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Council of the Great City Schools. (2009). *Succeeding with English language learners: Lessons learned from the Great City Schools.* Retrieved from http://cgcs.schoolwires.net/cms/lib/DC00001581/Centricity/Domain/35/Publication%20Docs/ELL_Report09.pdf

This study of six urban LEAs examined how the organizational, structural, instructional, and staffing factors impact the academic achievement of ELs. It found that successful EL programs include the following contextual features: "a shared vision for reform," "leadership and advocacy on behalf of [ELs]," "empowerment of the [LEA's EL] office," and "external forces as catalyst for reforms." The report provides the following two types of recommendations: (1) contextual changes that would create an environment that encourages implementing and sustaining districtwide reform efforts that support ELs, and (2) strategic and instructional changes that promote high standards in the teaching of ELs.

Espinosa, L. M. (2013, August). *PreK-3rd: Challenging common myths about dual language learners* (PreK-3rd Policy to Action Brief No. 10). New York, NY: Foundation for Child Development. Retrieved from http://fcd-us.org/sites/default/files/Challenging%20Common%20Myths%20Update.pdf

This brief reviews beliefs about the development and learning of young children who are acquiring English as their second language. The brief also summarizes research to guide policies for teaching ELs.

Fortune T. W., & Christian, D. (2012, October). *Dual language immersion education: State of the states.* Introduction to Panel Presentation at Immersion 2012: Bridging Contexts for a Multilingual World, St. Paul, MN. Retrieved from http://www.carla.umn.edu/conferences/past/immersion2012/handouts/StateoftheStates.ppt.pdf

This presentation about Dual Language Immersion (DLI) education provides the educational philosophy, program goals, and general overview of DLI program growth in the United States. The presentation also discusses data on DLI programs in selected states, and state-level DLI policies.

Goldenberg, C. (2013, Summer). Unlocking the research on English learners: What we know—and don't yet know—about effective instruction. *American Educator.* Retrieved from https://www.aft.org//sites/default/files/periodicals/Goldenberg.pdf

This article identifies four important principles based in EL research: (1) "generally effective practices are likely to be effective with ELs," (2) "ELs require additional instructional supports," (3) "the home language can be used to promote academic development," and (4) "ELs need early and ample opportunities to develop proficiency in English." For each principle, the author provides specific examples from research.

Hakuta, K., Butler, Y., & Witt, D. (2000). *How long does it take English learners to attain proficiency?* (Policy Report No. 2000-1). Berkeley, CA: University of California Linguistic Minority Research Institute. Retrieved from http://web.stanford.edu/~hakuta/Publications/%282000%29%20-%20HOW%20LONG%20DOES%20IT%20TAKE%20ENGLISH%20LEARNERS%20TO%20ATTAIN%20PR.pdf

This report discusses how long students require EL services before they become proficient in oral and academic English. The authors analyze EL data from two school districts in the San Francisco Bay Area, as well as summary data from a school in Ontario, Canada. The report concludes that while oral proficiency takes 3 to 5 years to develop, academic English proficiency can take 4 to 7 years.

Howard, E. R., Sugarman, J., Christian, D., Lindholm-Leary, K. J., & Rogers, D. (2007). *Guiding principles for dual language education* (2nd ed.). Washington, DC: Center for Applied Linguistics. Retrieved from http://www.cal.org/twi/Guiding_Principles.pdf

This document is organized into "seven strands, reflecting the major dimensions of program planning and implementation." These strands are (1) assessment and accountability; (2) curriculum; (3) instruction; (4) staff quality and professional development; (5) program structure; (6) family and community; and (7) support and resources. Each strand includes guiding principles and one or more key points that elaborate on each principle and specific elements that align with each principle.

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Moughamian, A. C., Rivera, M. O., & Francis, D. J. (2009). *Instructional models and strategies for teaching English language learners*. Portsmouth, NH: RMC Research Corporation, Center on Instruction. Retrieved from http://files.eric.ed.gov/fulltext/ED517794.pdf

This publication offers guidance on effective strategies for instructing ELs. The report outlines "key contextual factors that decision-makers should take into account when making instructional choices" for ELs. Also included is a brief overview of bilingual and English-only instructional models and the influence of language instruction models on academic outcomes for ELs. The authors contend that "regardless of the model that school districts select, teachers must use the most effective strategies to accelerate student learning and maximize instructional time." Also included are research-based instructional strategies.

National Association of Charter School Authorizers. (2014). *Charter schools and ELLs: An authorizer and school leader guide for educating ELLs*. Retrieved from http://www.qualitycharters.org/assets/files/images/stories/publications/Issue_Briefs/IssueBriefNo22_CharterSchoolsandELLs.pdf

This document provides charter authorizers and school leaders with essential information about the education of ELs, offering "background information related to ELs, the state and federal laws that affect the education of ELs, and the education needs of these children."

Olsen, L. (2010). *Reparable harm: Fulfilling the unkept promise of educational opportunity for California's Long Term English Learners*. Long Beach, CA: Californians Together. Retrieved from www.californianstogether.org/docs/download.aspx?fileId=227

This report describes the results of a 40-district survey on LTELs in California, and identifies LTELs as secondary school students "in United States schools for more than six years without reaching sufficient English proficiency." It provides an estimate of the number of LTELs in the state while identifying the lack of a common definition as problematic. The report also discusses LTEL causes, student characteristics, current educational services, and district roles and responsibilities, and provides system-wide policy recommendations.

Olsen, L. (2012). *Secondary school courses designed to address the language needs and academic gaps of Long Term English Learners*. Long Beach, CA: Californians Together. Retrieved from www.californianstogether.org/docs/download.aspx?fileId=357

This report articulates the collective emerging knowledge base about how to design and implement effective courses that meet the needs of LTELs. The report synthesizes the lessons learned from districts throughout California and provides needed guidance on how to design and implement courses that address the needs of these students. The ideas, advice, and information were culled from a forum that Californians Together organized with educators from 24 districts that were piloting programs. The goal was to start a statewide network for districts and teachers to exchange information and ideas. Prior to this, the LEAs had mostly been working in isolation.

Saunders, W., Goldenberg, C., & Marcelletti, M. (2013, Summer). English language development: Guidelines for instruction. *American Educator*. Retrieved from https://www.aft.org//sites/default/files/periodicals/Saunders_Goldenberg_Marcelletti.pdf

This article brings together multiple sources that provide guidelines for ELD instruction including theoretical, programmatic, and practitioner information. The authors' focus is specifically on assisting in the delivery of ELD instruction and not on content area instruction.

Southeast Asia Resource Action Center (SEARAC). (2013). *English language learners & Southeast Asian American communities* (Fact Sheet). Retrieved from http://www.searac.org/sites/default/files/SEARAC_ELL_2013-1.pdf

This fact sheet provides an overview of the Southeast Asian American (SEAA) EL population and focuses on the states with the largest concentrations of SEAA ELs and the languages spoken by those ELs. It lists the needs of SEAA ELs, and suggestions for how local and federal policymakers may better serve them.

U.S. Department of Education. (2014*). Educational services for immigrant children and those recently arrived to the United States*. Retrieved from http://www2.ed.gov/policy/rights/guid/unaccompanied-children.html

This page on the Department's website provides information and existing resources available to help SEAs and LEAs educate all immigrant students including children who recently arrived in the United States.

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U.S. Department of Education, Office for Civil Rights. (2014, October). *Dear colleague letter: Resource compatibility* [Guidance to ensure all students have equal access to educational resources]. Retrieved from http://www2.ed.gov/about/offices/list/ocr/letters/colleague-resourcecomp-201410.pdf

This document provides detailed and concrete information to educators on the standards set in Title VI of the Civil Rights Act of 1964, including information on the requirements for educational resources; how OCR investigates resource disparities; and what SEAs, LEAs, and schools can do to meet their obligations to all students. Under Title VI, SEAs, LEAs, and schools must not intentionally treat students differently based on race, color, or national origin in providing educational resources. In addition, they must not implement policies or practices for providing educational resources that disproportionately affect students of a particular race, color, or national origin, absent a substantial justification. The law does not require that all students receive the exact same resources to have an equal chance to learn and achieve. It does, however, require that all students have equal access to comparable resources in light of their educational needs.

U.S. Department of Education, Office for Civil Rights, & U.S. Department of Justice. (2015, January). *Dear colleague letter: English learner students and limited English proficient parents.* Retrieved from http://www2.ed.gov/about/offices/list/ocr/letters/colleague-el-201501.pdf

This document provides guidance to assist SEAs, LEAs, and all public schools in meeting their legal obligations to ensure that ELs can participate meaningfully and equally in educational programs and services. This guidance provides an outline of the legal obligations of SEAs and LEAs to ELs under civil rights laws. Additionally, the guidance discusses compliance issues that frequently arise in OCR and DOJ investigations under Title VI of the Civil Rights Act of 1964 and the Equal Educational Opportunities Act, and offers approaches that SEAs and LEAs may use to meet their federal obligations to ELs. The guidance also includes discussion of how SEAs and LEAs can implement their Title III grants and subgrants in a manner consistent with these civil rights obligations. Finally, the guidance discusses the federal obligation to ensure that limited English proficient parents and guardians have meaningful access to SEA-, LEA-, and school-related information.

Valentino, R. A., & Reardon, S. F. (2014, March) *Effectiveness of four instructional programs designed to serve English language learners: Variation by ethnicity and initial English proficiency.* Unpublished manuscript, Center for Education Policy Analysis, Graduate School of Education, Stanford University, Stanford, CA. Retrieved from http://cepa.stanford.edu/sites/default/files/Valentino_Reardon_EL%20Programs_14_0326_2.pdf

Researchers set out to examine the effectiveness of different programs for ELs longitudinally, and to compare results for Latino and Chinese ELs. They found that in the short term, EL second graders in dual immersion scored below those in English immersion. Conversely, in the long term, those in dual immersion scored substantially higher than students in English immersion. Looking at both ethnicities across program type, the Chinese students' English acquisition occurred faster than that of the Latino students.

Vialpando, J., Yedlin, J., Linse, C., Harrington, M., & Cannon, G. (2005). *Educating English language learners: Implementing instructional practices*. Washington, DC: National Council of La Raza. Retrieved from http://www.brown.edu/academics/education-alliance/sites/brown.edu.academics.education-alliance/files/publications/edells_impinstprct.pdf

This publication aims to assist schools in developing their capacities to provide appropriate curricula, instruction, and assessment for ELs, and to increase educators' awareness of how to access relevant resources. This guide "is designed for teachers, academic coaches, staff developers, and school leaders," and provides "instructional strategies, techniques, and guidelines helpful for engaging ELs and other diverse learners."

To access these and other relevant resources, and for additional information about ELs, please visit http://www.ncela.ed.gov/.

You can access **Tools and Resources for Providing ELs with a Language Assistance Program** at http://www2.ed.gov/about/offices/list/ocr/ellresources.html.

Published April 2015

CHAPTER 3

TOOLS AND RESOURCES FOR STAFFING AND SUPPORTING AN ENGLISH LEARNER PROGRAM

This is the third chapter of the English Learner Tool Kit, which is intended to help state and local education agencies (SEAs and LEAs) meet their obligations to English Learners (ELs). This tool kit should be read in conjunction with the U.S. Department of Education Office for Civil Rights' and the U.S. Department of Justice's Dear Colleague Letter on "English Learner Students and Limited English Proficient Parents," published in January 2015, which outlines SEAs' and LEAs' legal obligations to ELs under civil rights laws and other federal requirements. The Dear Colleague Letter can be found at http://www2.ed.gov/about/offices/list/ocr/ellresources.html.

STAFFING AN ENGLISH LEARNER PROGRAM

KEY POINTS

- **LEAs must provide the personnel necessary to effectively implement EL programs.**
- **Necessary personnel include teachers who are qualified to provide EL services, core-content teachers who are highly qualified in their field as well as trained to support EL students, and trained administrators who can evaluate these teachers.**
- **LEAs must provide adequate professional development and follow-up training in order to prepare EL program teachers and administrators to implement the EL program effectively.**
- **LEAs must ensure that administrators who evaluate EL program staff are adequately trained to meaningfully evaluate whether EL teachers are appropriately employing their training in the classroom in order for the EL program model to successfully achieve its educational objectives.**
- **SEAs must ensure that LEAs have qualified teachers and administrators for their EL programs.**



Recruiting, developing, and retaining excellent educators is essential in order to ensure that EL program models successfully achieve their educational objectives. LEAs must hire an adequate number of teachers who are qualified to provide EL services, and core-content teachers who are highly qualified in their field as well as trained to support EL students. These teachers must meet state requirements and have mastered the skills necessary to effectively teach in the LEA's EL program.

In some instances SEA endorsements or other requirements may not be rigorous enough to ensure that teachers of ELs have the skills to actually carry out the LEA's chosen EL program. Indeed, a study from the Center on American Progress (Samson & Collins, 2012) found that "[d]espite the fact that 49 states have programs that are accredited. . . the enforcement of diversity standards and the use of research-based knowledge on best practices when it comes to ELs is often not reflected in program requirements." In light of this, SEAs must at least monitor whether teachers are adequately trained. Having EL teachers who are well prepared and effectively employing their training in the classroom will help ensure that the EL program model successfully achieves its educational objectives.

LEAs must hire teachers qualified and certified to teach ELs, or support unqualified staff as they work towards obtaining the qualifications within a reasonable period of time (e.g., within two years). LEAs that cannot hire an adequate number of qualified ESL/bilingual or trained core-content teachers must ensure that current teachers obtain the requisite training, either through the SEA's training and certification program or through

You can access **Tools and Resources for Staffing and Supporting an English Learner Program** at http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html.

the LEA's own training program. In one study (NCEE, 2015), a majority of participating teachers who received professional development (PD) on such topics as instructional strategies for advancing English proficiency, or teaching ELs in content areas, reported that the PD improved their effectiveness as teachers of ELs.

ELs who are also students with disabilities (dually identified ELs) may be receiving content instruction in general classroom environments and special education services as defined in their Individualized Education Program (IEP), as appropriate. Thus, it is important to train both general and special education teachers of dually identified ELs.

SUPPORTING AN ENGLISH LEARNER PROGRAM

KEY POINTS

- **LEAs are obligated to provide the resources necessary to effectively implement EL programs.**
- **Necessary resources include adequate and appropriate materials for the EL programs.**

LEAs must provide ELs with adequate and appropriate resources. These resources include sufficient quantities of instructional materials at the appropriate English proficiency and grade levels, bilingual materials for bilingual programs, and, when necessary, materials for students with disabilities. These resources should provide challenging academic content that is aligned with grade-level state content standards. Title III funded services must supplement the core curriculum.

Resources may also include appropriately trained and supervised paraprofessionals, as appropriate, to provide support services, such as helping ELs understand tasks, restating directions, and interpreting for students. However, paraprofessionals, aides, and tutors may not take the place of qualified teachers except as an interim measure while recruiting, hiring, or training qualified teachers.

SEAs and LEAs may wish to consider diversity workforce initiatives that include recruiting candidates of varied backgrounds and diverse language skills in order to meet the staffing needs of their EL program.

The following checklist is intended to assist SEAs and LEAs in ensuring that they provide the appropriate staffing for their EL programs. The checklist provides suggested questions only, and schools and LEAs should check with their SEA's policies and federal guidance to ensure compliance.

Qualified Teachers

- ★ Do all EL program, core-content, and special education teachers who instruct ELs have the appropriate certification, licensure, or training to teach ELs? If not, are they working to obtain it within a reasonable period of time?
- ★ Does the SEA provide guidance about and monitor whether LEAs have qualified teachers to deliver instruction to ELs?
- ★ Do all teachers who instruct ELs demonstrate the skills necessary to effectively implement the LEA's EL program?
- ★ Does the LEA or SEA provide supplemental professional learning opportunities, when necessary, to ensure that the EL program is implemented effectively?
- ★ Do all EL program, core-content, and special education teachers who deliver instruction to ELs with disabilities receive PD specifically related to teaching dually identified ELs?

Adequate Number of Qualified EL Staff

- ★ Are the LEA's EL services adequately staffed with qualified ESL, bilingual, core-content, and special education teachers trained in EL strategies, in order to meet ELs' language and content needs?
- ★ Are principals or other administrative staff tasked with evaluating EL teachers certified and sufficiently trained in EL strategies in order to meaningfully evaluate teachers who deliver instruction to ELs?
- ★ Are paraprofessionals adequately trained to support ELs, and are they working under the direct supervision of a qualified teacher?

Adequate Resources for an EL Program

- ★ Does the LEA provide sufficient and appropriate materials for EL students at all levels of English language proficiency, including all grade levels, and for each EL program?
- ★ Do the resources provide challenging academic content aligned with grade-level state content standards?

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STAFFING AND SUPPORTING AN ENGLISH LEARNER PROGRAM

TOOLS

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The following set of tools is intended to help schools, LEAs, and SEAs in supporting the professional learning of teachers of ELs. The first three tools offer suggestions on how adult learning can inform PD as well as the various components of effective PD for teachers of ELs. The last tool offers and expands upon examples from teacher evaluation frameworks to address specific considerations for teaching ELs.

Tool #1, Professional Development for Teaching ELs, provides a frame for how PD may be structured to build on what teachers know and maximize adult learning.

Tool #2, Professional Development for General Education Teachers of ELs, provides a recommended set of components for a comprehensive PD program for general education teachers of ELs.

Tool #3, Meeting the Needs of ELs, delves deeper into what general education teachers should know to teach ELs effectively.

Tool #4, Frameworks for Supporting Classroom Teaching of ELs, provides an overview of the work being done to incorporate effective instructional practices for ELs in current teacher evaluation and support systems by the American Institutes for Research's Center on Great Teachers and Leaders and Center for English Language Learners, working alongside the Council of Chief State School Officers' ELL State Collaborative on Assessment and Student Standards (ELL SCASS).



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TOOL #1 PROFESSIONAL DEVELOPMENT FOR TEACHING ELs

Effective PD must be ongoing, interesting, and meet the needs of participating personnel. The five core principles of PD for those teaching ELs, presented here, are based on the tenets of adult learning theory, the published work of several researchers, and "the fundamental belief that all teachers bring strengths to their profession and want their students to achieve and feel successful." SEAs and LEAs can use these principles to structure PD opportunities to facilitate successful outcomes for EL teachers and their students.

CORE PRINCIPLES FOR PROFESSIONAL DEVELOPMENT OF TEACHERS OF ELs

★ **Principle 1: Build on a foundation of skills, knowledge, and expertise.** Professional development must build upon the current foundation of basic skills, knowledge, and areas of expertise of the educational personnel involved. Professional development will link new knowledge and activities with what the practitioners already know and are able to do, and will extend their thinking. Those attending any professional development activity will bring with them different experiences, knowledge, and skills. The individual(s) providing the activity must determine the current level of expertise, the needs of participants, and develop appropriate materials and activities. Professional development activities that do not target a specific audience must, at a minimum, offer basic knowledge to ensure that practitioners are operating from the same foundation.

★ **Principle 2: Engage participants as learners.** Professional development should include rich and varied opportunities that engage educational personnel as learners and offer the opportunity to apply new skills and knowledge. Professional development is effective when the materials are presented in a hands-on manner using techniques that suit various learning styles. In addition, practitioners need time to try out new methods in a safe environment before either moving to another topic or attempting the method in the classroom.

★ **Principle 3: Provide practice, feedback, and follow-up.** Professional development should offer educational personnel opportunities for (1) practicing the new skills, strategies, and techniques; (2) providing feedback on performance; and (3) continuing follow-up activities. A constructivist approach to staff development precludes the didactic presentation of decontextualized knowledge and skills. Principle 3 reinforces the precept that information about skills and knowledge must be presented to educational personnel in a manner that allows them to link new information to their current knowledge and skills, and allows them to construct their own meanings. Interactive, hands-on approaches to professional development make use of sound principles of adult learning. Modeling specific skills with practice sessions also will allow practitioners actively to make meaning out of the new information. Finally, a period of classroom application followed by formal observation and feedback should be used to reinforce the development of new skills.

★ **Principle 4: Measure changes in teacher knowledge and skills.** Successful and effective professional development should be manifested by measurable increases in participant knowledge and skills. The evaluation of a participant's knowledge and skills is essential to the effectiveness of the professional

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development program. In order to evaluate the participant, an appropriate amount and variety of information about what participants do and their effect on people should be collected. Assuming that the participants are teachers, then a variety of evidence of the genuine teaching work and performance of the teacher should be collected.

★ **Principle 5: Measure changes in student performance.** Professional development should be linked to measurable outcomes in student performance, behavior, and/or achievement. A direct link to student outcomes is necessary to determine what types of professional development activities are effective within specific contexts. The local level district involved in focused, long-term professional development activities must first identify what measurable student outcomes it wants to change. The problem for which professional development is sought may provide the type of outcome to be assessed. For example, a school district recently wished to link professional development more closely to student outcomes. The outcomes this district identified as important to change were the number of EL students (1) placed in pull-out English as-a-second language (ESL) programs; (2) who received low grades in reading, math, and science; and (3) who dropped out of school. Principle 5 states that a link must be established as evidence that professional development contribute to significant improvement in the quality of educational programs or student achievement.

Source: Casteel, C. J., & Ballantyne, K. G. (Eds.). (2010). *Professional development in action: Improving teaching for English learners*. Washington, DC: National Clearinghouse for English Language Acquisition (NCELA). Retrieved from http://www.ncela.us/files/uploads/3/PD_in_Action.pdf

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TOOL #2
PROFESSIONAL DEVELOPMENT FOR GENERAL EDUCATION TEACHERS OF ELs

This tool has been adapted and reprinted with permission from the National Education Association (NEA). It is intended to help school, LEA, and SEA leaders think about PD for general education teachers of ELs.

ESSENTIAL COMPONENTS OF EFFECTIVE PROFESSIONAL DEVELOPMENT FOR GENERAL EDUCATION TEACHERS OF ELs

General education teachers need practical, research-based information, resources, and strategies to teach, evaluate, and nurture ELs. NEA recommends focusing on the following essential components of a comprehensive professional development program for general education teachers of ELs:

- A process for establishing high standards for English language acquisition, English language development, and academic content in lesson planning and instruction.
- A process for integrating teachers' understanding of academic content and English-language proficiency standards with instruction in teaching methods and assessments.
- Knowledge and use of effective pedagogy.
- Methods for implementing instructional strategies that ensure that academic instruction in English is meaningful and comprehensible.
- Exposure to a demonstration showing how to implement strategies that simultaneously integrate language acquisition, language development, and academic achievement.
- Exposure to a demonstration showing why increasing academic achievement of ELs is dependent upon multiple instructional approaches or methodologies.
- Providing a "strategies toolkit" for teachers, which offers ways to enhance and improve instruction for struggling students, based on assessment results.
- Cultural awareness is also an important component of a professional development program. To maximize achievement opportunities for ELs, educators must understand and appreciate students' different cultural backgrounds.

Source: National Education Association. (2011). *Professional development for general education teachers of English language learners*. (NEA Policy Brief). Washington, DC: Author. Retrieved from http://www.nea.org/assets/docs/PB32_ELL11.pdf

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TOOL #3
MEETING THE NEEDS OF ELs

This tool has been adapted and reprinted with permission from the Center for American Progress. It is taken from the study "Preparing All Teachers to Meet the Needs of English Language Learners: Applying Research to Policy and Practice for Teacher Effectiveness."

The fact that the nation's teachers are encountering and will increasingly encounter a diverse range of learners requires that every teacher has sufficient breadth and depth of knowledge and range of skills to be able to meet the unique needs of all students, including those for whom English is not their primary language. While it is true that there are educational specialists who have expertise in supporting ELs—English as a second language and bilingual teachers, for example—many teachers do not. Yet the reality is that most, if not all, teachers have or can expect to have EL students in their classroom and therefore must be prepared to best support these children.

ESSENTIAL KNOWLEDGE FOR TEACHERS OF ELs

SUPPORT ORAL LANGUAGE DEVELOPMENT

- Oral language proficiency allows students to participate in academic discussions, understand instruction, and build literacy skills.
- Students with more developed first language skills are able better able to develop their second language skills.
- Vocabulary knowledge plays an important role in oral language proficiency. ELs require direct teaching of new words along with opportunities to learn new words in context through hearing, seeing, and saying them as well as during indirect encounters with authentic and motivating texts.
- Building oral proficiency in a second language can be supported by the use of nonverbal cues, visual aids, gestures, and multisensory hands-on methods. Other strategies include establishing routines, extended talk on a single topic, providing students with immediate feedback, opportunities to converse with teachers, speaking slowly, using clear repetition, and paraphrasing supports oral communication.
- Students should receive explicit instruction and preparation techniques to aid in speaking with others by teaching words and grammatical features that are used in academic settings.

EXPLICITLY TEACH ACADEMIC ENGLISH

- Academic language is decontextualized, abstract, technical, and literary. It is difficult for native speakers and even more difficult for ELs.
- Academic language is not limited to one area of language and requires skills in multiple domains, including vocabulary, syntax/grammar, and phonology.

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- Understanding the differences of informal language and academic language is important. Opportunities to learn and practice academic language are essential. Students must be exposed to sophisticated and varied vocabulary and grammatical structures and must avoid slang and idioms.
- Opportunities and instruction on using academic language accurately in multiple contexts and texts is of critical importance for all ELs.
- School-wide efforts and coordination of curriculum across content area helps teachers build on a foundation of prior knowledge.

VALUE CULTURAL DIVERSITY

- ELs typically face multiple challenges in the transition from home to school as most are from culturally diverse backgrounds. Schooling experiences should reaffirm the social, cultural, and historical experiences of all students.
- Teachers and students should be expected to accept, explore, and understand different perspectives and to be prepared as citizens of a multicultural and global society.
- Opportunities for teachers and students to interact with diverse cultures can be created in multiple ways through inclusive teaching practices, reading and multimedia materials, school traditions and rituals, assembly programs, and cafeteria food that represent all backgrounds.
- Involving parents and community in a meaningful way with outreach and letters to homes, bulletin boards, and staff helps build appreciation of diversity.

Source: Samson, J. F., & Collins, B. A. (2012). *Preparing all teachers to meet the needs of English language learners: Applying research to policy and practice for teacher effectiveness*. Washington, DC: Center for American Progress. Retrieved from http://files.eric.ed.gov/fulltext/ED535608.pdf

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TOOL #4
FRAMEWORKS FOR SUPPORTING CLASSROOM TEACHING OF ELs

The American Institutes for Research's (AIR's) Center on Great Teachers and Leaders and Center for English Language Learners have been working collaboratively with the Council of Chief State School Officers' ELL State Collaborative on Assessment and Student Standards (ELL SCASS) to ensure that current teacher evaluation and support systems incorporate effective instructional practices for ELs. An additional goal of the collaboration is to inform the next iteration of teacher evaluation and support systems and teacher pre-service evaluation systems. Diane August, a managing researcher at AIR, is leading this work. The following tool provides an overview and examples of the work currently underway.

INDICATORS AND EXAMPLES OF EFFECTIVE CLASSROOM TEACHING FOR ELs

OVERVIEW

ELs constitute a large and growing percentage of students in U.S. schools. For schools to educate a diverse student population effectively, all teachers of ELs must have the necessary knowledge and skills to do so. To measure and evaluate teacher competencies, many states have recently updated their teacher evaluation and support systems; however, additional attention to ELs would enhance instruction for these students.

Many states have based their new teacher evaluation systems on one of three major frameworks:

- Danielson, C. (2013). *The framework for teaching evaluation instrument*. Princeton, NJ: The Danielson Group.
- Marzano, R. J. (2013). *The Marzano teacher evaluation model*. Bloomington, IN: Marzano Research Laboratory.
- Pianta, R. C., Hamre, B. K., & Mintz, S. L. (2012). *Classroom assessment scoring system (CLASS): Secondary manual*. Charlottesville, VA: Teachstone.

As part of this work each of these frameworks has been reviewed. The components or elements of the evaluation systems have not been changed, but staff has provided indicators and examples to illustrate how the components and elements might be enacted in classrooms with ELs. Subsequent activities to further develop indicators and examples of effective teaching for ELs include face-to-face collaborative work with ELL SCASS members and local educational agency representatives, and field-testing of the indicators and examples in select school districts. A publication will be prepared that documents the work.

EXAMPLES

Following are two sample elements from each of the three frameworks, with added indicators and examples for teachers working with ELs (in blue).

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TOOL #4: FRAMEWORKS FOR SUPPORTING CLASSROOM TEACHING OF ELs (CONTINUED)

Danielson: *The Framework for Teaching Evaluation Instrument*

Domain 1: Planning and Preparation

Component 1e: Designing Coherent Instruction

Element 2: Instructional materials and resources: Aids to instruction are appropriate to the learning needs of students.

EL Indicator: Aids to instruction for ELs include supplementary resources to help make second language content comprehensible and concurrently build the student's second language proficiency. Aids to instruction take into consideration ELs' levels of proficiency and knowledge in their first language.

EL Examples:

- ★ The teacher provides bilingual dictionaries and glossaries, English dictionaries and glossaries with comprehensible definitions, non-linguistic representations of text (e.g., audio recordings and visuals), graphic organizers tailored to specific content, and realia and manipulatives.
- ★ The teacher uses parents as multicultural resources, supplements texts with guest speakers who speak the students' first language, and provides experiences for ELs that develop background knowledge related to content they are acquiring.
- ★ When learning objectives include home language knowledge and skills, resources are available in students' home languages.

Domain 3: Instruction

Component 3e: Engaging Students in Learning

Element 3: Instructional materials and resources: The instructional materials a teacher selects to use in the classroom can have an enormous impact on students' experience. Though some teachers are obliged to use a school's or district's officially sanctioned materials, many teachers use these selectively or supplement them with others of their choosing that are better suited to engaging students in deep learning—for example, the use of primary source materials in social studies.

EL Indicator: In addition to the mainstream anchor texts used in English instruction, teachers provide supplementary materials on similar topics appropriate for different levels of English proficiency. Teachers give ELs opportunities to read in their home language to build the background knowledge they need for reading in English.

EL Examples:

- ★ As students study a topic (e.g., ancient Greece), the teacher selects leveled readers on the same topic at different reading levels appropriate to the students' current level of English proficiency, to supplement the grade-level textbook.
- ★ Teachers select supplementary materials on the topic in a student's first language, if the student is literate in that language, and provide related materials, including glossaries and bilingual dictionaries with definitions.
- ★ Teachers scaffold the use of primary source materials by pairing ELs with students of the same first language who are more proficient in English to discuss the meaning of those materials.

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TOOL #4: FRAMEWORKS FOR SUPPORTING CLASSROOM TEACHING OF ELs (CONTINUED)

Marzano: *Teacher Evaluation Model*

Domain 1: Classroom Strategies and Behaviors

1. **Providing Clear Learning Goals and Scales (Rubrics):** The teacher provides a clearly stated learning goal accompanied by a scale or rubric that describes levels of performance relative to the learning goal.

   EL Indicator: The teacher provides English language proficiency (ELP) goals as well as content goals and presents them in ways that are comprehensible to ELs. The teacher monitors performance related to both types of goals.

2. **Tracking Student Progress:** The teacher facilitates tracking of student progress on one or more learning goals using a formative approach to assessment.

   EL Indicator: The formative approach to assessment measures second language development as well as the development of content area knowledge. The teacher uses approved accommodations when formatively assessing ELs.

   EL Example: Formative assessment practices are scaffolded in ways that align with classroom instructional supports. For example, if students at emerging levels of proficiency are given sentence frames and word banks to respond to guiding questions, sentence frames and word banks can be used to formatively assess students' reading comprehension.

Pianta et al.: *Classroom Assessment Scoring System (CLASS)*

Classroom Organization

1. **Behavior Management:** Behavior management encompasses the teacher's use of effective methods to encourage desirable behavior and prevent and redirect misbehavior.

   EL Indicator: Some ELs may have challenging life experiences (e.g., poverty, traumatic experiences in home countries, culture shock as new arrivals to the U.S.) that prevent them from fully engaging in a classroom setting. The more aware teachers are of students' prior experiences and home environments, the better they will be able to support ELs.

   EL Examples:

   - ★ Teachers meet proactively with parents (with interpreters as needed) to better understand home environments and ways to support ELs.
   - ★ Teachers seek additional resources (e.g., counselors and social workers) to support individual students' needs.

2. **Productivity:** Productivity considers how well the teacher manages time and routines so that instructional time is maximized. This dimension captures the degree to which instructional time is effectively managed and down time is minimized for students; it is not a code about student engagement or about the quality of instruction or activities.

   EL Indicator: Because ELs are processing language and content simultaneously, they may need additional wait time to answer questions and additional time to complete activities.

Source: August, D., & Predaris, T. (2015). *Frameworks for supporting classroom teaching of English learners*. Manuscript in preparation. Washington, DC: American Institutes for Research, Center on Great Teachers and Leaders, & Center for English Language Learners.

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STAFFING AND SUPPORTING AN ENGLISH LEARNER PROGRAM

RESOURCES

The U.S. Department of Education does not mandate or prescribe particular curricula, lesson plans, assessments, or other instruments in this tool kit. This tool kit contains examples of, adaptations of, and links to resources created and maintained by other public and private organizations. This information is provided for the reader's convenience and is included here to offer examples of the many resources that educators, parents, advocates, administrators, and other interested parties may find helpful and use at their discretion. The U.S. Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Further, the inclusion of links to resources does not reflect their importance, nor is such inclusion intended to endorse any views expressed, or materials provided.

Alfaro, C., Durán, R., Hunt, A., & Aragón, M. (2014). Steps toward unifying dual language programs, Common Core State Standards, and critical pedagogy: Oportunidades, estrategias y retos. *Association of Mexican-American Educators (AMAE) Journal, 8*(2), 17-30. Retrieved from http://amaejournal.utsa.edu/index.php/amae/article/view/194/153

This article discusses a partnership between Chula Vista Learning Community Charter School and the bilingual teacher education program at the College of Education at San Diego State University. The partnership prepares teachers and administrators to implement and develop dual language instruction that is aligned to Common Core State Standards. The article addresses the opportunities, strategies, and challenges of working together to implement a pedagogy-based curriculum.

American Federation of Teachers (AFT). (n.d.). Teaching diverse learners. Retrieved from http://connectingthedots.aft.org/hot-topics/teaching-diverse-learners

The Teaching Diverse Learners page on AFT's Connecting the Dots website provides a number of resources to help LEAs in educating all students, with particular consideration of ELs and students with disabilities (SWDs). Among the resources included are elements of a teacher development and evaluation system developed by AFT and two of its state federations, the New York State United Teachers (NYSUT) and the Rhode Island Federation of Teachers and Health Professionals (RIFTHP), as part of the Educator Evaluation for Excellence in Teaching and Learning Consortium (E3TL) Investing in Innovation (i3) Project. This page includes links to teacher practice rubrics with consideration of ELs and SWDs, developed by NYSUT and RIFTHP, as well as a basic training module to "make evaluators and educators more familiarized with ELLs and SWDs and the issues involved in instruction and classroom observations." Funding for the work by E3TL came from an i3 grant provided by the U.S. Department of Education, and initial funding provided by the AFT Innovation Fund.

Apthorp, H., Wang, X., Ryan, S., and Cicchinelli, L. (2012). *Teaching English language learner students: Professional standards in elementary education in Central Region states* (REL 2012–122). Washington, DC: U.S. Department of Education, Institute of Education Sciences, National Center for Education Evaluation and Regional Assistance, Regional Educational Laboratory Central. Retrieved from http://ies.ed.gov/ncee/edlabs/projects/project.asp?ProjectID=103

This report from REL Central explores official professional teaching standards and "examines what K-8 general education teachers are expected to know and be able to do" in order to teach ELs. It reviews the standards for the coverage of six topics that are important for improving student achievement, according to research. All seven Central Region states include in their teaching standards the knowledge and skills needed for teaching ELs. Five states include in their standards recognition and support for diverse language backgrounds, and four states include in their standards the knowledge of the theoretical basis of second language acquisition and related strategies of support. There are no state standards referencing how to select materials or modify curricula to accommodate the learning needs of ELs.

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August, D., Estrada, J., & Boyle, A. (2012). *Supporting English language learners: A pocket guide for state and district leaders*. Washington, D.C.: American Institutes for Research. Retrieved from http://www.air.org/sites/default/files/downloads/report/ELL_Pocket_Guide1_0.pdf

This pocket guide provides research-based information to support state and district leaders in implementing reforms related to ELs on the first three principles in the Elementary and Secondary Education Act flexibility plan requirements. This guide suggests establishing empirically informed expectations for ELs' academic progress that account for their expected or current levels of English proficiency. To create EL content-area performance goals that are both meaningful and challenging, expectations for EL content-area progress should reflect both the developmental nature of ELs' English language acquisition and its role in ELs' acquisition of grade-level content knowledge in English.

August, D., Salend, S., Staehr Fenner, D., & Kozik, P. (2012, July). *The evaluation of educators in effective schools and classrooms for all learners* (Issue Brief). Washington, DC: E3TL Consortium. Retrieved from http://connectingthedots.aft.org/sites/aft/files/documents/i3_Grant-ELL-SWD_Working_Group-Shared_Values_Paper-FINAL-7-3-12.pdf

This brief provides an outline of the conditions that are necessary in order to ensure that all students can become successful learners in general education classrooms. The authors discuss what is necessary, not only in the classroom, but also in professional development to ensure that SEAs and LEAs evaluate teachers in ways that advance the learning of all students.

Ballantyne, K. G., Sanderman, A. R., Levy, J. (2008). *Educating English language learners: Building teacher capacity* (Roundtable Report). Washington, DC: National Clearinghouse on English Language Acquisition (NCELA). Retrieved from http://www.ncela.us/files/rcd/BE024215/EducatingELLsBuildingTeacherCa.pdf

This report informs federal, state, and local policy makers responsible for teacher education and the PD of EL content teachers, and offers a functional resource guide for teachers and other practitioners. The goal of this report is to supplement the extensive literature on the preparation and PD of EL content teachers.

Bunch, G., Kibler, A., & Pimentel, S. (2012, January). *Realizing opportunities for English learners in the Common Core English Language Arts and Disciplinary Literacy Standards*. Paper presented at the Understanding Language Conference, Stanford University, Stanford, CA. Retrieved from http://ell.stanford.edu/sites/default/files/pdf/academic-papers/01_Bunch_Kibler_Pimentel_RealizingOpp%20in%20ELA_FINAL_0.pdf

This paper examines the areas that the Common Core State Standards for English Language Arts and the literacy standards in History/Social Studies, Science, and Technical Arts highlight as necessary to achieve college and career readiness: (1) "engaging with complex texts"; (2) "using evidence in writing and research"; (3) "speaking and listening in order to work collaboratively and present ideas"; and (4) "developing the language to do all of the above effectively." The authors contend that EL educators need to help ELs realize these opportunities to achieve success. The paper also argues that ELs may be well served by opportunities to explore, and defend, their own "textual hypotheses," even if their interpretations differ from those of the teacher.

Casteel, C. J., & Ballantyne, K. G. (Eds.). (2010). *Professional development in action: Improving teaching for English learners*. Washington, DC: National Clearinghouse for English Language Acquisition (NCELA). Retrieved from http://www.ncela.us/files/uploads/3/PD_in_Action.pdf

This compendium report contains various PD projects from both LEAs and colleges of education that train teachers to work with ELs. Entries include information on successful and innovative practices, including mentoring programs, methods to incorporate new classroom methodologies, and best practices for ELs with disabilities. The report also includes examples of successful collaborations between colleges of education and LEAs, and the evaluation of PD programs.

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Council of the Great City Schools. (2014, August). *A framework for raising expectations and instructional rigor for English language learners*. Washington, DC: Author. Retrieved from http://www.cgcs.org/cms/lib/DC00001581/Centricity/Domain/4/Framework%20for%20Raising%20Expectations.pdf

In this report, the authors set a new vision for English Language Development. They share instructional delivery models that are appropriate for urban school districts. They also provide step-by-step guidance to apply these models, along with accompanying materials, to hasten ELs' acquisition of the academic language skills and grade-level content necessary for success. The methods contained in this report can be used alone or in concert with other LEA-approved evaluation methods.

Deussen, T., Autio, E., Miller, B., Lockwood, A. T., & Stewart, V. (2008, November). *What teachers should know about instruction for English language learners*. Portland, OR: Education Northwest. Retrieved from http://educationnorthwest.org/sites/default/files/resources/what-teachers-should-know-about-instruction-for-ells.pdf

In response to a 2007 request from the Washington state legislature, this report seeks to answer two fundamental questions about teaching ELs: (1) What is the basic foundation teachers need to have in order to work with ELs in the classroom? (2) How can EL specialists and classroom teachers collaborate for the benefit of ELs? The authors answered these questions through reviewing and evaluating the existing research and presenting the results in lay language. The report also identifies 14 key principles that teachers of ELs need to know in order to succeed.

Fenner, D., Kozik, P., & Cooper, A. (2014). Evaluating teachers of all learners. *Leadership, 43*(4), 8-12. Retrieved from http://content.yudu.com/Library/A2r3h6/MarchApril2014Leader/resources/index.htm?referrerUrl=http%3A%2F%2Fwww.acsa.org%2FFunctionalMenuCategories%2FMedia%2FLeadershipMagazine%2F2014-Archives%2FMarchApril-2014.aspx

This article offers an inclusive framework for teacher evaluation and support systems. The authors provide four principles of inclusive teacher evaluation, each with its own set of guiding questions and "look fors." The principles may guide educators to reflect upon the inclusiveness of their classrooms with regard to ELs, and encourage improvements in the teacher evaluation process for all teachers who work with ELs.

Francis, D., Rivera, M., Lesaux, N., Kieffer, M., & Rivera, H. (2006). *Practical guidelines for the education of English language learners: Research-based recommendations for serving adolescent newcomers*. (Under cooperative agreement grant S283B050034A from U.S. Department of Education). Portsmouth, NH: RMC Research Corporation, Center on Instruction. Retrieved from https://www2.ed.gov/about/inits/ed/lep-partnership/newcomers.pdf

This document serves as a practical guide for policymakers, schools, and others who educate adolescent newcomers to the United States. The authors present both instructional and organizational guidelines for educational programs for adolescent newcomers. These guidelines support both sides of the program—teaching and learning—and are designed to effectively meet students' needs.

Garcia, P. & Potemski, A. (2009, January). *Key issue: Recruiting teachers for schools serving English language learners*. Washington, DC: National Comprehensive Center for Teacher Quality. Retrieved from http://www.gtlcenter.org/sites/default/files/docs/recruitingTeachersforSchoolsServingELLs.pdf

This resource is a guide to recruiting highly qualified teachers who can best serve ELs in the classroom. It provides strategies and the research behind them to help LEAs find teachers who best meet their ELs' needs.

Goe, L., & Matlach, L. (2014, September). *Supercharging student success: Policy levers for helping paraprofessionals have a positive influence in the classroom* (Policy Snapshot). Washington, DC: American Institutes for Research, Center on Great Teachers and Leaders. Retrieved from http://www.gtlcenter.org/sites/default/files/Snapshot_Paraprofessional.pdf

This policy snapshot discusses how paraprofessionals contribute to the classroom both academically and behaviorally. The authors provide policy considerations for how to prepare and supervise paraprofessionals, including insights into appropriate professional and career development for both paraprofessionals and the teachers who work with them.

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Hill, J. D. & Hoak, H. (2012, April 30). *English language learner resource guide: Top ten instructional tips for schools with a low incidence of ELLs*. Denver, CO: Mid-continent Research for Education and Learning (McREL), North Central Comprehensive Center. Retrieved from http://www.education.ne.gov/NATLORIGIN/PDF/Classroom%20Instructions/ELL%20Resource%20Guide_%20Top%20Ten%20Tips%20for%20Schools%20with%20a%20Low%20Incidence%20of%20ELLs.pdf

This resource provides 10 research-based instructional strategies for students who struggle with learning academic language. These strategies may be used for ELs or for other students who have difficulties learning and adapting to academic language.

Lawrence, M. (2012). ELL strategies for paraprofessionals. Retrieved from http://www.colorincolorado.org/article/49061/

The author discusses the roles and responsibilities of paraprofessionals in EL classrooms, including their responsibilities to students during both instruction and testing, and offers tips on how they can collaborate effectively with classroom teachers.

Lopez, A., & Zepeda, M. (2012). *Dual language learner teacher competencies (DLLTC) report*. Los Angeles, CA: Alliance for a Better Community. Retrieved from http://www.buildinitiative.org/Portals/0/Uploads/Documents/DualLanguageLearnerTeacherCompetenciesReport.pdf

This report discusses a set of "Dual Language Learner Teacher Competencies (DLLTC)." These competencies are seen as integral to the preparation of prospective teachers who wish to successfully work with dual language learners.

NCEE (U.S. Department of Education, Institute of Education Sciences, National Center for Education Evaluation and Regional Assistance). (2015). B*uilding teacher capacity to support English language learners in schools receiving School Improvement Grants* (NCEE Evaluation Brief). Washington, DC: Author. Retrieved from http://ies.ed.gov/ncee/pubs/20154004/pdf/20154004.pdf

This study examines 35 schools that received School Improvement Grants from the 2010-11 through the 2012-13 school years. It highlights the results of the analysis of 11 schools with a high proportion of ELs, and, specifically, how schools worked to improve their teachers' capacity to teach ELs through staffing changes and PD. Teachers in these schools reported that increased PD on ELs improved their ability to teach ELs.

National Comprehensive Center for Teacher Quality. (2012, July). *Summary of "Expert forum on the evaluation of teachers of English language learners"* (Forum Summary). Washington, DC: Author. Retrieved from http://www.gtlcenter.org/sites/default/files/docs/ForumSummary_July2012.pdf

This brief documents the results of a one-day forum convening EL experts from around the country. It summarizes the findings of that forum on such topics as current efforts related to teacher evaluation and ELs, challenges in evaluating teachers of ELs, and SEA- and LEA-level considerations when designing evaluation and support systems.

National Education Association. (2011). *Professional development for general education teachers of English language learners* (NEA Policy Brief). Washington, DC: Author. Retrieved from http://www.nea.org/assets/docs/PB32_ELL11.pdf

This policy brief "reviews the challenges and identifies essential, research-based components of a comprehensive professional development program for general education teachers of [ELs]. It focuses on principles, policies, and strategies to facilitate local professional development, and offers recommendations for national, state, and local policymakers."

Rodriguez, D. (2005). A conceptual framework of bilingual special education teacher programs. In Cohen, J., McAlister, K. T., Rolstad, K., & MacSwan, J. (Eds.), *Proceedings of the 4th International Symposium on Bilingualism*. Somerville, MA: Cascadilla Press. Retrieved from http://www.lingref.com/isb/4/152ISB4.PDF

This research paper focuses on the need for bilingual special education teachers to undergo additional training during their teacher preparation programs. The author identified five main areas for success for bilingual special education teachers. These areas were then verified in a study of 100 educators as being

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The EL Tool Kit contains examples of, adaptations of, and links to resources created and maintained by other public and private organizations. This information is provided for the reader's convenience and is included here to offer examples of the many resources that educators, parents, advocates, administrators, and other interested parties may find helpful and use at their discretion. The U.S. Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Further, the inclusion of links to items does not reflect their importance, nor is it intended to endorse any views expressed, or materials provided.

important components to their teaching success. The author also gives recommendations on what additional information should be included in teacher preparation programs to help create successful bilingual special education teachers.

Samson, J. F., & Collins, B. A. (2012). *Preparing all teachers to meet the needs of English language learners: Applying research to policy and practice for teacher effectiveness*. Washington, DC: Center for American Progress. Retrieved from http://files.eric.ed.gov/fulltext/ED535608.pdf

This report summarizes "key findings drawn from the literature on promising practices that all teachers can employ when working with ELs," and "the degree to which that research is integrated into the preparation, certification, and evaluation of teachers as a means for improving educational outcomes for ELs." In order to improve the effectiveness of teachers of ELs, the authors recommend consistent and specific guidelines to address oral language, academic language, and cultural needs.

Santos, M., Darling-Hammond, l., & Cheuk, T. (2012). *Teacher development appropriate to support ELLs*. Paper presentation at Understanding Language Conference, Stanford University, Stanford, CA. Retrieved from http://ell.stanford.edu/publication/teacher-development-appropriate-support-ells

This paper outlines strategies to prepare teachers to better meet the needs of ELs, including "more aggressive and creative capacity-building initiatives that strengthen and integrate the disciplinary teaching strategies with literacy and language development strategies." The authors discuss the value and implications of new partnerships, structures for collaboration, and time dedicated to engaging experts from different fields in the design and delivery of teacher preparation and PD. The link includes a related video in which Maria Santos, conference co-chair and senior advisor for leadership at Understanding Language, discusses how new approaches to teacher development are needed to help ELs and their teachers meet new demands in content and language learning.

U.S. Department of Education, Office for Civil Rights, and U.S. Department of Justice. (2015, January). *Dear colleague letter: English learner students and limited English proficient parents*. Retrieved from http://www2.ed.gov/about/offices/list/ocr/letters/colleague-el-201501.pdf

This document provides guidance to assist SEAs, LEAs, and all public schools in meeting their legal obligations to ensure that ELs can participate meaningfully and equally in educational programs and services. This guidance provides an outline of the legal obligations of SEAs and LEAs to ELs under the civil rights laws. Additionally, the guidance discusses compliance issues that frequently arise in OCR and DOJ investigations under Title VI of the Civil Rights Act of 1964 and the Equal Educational Opportunities Act, and offers approaches that SEAs and LEAs may use to meet their federal obligations to ELs. The guidance also includes discussion of how SEAs and LEAs can implement their Title III grants and subgrants in a manner consistent with these civil rights obligations. Finally, the guidance discusses the federal obligation to ensure that limited English proficient parents and guardians have meaningful access to SEA-, LEA- and school-related information.

Valdés, G., Kibler, A., & Walqui, A. (2014, March). *Changes in the expertise of ESL professionals: Knowledge and action in an era of new standards*. Alexandria, VA: TESOL International Association. Retrieved from http://www.tesol.org/docs/default-source/papers-and-briefs/professional-paper-26-march-2014.pdf?sfvrsn=2

This paper is "intended to inform K-12 ESL professionals, a group of key individuals in U.S. education that includes teachers, teacher-leaders, school principals, district administrators, and other K-12 educators who work primarily or exclusively with ELs," of the "challenges and possibilities associated with the new standards for the ESL profession in the K–12 context." It also examines the ways in which implementation of these standards raises important questions about the views on the teaching and learning of English as a second language.

To access these and other relevant resources, and for additional information about ELs, please visit http://www.ncela.ed.gov/

You can access **Tools and Resources for Staffing and Supporting an English Learner Program** at http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html.

CHAPTER 4

TOOLS AND RESOURCES FOR PROVIDING ENGLISH LEARNERS EQUAL ACCESS TO CURRICULAR AND EXTRACURRICULAR PROGRAMS

This is the fourth chapter of the English Learner Tool Kit, which is intended to help state and local education agencies (SEAs and LEAs) meet their obligations to English Learners (ELs). This tool kit should be read in conjunction with the U.S. Department of Education Office for Civil Rights' and the U.S. Department of Justice's Dear Colleague Letter on "English Learner Students and Limited English Proficient Parents," published in January 2015, which outlines SEAs' and LEAs' legal obligations to ELs under civil rights laws and other federal requirements. The Dear Colleague Letter can be found at http://www2.ed.gov/about/offices/list/ocr/ellresources.html.

PROVIDING ENGLISH LEARNERS EQUAL ACCESS TO CURRICULAR AND EXTRACURRICULAR PROGRAMS

KEY POINTS

- **SEAs and LEAs must design and implement services and programs that enable ELs to attain both English proficiency and parity of participation in the standard instructional program, within a reasonable length of time.**
- **SEAs and LEAs must provide equal opportunities for EL students to meaningfully participate in curricular, co-curricular, and extracurricular programs and activities.**
- **SEAs must ensure that schools and LEAs use appropriate, reliable, and valid evaluations and testing methods to measure ELs' acquisition of English and core-content knowledge.**



Meaningful access to the core curriculum (e.g. reading/language arts, math, science, and social studies) is a key component in ensuring that ELs acquire the tools to succeed in general education classrooms within a reasonable length of time. Thus, both SEAs and LEAs have the dual obligations to not only provide programs that enable EL students to attain English proficiency, but also to provide support in other curricular areas that will ensure ELs have equal opportunities to participate in the curriculum. LEAs may use a curriculum that temporarily emphasizes English language acquisition over other subjects, but any interim academic deficits in other subjects must be remedied within a reasonable length of time. LEAs may also offer EL programs that include grade-level content instruction in the student's primary language. Additionally, for eligible ELs with disabilities, special education and related services, and supplementary aids and services, as specified in their individualized education programs (IEPs), must be provided in conjunction with the general education curriculum and any EL services.

One measure of whether ELs are able to attain equal participation in the standard instructional program within a reasonable length of time is whether a beginner EL will be able to earn a regular high school diploma in four years. ELs in high school, like their never-EL peers, should also have the opportunity to be competitive in meeting college entrance requirements. According to the U.S. Department of Education, Office for Civil Rights, Civil Rights Data Collection (March 2014), while 69 percent of non-ELs have access to the full range of math and

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science courses, only 65 percent of ELs attend schools offering Algebra I, geometry, Algebra II, calculus, biology, chemistry, and physics.

When adapting instruction in the core curriculum, LEAs should provide EL services (e.g., bilingual, English as a Second Language [ESL], or other program of instruction) that are age appropriate and of equal rigor as non-EL instruction. Placing ELs in age-appropriate grade levels will provide meaningful access to programs designed to help ELs meet grade-level standards. Other factors LEAs may consider include determining if the curriculum reflects the experiences and perspectives of a variety of cultural and linguistic groups. Schools may also consider whether the school culture is inclusive of culturally and linguistically diverse (CLD) students in order to facilitate an effective learning environment for all students.

ELs are a heterogeneous group, diverse in ethnic and language backgrounds, socioeconomic status, education levels, and levels of English language proficiency (ELP). In order to effectively educate ELs, teachers must assess each student's academic and language-development needs and tailor their instruction accordingly. Teachers also need to closely monitor student progress. Schools and LEAs must use appropriate and reliable evaluations and testing methods to measure ELs' knowledge of core subjects. This includes assessing ELs in their primary languages when ELs receive content instruction in those languages. Additional information on monitoring the progress of ELs will be discussed in depth in Chapter 8 of this tool kit.

As noted earlier, if students develop academic gaps while focusing on English language acquisition, LEAs must provide compensatory and supplemental services to remedy those gaps. Provided that those services are offered during the instructional day, LEAs may also consider for example, ELs' access to summer programs that can provide extra support. Sacks (2014) studied one statewide effort to provide summer programs for ELs, and concluded that programs with a mix of academic instruction and enrichment activities diminished summer learning loss for ELs.

In addition to offering equal access to the core curriculum, LEAs have an obligation to provide ELs with equal opportunities to participate meaningfully in "all programs and activities . . . whether curricular, co-curricular, or extracurricular." (U.S. Department of Education, Office of Civil Rights, and U.S. Department of Justice, January 2015). This includes the obligation to provide ELs with equal access to all school facilities—including computer labs, science labs, etc. It also includes pre-kindergarten, magnet, and career and technical education programs, as well as counseling services, online and distance learning opportunities, performing and visual arts, athletics, and extracurricular activities, such as clubs and honor societies. As the next section explores, LEAs must also provide ELs with equal access to Advanced Placement (AP), honors, and International Baccalaureate (IB) courses, and gifted and talented education (GATE) programs.

The following checklist is intended to assist with providing equal access to curricular and extracurricular programs. The checklist provides suggested questions only. Schools and LEAs should check with their SEA's policies and federal guidance to ensure compliance.

English Language Development (ELD)

- ★ Does ELD instruction prepare ELs to participate in the academic curriculum in English?
- ★ Is the ELD instruction tailored to and does it build upon students' levels of ELP?
- ★ Is there ongoing, systematic assessment of ELs' progress toward English proficiency?

Curricular and Extracurricular Programs

- ★ Do the EL programs provide access to the same standard grade-level curriculum—or to a comparable curriculum, equally rigorous—as is offered to never-ELs, while also providing appropriate language assistance strategies in core instruction?
- ★ Are ELs integrated into the school's educational programs, extracurricular offerings, additional services, and student body?
- ★ Do ELs have equal access to all of the school's facilities (e.g., computer labs, science labs, cafeteria, gym, and library)?
- ★ Are ELs assessed in the core-content areas with appropriate and reliable evaluations and testing methods?
- ★ Do content assessments indicate that ELs are making academic progress while in the EL program, and that former ELs are performing comparably to that of their never-EL peers? If not, are timely services provided to ELs to accelerate academic progress? Are those services offered within the school day?

You can access **Tools and Resources for Providing English Learners Equal Access to Curricular and Extracurricular Programs** at http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html.

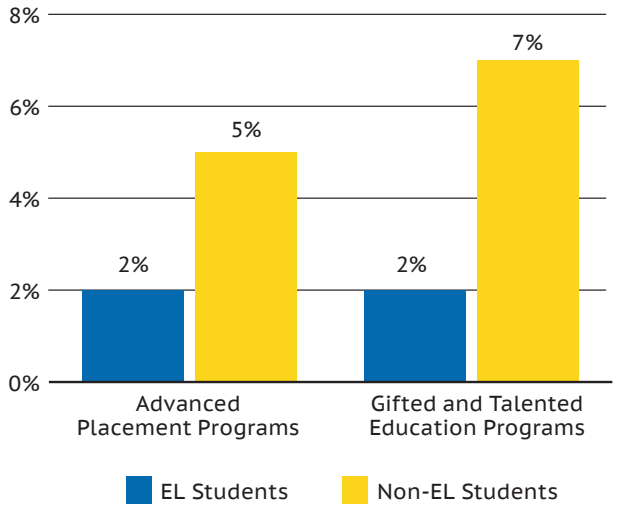
PROVIDING ENGLISH LEARNERS EQUAL ACCESS TO ADVANCED COURSES AND GIFTED AND TALENTED PROGRAMS

KEY POINTS

- **LEAs may not exclude ELs from GATE programs, or other specialized programs, such as AP, honors, and IB courses.**
- **LEAs must ensure that evaluation and testing procedures for GATE or other specialized programs do not screen out ELs because of their ELP levels.**
- **SEAs and LEAs should monitor the extent to which ELs and former ELs are referred for and participate in GATE programs and AP, honors, and IB courses, as compared to their never-EL peers.**



In school year 2011–12, ELs represented 5 percent of high school students, yet only two percent of all students who were enrolled in at least one AP course. That same school year, ELs represented only 1 percent of the students receiving a qualifying score of three or above on an AP exam. As shown below, non-ELs participated in AP programs at a rate of two-and-a-half times that of ELs and in GATE programs at a rate of three-and-a-half times that of ELs (U.S. Department of Education, Office for Civil Rights, 2014).



Source: U.S. Department of Education Office for Civil Rights, Civil Rights Data Collection. (2014, March). *Data snapshot: College and career readiness* (Issue Brief #3). Washington, DC: Author.

LEAs should identify all students, including ELs, who can participate in GATE or other specialized courses such as AP, honors, or IB. Expanded access to rigorous coursework helps prepare students for success in college and careers. LEAs must ensure that their GATE admission policies and practices do not limit ELs' access to and participation in GATE. If an LEA believes there is an educational justification for requiring English proficiency in a particular GATE or other advanced program, it should consider whether a school could use a comparably effective policy or practice that would have a less adverse impact on EL students. Lastly, SEAs and LEAs should monitor the extent to which ELs and former ELs are referred for and participate in GATE programs and AP, honors, and IB courses, as compared to their never-EL peers.

A case study of one LEA (Harris, Plucker, Rapp, & Martínez, 2009) found that ELs are underrepresented in gifted and talented programs, and presented several barriers related to LEA referral and identification policies. The challenges included (1) a lack of clear guidance from the SEA on identifying students from underrepresented populations who may be gifted; (2) the frequent mobility among some ELs; (3) some teachers' belief that attaining ELP should occur before identifying ELs as gifted and talented; (4) assessment instruments that are not culturally appropriate; (5) a lack of professional development for general education teachers about the cultural backgrounds and histories of ELs; and (6) a lack of effective communication with EL parents.

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To ensure that ELs have the opportunity to participate in GATE programs, LEAs should evaluate them using multiple assessment tools, methods (e.g., non-verbal assessments, such as drawing, matching, portfolios, performances, etc.), and contexts (e.g., in-school and out-of-school), so that ELs can demonstrate their knowledge without relying primarily on their ability to use English (Harris, Rapp, Martínez, & Plucker, 2007). LEAs should also consult various sources, such as teachers, parents, and others. School personnel evaluating ELs for GATE services should also strive to understand ELs' diverse cultural values because different cultures stress different gifts and talents.

Additionally, ELs who are gifted and have a disability—sometimes referred to as twice exceptional students—must be carefully monitored so that they can receive EL and special education services, and gifted curricula at their ability levels. Twice exceptional ELs should receive services consisting of GATE instruction, English language support, special education and related services and supplementary aids and services (as specified in their IEPs), and appropriate accommodations and case management.

The following checklist is intended to assist with providing equal access to advanced classes and GATE programs for ELs. The checklist provides suggested questions only. Schools and LEAs should check with their SEA's policies and federal guidance to ensure compliance.

- ★ Do GATE admission criteria apply equally to both ELs and their never-EL peers? Are criteria for ELs unwittingly or arbitrarily set higher (for example, admitting only students with "B" averages or higher, when grades may be affected by ELP levels)?
- ★ Are GATE evaluations and testing methods available in formats that do not depend on students' English language skills?
- ★ Do GATE evaluations include multiple sources, methods, and recommendations from both ESL teachers and general education teachers?
- ★ Do the school personnel making GATE program participation decisions have knowledge of ELs' cultures and backgrounds?
- ★ Do policies and processes enable ELs to access advanced classes and GATE programs for which ELP is not necessary for meaningful participation?
- ★ Do policies and processes ensure that advanced classes, GATE programs, and EL services are not scheduled at the same time?
- ★ Do SEAs and LEAs have a process and policy to monitor the rate at which ELs and former ELs are referred for and participate in GATE programs and AP, honors, and IB courses, as compared to their never-EL peers?



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PROVIDING ENGLISH LEARNERS EQUAL ACCESS TO CURRICULAR AND EXTRACURRICULAR PROGRAMS

TOOLS

The U.S. Department of Education does not mandate or prescribe particular standards, curricula, lesson plans, assessments, or other instruments in this tool kit. This tool kit contains examples of, adaptations of, and links to resources created and maintained by other public and private organizations. This information is provided for the reader's convenience and is included here to offer examples of the many resources that educators, parents, advocates, administrators, and other concerned parties may find helpful and use at their discretion. The U.S. Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Further, the inclusion of links to items does not reflect their importance, nor is it intended to endorse any views expressed, or materials provided. All links included here were verified on June 10, 2015.

The following set of tools is intended to assist schools, LEAs, and SEAs in providing ELs with equal access to curricular and extra-curricular programs, advanced classes, and GATE programs. The tools provide information on how to access relevant school and district data, strategies for supporting ELs in meeting college- and career-ready standards and considerations in identifying and serving gifted ELs.

Tool #1, Data Collection, provides information on how to access and use the data on ELs from the Office for Civil Rights' Civil Rights Data Collection (CRDC).

Tool #2, Six Key Principles for Teaching English Learners, will help guide LEAs as they work to develop standard-aligned instruction for ELs.

Tool #3, English Learners and the College- and Career-Ready Standards, provides examples of resources, instructional strategies, coursework, etc., designed to help ELs meet college- and career-ready standards in language arts and mathematics.

Tool #4, Serving Gifted English Learners, includes policy recommendations for identifying and serving ELs who are gifted and talented.

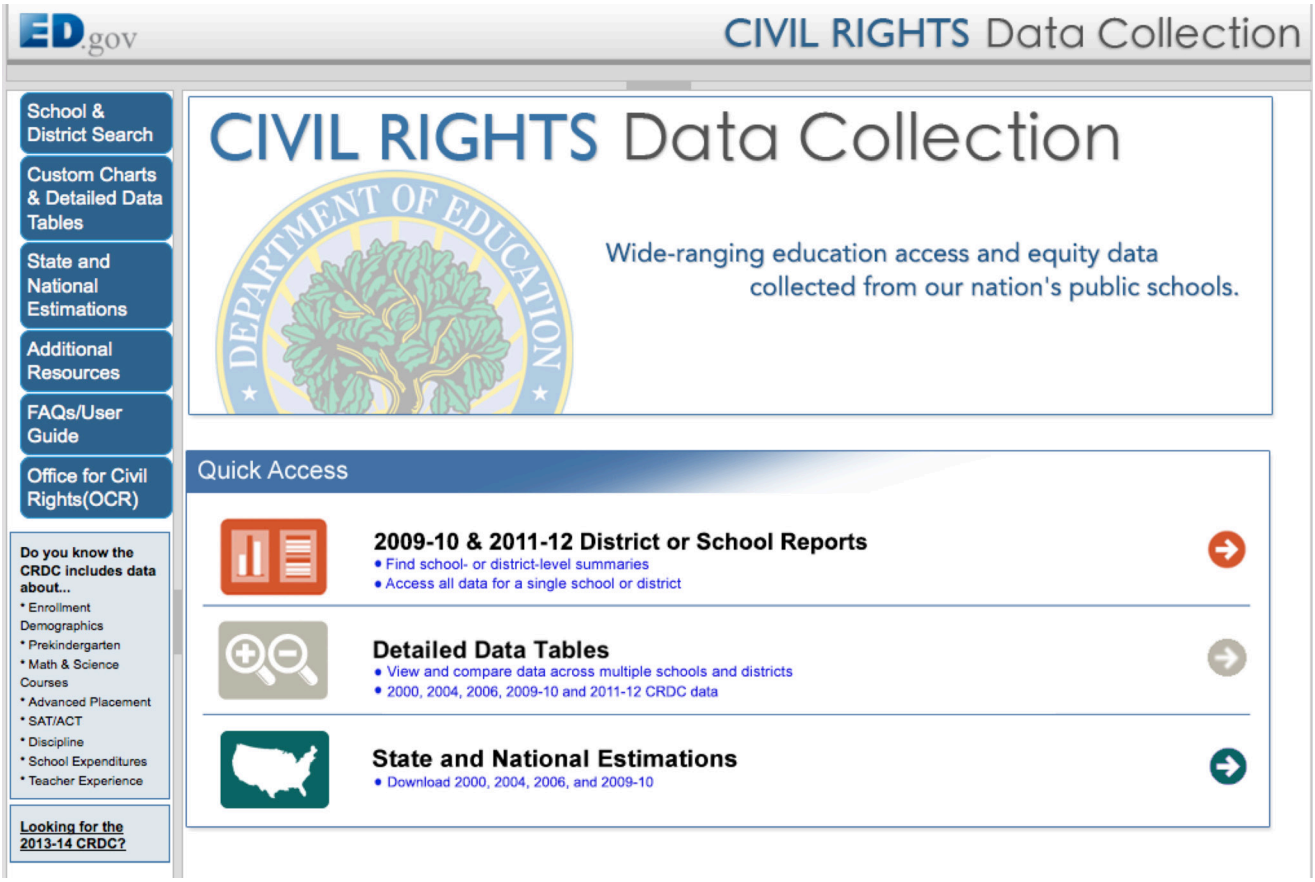


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TOOL #1
DATA COLLECTION

In analyzing school and LEA services to ELs, educators may begin with a review of the educational data available through multiple local, state, and national resources. One such resource is the CRDC website which provides data collected from schools and LEAs on key education and civil rights issues in our nation's public schools—including student enrollment and educational programs and services—and disaggregated by race/ethnicity, sex, EL status, and disability. The website presents this data using various reports and tools. It also provides school- and LEA-level summaries of the CRDC in its "Summary of Selected Facts" charts, and allows users to "drill down" into disaggregated data displays for all of the civil rights data from the 2011–12 school year for a school or LEA. The data can be an indicator of potential equity and opportunity gaps that may exist between ELs (or limited English proficient [LEP] students, as they are referred to here) and non-ELs. The data, however, does not disaggregate between ELs, former ELs, and never-ELs.

TIPS FOR FINDING CRDC DATA ON ENGLISH LEARNERS



How to Obtain and Use the Data

To investigate a school's or LEA's EL and non-EL enrollment rates in Algebra I, AP, and GATE programs as well as other information on ELs, follow these steps:

1. Visit OCR's CRDC website at http://ocrdata.ed.gov.
2. Click on "School and District Search" on the left-hand navigation menu or on "2009–10 and 2011–12 LEA or School Reports" in the center of the page.

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TOOL #1: DATA COLLECTION (CONTINUED)

3. Click on "Find School(s)" or "Find District(s)," depending on your search.
   - To search for a school by name, enter its name into the "School Name" field, and click "School Search." To focus on a particular state, select the state before clicking "School Search."
   - To search for a district, click on the "Find District (s)" tab, enter the name into the "District Name" box, and click "District Search."
   - Users can also search for a school or district by name, address, city, NCES ID, distance from zip code, state, or regional office. Please note that searches are limited to 200 results.
4. Search results will appear below the "Additional Search" options. Click the school or district link from the list of results. Clicking on the name of a school will take you to the "School Summary" page, while clicking on the name of a LEA will take you to the "District Summary" page.
5. The "Summary of Selected Facts" page displays overview information about the chosen school or district. Selected data are displayed in five categories: (1) Characteristics and Membership, (2) Staffing and Finance, (3) Pathways to College and Career Readiness, (4) College and Career Readiness, and (5) Discipline, Restraint/Seclusion, Harassment/Bullying.
6. To look into more detailed EL data, use the links in the light blue boxes called "Additional Profile Facts Available." Users can choose to view the data as charts or tables (counts or percentages). OCR has compiled many pertinent EL facts into EL reports. Click on "English learner (EL) report" to review the main report, or on the plus sign to the left to view an expanded menu that includes "Total LEP students" or "LEP students enrolled in LEP programs" sub-reports.
   - The main report includes data on the following topics:
     - District characteristics
     - LEP enrollment, including race/ethnicity and proportions served in English Language Instruction Educational Programs and under the *Individuals With Disabilities Act* (*IDEA*)
     - Pathways to college- and career-readiness, including information on LEP enrollment in early childhood, advanced math and science, and AP classes; gifted and talented education programs; and SAT and ACT test taking
     - Discipline
   - The sub-reports compare overall enrollment to the race/ethnicity, sex, and disability status of total LEP students in the school or those enrolled in LEP programs.
   - For additional data on ELs with disabilities, click "Students With Disabilities (*IDEA*)" or "Students With Disabilities (504)" in the blue box on the right-hand side of the screen. At the bottom of the page are data comparing rates of all students with those of ELs in an LEA who are served under *IDEA* or *Section 504* of the *Rehabilitation Act of 1973*, as amended. Under "EDFacts *IDEA*" are data by type of disability.
7. Using the "Detailed Data Tables" under "Custom Chart & Detailed Data Tables" in the left-hand navigation menu of the homepage (or in the main menu in the center of the page) allows users to view and compare data across multiple years and schools. Users can access and customize detailed data tables.

You can access **Tools and Resources for Providing English Learners Equal Access to Curricular and Extracurricular Programs** at http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html.

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TOOL #2
SIX KEY PRINCIPLES FOR TEACHING ENGLISH LEARNERS

The Understanding Language District Engagement Subcommittee at Stanford University compiled the following principles from papers presented and discussions had at its January 2012 meeting. In developing these principles, the subcommittee drew directly from theory, research, and professional knowledge related to the education of ELs and the papers presented at the conference.

KEY PRINCIPLES FOR ENGLISH LEARNER INSTRUCTION

The Common Core State Standards (CCSS) in English Language Arts and Mathematics as well as the Next Generation Science Standards (NGSS) require that ELs meet rigorous, grade level academic standards. The following principles are meant to guide teachers, coaches, EL specialists, curriculum leaders, school principals, and district administrators as they work to develop CCSS-aligned instruction for ELs. These principles are applicable to any type of instruction regardless of grade, proficiency level, or program type. Finally, no single principle should be considered more important than any other. All principles should be incorporated into the planning and delivery of every lesson or unit of instruction.

1. **Instruction focuses on providing ELs with opportunities to engage in discipline-specific practices, which are designed to build conceptual understanding and language competence in tandem.** Learning is a social process that requires teachers to intentionally design learning opportunities that integrate reading, writing, speaking, and listening with the practices of each discipline.
2. **Instruction leverages ELs' home language(s), cultural assets, and prior knowledge.** ELs' home language(s) and culture(s) are regarded as assets and are used by the teacher in bridging prior knowledge to new knowledge, and in making content meaningful and comprehensible.
3. **Standards-aligned instruction for ELs is rigorous, grade-level appropriate, and provides deliberate and appropriate scaffolds.** Instruction that is rigorous and standards-aligned reflects the key shifts in the CCSS and NGSS. Such shifts require that teachers provide students with opportunities to describe their reasoning, share explanations, make conjectures, justify conclusions, argue from evidence, and negotiate meaning from complex texts. Students with developing levels of English proficiency will require instruction that carefully supports their understanding and use of emerging language as they participate in these activities.
4. **Instruction moves ELs forward by taking into account their English proficiency level(s) and prior schooling experiences.** ELs within a single classroom can be heterogeneous in terms of home language(s) proficiency, proficiency in English, literacy levels in English and student's home language(s), previous experiences in schools, and time in the U.S. Teachers must be attentive to these differences and design instruction accordingly.
5. **Instruction fosters ELs' autonomy by equipping them with the strategies necessary to comprehend and use language in a variety of academic settings.** ELs must learn to use a broad repertoire of strategies to construct meaning from academic talk and complex text, to participate in academic discussions, and to express themselves in writing across a variety of academic situations. Tasks must be designed to ultimately foster student independence.

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TOOL #2: SIX KEY PRINCIPLES FOR TEACHING ENGLISH LEARNERS (CONTINUED)

6. **Diagnostic tools and formative assessment practices are employed to measure students' content knowledge, academic language competence, and participation in disciplinary practices.** These assessment practices allow teachers to monitor students' learning so that they may adjust instruction accordingly, provide students with timely and useful feedback, and encourage students to reflect on their own thinking and learning.

Source: Stanford University, Graduate School of Education, Understanding Language. (2013). *Key principles for ELL Instruction.* Stanford, CA: Author. Retrieved from *http://ell.stanford.edu/sites/default/files/Key%20Principles%20for%20ELL%20Instruction%20with%20references_0.pdf*

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Published June 2015

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TOOL #3
ENGLISH LEARNERS AND THE COLLEGE- AND CAREER-READY STANDARDS

While the following tool is designed for states that have adopted the Common Core State Standards it may prove useful for any state in applying college- and career-ready standards to ELs. The National Governors Association Center for Best Practices and the Council of Chief State School Officers are the owners and developers of the Common Core State Standards. The resource below, and others, can be found on the http://www.corestandards.org website.

ELLs are a heterogeneous group with differences in ethnic background, first language, socioeconomic status, quality of prior schooling, and levels of ELP. Effectively educating these students requires diagnosing each student instructionally, adjusting instruction accordingly, and closely monitoring student progress. For example, ELLs who are literate in a first language that shares cognates with English can apply first-language vocabulary knowledge when reading in English; likewise ELLs with high levels of schooling can often bring to bear conceptual knowledge developed in their first language when reading in English. However, ELLs with limited or interrupted schooling will need to acquire background knowledge prerequisite to educational tasks at hand. Additionally, the development of native like proficiency in English takes many years and will not be achieved by all ELLs especially if they start schooling in the US in the later grades. Teachers should recognize that it is possible to achieve the standards for reading and literature, writing & research, language development and speaking & listening without manifesting native-like control of conventions and vocabulary.

English Language Arts

The Common Core State Standards for English language arts (ELA) articulate rigorous grade-level expectations in the areas of speaking, listening, reading, and writing to prepare all students to be college and career ready, including English language learners. Second-language learners also will benefit from instruction about how to negotiate situations outside of those settings so they are able to participate on equal footing with native speakers in all aspects of social, economic, and civic endeavors.

ELLs bring with them many resources that enhance their education and can serve as resources for schools and society. Many ELLs have first language and literacy knowledge and skills that boost their acquisition of language and literacy in a second language; additionally, they bring an array of talents and cultural practices and perspectives that enrich our schools and society. Teachers must build on this enormous reservoir of talent and provide those students who need it with additional time and appropriate instructional support. This includes language proficiency standards that teachers can use in conjunction with the ELA standards to assist ELLs in becoming proficient and literate in English. To help ELLs meet standards in language arts it is essential that they have access to:

- Teachers and personnel at the school and district levels who are well prepared and qualified to support ELLs while taking advantage of the many strengths and skills they bring to the classroom;
- Literacy-rich school environments where students are immersed in a variety of language experiences;

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TOOL #3: ENGLISH LEARNERS AND THE COLLEGE- AND CAREER-READY STANDARDS (CONTINUED)

- ★ Instruction that develops foundational skills in English and enables ELLs to participate fully in grade-level coursework;
- ★ Coursework that prepares ELLs for postsecondary education or the workplace, yet is made comprehensible for students learning content in a second language (through specific pedagogical techniques and additional resources);
- ★ Opportunities for classroom discourse and interaction that are well-designed to enable ELLs to develop communicative strengths in language arts;
- ★ Ongoing assessment and feedback to guide learning; and
- ★ Speakers of English who know the language well enough to provide ELLs with models and support.

Mathematics

ELLs are capable of participating in mathematical discussions as they learn English. Mathematics instruction for ELLs should draw on multiple resources and modes available in classrooms—such as objects, drawings, inscriptions, and gestures—as well as home languages and mathematical experiences outside of school. Mathematics instruction for ELLs should address mathematical discourse and academic language. This instruction involves more than vocabulary lessons. Language is a resource for learning mathematics; it is not only a tool for communicating, but also a tool for thinking and reasoning mathematically. All languages and language varieties (e.g., different dialects, home or everyday ways of talking, vernacular, slang) provide resources for mathematical thinking, reasoning, and communicating.

Regular and active participation in the classroom—not only reading and listening but also discussing, explaining, writing, representing, and presenting—is critical to the success of ELLs in mathematics. Research has shown that ELLs can produce explanations, presentations, etc. and participate in classroom discussions *as they are learning English*.

ELLs, like English-speaking students, require regular access to teaching practices that are most effective for improving student achievement. Mathematical tasks should be kept at high cognitive demand; teachers and students should attend explicitly to concepts; and students should wrestle with important mathematics. Overall, research suggests that:

- ★ Language switching that can be swift, be highly automatic, and facilitate rather than inhibit solving word problems in the second language, as long as the student's language proficiency is sufficient for understanding the text of the word problem;
- ★ Instruction should ensure that ELLs understand the text of word problems before they attempt to solve them;
- ★ Instruction should include a focus on "mathematical discourse" and "academic language" because they are important for ELLs. Although it is critical that students who are learning English have opportunities to communicate mathematically; this is not primarily a matter of learning vocabulary. Students learn to participate in mathematical reasoning, not by learning vocabulary, but by making conjectures, presenting explanations, and/or constructing arguments; and

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TOOL #3: ENGLISH LEARNERS AND THE COLLEGE- AND CAREER-READY STANDARDS (CONTINUED)

- While vocabulary instruction is important, it is not sufficient for supporting mathematical communication. Furthermore, vocabulary drill and practice are not the most effective instructional practices for learning vocabulary. Research has demonstrated that vocabulary learning occurs most successfully through instructional environments that are language-rich, actively involve students in using language, require that students both understand spoken or written words and also express that understanding orally and in writing, and require students to use words in multiple ways over extended periods of time. To develop written and oral communication skills, students need to participate in negotiating meaning for mathematical situations and in mathematical practices that require output from students.

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Source: Common Core State Standards Initiative. (n.d.). Application of Common Core State Standards for English language learners. Retrieved from http://www.corestandards.org/assets/application-for-english-learners.pdf

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TOOL # 4
SERVING GIFTED ENGLISH LEARNERS

The National Association for Gifted Children developed a position statement that includes four dimensions and recommendations for equitably identifying gifted students from culturally, linguistically, and socioeconomically diverse groups. The following excerpted recommendations may help SEAs and LEAs develop and implement practices for ELs who are gifted.

IDENTIFYING AND SERVING CULTURALLY AND LINGUISTICALLY DIVERSE (CLD) GIFTED STUDENTS

Develop culturally sensitive identification protocols

- NAGC recommends that states and school districts critically examine policies and practices related to identification to determine where and how diverse students are excluded from gifted programs.
- To capture a holistic profile of all students, multiple criteria should be the norm. Qualitative and quantitative information gathered from families, teachers, and students should be part of the evaluative process.
- All instruments used for screening and identification (e.g., checklists, referral forms, assessments) should be valid, reliable, and culturally and linguistically sensitive.

Ensure early and continuous access to high-end curriculum

- Teachers should provide CLD [culturally and linguistically diverse] students with opportunities to be inspired and to demonstrate their giftedness. These opportunities should be provided early and continuously to ensure student success in gifted programs.
- Institutions of Higher Education and school districts should utilize the National Gifted Education Standards for PreK-12 Professional Development and Using the Gifted Education Standards for University Teacher Preparation Programs as guides for developing coursework and opportunities for professional development.

Provide essential supports for CLD gifted students

- Schools should create support programs to help gifted students from diverse backgrounds develop strong academic identities, learn coping strategies for dealing with negative peer pressure and discriminatory practices, and gain resiliency for responding to challenging life circumstances. Supportive programs should include opportunities to develop relationships with adults and college students from varied cultural groups across multiple domains.

Establish effective home, school, and community connections

- School leadership and personnel should be proactive in building trusting, reciprocal relationships with diverse families and communities.
- School personnel should enlist the support of local businesses and civic and faith-based organizations as partners in identifying and educating CLD gifted children and youth
- Schools are also encouraged to present information to faculty, staff, families, and the community about cultural influences on giftedness and how giftedness may be manifested.

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- ★ CLD parent support groups can be formed to help families of CLD students bond with each other and help schools enrich curriculum with information about unique cultural values.

Focus Research on Equity Issues

- ★ University, school district, private, and federal entities working in partnership should seek funding for research and demonstration projects related to equity issues.
- ★ Where best practices are currently in place, funding should be secured to ensure continuation of programming with consideration toward replicating such programs.

Source: National Association for Gifted Children (NAGC). (2011). *Identifying and serving culturally and linguistically diverse gifted students* (Position Statement). Washington, DC: Author. Retrieved from http://www.nagc.org/sites/default/files/Position%20Statement/Identifying%20and%20Serving%20Culturally%20and%20Linguistically.pdf

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PROVIDING ENGLISH LEARNERS EQUAL ACCESS TO CURRICULAR AND EXTRACURRICULAR PROGRAMS

RESOURCES

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American Educational Research Association. (2004, Winter*). English language learners: Boosting academic achievement* (Research Points Vol. 2 Issue 1). Washington, DC: Author. Retrieved from http://www.aera.net/Portals/38/docs/Publications/ENglish%20Language.pdf

This article provides guidance on how to teach literacy to ELs most effectively. The author identifies four critical components of reading instruction for ELs: (1) phonics, (2) vocabulary, (3) comprehension, and (4) speech. Several recommendations intend to help policy makers provide literacy support to ELs.

August, D., Salend, S., Staehr Fenner, D., & Kozik, P. (2012, July). *The evaluation of educators in effective schools and classrooms for all learners* (Issue Brief). Washington, DC: E3TL Consortium. Retrieved from http://connectingthedots.aft.org/sites/aft/files/documents/i3_Grant-ELL-SWD_Working_Group-Shared_Values_Paper-FINAL-7-3-12.pdf

This issue brief discusses how to help all students experience success in general education classrooms. The authors base this discussion on four interrelated educational principles: (1) all learners and equal access; (2) individual strengths and challenges supporting diversity; (3) reflective, responsive, differentiated, and evidence-based practices; and (4) culture, community, and collaboration.

Baker, S., Lesaux, N., Jayanthi, M., Dimino, J., Proctor, C. P., Morris, J., Gersten, R., Haymond, K., Kieffer, M. J., Linan-Thompson, S., & Newman-Gonchar, R. (2014). *Teaching academic content and literacy to English learners in elementary and middle school* (NCEE 2014-4012). Washington, DC: U.S. Department of Education, Institute of Education Sciences, National Center for Education Evaluation and Regional Assistance (NCEE). Retrieved from http://ies.ed.gov/ncee/wwc/practiceguide.aspx?sid=19

This practice guide offers "educators specific, evidence-based recommendations that address the challenge of teaching ELs in the elementary and middle grades: building their ELP while simultaneously building literacy, numeracy skills, and content knowledge of social studies and science. The guide provides practical and coherent information on critical topics related to literacy instruction for ELs, and is based on the best available evidence as judged by the authors."

Bermudez, A., & Marquez, J. (1998). Insights into gifted and talented English language learners. Retrieved from the Intercultural Development Research Association (IDRA) website: http://www.idra.org/IDRA_Newsletter/June__July_1998_Gifted_and_Talented_Students_Celebrating_25_Years_1973_-_1998/Insights_into_Gifted_and_Talented_English_Language_Learners/

This article discusses challenges in identifying gifted and talented ELs and strategies for doing so. The suggestions offered include guidelines to assist teachers and other school personnel in better serving these ELs.

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Blocher, R. L. (n.d.). Our most able learners from culturally and linguistically diverse backgrounds [Presentation]. Retrieved from https://www.cosa.k12.or.us/downloads/profdev/State%20EL%20Conference/2013/Handouts/Rebecca%20Blocher.pdf

This presentation identifies characteristics of gifted and talented children for both the general student population and ELs. Key strategies for identifying gifted ELs include (1) using assessment data that are gathered from multiple sources and include objective and subjective data, and professional and non-professional input on behavior; and (2) implementing identification practices that are early, specific, and on-going. This presentation recommends advocating for gifted and talented ELs, involving parents in the process, identifying cultural and linguistic differences, and inviting input from classroom and EL teachers.

Bunch, G. C., Kibler, A., & Pimentel, S. (2012). *Realizing opportunities for English learners in the Common Core English Language Arts and Disciplinary Literacy Standards*. Paper presentation at Understanding Language Conference, Stanford University School of Education, Stanford, CA. Retrieved from http://ell.stanford.edu/sites/default/files/pdf/academic-papers/01_Bunch_Kibler_Pimentel_RealizingOpp%20in%20ELA_FINAL_0.pdf

This paper addresses literacy instruction of ELs as a shared responsibility among teachers across disciplines, as well as curriculum developers, textbook writers, assessment specialists, teacher educators, administrators, researchers, policy makers, and others. The authors focus on four areas emphasized by the CCSS—reading, writing, speaking, and listening, and overall language acquisition—and within each offer a new approach in language and literacy instruction.

Castellano, J. A. (1998). *Identifying and assessing gifted and talented bilingual Hispanic students* (ERIC Digest). Charleston, WV: ERIC Clearinghouse on Rural Education and Small Schools. Retrieved from http://files.eric.ed.gov/fulltext/ED423104.pdf

This article addresses the issues in identifying and assessing gifted bilingual Hispanic students. It recommends the use of multiple criteria in the screening and identification process, including ethnographic, dynamic, and portfolio assessments; test scores; teacher observation; behavioral checklists; past school performance; parental interviews; writing samples; and input from the student's identified cultural group.

Coleman, R., & Goldenberg, C. (2012, February). The Common Core challenge for English language learners (ELLs). *Principal Leadership, 12*(6), 46-51. Retrieved from http://www.nassp.org/content/158/pl_feb12_goldenberg.pdf

This article focuses on the challenges of implementing CCSS with ELs. The authors provide suggested guidelines for school leaders and teachers to promote high levels of content and language learning for ELs through instruction in the content areas and promoting ELP.

Common Core State Standards Initiative. (n.d.). *Application of Common Core State Standards for English language learners*. Retrieved from http://www.corestandards.org/assets/application-for-english-learners.pdf

This document offers an overview of how the CCSS relate to ELs in ELA and mathematics. It highlights best practices for instruction and identifies current research on the topic.

Cook, H. G., Boals, T., & Lundberg, T. (2011, November). Academic achievement for English learners: What can we reasonably expect? *Kappan*, 93(3), 66-69. Retrieved from https://www.wida.us/get.aspx?id=485

This article discusses "the rate at which English learners acquire academic English, and the time needed for English learners to become English proficient." The authors conclude that both language proficiency and academic content proficiency must be used in any definition of "English proficiency," and that ELs do not all grow at the same rate.

Council of the Great City Schools. (2014, August). *A framework for raising expectations and instructional rigor for English language learners*. Washington, DC: Author. Retrieved from http://www.cgcs.org/cms/lib/DC00001581/Centricity/Domain/4/Framework%20for%20Raising%20Expectations.pdf

This document outlines a framework for acquiring English and attaining content mastery across the grades in an era in which college- and career-ready standards require more reading in all subject areas. It also includes criteria by which school administrators and teachers can determine whether instructional materials being considered for implementation are appropriate for ELs and are consistent with the college- and career-ready standards.

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Council of Chief State School Officers. (2014, April). *English language proficiency (ELP) standards with correspondences to k–12 practices and Common Core State Standards*. Washington, DC: Author. Retrieved from http://www.elpa21.org/sites/default/files/Final%204_30%20ELPA21%20Standards_1.pdf

The ELP standards—developed for kindergarten and grades one, two to three, four to five, six to eight, and nine to 12—highlight the language knowledge and skills that allow EL students to succeed in ELA, as well as in literacy, mathematics, and science. The standards focus on a strategic set of language functions ("what students do with language to accomplish content-specific tasks") and forms ("vocabulary, grammar, and discourse specific to a particular content area or discipline").

Educational Testing Service (ETS). (2014, March). *Assessment Services Supporting English Learners through Technology systems (ASSETS)*. Princeton, New Jersey: Author. Retrieved from http://www.k12center.org/rsc/pdf/assets_handout_march_2014.pdf

This document summarizes ASSETS, a "next-generation, technology-based English language proficiency assessment system for English language learners in Grades 1–12," and provides a timeline for its development and release. Based on the English language development (ELD) standards developed by the WIDA Consortium, ACCESS "will include a summative language proficiency assessment, an on-demand screener, classroom interim assessments, and foundations for formative assessment resources, as well as accompanying professional development materials."

EngageNY. (2014). Scaffolding instruction for English language learners: Resource guides for English language arts and mathematics. Retrieved from the EngageNY website at https://www.engageny.org/resource/scaffolding-instruction-english-language-learners-resource-guides-english-language-arts-and

These resource guides for ELA and mathematics provide guidance on how to use the curricular materials on the EngageNY website. The site is maintained by the NY State Education Department to support the implementation of key aspects of the New York State Board of Regents Reform Agenda. The resource guides provide additional "scaffolds" for ELs appropriate for their level of ELP.

Fultz, M., Lara-Alecio, R., Irby, B., & Tong, F. (2013). The Hispanic bilingual gifted screening instrument: A validation study. *National Forum of Multicultural Issues Journal*, *10*(1). Retrieved from http://www.nationalforum.com/Electronic%20Journal%20Volumes/Fultz,%20Monica%20The%20Hispanic%20Bilingual%20Gifted%20Screening%20Instrument%20NFMIJ%20V10%20N1%202013.pdf

This study examined the Hispanic Bilingual Gifted Screening Instrument (HBGSI) and analyzed its reliability and its concurrent validity with the Bilingual Verbal Ability Test (BVAT). The authors found that the HBGSI shows substantial evidence of reliability and of concurrent validity, indicating that this tool may help schools identify those ELs who may be gifted and talented.

Harris, B., Rapp, K. E., Martinez, R. S., & Plucker, J. A. (2007, November). Identifying English language learners for gifted and talented programs. *Roeper Review, 29*(5), 26-29. Retrieved from http://www.redorbit.com/news/education/1152658/identifying_english_language_learners_for_gifted_and_talented_programs/

This study reports the findings from a case study on the strategies used to identify gifted and talented (GT) ELs. The study collected data from staff, parents, students, and a review of district and state policies. Results revealed both theoretical and practical challenges for identifying GT.

Harris, B., Plucker, J. A., Rapp, K. E., & Martínez, R. S. (2009). Identifying gifted and talented English language learners: A case study. *Journal for the Education of the Gifted*, *32*(3), 368–393. Retrieved from http://files.eric.ed.gov/fulltext/EJ835865.pdf

This study reports the findings from a case study of an LEA's practices to identify ELs who may be gifted and talented. Data were collected from staff, parents, and students, and a review of district and state policies.

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Haynes, M. (2012, October). *The role of language and literacy in college- and career-ready standards: Rethinking policy and practice in support of English language learners* (Policy Brief). Washington, DC: Alliance for Excellent Education. Retrieved from http://all4ed.org/wp-content/uploads/2013/06/LangAndLiteracyInStandardsELLs.pdf

This policy brief describes (1) implementing new college- and career-ready standards for ELs; (2) understanding language acquisition among ELs; (3) aligning language proficiency and rigorous content standards for ELs; (4) analyzing language demands of the new standards; (5) changing the structure of secondary schools; and (6) changing state and local policies.

Kaplan, K. C., Lavadenz, M., & Armas, E. G. (2011, December). *Essential elements of effective practices for English learners* (Policy Brief No. 1). Long Beach, CA: Californians Together. Retrieved from Californians Together website: http://www.californianstogether.org/docs/download.aspx?fileId=340

This document synthesizes effective practices for ELs; presents four elements needed to implement programs for ELs, how to monitor teacher effectiveness; and program and policy recommendations. Recommendations include (1) district and state level policies, (2) alignment of targeted fiscal and human resources, and (3) teacher preparation and credential requirements.

King, K. A., Kozleski, E. B., & Lansdowne, K. (2009, May/June). Where are all the students of color in gifted education? *Principal,* 16-20. Alexandria, VA: National Association of Elementary School Principals. Retrieved from http://www.naesp.org/resources/2/Principal/2009/M-J_p16.pdf

This article explores how to improve the quality of learning opportunities, such as gifted education, for students who are culturally and linguistically diverse (CLD). Suggested strategies include retaining dually skilled teachers—those who are qualified to teach both gifted education and English-language learning—and enhancing criteria to identify and recruit students.

Koelsch, N. (2006, November). *Improving literacy outcomes for English language learners in high school: Considerations for states and districts in developing a coherent policy framework* (Research Brief). Washington, DC: National High School Center. Retrieved from http://betterhighschools.org/docs/NHSC_ImprovingLiteracy_010907.pdf

This brief addresses elements to consider when educating ELs at the secondary level: course offerings, overrepresentation of ELs in special education, graduation requirements, and professional learning for staff. The brief urges states and districts to "redesign literacy work for ELs in high school by moving from remediation to academic acceleration and enrichment."

Mathews, M. S. (2009, September). English language learner students and gifted identification. Retrieved from http://tip.duke.edu/node/921

This post focuses on the underrepresentation of ELs in gifted education programs in the United States. The author states that there are multiple reasons for this but targets schools' identification procedures as a major one. He also discusses how a school's "underlying philosophy on gifted education" can be a hindrance to ELs accessing gifted programs, and encourages parents to ask questions of their child's school concerning these opportunities.

Moschkovich, J. (2012). *Mathematics, the Common Core, and language: Recommendations for mathematics instruction for ELs aligned with the Common Core*. Paper presentation at Understanding Language Conference, Stanford University, Stanford, CA. Retrieved from http://ell.stanford.edu/sites/default/files/pdf/academic-papers/02-JMoschkovich%20Math%20FINAL_bound%20with%20appendix.pdf

This paper provides recommendations for developing mathematics programs for ELs that focus on improving mathematics instruction through language, professional development, and curriculum development.

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National Association for Gifted Children (NAGC). (2011). *Identifying and serving culturally and linguistically diverse gifted students* (Position Statement). Washington, DC: Author. Retrieved from http://www.nagc.org.442elmp01.blackmesh.com/sites/default/files/Position%20Statement/Identifying%20and%20Serving%20Culturally%20and%20Linguistically.pdf

This position statement paper proposes a "multi-dimensional paradigm shift from a deficit- to a strength-focused perspective" to meet the needs of CLD students in gifted education. Recommendations and best practices focus on (1) developing culturally sensitive identification protocols; (2) ensuring early and continuous access to high-rigor curricula; (3) providing essential support for CLD gifted students; (4) establishing home, school, and community connections; and (5) focusing research on equity issues.

National Association for Gifted Children (NAGC). (n.d.). Classroom instruction and teacher training for gifted students from diverse populations. Retrieved from http://www.nagc.org/resources-publications/resources/timely-topics/ensuring-diverse-learner-participation-gifted-1

This page on the NAGC website suggests the following four practices to promote equitable access and school success for underrepresented gifted students: (1) developing culturally sensitive identification protocols; (2) ensuring early and continuous access to high-end curriculum; (3) providing essential supports; (4) and establishing effective home, school, and community connections.

Oakes, A., & Maday, T. (2009, August 30). *Engaging Native American learners with rigor and cultural relevance* (Issue Brief). Washington, DC: Center for Comprehensive School Reform and Improvement. Retrieved from http://files.eric.ed.gov/fulltext/ED507588.pdf

This issue brief makes the case that a blend of strong instruction and cultural relevance can collaboratively boost lagging achievement among Native American students. The authors review educational challenges, research on instruction, and best-practice case studies with Native American students from California, Colorado, and New Mexico.

Olszewski-Kubilius, P., & Thomson, D. (2010, Fall). Gifted programming for poor or minority urban students: Issues and lessons learned. *Gifted Child Today*, 33(4), 58-64. Retrieved from http://www.davidsongifted.org/db/Articles_id_10670.aspx

This article presents research showing that successful programs for low-income or minority, gifted urban students are both multifaceted and flexible. It argues that effective programs must understand and build support within the family, school, and community. The article profiles two projects geared toward low-income or minority, gifted urban students, Project Excite and Project LIVE. These programs are designed to prepare talented minority students to enter existing programs for advanced learners.

Plucker, J., Giancola, J., Healey, G., Arndt, D., & Wang, C. (2015, March). *Equal talents, unequal opportunities: A report card on state support for academically talented low-income students*. Lansdowne, VA: Jack Kent Cooke Foundation. Retrieved from http://www.excellencegap.org/assets/files/JKCF_ETUO_Report.pdf

The authors of this report investigated state-level interventions designed to support "advanced learners" from low-income families. The study identifies state-level policies that support advanced learning, and highlights "disparities in educational outcomes of advanced learners from low-income families." Also included are best practices that states may adopt, and "interventions that have the greatest efficacy." The authors also rate each state based on its policies and the outcomes of high-ability, low-income students.

Plucker, J. A., Hardesty, J., & Burroughs, N. (n.d.) *Talent on the sidelines: Excellence gaps and America's persistent talent underclass*. Storrs, CT: University of Connecticut, Neag School of Education, Center for Education Policy Analysis. Retrieved from http://webdev.education.uconn.edu/static/sites/cepa/AG/excellence2013/Excellence-Gap-10-18-13_JP_LK.pdf

This report is a follow up to one released in 2010, *Mind the (Other) Gap*, which identified large gaps in academic achievement between low-income and minority students and their more affluent and white peers. The newer report reviews related studies since the 2010 report; examines data both on the relationship between minimum competency achievement gaps and excellence gaps and on the overall level of excellence in American schools; and provides recommendations for research, policy, and practice.

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Quinn, H., Lee, O., & Valdés, G. (n.d.). *Language demands and opportunities in relation to next generation science standards for English language learners: What teachers need to know*. Paper presentation at Understanding Language Conference, Stanford University, Stanford, CA. Retrieved from http://ell.stanford.edu/sites/default/files/pdf/academic-papers/03-Quinn%20Lee%20Valdes%20Language%20and%20Opportunities%20in%20Science%20FINAL.pdf

This paper discusses challenges and opportunities for ELs as they are taught from the Next Generation Science Standards (NGSS). Topics include a focus on science and engineering practices, intersections between science practices and language learning, features of science language, supporting science and language learning for ELs, and general language support strategies.

Sacks, L. D. (2014). About time: A mixed-methods evaluation of the Massachusetts Gateway Cities summer academies for English language learners. *Dissertation Abstracts International: Section A. Humanities and Social Sciences, 76*(5). Retrieved from http://search.proquest.com/docview/1645275090

This abstract describes a dissertation at Harvard University that examined Massachusetts' Gateway Cities summer academies to determine their impact on ELs. The author found that the majority of the students followed in the programs retained or increased their English knowledge.

San Diego County Office of Education. (n.d.) Common Core en Español: State Standards Initiative Translation project. Retrieved from: http://commoncore-espanol.com/

This website provides resources for the CCSS in Spanish. It provides grade-by-grade translations of the standards as well as lists of books and resources for Spanish speakers.

Saunders, W., Goldenberg, C., & Marcelletti, M. (2013, Summer). English language development: Guidelines for instruction. *American Educator*. Washington, DC: American Federation of Teachers. Retrieved from https://www.aft.org//sites/default/files/periodicals/Saunders_Goldenberg_Marcelletti.pdf

This article highlights individual studies and research syntheses that point to how educators might provide effective ELD instruction. This instruction focuses specifically on helping ELs develop English language skills during a portion of the school day that is separate from the instruction of academic content that all students need to learn.

Slavin, R. E., & Cheung, A. (2004, July). *A synthesis of research on language of reading instruction for English language learners*. Retrieved from http://files.eric.ed.gov/fulltext/ED483806.pdf

This article compares the results of reading performances for ELs who received bilingual instruction with those who were in English-only programs. The authors compared a total of 18 programs and concluded that, although the number of programs identified was relatively small, the evidence "favors bilingual approaches, especially paired bilingual strategies that teach reading in the native language and English at different times each day."

Slavin, R. E., Madden, N., Calderón, M., Chamberlain, A., & Hennessy, M. (2010, January). *Reading and language outcomes of a five-year randomized evaluation of transitional bilingual education*. Retrieved from http://www.bestevidence.org/word/bilingual_education_Apr_22_2010.pdf

This paper compares the performances of Spanish-dominant students in the fifth year of either a transitional bilingual education (TBE) program or a structured English immersion (SEI) program. Student performances were measured based on various standardized assessments and the results varied. However, they suggest that Spanish-dominant students performed "equally well" whether enrolled in a TBE or an SEI program.

Southeast Asia Resource Action Center (SEARAC). (2013, September). *How will Common Core State Standards impact Southeast Asian American students?* (Fact Sheet). Washington, DC: Author. Retrieved from http://www.searac.org/sites/default/files/SEARAC_COMMONCORE_2013.pdf

This fact sheet discusses the CCSS, how they will impact Southeast Asian American students, and SEARAC's recommendations to policy makers to ensure that these students will benefit from Common Core implementation.

You can access **Tools and Resources for Providing English Learners Equal Access to Curricular and Extracurricular Programs** at http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html.

The EL Tool Kit contains examples of, adaptations of, and links to resources created and maintained by other public and private organizations. This information is provided for the reader's convenience and is included here to offer examples of the many resources that educators, parents, advocates, administrators, and other interested parties may find helpful and use at their discretion. The U.S. Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Further, the inclusion of links to items does not reflect their importance, nor is it intended to endorse any views expressed, or materials provided.

Stanford University, Graduate School of Education, Understanding Language. (2013, January). *Key principles for ELL instruction*. Stanford, CA: Author. Retrieved from http://ell.stanford.edu/sites/default/files/Key%20Principles%20for%20ELL%20Instruction%20with%20references_0.pdf

These principles gleaned from papers presented at the January 2012 Understanding Language Conference at Stanford University. The principles reflect "theory, research, and professional knowledge related to the education of ELs." The principles may apply to any type of instruction "regardless of the grade, proficiency level or program type."

Szymanski, T., & Shaff, T. (2013) Teacher perspectives regarding gifted diverse students. *Gifted Children*, *6*(1). Retrieved from http://docs.lib.purdue.edu/cgi/viewcontent.cgi?article=1055&context=giftedchildren

This study examines teachers' perceptions of their preparedness to teach in multicultural settings, specifically working with "gifted Hispanic children." The authors find that in the "absence of training," teachers' perceptions of how to work with multicultural students vary. They conclude that "integrated trainings" are necessary to ensure that all students have access to these gifted programs.

TESOL International Association. (2013, March). *Overview of the Common Core State Standards initiatives for ELLs* (Issue Brief). Alexandria, VA: Author. Retrieved from http://www.tesol.org/docs/advocacy/overview-of-common-core-state-standards-initiatives-for-ells-a-tesol-issue-brief-march-2013.pdf?sfvrsn=4

This issue brief discusses the "initiatives now in place to address the needs of English language learners" in the CCSS. The authors discuss the development of the ELP standards and what is necessary to ensure that ELs are accessing the CCSS. They conclude that although a great deal of work is underway, "significant resources and professional development for teachers" is necessary for successful implementation of the CCSS.

U.S. Department of Education, Institute of Education Sciences, National Center for Education Evaluation and Regional Assistance, Regional Educational Laboratory for the Central Region. (2011, June). *Compilation of abstracts: Effective teaching of American Indian students*. Retrieved from http://www.niea.org/data/files/rel%20central%20american%20indian%20abstract%20compilation%202011.06.01.pdf

REL Central, at the request of the National Indian Education Association (NIEA), compiled this review of 128 abstracts from research on the education of American Indian/Alaska Native youths. The research areas are broken down into the following categories: (1) language needs of native speakers, (2) the effects of family and community involvement, (3) alternate instructional techniques, (4) culturally responsive teaching, and (5) standards-based instruction.

U.S. Department of Education, Office for Civil Rights. (2014, October). *Dear colleague letter: Resource comparability*. [Guidance to ensure all students have equal access to educational resources]. Retrieved from http://www2.ed.gov/about/offices/list/ocr/letters/colleague-resourcecomp-201410.pdf

This document provides detailed and concrete information to educators on the standards set in *Title VI* of the *Civil Rights Act of 1964*, including information on the requirements for educational resources; how OCR investigates resource disparities; and what SEAs, LEAs, and schools can do to meet their obligations to all students. Under *Title VI*, SEAs, LEAs, and schools must not intentionally treat students differently based on race, color, or national origin in providing educational resources. In addition, they must not implement policies or practices that disproportionately affect students of a particular race, color, or national origin, absent a substantial justification. The law does not require that all students receive the exact same resources to have an equal chance to learn and achieve. It does, however, require that all students have equal access to comparable resources in light of their educational needs.

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U.S. Department of Education, Office for Civil Rights, & U.S. Department of Justice, Civil Rights Division. (2015, January). *Dear colleague letter: English learner students and limited English proficient parents*. Retrieved from http://www2.ed.gov/about/offices/list/ocr/letters/colleague-el-201501.pdf

This document provides guidance to assist SEAs, LEAs, and all public schools in meeting their legal obligations to ensure that ELs can participate meaningfully and equally in educational programs and services. This guidance provides an outline of the legal obligations of SEAs and LEAs to ELs under the civil rights laws. Additionally, the guidance discusses compliance issues that frequently arise in OCR and DOJ investigations under *Title VI* of the *Civil Rights Act of 1964* and the *Equal Educational Opportunities Act*, and offers approaches that SEAs and LEAs may use to meet their federal obligations to ELs. The guidance also includes discussion of how SEAs and LEAs can implement their *Title III* grants and subgrants in a manner consistent with these civil rights obligations. Finally, the guidance discusses the federal obligation to ensure that limited English proficient parents and guardians have meaningful access to SEA-, LEA-, and school-related information.

U.S. Department of Education, Office for Civil Rights, Civil Rights Data Collection (CRDC). (2014, March). *Data snapshot: College and career readiness* (Issue Brief #3). Washington, DC: Author. Retrieved from http://www2.ed.gov/about/offices/list/ocr/docs/crdc-college-and-career-readiness-snapshot.pdf

This brief provides a quick overview of data about the status of college and career readiness in schools. It addresses such areas as the growing opportunity gap in gifted and talented education for students of color, ELs, and students with disabilities. Information is also provided on access to English language programs and retention rates for these populations.

Valentino, R. A., & Reardon, S. F. (2014, March). *Effectiveness of four instructional programs designed to serve English language learners: Variation by ethnicity and initial English proficiency*. Unpublished manuscript, Center for Education Policy Analysis, Graduate School of Education, Stanford University, Stanford, CA. Retrieved from http://cepa.stanford.edu/sites/default/files/Valentino_Reardon_EL%20Programs_14_0326_2.pdf

Researchers examined the effectiveness of different programs for ELs longitudinally and between students of different ethnicities (Latino and Chinese). They found that in the short term, EL second graders in dual immersion programs scored below those in English immersion programs. However, in the long term, those in dual immersion programs scored substantially higher than students in English immersion. Looking at both ethnicities across program types, Chinese ELs achieved English acquisition faster than Latino ELs.

Vialpando, J., Yedlin, J., Linse, C., Harrington, M., & Cannon, G. (2005). *Educating English language learners: Implementing instructional practices*. Washington, DC: National Council of La Raza. Retrieved from http://www.nclr.org/images/uploads/publications/file_ELL_Guide_2_FNL.pdf

This publication aims to assist schools in developing their capacity to provide appropriate curricula, instruction, and assessment for ELs, and to increase educators' awareness of how to access relevant resources. This guide "is designed for teachers, academic coaches, staff developers, and school leaders" and provides "instructional strategies, techniques, and guidelines helpful for engaging ELs and other diverse learners."

Wolf, M. K., Shore, J. R., & Blood, I. (2014, January). *English Learner formative assessment (ELFA): A design framework*. Princeton, NJ: Educational Testing Service. Retrieved from https://www.ets.org/s/research/pdf/elfa_design_framework.pdf

English Learner Formative Assessment (ELFA) is "a classroom-based, formative assessment of academic reading comprehension for ELs in middle schools." In particular, the assessment is designed for use in classes that focus on English as a Second Language (ESL), ELD, or English Language Arts (ELA) to develop students' ELP. As an assessment tool, ELFA may be used to help ELs develop academic reading comprehension skills. This resource includes a set of academic reading comprehension assessments and accompanying materials to be used as part of daily instruction.

You can access **Tools and Resources for Providing English Learners Equal Access to Curricular and Extracurricular Programs** at http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html.

The EL Tool Kit contains examples of, adaptations of, and links to resources created and maintained by other public and private organizations. This information is provided for the reader's convenience and is included here to offer examples of the many resources that educators, parents, advocates, administrators, and other interested parties may find helpful and use at their discretion. The U.S. Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Further, the inclusion of links to items does not reflect their importance, nor is it intended to endorse any views expressed, or materials provided.

Yeager, D. S., & Walton, G. M. (2011, June). Social-psychological interventions in education: They're not magic**.** *Review of Educational Research, 81*(2), 267–301. Retrieved from https://web.stanford.edu/~gwalton/home/Research_files/YeagerWalton2011.pdf

The authors studied interventions that target students' "psychology," such as "their beliefs that they have the potential to improve their intelligence or that they belong and are valued in school." The interventions can help students of all backgrounds focus on learning opportunities in schools and have the potential to address challenges, such as low student achievement levels among minority and disadvantaged students.

Zehler, A. M., Adger, C., Coburn, C., Arteagoitia, I., Williams, K., & Jacobson, L. (2008, June). *Preparing to serve English language learner students: School districts with emerging English language learner communities* (Issues & Answers Report, REL 2008–No. 049). Washington, DC: U.S. Department of Education, Institute of Education Sciences, National Center for Education Evaluation and Regional Assistance, Regional Educational Laboratory Appalachia. Retrieved from http://ies.ed.gov/ncee/edlabs/regions/appalachia/pdf/REL_2008049front.pdf

This report may help school districts deal with newly enrolling or rapidly increasing numbers of ELs. It offers background information and experiences from districts that have faced similar challenges in providing services and infrastructure to support the success of these students. The appendixes provide links to resources; identify sources of expert guidance; and list for each state in the region the districts that enroll ELs, to support district sharing of experiences and information.

To access these and other relevant resources, and for additional information about ELs, please visit http://www.ncela.ed.gov/.

Published September 2015

CHAPTER 5

TOOLS AND RESOURCES FOR CREATING AN INCLUSIVE ENVIRONMENT FOR AND AVOIDING THE UNNECESSARY SEGREGATION OF ENGLISH LEARNERS

This is the fifth chapter of the English Learner Tool Kit, which is intended to help state and local education agencies (SEAs and LEAs) meet their obligations to English Learners (ELs). This tool kit should be read in conjunction with the U.S. Department of Education Office for Civil Rights' (OCR) and the U.S. Department of Justice's (DOJ) Dear Colleague Letter on "English Learner Students and Limited English Proficient Parents," published in January 2015, which outlines SEAs' and LEAs' legal obligations to ELs under civil rights laws and other federal requirements. The Dear Colleague Letter can be found at http://www2.ed.gov/about/offices/list/ocr/ellresources.html.

CREATING AN INCLUSIVE ENVIRONMENT FOR AND AVOIDING THE UNNECESSARY SEGREGATION OF ENGLISH LEARNERS

KEY POINTS

- **LEAs must limit the segregation of ELs to the extent necessary to reach the stated goals of an educationally sound and effective program.**
- **LEAs should not keep ELs in segregated EL programs (or "EL-only" classes) for periods longer or shorter than required by each student's level of English proficiency, time and progress in the EL program, and the stated goals of the EL program.**
- **While ELs may receive intensive English language instruction or bilingual services in separate classes, it would rarely be justifiable to segregate ELs from their non-EL peers in subjects like physical education, art, music, or other activity periods outside of classroom instruction.**



Preparing all students for college, careers, and civic life begins with creating an inclusive and welcoming school climate where effective teaching and learning occur.

Schools should take steps to create positive school climates that welcome diversity and that prevent and address inappropriate behaviors, such as bullying and harassment. Such positive steps include training staff, engaging families and community partners, and helping students develop social-emotional skills that include conflict resolution. For additional information on school climate from the U.S. Department of Education, see *Guiding Principles: A Resource Guide for Improving School Climate and Discipline* at http://www2.ed.gov/policy/gen/guid/school-discipline/guiding-principles.pdf/. As part of an inclusive school climate, LEAs should implement educationally sound and effective EL programs and limit the degree of segregation of ELs to what the program requires.

EL programs may not segregate students on the basis of national origin or EL status unless there is a program-related, educational justification for doing so. Programs that allow for continuous inclusion and interaction between ELs and non-ELs, such as two-way immersion programs, do not raise concerns about segregation.

In addition, LEAs should not keep EL students in EL programs for periods that are longer or shorter than necessary to achieve the program's educational goals. The degree of segregation should be necessary to achieve the stated goals of the program and required by each

You can access **Tools and Resources for Creating an Inclusive Environment for English Learners** at http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html.

student's level of English language proficiency (ELP) and his or her time and progress in the EL program. For example, as ELs in a Spanish-transitional bilingual education program acquire higher levels of ELP, they should be transitioned from EL-only classes in Spanish into integrated content classes in English. These should include continued supports, as needed, in the students' primary languages or other supports needed to access the content. Further, while ELs may receive intensive English language instruction or bilingual services in separate classes, it would rarely be justifiable to segregate them from their non-EL peers in subjects like physical education, art, music, or other activity periods (e.g., lunch, recess, assemblies, and extracurricular activities). Research shows that when placed at length in segregated settings, ELs may be at risk for school failure, delayed graduation, and negative academic self-concepts (Gandara & Orfield, 2010).

Therefore, before placing an EL in an EL program that contains a degree of segregation, an LEA should ensure that (1) the degree of segregation in the program is necessary to achieve the goals of an educationally sound and effective program; (2) the EL has comparable access to the standard curriculum within a reasonable period of time; and (3) the ELs in the EL program have the same range and level of extracurricular activities and additional services as non-EL students.

Some LEAs establish newcomer programs that are designed to help high school–age immigrant students develop linguistic, academic, and cultural skills. LEAs operating such programs should focus on increasing their inclusion by limiting the duration of self-contained newcomer programs (generally to one year) and regularly evaluating students' ELP to allow appropriate transitions out of newcomer programs throughout the academic year.

It is important to note that participation in a segregated EL program is voluntary. Further, the LEA should at least annually assess the ELP and appropriate level of language assistance for its ELs and determine their eligibility to exit.

See Chapter 2 for information on educationally sound and effective programs, Chapter 7 for information on parents' rights to opt their EL students out of EL programs or particular EL services, and Chapter 8 for information on monitoring and exiting ELs.

The following checklist is intended to assist SEAs and LEAs in determining whether their EL programs unnecessarily segregate ELs from non-ELs. The checklist provides suggested questions only. Schools and LEAs should check their SEAs' policies and federal guidance to ensure compliance.

- ★ What steps have been taken to develop positive and inclusive school climates for ELs?
- ★ What are the stated educational goals of the EL program? Is the degree of segregation necessary to achieve those goals?
- ★ Does the degree of segregation decrease commensurate with ELs' rising ELP levels as well as their time and progress in the EL program?
- ★ Do EL students participate with their non-EL peers during
  - grade-level curriculum?
  - extracurricular activities?
  - after-school activities?
  - other subjects (e.g., physical education, art, music)?
- ★ Is the EL program carried out in the least segregative manner, consistent with achieving the program's stated educational goals?
- ★ Have parents been informed of their right to opt their children out of the EL program or particular EL services?
- ★ Does the LEA at least annually assess the ELP of ELs and base program placement decisions on that data?
- ★ How is EL student progress monitored and assessed throughout the school year to inform instruction and placement?
- ★ For those EL students who are newcomers:
  - Does the LEA offer a segregated newcomer program? If so, is participation in it voluntary?
  - Is participation in a newcomer program based on ELs' academic and linguistic needs and not perceived behavior issues or other perceived needs?
  - Does the LEA offer opportunities for ELs in a newcomer program to take classes and participate in activities with non-ELs?
  - What support is provided to assist ELs to successfully transition out of newcomer programs?

You can access **Tools and Resources for Creating an Inclusive Environment for English Learners** at http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html.

CREATING AN INCLUSIVE ENVIRONMENT FOR AND AVOIDING THE UNNECESSARY SEGREGATION OF ENGLISH LEARNERS

TOOLS

The U.S. Department of Education does not mandate or prescribe particular curricula, lesson plans, assessments, or other instruments in this tool kit. This tool kit contains examples of, adaptations of, and links to resources created and maintained by other public and private organizations. This information is provided for the reader's convenience and is included here to offer examples of the many resources that educators, parents, advocates, administrators, and other interested parties may find helpful and use at their discretion. The U.S. Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Further, the inclusion of links to items does not reflect their importance, nor is it intended to endorse any views expressed, or materials provided. All links were verified on August 11, 2015.

The following set of tools is intended to help schools, LEAs, and SEAs to create welcoming and inclusive environments for and avoid the unnecessary segregation of ELs. The tools give tips on how to begin conversations about diversity and address bullying and harassment. They also provide a sample self-monitoring aid to avoid unnecessary segregation.

Tool #1, Diversity Self-Assessment, can help generate conversation among teachers and other education personnel on the topic of diversity.

Tool #2, Resources to Address Bullying and Harassment, provides resources to help address the bullying and harassment of ELs.

Tool #3, Sample Self-Monitoring Aid, can help schools, LEAs, and SEAs monitor the extent to which ELs are segregated in order to address any potential issues.



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TOOL #1
DIVERSITY SELF-ASSESSMENT

This Diversity Self-Assessment tool has been reprinted with permission from the Council for Exceptional Children. It can be used by individual teachers or during administrative team meetings, professional development sessions, or district planning meetings. Educators, administrators, and other stakeholders can answer the questions below to "examine their assumptions and biases in a thoughtful and potentially productive way." This tool can be adapted from an individual to a team-building tool in order to engage in conversations on diversity.

DIVERSITY SELF-ASSESSMENT

1. What is my definition of diversity?

2. Do the children in my classroom and school come from diverse cultural backgrounds?

3. What are my perceptions of students from different racial or ethnic groups? With language or dialects different from mine? With special needs?

4. What are the sources of these perceptions (e.g., friends, relatives, television, movies)?

5. How do I respond to my students, based on these perceptions?

6. Have I experienced others' making assumptions about me based on my membership in a specific group? How did I feel?

7. What steps do I need to take to learn about the students from diverse backgrounds in my school and classroom?

8. How often do social relationships develop among students from different racial or ethnic backgrounds in my classroom and in the school? What is the nature of these relationships?

9. In what ways do I make my instructional program responsive to the needs of the diverse groups in my classroom?

10. What kinds of information, skills, and resources do I need to acquire to effectively teach from a multicultural perspective?

11. In what ways do I collaborate with other educators, family members, and community groups to address the needs of all my students?

Source: Montgomery, W. (2001). Creating culturally responsive, inclusive classrooms. *Teaching Exceptional Children, 33*(4), 4-9. Retrieved from http://www.nclr.org/images/uploads/general/A1d_%20Creating%20CR%20Classrooms.pdf

You can access **Tools and Resources for Creating an Inclusive Environment for English Learners** at http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html.

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TOOL #2
RESOURCES TO ADDRESS BULLYING AND HARASSMENT

As part of the White House Initiative on Asian Americans and Pacific Islanders (AAPI), the U.S. Department of Education, the U.S. Department of Health and Human Services, and the U.S. Department of Justice collaborated to form an AAPI Bullying Prevention Task Force (AAPI Task Force). The AAPI Task Force recently launched a bullying prevention website, available at http://www.ed.gov/edblogs/aapi/aapi-bullying/. The website includes timely, relevant statistics about bullying, specifically bullying related to race, religion, or immigration status. It also provides links to useful resources from multiple federal agencies, many of which are available in multiple languages.

INFORMATION ON BULLYING AND HARASSMENT

- Some students, such as Micronesian students whose families have recently immigrated to the United States, face bullying and harassment based on their immigration status.
- Other students are bullied for the way they look or for their lack of English language skills. One 2014 study found that 67 percent of turbaned Sikh youths in Fresno, California, have experienced bullying or harassment.
- A 2012 survey found that half of the 163 Asian-American New York City public school student participants reported experiencing some kind of bias-based harassment, compared with only 27 percent in 2009.
- Another 2012 survey found that 50 percent of Muslim youths surveyed experienced verbal or social bullying because of their religion.

SAMPLE RESOURCES AVAILABLE

Federal Partners in Bullying Prevention

http://www.stopbullying.gov

Video: Overview of School Districts' Federal Obligation to Respond to Harassment

U.S. Department of Justice

Harassment Fact Sheet – English | Punjabi

Community Relations Service: Flyer on Student Problem Identification and Resolution of Issues Together – SPIRIT

"Federal Protections Against National Origin Discrimination" Arabic, Cambodian, Chinese, English, Farsi, French, Haitian Creole, Hindi, Hmong, Korean, Laotian, Punjabi, Russian, Spanish, Tagalog, Urdu, Vietnamese

U.S. Department of Education, Office for Civil Rights

OCR Fact Sheet on Harassment and Bullying (October 2010): English | Chinese | Korean | Punjabi | Tagalog | Vietnamese

OCR Fact Sheet on Bullying and Harassment of Students w/ Disabilities (October 2014)

"Dear Colleague" letter (Oct. 26, 2010) clarifying the relationship between bullying and discriminatory harassment, providing examples of harassment and illustrating how a school should respond in each case

Source: White House Initiative on Asian Americans and Pacific Islanders. Bullying (Web page). Retrieved from http://www.ed.gov/edblogs/aapi/aapi-bullying/

You can access **Tools and Resources for Creating an Inclusive Environment for English Learners** at http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html.

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TOOL #3
SAMPLE SELF-MONITORING AID

The following tool is a self-monitoring aid that schools, LEAs, and SEAs can use to determine if ELs are unnecessarily segregated from their non-EL peers. The sample tool is based on current LEA and SEA tools. The form begins with key guidelines for creating an inclusive environment for ELs.

CREATING AN INCLUSIVE ENVIRONMENT FOR ELs: SELF-MONITORING FORM

KEY GUIDELINES

- While most EL programs require that EL students receive separate instruction for a limited period of time (e.g., a period of ESL), LEAs must implement each program in the least segregative manner, consistent with achieving the program's stated educational goals.
- LEAs must ensure that (1) parents are informed that they have the right to opt their children out of the EL program or particular EL services, and (2) EL students have their English proficiency assessed at least annually to ensure appropriate placement and levels of language assistance services.
- LEAs should not keep EL students in EL programs for periods longer or shorter than necessary to achieve the program's educational goals, and the degree of segregation should not exceed that required by each student's level of ELP and time and progress in the EL program.
- LEAs operating newcomer programs or schools should limit the duration of self-contained newcomer programs (to generally one year) and regularly evaluate students' ELP to allow appropriate transitions into more integrated EL programs throughout the academic year.

Elements to Support Inclusion	Rating 5 = All of the time 4 = Most of the time 3 = Some of the time 2 = Rarely 1 = Never	Evidence to Support Rating	Needed Action
1. Vision			
a. The LEA values and celebrates student diversity as reflected in its organizational vision or mission statement.			
b. Leadership is knowledgeable about civil rights laws as they pertain to English Learners.			
c. The LEA has a plan of action to facilitate an inclusive school culture and climate.			

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You can access **Tools and Resources for Creating an Inclusive Environment for English Learners** at http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html.

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TOOL #3: SAMPLE SELF-MONITORING AID (CONTINUED)

Elements to Support Inclusion	Rating 5 = All of the time 4 = Most of the time 3 = Some of the time 2 = Rarely 1 = Never	Evidence to Support Rating	Needed Action
2. Program Placement			
a. The LEA's enrollment forms do not inquire about students' or their parents' immigration status.			
b. The LEA does not segregate EL students from their English-speaking peers, except where programmatically necessary, to implement an educationally sound and effective EL education program.			
c. If it is programmatically necessary to separate ELs from their English-speaking peers for part of the school day, the LEA (or SEA when prescribing the EL program) provides guidance on the amount of time that is instructionally appropriate for each program model and the ELs' ELP level and time and progress in the program.			
d. ELs participate fully with their non-EL peers in subjects like physical education, art, music, or other activity periods outside of classroom instruction (e.g., recess, lunch, and assemblies).			
e. The LEA ensures that participating in an EL program is voluntary by informing parents of their right to opt their children out of EL programs and services.			
f. Program facilities and resources are comparable to the facilities and resources of the non-EL student population.			

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TOOL #3: SAMPLE SELF-MONITORING AID (CONTINUED)

Elements to Support Inclusion	Rating 5 = All of the time 4 = Most of the time 3 = Some of the time 2 = Rarely 1 = Never	Evidence to Support Rating	Needed Action
3. Curriculum			
a. The LEA ensures that ELs have access to the same academic standards and rigorous curriculum as their non-EL peers.			
b. The LEA ensures that EL students have the opportunity to enter academically advanced classes, receive credit for work done, and have access to the full range of programs as non-EL students.			
4. Assessment and Monitoring			
a. ELs are included in SEA and LEA assessments.			
b. Classroom assessments are culturally and linguistically appropriate.			
c. The LEA regularly monitors EL placement patterns to ensure that placement decisions are based on each student's level of ELP and time and progress in the EL program.			
5. Access to Support Services and Activities			
a. The LEA provides access to the full range of academic instruction and supports including special education and/or related aids and services for eligible students with disabilities under the *Individuals With Disabilities Education Act* and *Section 504* of the *Rehabilitation Act of 1973*, *Title I* services, career and technical education, magnet programs, and any other services and supports available to non-EL students.			
b. The LEA ensures that ELs have equal access to all co-curricular and extracurricular activities.			

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TOOL #3: SAMPLE SELF-MONITORING AID (CONTINUED)

Elements to Support Inclusion	Rating 5 = All of the time 4 = Most of the time 3 = Some of the time 2 = Rarely 1 = Never	Evidence to Support Rating	Needed Action
6. Staffing			
a. The EL program is staffed with teachers who are qualified to provide EL services, core-content teachers who are highly qualified in their field as well as trained to support EL students, and trained administrators who can evaluate these teachers.			
b. The LEA provides resources to support the professional learning of all staff in the requirements for EL inclusion and effective EL instructional practices.			
c. The LEA provides appropriate administrative support for implementing inclusive practices for ELs.			
7. Communication with Students and Families			
a. Limited English proficient (LEP) parents are provided information in a language they understand about any program, service, or activity that is called to the attention of non-LEP parents.			
b. Parents of ELs are involved as members of school and LEA committees and engaged in decision-making activities affecting their children's education.			
c. The LEA provides support to schools in their efforts to reach out to families and engage them as partners in their children's education.			
d. The LEA provides parents with information, training, and support that are respectful of cultural and linguistic diversity.			

Source: Belknap, B., & Zantal-Wiener, K. (2015). Creating an inclusive environment for ELs: Self-monitoring form. Silver Spring, MD: National Clearinghouse for English Language Acquisition (NCELA). Retrieved from http://ncela.ed.gov/inclusive-environment-els-sample-monitoring-form

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CREATING AN INCLUSIVE ENVIRONMENT FOR AND AVOIDING THE UNNECESSARY SEGREGATION OF ENGLISH LEARNERS

RESOURCES

The U.S. Department of Education does not mandate or prescribe particular curricula, lesson plans, assessments, or other instruments in this tool kit. This tool kit contains examples of, adaptations of, and links to resources created and maintained by other public and private organizations. This information is provided for the reader's convenience and is included here to offer examples of the many resources that educators, parents, advocates, administrators, and other interested parties may find helpful and use at their discretion. The U.S. Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Further, the inclusion of links to items does not reflect their importance, nor is it intended to endorse any views expressed, or materials provided. All links were verified on August 11, 2015. The list of resources will be updated and revised in the future.

Arias, M. B. (2007). PICS: The educational implications of linguistic isolation and segregation of Latino English language learners (ELLs). Retrieved from The Civil Rights Project website: http://civilrightsproject.ucla.edu/legal-developments/court-decisions/the-educational-implications-of-linguistic-isolation-and-segregation-of-latino-english-language-learners-ells

This article responds to the Supreme Court 2007 decision in *Parents Involved in Community Schools v. Seattle School District*, also known as the "*PICS*" case, and looks at it through the lens of the English acquisition needs of Latino ELs. The author argues that if Latino ELs are to receive constitutionally guaranteed access to opportunities to learn English, there must be mechanisms permitted for identifying and implementing best practices and beneficial educational contexts most conducive to ELs' academic success.

Belknap, B., & Zantal-Wiener, K. (2015). Creating an inclusive environment for ELs: Self-monitoring form. Silver Spring, MD: National Clearinghouse for English Language Acquisition (NCELA). Retrieved from http://ncela.ed.gov/inclusive-environment-els-sample-monitoring-form

This is self-monitoring aid that schools, LEAs, and SEAs can use to determine if Els are unnecessarily segregated from their non-EL peers. The sample tool is based on current LEA and SEA tools. The form begins with key guidelines for creating an inclusive environment for ELs.

Gandara, P., & Orfield, G. (2010). *A return to the "Mexican room": The segregation of Arizona's English learners*. Los Angeles, CA: University of California Los Angeles, The Civil Rights Project. Retrieved from ERIC website: http://files.eric.ed.gov/fulltext/ED511322.pdf

This paper reviews the research on the impact of segregation on Latino students and ELs, including empirical research conducted in Arizona. It also reviews court decisions regarding students' right to be integrated with their mainstream peers and provides data on the segregation of Arizona's Latino students and ELs. This paper also reviews the existing literature on the impact of segregation at both the school and classroom levels and pays special attention to the effects of linguistic isolation for ELs.

Haynes, J. (2014). Strategies for providing a bully-free environment for ELLs. *TESOL Blog*. Retrieved from http://blog.tesol.org/strategies-for-providing-a-bully-free-environment-for-ells/

This article provides suggestions for teachers who would like to help students learn about bullying through "language, visuals, and peer translation." The author offers strategies for helping ELs when they encounter bullying. The article is based on a chapter entitled "Sticks and Stones: Preventing Bullying in the Elementary School," by Joann Frechette and Judie Haynes, in *Authenticity in the Language Classroom and Beyond,* edited by Maria Dantas-Whitney and Sarah Rilling.

You can access **Tools and Resources for Creating an Inclusive Environment for English Learners** at http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html.

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Language Lizard. (2011). Eight tips to protect ELLs from bullying in your classroom and school. Retrieved from the Colorín Colorado website: http://www.colorincolorado.org/article/55612/

This article explains how ELs are often bullied and mocked because of their accents and diverse cultural characteristics. Included are suggestions and resources for families and teachers to help ELs understand and cope with bullying.

Mendez v. Westminster School District of Orange County, 64 F. Supp. 544 (S.D. Cal. 1946), aff'd, 161 F.2d 774 (9th Cir. 1947) (en banc). Retrieved from http://www.esauboeck.com/index/Mendez_v_Westminster_64_FSupp_544

This federal court case, brought by the fathers of five Mexican and Mexican-American students, challenged racial segregation of Mexican and Mexican-American students in Orange County, California, schools. The United States Court of Appeals for the Ninth Circuit ultimately held that the segregation of these students into separate "Mexican schools" was unconstitutional. This case preceded *Brown v. Board of Education* and laid the foundation for ending school segregation.

Menken, K., Kleyn, T., & Chae, N. (2012). Spotlight on "long-term English language learners": Characteristics and prior schooling experiences of an invisible population. *International Multilingual Research Journal, 6*, 121-142. Retrieved from https://katemenken.files.wordpress.com/2011/10/menken-kleyn-chae-2012-spotlight-on-e2809clong-term-english-language-learnerse2809d-imrj1.pdf

This article presents qualitative research findings about the characteristics and prior schooling experiences of "long-term English language learners (LTELLs)," who have attended U.S. schools for seven years or more, and about whom there is little empirical research, despite their significant numbers. Findings indicate that these students are orally bilingual for social purposes yet have limited academic literacy skills in English or in their native languages as a result of prior schooling experiences. Two main groups of LTELLs are identified: (1) students with inconsistent U.S. schooling, who have shifted between bilingual education, English as a Second Language (ESL), and mainstream classrooms with no language support programming, and (2) transnational students, who have moved back and forth between the United States and their families' countries of origin. It argues that programming for LTELLs in high school must be distinctive and offers policy and practice recommendations.

Montgomery, W. (2001). Creating culturally responsive, inclusive classrooms. *Teaching Exceptional Children, 33*(4), 4-9. Retrieved from http://www.nclr.org/images/uploads/general/A1d_%20Creating%20CR%20Classrooms.pdf

The author provides suggestions for creating culturally responsive classrooms to help culturally diverse students understand the meaning of what is being taught and the tasks they must perform. The author provides numerous suggestions for creating a culturally responsive classroom. A first step is to conduct a diversity self-assessment to understand assumptions and biases.

National Education Association. (2012, May). *Focus on Asian American and Pacific Islanders: API students at increased risk for bullying*. Washington, DC: Author. Retrieved from http://www.nea.org/assets/docs/FocusOnAsianAmPacificIsl.pdf

This article provides several reasons why Asian-American and Pacific-Islander students are bullied, such as "racial tensions, resentment of immigrants and language barriers . . . , the stereotype of API students as unassertive overachievers, and the spike in attacks against students perceived as Muslim." It includes strategies and resources that schools, teachers, and policy makers can use to "protect students and empower the school community" against bullying.

U.S. Department of Education, Office for Civil Rights. (2010, October). *Dear colleague letter: Harassment and bullying*. Retrieved from http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201010.pdf

This Dear Colleague Letter outlines the obligations of schools to prevent bullying and harassment on the basis of race, color, national origin, sex, or disability. The guidance draws a distinction between bullying and discriminatory harassment and outlines the obligations of schools to address both forms of student misconduct appropriately. The guidance points to *Title VI* of the *Civil Rights Act of 1964*, which prohibits discrimination on the basis of race, color, or national origin; *Title IX* of the *Education Amendments of 1972*, which prohibits discrimination on the basis of

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sex; and *Section 504* of the *Rehabilitation Act of 1973* and *Title II* of the *Americans with Disabilities Act*, which prohibit discrimination on the basis of disability. Schools have responsibilities under these statutes to prevent and address discrimination, sometimes beyond the requirements of their anti-bullying policies. The letter offers several concrete examples in which schools failed to respond to discriminatory student conduct appropriately and guidance on what should have been done differently.

U.S. Department of Education, Office for Civil Rights. (2014, October). *Dear colleague letter: Resource comparability*. (Guidance to ensure all students have equal access to educational resources.) Retrieved from http://www2.ed.gov/about/offices/list/ocr/letters/colleague-resourcecomp-201410.pdf

This document provides detailed and concrete information to educators on the standards set in *Title VI* of the *Civil Rights Act of 1964*, including information on the requirements for educational resources; how OCR investigates resource disparities; and what SEAs, LEAs, and schools can do to meet their obligations to all students. Under *Title VI*, SEAs, LEAs, and schools must not intentionally treat students differently based on race, color, or national origin in providing educational resources. In addition, they must not implement policies or practices that disproportionately affect students of a particular race, color, or national origin, absent a substantial justification. The law does not require that all students receive the exact same resources to have an equal chance to learn and achieve. It does, however, require that all students have equal access to comparable resources in light of their educational needs.

U.S. Department of Education, Office for Civil Rights, and U.S. Department of Justice. (2015, January). *Dear colleague letter: English learner students and limited English proficient parents*. Retrieved from https://www2.ed.gov/about/offices/list/ocr/letters/colleague-el-201501.pdf

This document provides guidance to assist SEAs, LEAs, and all public schools in meeting their legal obligations to ensure that ELs can participate meaningfully and equally in educational programs and services. This guidance provides an outline of the legal obligations of SEAs and LEAs to ELs under the civil rights laws. Additionally, the guidance discusses compliance issues that frequently arise in OCR and DOJ investigations under *Title VI* of the *Civil Rights Act of 1964* and the *Equal Educational Opportunities Act* and offers approaches that SEAs and LEAs may use to meet their federal obligations to ELs. A discussion of how SEAs and LEAs can implement their *Title III* grants and subgrants in a manner consistent with these civil rights obligations is included. Finally, the guidance discusses the federal obligation to ensure that limited English proficient parents and guardians have meaningful access to SEA-, LEA-, and school-related information.

White House Initiative on Asian Americans and Pacific Islanders. (n.d.). Bullying. (Web page). Retrieved from http://www.ed.gov/edblogs/aapi/aapi-bullying/

The White House Initiative on Asian Americans and Pacific Islanders was created to "improve the quality of life for Asian Americans and Pacific Islanders," and—through the efforts of its Asian American and Pacific Islander Bullying Prevention Task Force—has a bullying prevention website that includes timely, relevant statistics about bullying and specifically bullying related to race, religion, or immigration status.

To access these and other relevant resources, and for additional information about ELs, please visit http://www.ncela.ed.gov/.

CHAPTER 6

TOOLS AND RESOURCES FOR ADDRESSING ENGLISH LEARNERS WITH DISABILITIES

This is the sixth chapter of the English Learner Tool Kit, which is intended to help state and local education agencies (SEAs and LEAs) meet their obligations to English Learners (ELs). This tool kit should be read in conjunction with the U.S. Department of Education Office for Civil Rights' (OCR) and the U.S. Department of Justice's (DOJ) Dear Colleague Letter on "English Learner Students and Limited English Proficient Parents," published in January 2015, which outlines SEAs' and LEAs' legal obligations to ELs under civil rights laws and other federal requirements. The Dear Colleague Letter can be found at http://www2.ed.gov/about/offices/list/ocr/ellresources.html.

TOOLS AND RESOURCES FOR ADDRESSING ENGLISH LEARNERS WITH DISABILITIES

KEY POINTS

- **LEAs must identify, locate, and evaluate ELs with disabilities in a timely manner.**
- **LEAs must consider the English language proficiency of ELs with disabilities in determining appropriate assessments and other evaluation materials.**
- **LEAs must provide and administer special education evaluations in the child's native language, unless it is clearly not feasible to do so, to ensure that a student's language needs can be distinguished from a student's disability related needs.**
- **LEAs must not identify or determine that EL students are students with disabilities because of their limited English language proficiency.**
- **LEAs must provide EL students with disabilities with both the language assistance and disability related services they are entitled to under federal law.**



The *Individuals with Disabilities Education Act* (IDEA) and *Section 504* of the *Rehabilitation Act of 1973* (Section 504) address the rights of students with disabilities in school and other educational settings. If an EL is suspected of having one or more disabilities, the LEA must evaluate the EL promptly to determine if the EL has a disability or disabilities and whether the EL needs disability-related services (which are special education and related services under IDEA or regular or special education and related aids and services under Section 504). Disability evaluations may not be delayed because of a student's limited English language proficiency (ELP) or the student's participation in a language instruction educational program (LIEP). Also, a student's ELP cannot be the basis for determining that a student* has a disability.

It is important for educators to accurately determine whether ELs are eligible for disability-related services. Research shows that there is variability in how LEAs

*IDEA refers to a 'child' with a disability. In this document 'student' is used to mean 'child' under IDEA.

NOTE: Neither this tool kit nor the above-cited OCR/DOJ Dear Colleague Letter is intended to be a replacement for the careful study of Part B of the Individuals with Disabilities Act (IDEA) and Section 504 of the Rehabilitation Act of 1973 (Section 504), which govern the education of students with disabilities. More information about IDEA and Section 504 can be found at: http://idea.ed.gov and http://www.ed.gov/ocr/publications.html#Section504, respectively.

You can access **Tools and Resources for Addressing English Learners with Disabilities** at http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html.

identify ELs as eligible for special education services; some LEAs over-identify and others under-identify ELs as eligible for special education services when compared to non-ELs (Artiles, Rueda, Salazar, & Higareda, 2005; Zehler et al., 2003). Researchers have identified four potential factors that may contribute to the misidentification of special education needs, and learning disabilities in particular, among students who are ELs: (1) the evaluating professional's lack of knowledge of second language development and disabilities; (2) poor instructional practices; (3) weak intervention strategies; and (4) inappropriate assessment tools (Sánchez, Parker, Akbayin, & McTigue, 2010).

Appropriate disability identification processes that evaluate the student's disability-related educational needs and not the student's English language skills will help school personnel to accurately identify students in need of disability-related services. In addition, LEAs must ensure that a student's special education evaluation is provided and administered in the student's native language or other mode of communication and in the form most likely to yield accurate information about what the student knows and can do, unless it is clearly not feasible to do so. Assessing whether a student has a disability in his or her native language or other mode of communication can help educators ascertain whether a need stems from lack of ELP and/or a student's disability-related educational needs.

Both IDEA and Section 504 require that schools provide a free appropriate public education (FAPE) to eligible or qualified students with disabilities. Under IDEA, FAPE requires, among other things, the provision of special education and related services at no cost to the parents in conformity with an individualized education program (IEP). An IEP is a written document, developed at a meeting of the IEP team that includes the specialized instruction and related services to address the student's needs that result from the student's disability. LEAs must develop and implement either an IEP under IDEA, or convene a group of knowledgeable persons to determine what services the student should receive under Section 504, as appropriate. Depending on the individual needs of the student, FAPE under Section 504 could include regular or special education and related aids and services designed to meet the individual educational needs of students with disabilities as adequately as the needs of nondisabled students are met. While Section 504 and IDEA are different statutes, as reflected in ED's regulations, one way to meet the requirements of Section 504 FAPE is to implement an IEP developed in accordance with IDEA.

When an EL student is determined to be a child with a disability—as defined in IDEA, or an individual with a disability under the broader definition of disability in Section 504—the student's EL *and* disability-related educational needs must be met. For EL students, in addition to the required IEP team participants under IDEA, it is essential that the IEP team include participants who have knowledge of the student's language needs. It is also important that the IEP team include professionals with training, and preferably expertise, in second language acquisition and how to differentiate between the student's needs stemming from a disability or lack of ELP.

In addition, under IDEA, the LEA must take whatever action is necessary to ensure that the student's parents understand the proceedings of the IEP team meeting, including arranging for an interpreter for parents with limited English proficiency or parents who are deaf. Under *Title VI* of the *Civil Rights Act of 1964* and the *Equal Educational Opportunities Act*, for an LEP parent to have meaningful access to an IEP or Section 504 plan meeting, it also may be necessary to have the IEPs, Section 504 plans, or related documents translated into the parent's primary language. For more information on the separate *Title VI* obligations of school districts to communicate with LEP parents, see Chapter 10 of the EL Tool Kit.



You can access **Tools and Resources for Addressing English Learners with Disabilities** at http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html.

Should parents decline disability-related services under IDEA and Section 504, the SEA and LEA remain obligated to provide appropriate language assistance services to ELs. If parents opt out of specific EL programs and services, but have consented to the provision of disability-related services, the LEA remains obligated to provide such services as required in the IEP or Section 504 plan, and to conduct ELP monitoring and/or provide language assistance as appropriate. See Chapter 7 of the EL Tool Kit for information on obligations to students who opt out of EL programs and services.

The following checklist is intended to help SEAs and LEAs serve ELs who also have a disability. The checklist provides suggested questions only. LEAs and schools should check their SEA's policies and procedures and federal regulations and guidance to ensure compliance.

Identifying Whether an EL Has a Disability

- When an EL is suspected of having a disability, is the disability evaluation administered within required timelines once required notices have been provided and parental consent has been obtained?
- Is the reason for the disability evaluation based on the student's suspected disability and need for disability-related services, and not on the student's ELP?
- Does the evaluation use appropriate methods to measure the student's abilities and not the student's English language skills?
- Is the disability evaluation administered in the child's native language, unless clearly not feasible to do so, to avoid misclassification?
- Can the disability evaluation be conducted in more than one form, such as orally or in writing?
- Did the IEP or Section 504 team gather information from the student, parents, and school records regarding the student's previous educational experiences, language assessments, and special education assessments?

Analyzing and Utilizing the Results of the Disability Evaluation

- Are evaluators trained to conduct the evaluation and interpret the results, including knowing how to differentiate between language needs and a disability?
- Does the IEP or Section 504 team include participants who have knowledge of the student's language needs and training in special education and related services, and professionals with training in second language acquisition and EL services? Do these participants have the knowledge to recommend an educational program or plan that provides the student with appropriate services and/or supports based on the student's disability and English language acquisition needs? Do these participants also understand cultural differences that may exist?
- Have the parents been invited to participate in the planning process and informed of their rights, in a language they understand?
- Have a trained interpreter and translated documents been made available for parents with limited English proficiency when required (e.g., parent notices under IDEA), or when determined necessary to ensure effective communication? Is a qualified sign language interpreter available for parents who have hearing loss and need such services?
- Does the LEA's educational program address the EL's language needs and include disability-related services designed to address those needs?
- Does the IEP or Section 504 plan outline when and by whom the accommodations, modifications, and supports in the IEP or Section 504 plan will be provided?
- Will the recommended services allow ELs with a disability to be involved and make progress in the general education curriculum and to participate in extracurricular activities?
- Is there a formal plan to monitor the progress of ELs with disabilities with respect to language and disability-based goals?
- Have the student's general education teachers and related service providers been made aware of the IEP or Section 504 services for the EL?

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ADDRESSING ENGLISH LEARNERS WITH DISABILITIES

TOOLS

The U.S. Department of Education does not mandate or prescribe particular standards, curricula, lesson plans, assessments, or other instruments in this tool kit. This tool kit contains examples of, adaptations of, and links to resources created and maintained by other public and private organizations. This information is provided for the reader's convenience and is included here to offer examples of the many resources that educators, parents, advocates, administrators, and other concerned parties may find helpful and use at their discretion. The U.S. Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Further, the inclusion of links to items does not reflect their importance, nor is it intended to endorse any views expressed, or materials provided. All links included here were verified on August 10, 2015.

The following set of tools* is intended to help schools, LEAs, and SEAs in appropriately identifying and serving ELs with disabilities. The tools give examples of how schools can refer, assess, and identify ELs who may have a disability; how to write an IEP and select accommodations for ELs with disabilities; and how to compare data about EL students with disabilities from LEA to LEA.

Tool #1, Referral, Identification, Assessment, and Service Delivery to ELs with Disabilities, includes recommendations about ELs with disabilities from states with large or rapidly growing EL student populations.

Tool #2, Considering the Influence of Language Differences and Disability on Learning Behaviors, offers a matrix of learning behaviors organized by skill area (e.g., listening, speaking, reading, etc.) and the varying roles that language difference or disability can play in those behaviors.

Tool #3, Developing an IEP for an English Learner with a Disability, is a list of questions to consider for ELs during the IEP-writing process.

Tool #4, How to Use Data from the Office for Civil Rights' Civil Rights Data Collection (CRDC), provides instructions about how to access EL data at the LEA level, including data about ELs with disabilities.

Tool #5, Selecting Appropriate Accommodations for Students with Disabilities, offers a list of "dos" and "don'ts" related to choosing accommodations for students with disabilities.



*The list of tools above may not reflect the actual titles of the individual documents/sources.

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TOOL #1
REFERRAL, IDENTIFICATION, ASSESSMENT, AND SERVICE DELIVERY TO ELs WITH DISABILITIES

This list of policy recommendations comes from the National Association of State Directors of Special Education as part of a publication dedicated to policies related to ELs with disabilities. For this publication, researchers interviewed SEA staff members from seven states that were selected because they had a large or rapidly growing EL population. The states were Alaska, Arkansas, California, Florida, Kansas, New Mexico, and Texas.

POLICY RECOMMENDATIONS

The states that participated in the interviews offered a number of suggestions when asked for policy recommendations pertaining to referral, identification, assessment, and service delivery to ELs with disabilities.

- **Local accountability**—Local planning areas that submit special education program plans to the state should be required to detail their process for the referral, identification, assessment, and service delivery to ELs with disabilities.
- **Clear policies and guidance**—States should create a comprehensive policy for ELs with exceptionalities (including gifted education) based on current research followed by extensive guidance to localities.
- **Teacher training and licensure**—States should facilitate and/or require all teachers to be trained to some extent in ESL [English as a Second Language] strategies and language acquisition. Further, policies should be in place that require any teacher who serves at least one EL to be trained in the appropriate ESL or bilingual education strategies necessary in order to meet the language development as well as academic needs of the students.
- **Coordinated policies between special education and EL professionals**—States should consider developing policies that require and set parameters for communication and collaboration between EL and special education professionals at the point of entry to and exit from special education as well as during the monitoring process while ELs are being served in special education.

Source: Keller-Allen, C. (2006). *English language learners with disabilities: Identification and other state policies and issues*. Alexandria, VA: National Association of State Directors of Special Education (NASDSE). Retrieved from http://nasdse.org/DesktopModules/DNNspot-Store/ProductFiles/31_37349382-317f-47d9-aefc-7a2c0636eb11.pdf

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TOOL #2
CONSIDERING THE INFLUENCE OF LANGUAGE DIFFERENCES AND DISABILITY ON LEARNING BEHAVIORS

Differentiating language and literacy acquisition from disability can be difficult for some educators. The following table illustrates learning behaviors that a student might exhibit in class, followed by corresponding indicators of whether that behavior could represent a language difficulty or a potential learning disability. By determining the root of each student's difficulties, educators can select the most appropriate and effective teaching and learning strategies to use.

COMPARISON OF LANGUAGE DIFFERENCES VERSUS DISABILITIES

This tool is taken from *Meeting the Needs of English Learners with Disabilities: Resource Book* by Jarice Butterfield, Ph. D., Santa Barbara County SELPA, on behalf of the SELPA Administrators of California Association. In the tool below, L1 refers to the student's native language and L2 refers to the student's second language (English). It is reprinted with permission of Dr. Butterfield.

Oral Comprehension/Listening

Learning Behavior Manifested	Indicators of a Language Difference due to 2nd Language Acquisition	Indicators of a Possible Learning Disability
Student does not respond to verbal directions	Student lacks understanding of vocabulary in English but demonstrates understanding in L1	Student consistently demonstrates confusion when given verbal directions in L1 and L2; may be due to processing deficit or low cognition
Student needs frequent repetition of oral directions and input	Student is able to understand verbal directions in L1 but not L2	Student often forgets directions or needs further explanation in L1 and L2 (home & school); may be due to an auditory memory difficulty or low cognition
Student delays responses to questions	Student may be translating question in mind before responding in L2; gradual improvement seen over time	Student consistently takes a longer time period to respond in L1 & L2 and it does not change over time; may be due to a processing speed deficit

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TOOL #2: CONSIDERING THE INFLUENCE OF LANGUAGE DIFFERENCES AND DISABILITY ON LEARNING BEHAVIORS (CONTINUED)

Speaking/Oral Fluency

Learning Behavior Manifested	Indicators of a Language Difference due to 2nd Language Acquisition	Indicators of a Possible Learning Disability
Student lacks verbal fluency (pauses, hesitates, omits words)	Student lacks vocabulary, sentence structure, and/or self-confidence	Speech is incomprehensible in L1 and L2; may be due to hearing or speech impairment
Student is unable to orally retell a story	Student does not comprehend story due to a lack of understanding and background knowledge in English	Student has difficulty retelling a story or event in L1 and L2; may have memory or sequencing deficits
Student does not orally respond to questions, or does not speak much	Lacks expressive language skills in English; it may be the silent period in 2nd language acquisition	Student speaks little in L1 or L2; student may have a hearing impairment or processing deficit

Phonemic Awareness/Reading

Learning Behavior Manifested	Indicators of a Language Difference due to 2nd Language Acquisition	Indicators of a Possible Learning Disability
Student does not remember letter sounds from one day to the next	Student will initially demonstrate difficulty remembering letter sounds in L2 since they differ from the letter sounds in L1, but with repeated practice over time will make progress	Student doesn't remember letter sounds after initial and follow-up instruction (even if they are common between L1/L2); may be due to due a visual/auditory memory deficit or low cognition
Student is unable to blend letter sounds in order to decode words in reading	The letter sound errors may be related to L1 (for example, L1 may not have long and short vowel sounds); with direct instruction, student will make progress over time	Student makes letter substitutions when decoding not related to L1; student cannot remember vowel sounds; student may be able to decode sounds in isolation, but is unable to blend the sounds to decode whole word; may be due to a processing or memory deficit
Student is unable to decode words correctly	Sound not in L1, so unable to pronounce word once decoded	Student consistently confuses letters/words that look alike; makes letter reversals, substitutions, etc. that are not related to L1; may be processing or memory deficit

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TOOL #2: CONSIDERING THE INFLUENCE OF LANGUAGE DIFFERENCES AND DISABILITY ON LEARNING BEHAVIORS (CONTINUED)

Reading Comprehension and Vocabulary

Learning Behavior Manifested	Indicators of a Language Difference due to 2nd Language Acquisition	Indicators of a Possible Learning Disability
Student does not understand passage read, although may be able to read w/ fluency and accuracy	Lacks understanding and background knowledge of topic in L2; is unable to use contextual clues to assist with meaning; improvement seen over time as L2 proficiency increases	Student doesn't remember or comprehend what was read in L1 or L2 (only applicable if student has received instruction in L1); this does not improve over time; this may be due to a memory or processing deficit
Does not understand key words/ phrases; poor comprehension	Lacks understanding of vocabulary and meaning in English	The student's difficulty with comprehension and vocabulary is seen in L1 and L2

Writing

Learning Behavior Manifested	Indicators of a Language Difference due to 2nd Language Acquisition	Indicators of a Possible Learning Disability
Errors made with punctuation/ capitalization	The error patterns seen are consistent with the punctuation and capitalization rules for L1; student's work tends to improve with appropriate instruction in English	Student consistently or inconsistently makes capitalization and punctuation errors even after instruction; this may be due to deficits in organization, memory or processing
Student has difficulty writing grammatically correct sentences	Student's syntax is reflective of writing patterns in L1; typical error patterns seen in 2nd language learners (verb tense, use of adverbs or adjectives); improves over time	The student makes more random errors such as word omissions, missing punctuation; grammar errors are not correct in L1 or L2; this may be due to a processing or memory deficit
Student has difficulty generating a paragraph or writing essays but is able to express his or her ideas orally	Student is not yet proficient in writing English even though they may have developed verbal skills; student makes progress over time and error patterns are similar to other 2nd language learners	The student seems to have difficulty paying attention or remembering previously learned information; the student may seem to have motor difficulties and avoids writing; student may have attention or memory deficits

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TOOL #2: CONSIDERING THE INFLUENCE OF LANGUAGE DIFFERENCES AND DISABILITY ON LEARNING BEHAVIORS (CONTINUED)

Spelling

Learning Behavior Manifested	Indicators of a Language Difference due to 2nd Language Acquisition	Indicators of a Possible Learning Disability
Student misspells words	Student will "borrow" sounds from L1; progress seen over time as L2 proficiency increases	Student makes errors such as writing the correct beginning sound of words and then random letters or correct beginning and ending sounds only; may be due to a visual memory or processing deficit
Student spells words incorrectly; letters are sequenced incorrectly	Writing of words if reflective of English fluency level or cultural thought patterns; words may align to letter sounds or patterns of L1 (sight words may be spelled phonetically based on L1)	The student makes letter sequencing errors such as letter reversals that are not consistent with L1 spelling patterns; may be due to a processing deficit

Mathematics

Learning Behavior Manifested	Indicators of a Language Difference due to 2nd Language Acquisition	Indicators of a Possible Learning Disability
Student manifests difficulty learning math facts and/or math operations	Student lacks comprehension of oral instruction in English; student shows marked improvement with visual input or instructions in L1	Student has difficulty memorizing math facts from one day to the next and requires manipulatives or devices to complete math problems; may have visual memory or processing deficits
Student has difficulty completing multiple-step math computations	Student lacks comprehension of oral instruction in English; student shows marked improvement with visual input or instructions in L1	Student forgets the steps required to complete problems from one day to the next, even with visual input; student reverses or forgets steps; may be due to a processing or memory deficit
Student is unable to complete word problems	Student does not understand mathematical terms in L2 due to English reading proficiency; student shows marked improvement in L1 or with visuals	Student does not understand how to process the problem or identify key terms in L1 or L2; may be a processing deficit/reading disability

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TOOL #2: CONSIDERING THE INFLUENCE OF LANGUAGE DIFFERENCES AND DISABILITY ON LEARNING BEHAVIORS (CONTINUED)

Handwriting

Learning Behavior Manifested	Indicators of a Language Difference due to 2nd Language Acquisition	Indicators of a Possible Learning Disability
Student is unable to copy words correctly	Lack of experience with writing the English alphabet	Student demonstrates difficulty copying visual material to include shapes, letters, etc. This may be due to a visual/motor or visual memory deficit

Behavior

Learning Behavior Manifested	Indicators of a Language Difference due to 2nd Language Acquisition	Indicators of a Possible Learning Disability
Student appears inattentive and/or easily distracted	Student does not understand instructions in English due to level of proficiency	Student is inattentive across environments even when language is comprehensible; may have attention deficits
Student appears unmotivated and/or angry; may manifest internalizing or externalizing behavior	Student does not understand instruction due to limited English and does not feel successful; student has anger or low self-esteem related to 2nd language acquisition	Student does not understand instruction in L1 or L2 and across contexts; may be frustrated due to a possible learning disability
Student does not turn in homework	Student may not understand directions or how to complete the homework due to lack of English proficiency; student may not have access to homework support at home	Student seems unable to complete homework consistently even when offered time and assistance with homework during school; this may be due to a memory or processing deficit

Source: Butterfield, J. (2014). *Meeting the needs of English learners with disabilities: Resource book.* Goleta, CA: Santa Barbara County Special Education Local Plan Area (SELPA), on behalf of the SELPA Administrators of California Association. Retrieved from http://www.sbcselpa.org/wp-content/uploads/2014/06/EL-Resource-Book-Revised-6-14.pdf.

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TOOL #3
DEVELOPING AN IEP FOR AN ENGLISH LEARNER WITH A DISABILITY

The following list of questions is included as part of a National Dissemination Center for Children with Disabilities (NICHCY) training tool on IDEA. It is a tool to assist educators in developing IEPs for an EL student with a disability.

A CHECKLIST FOR IEP TEAMS: CONSIDERING LIMITED ENGLISH PROFICIENCY–DEVELOPING THE IEP

In developing an IEP for a student with limited English proficiency, the IEP Team must consider the student's level of ELP, this includes both second language conversational skills as well as academic language proficiency. Therefore, the IEP Team must consider the student's level of ELP in listening, speaking, reading and writing, to support and strengthen implementation of the IEP goals. The IEP Team may find it helpful to ask the following framing questions:

Framing Questions	Yes	No
1. **Has the dominant language in the home been considered?**		
2. **Has the child's primary language of communication been considered?**		
3. **Have the cultural values and beliefs of the parents been considered in planning for the child's education?**		
4. **Does the instructional plan incorporate a variety of instructional strategies?**		
5. **Is there a member of the IEP Team who has expertise regarding the student and understands how language develops as well as strategies that can be used when educating a student with English as a second language?**		
6. **Does the IEP Team have access to assessment data that is accurate and unbiased?**		
7. **Does the assessment information use a variety of methods and environments?**		
8. **Does the "present levels" statement in the IEP address both how the student uses his or her native language and how the student uses English?**		
9. **Do progress monitoring activities measure progress toward the mastery of English?**		
10. **Do the goals delineate in which language they will be addressed and who will be responsible for measuring the outcomes?**		
11. **Is there collaboration between general and special education as well as English as a Second Language and bilingual education if appropriate?**		
12. **Is an interpreter for the parents and the student present at the IEP meeting?**		

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TOOL #3: DEVELOPING AN IEP FOR AN ENGLISH LEARNER WITH A DISABILITY (CONTINUED)

Framing Questions	Yes	No
13. **Are the IEP Team members trained in how to use an interpreter?**		
14. **Is the evaluation process that will be used carefully defined in the native language and in English during the reviews and reevaluations?**		
15. **Are the behaviors that are being measured carefully defined in the native language and in English during the reviews and reevaluations?**		
16. **Is the setting that the language is being measured in defined?**		
17. **Is the type of language that is being measured defined?**		

Source: Center for Parent Information and Resources. (n.d.). Considering limited English proficiency: Developing the IEP. Retrieved from http://www.parentcenterhub.org/repository/considering-lep/

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TOOL #4
HOW TO USE DATA FROM THE OFFICE FOR CIVIL RIGHTS' CIVIL RIGHTS DATA COLLECTION (CRDC)

In analyzing school and LEA services to ELs, educators may begin with a review of the educational data available through multiple local, state, and national resources. One such resource is the CRDC website, which provides data collected from schools and LEAs on key education and civil rights issues in our nation's public schools—including student enrollment and educational programs and services—disaggregated by race/ethnicity, sex, EL status, and disability. The website presents this data using various reports and tools. It also provides school- and LEA-level summaries of the CRDC in its "Summary of Selected Facts" charts, and allows users to "drill down" into disaggregated data displays for all of the civil rights data from the 2011–12 school year for a school or LEA. The data can be an indicator of potential equity and opportunity gaps that may exist between ELs (or limited English proficient [LEP] students, as they are referred to here) and non-ELs. The data, however, does not disaggregate between ELs, former ELs, and never-ELs.

TIPS FOR FINDING CRDC DATA ON ENGLISH LEARNERS WITH DISABILITIES

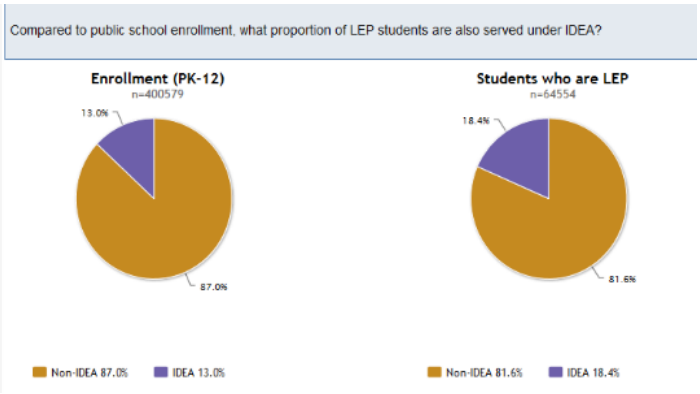
To investigate a school's or LEA's EL and non-EL enrollment rates, including race/ethnicity and proportions served under the Individuals with Disabilities Act (IDEA) or Section 504, follow these steps:

1. Visit OCR's CRDC website at http://ocrdata.ed.gov.
2. Click on "School and District Search" on the left-hand navigation menu or on "2009–10 and 2011–12 District or School Reports" in the center of the page.
3. Click on "Find School(s)" or "Find District(s)," depending on your search.
   - To search for a school by name, enter its name into the "School Name" field, and click "School Search." To focus on a particular state, select the state before clicking "School Search."
   - To search for a district, click on the "Find District(s)" tab, enter the name into the "District Name" box, and click "District Search."
   - Users can also search for a school or district by name, address, city, NCES ID, distance from zip code, state, or regional office. Please note that searches are limited to 200 results.
4. Search results will appear below the "Additional Search" options. Click the school or district link from the list of results. Clicking on the name of a school will take you to the "School Summary" page, while clicking on the name of a LEA will take you to the "District Summary" page.
5. The "Summary of Selected Facts" page displays overview information about the chosen school or district. Selected data are displayed in five categories: (1) Characteristics and Membership, (2) Staffing and Finance, (3) Pathways to College and Career Readiness, (4) College and Career Readiness, and (5) Discipline, Restraint/Seclusion, Harassment/Bullying.
6. To look into more detailed EL data, use the links in the light blue box called "Additional Profile Facts Available." Users can choose to view the data as charts or tables (counts or percentages). OCR has compiled many pertinent EL facts into EL reports. Click on "English learner (EL) report" to review the main report, or on the plus sign to view an expanded menu that includes "Total LEP students" or "LEP students enrolled in LEP programs" sub-reports. Users can chose to view the data as charts or tables (counts or percentages).
   - The main EL report includes data on the following topics:
     - Race/ethnicity of ELs
     - Sex of ELs
     - Proportions of ELs served under IDEA.

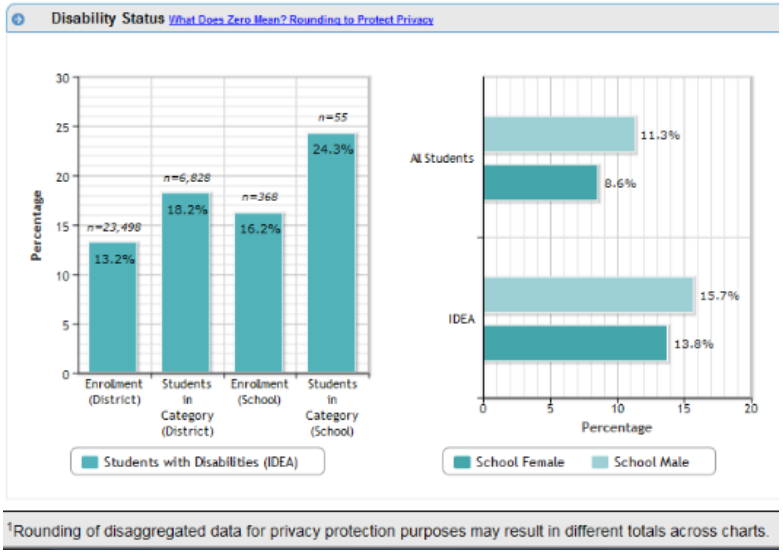
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TOOL #4: HOW TO USE DATA FROM THE OFFICE FOR CIVIL RIGHTS' CIVIL RIGHTS DATA COLLECTION (CRDC) (CONTINUED)

- Users can find information on the percentage of ELs enrolled in IDEA compared to overall enrollment in the LEA in two locations:
  - If the user clicks "English Learner (EL) Report" without expanding the menu, and scrolls down, the user will see pie charts similar to the one below:



  - If the user expands the "English Learner (EL) Report" tree and then clicks on "Total LEP Students" or "LEP Students Enrolled in LEP Programs" and then scrolls down the page, the user will see bar charts similar to the one below:



- The sub-reports compare overall enrollment to the race/ethnicity, sex, and disability status of total LEP students in the school or those enrolled in LEP programs.
- For additional data on ELs with disabilities, click "Students with Disabilities (IDEA)" or "Students with Disabilities (504)" in the blue box on the right-hand side of the screen. At the bottom of the page are data comparing rates of all students with those of ELs in a school or district who are served under IDEA or Section 504 of the Rehabilitation Act of 1973, as amended. Under "EDFacts IDEA" are data by type of disability.

7. Using the "Detailed Data Tables" under "Custom Chart & Detailed Data Tables" in the left-hand navigation menu of the homepage (or in the main menu in the center of the page) allows users to view and compare data across multiple years and schools. Users can access and customize detailed data tables.

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TOOL #5
SELECTING APPROPRIATE ACCOMMODATIONS FOR STUDENTS WITH DISABILITIES

ELs with disabilities may need accommodations for instruction and assessment. Decisions about whether to use accommodations, and what accommodations to use, should be made on an individual student basis and consider each student's needs and past and present level of performance. Accommodations should also be written in the IEP.

"DOS" AND "DON'TS" WHEN SELECTING ACCOMMODATIONS

The following table lists common "dos" and "don'ts" for selecting appropriate accommodations for students with disabilities. This table is from the *Accommodations Manual: How to Select, Administer, and Evaluate Use of Accommodation for Instruction and Assessment of Students with Disabilities,* produced by the Council of Chief State School Officers (CCSSO) State Collaborative on Assessment and Student Standards Assessing Special Education Students. According to this document, "the guidance in the manual pertains to students with disabilities who participate in large-scale assessments and the instruction they receive." This list, while generic to all students with disabilities, can be adapted for ELs based on SEA and LEA policies and requirements.

Do...make accommodation decisions based on individualized needs.	Don't...make accommodations decisions based on whatever is easiest to do (e.g., preferential seating).
Do...select accommodations that reduce the effect of the disability to access instruction and demonstrate learning.	Don't...select accommodations unrelated to documented student learning needs or are intended to give students an unfair advantage.
Do...be certain to document instructional and assessment accommodation(s) on the IEP or 504 plans.	Don't...use an accommodation that has not been documented on the IEP or 504 plans.
Do...be familiar with the types of accommodations that can be used as both instructional and assessment accommodations.	Don't...assume that all instructional accommodations are appropriate for use on assessments.
Do...be specific about the "Where, When, Who, and How" of providing accommodations.	Don't...simply indicate an accommodation will be provided "as appropriate" or "as necessary."
Do...refer to state accommodations policies and understand implications of selections.	Don't...check every accommodation possible on a checklist simply to be "safe."
Do...evaluate accommodations used by the student.	Don't...assume the same accommodations remain appropriate year after year.
Do...get input about accommodations from teachers, parents, and students, and use it to make decisions at IEP team or 504 planning committee meetings.	Don't...make decisions about instructional and assessment accommodations alone.
Do...provide accommodations for assessments routinely used for classroom instruction.	Don't...provide an assessment accommodation for the first time on the day of a test.
Do...select accommodations based on specific individual needs in each content area.	Don't...assume certain accommodations, such as extra time, are appropriate for every student in every content area.

Source: Council of Chief State School Officers. (2011). *Accommodations manual: How to select, administer, and evaluate the use of accommodations for instruction and assessment of students with disabilities.* Washington, DC: Author. Retrieved from https://www.osepideasthatwork.org/toolkit/accommodations_manual.asp

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ADDRESSING ENGLISH LEARNERS WITH DISABILITIES

RESOURCES

The U.S. Department of Education does not mandate or prescribe particular standards, curricula, lesson plans, assessments, or other instruments in this tool kit. This tool kit contains examples of, adaptations of, and links to resources created and maintained by other public and private organizations. This information is provided for the reader's convenience and is included here to offer examples of the many resources that educators, parents, advocates, administrators, and other interested parties may find helpful and use at their discretion. The U.S. Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Further, the inclusion of links to resources does not reflect their importance, nor is it intended to endorse any views expressed, or materials provided. All links included here were verified on August 10, 2015. The list of resources will be updated and revised in the future.

Abadeh, H. (2015). Home-school communications: Multicultural parents of children with disabilities. *NABE Journal of Research and Practice, 6*. Retrieved from https://www2.nau.edu/nabej-p/ojs/index.php/njrp/article/view/91/73

This study examines "the role of communication between parents of children with special needs and schools." The study uses a survey as the data collection tool to "determine perceptions of Arab American parents of children with special needs regarding communications between the home and school. Findings…indicated that parents born in the United States had more positive perceptions regarding communications with teachers."

Abedi, J. (2006). Psychometric issues in the ELL assessment and special education eligibility. *Teachers College Record, 108*(11), 2282–2303. Retrieved from http://www.ncaase.com/docs/Abedi_TCRE782_2006.pdf

This article discusses the challenges involved with (1) content assessments for ELs; and (2) misclassifying ELs as students with learning disabilities. The author claims that "[a]ssessments in English that are constructed and normed for native English speakers may not provide valid inferences about the achievement of English language learners."

Abedi, J. & Ewers, N. (2013, February). *Accommodations for English language learners and students with disabilities: A research-based decision algorithm*. Davis, CA: University of California, Davis: Smarter Balanced Assessment Consortium (SBAC). Retrieved from http://www.smarterbalanced.org/wordpress/wp-content/uploads/2012/08/Accomodations-for-under-represented-students.pdf

This paper provides context and recommendations related to selecting accommodations for ELs and students with disabilities. Under this framework an accommodation must be feasible to implement; appropriate for the student; sensitive to a student's background; not alter the assessment; and make the assessment more accessible. The authors offer research to support these conditions.

Adelson, V., Geva, E., & Fraser, C. (2014). *Identification, assessment, and instruction of English language learners with learning difficulties in the elementary and intermediate grades: A guide for educators in Ontario school boards*. Toronto, Ontario: University of Toronto, Ontario Institute for Studies in Education, Applied Psychology and Human Development. Retrieved from http://www.ctserc.org/assets/documents/initiatives/specific-learning-disabilities-dyslexia/archive/ELLs-with-special-needs.pdf

This resource guide was written as a tool for educators who work with ELs and/or students with disabilities in Canada. Focused mainly on reading and writing in lower grades, it includes practical information and guidance on the identification, assessment, and instruction of ELs with disabilities.

The EL Tool Kit contains examples of, adaptations of, and links to resources created and maintained by other public and private organizations. This information is provided for the reader's convenience and is included here to offer examples of the many resources that educators, parents, advocates, administrators, and other interested parties may find helpful and use at their discretion. The U.S. Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Further, the inclusion of links to items does not reflect their importance, nor is it intended to endorse any views expressed, or materials provided.

Albus, D. A., & Thurlow, M. L. (2007). *English language learners with disabilities in state English language proficiency assessments: A review of state accommodation policies* (Synthesis Report 66). Minneapolis, MN: University of Minnesota, National Center on Educational Outcomes (NCEO). Retrieved from http://www.cehd.umn.edu/NCEO/OnlinePubs/Synthesis66/Synthesis66.pdf

This report discusses "states' participation and accommodation policies for [ELs] with disabilities on their English language proficiency (ELP) assessments…. The summary of findings suggests a number of promising practices and issues to be addressed."

Albus, D., Thurlow, M., & Clapper, A. (2007). *Standards-based instructional strategies for English language learners with disabilities* (ELLs with Disabilities Report 18). Minneapolis, MN: University of Minnesota,NCEO. Retrieved from http://www.cehd.umn.edu/NCEO/Onlinepubs/ELLsDis18/ELLsDisRpt18.pdf

This study reviews and reports state standards, strategies, and supplementary instructional documents for the instruction of ELs with disabilities. The authors state that more research on instructional strategies is needed with students across a range of language and cultural backgrounds and with diverse types of disabilities.

Artiles, A. J., Rueda, R., Salazar, J. J., & Higareda, I. (2005). Within-group diversity in minority disproportionate representation: English language learners in urban school districts. *Exceptional Children, 71*(3), 283-300. Retrieved from http://educationforall.lmu.edu/speakerdocs/Artiles_etal_EC.pdf

This article examines the weakness of research on minority students' placement in special education due to many studies defining minority populations too broadly. According to the article, this can be due to a failure to disaggregate such factors as language proficiency or a failure to consider other relevant variables such as social class or program type. The authors reviewed placement patterns of ELs, an identified understudied group, in California urban districts. They found "disproportionate representation patterns relating to grade level, language proficiency status, disability category, type of special education program, and type of language support programs." The authors discuss implications for further research and practice.

Burr, E., Haas, E., & Ferriere, K. (2015, July). *Identifying and supporting English learner students with learning disabilities: Key issues in the literature and state practice*. Washington D.C.: U.S. Department of Education. Retrieved from http://ies.ed.gov/ncee/edlabs/regions/west/pdf/REL_2015086.pdf

This report reviews research and policies about ELs with learning disabilities. The report is based on the premise that "two factors have been identified that lead to inconsistent identification of students who may have learning disabilities: a lack of understanding among teachers about why English learner students are not making adequate progress, and poorly designed and implemented referral processes." There are two report components: (1) research on literature consisting of 52 articles or reports discussing the topic of EL and learning disability identification, and (2) an analysis of EL procedures from the 20 states with the largest population of ELs.

Center for Parent Information and Resources (2010, December). Considering limited English proficiency: Developing the IEP. Retrieved from http://www.parentcenterhub.org/repository/considering-lep/

This checklist is included as part of a National Dissemination Center for Children with Disabilities (NICHCY) training tool on IDEA. It presents framing questions to be considered when writing an IEP for an EL, on topics that include assessments, home languages, communication methods, and instructional goals.

The EL Tool Kit contains examples of, adaptations of, and links to resources created and maintained by other public and private organizations. This information is provided for the reader's convenience and is included here to offer examples of the many resources that educators, parents, advocates, administrators, and other interested parties may find helpful and use at their discretion. The U.S. Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Further, the inclusion of links to items does not reflect their importance, nor is it intended to endorse any views expressed, or materials provided.

Collier, C. (2014). *What every administrator should know about separating differences and disabilities: A webinar for school administrators*. Retrieved from http://www.doe.in.gov/sites/default/files/elme/schadmins-2014.pdf

In this webinar, Collier outlines the current legislative context and cultural assumptions related to ELs with disabilities. She also offers seven pillars of appropriately serving ELs with disabilities in a way that distinguishes language difference from learning difference: (1) providing adequate and appropriate staff and resources to support ELs with disabilities and their families; (2) implementing strategies to support student resilience; (3) differentiating instruction from intervention; (4) monitoring classroom instruction and intervention; (5) referring students for special education services when appropriate; (6) ensuring an IEP is cross-cultural and responds to a student's learning and language needs; and (7) promoting staff collaboration and multi-dimensional school support systems.

Council of Chief State School Officers. (2011). *Accommodations manual: How to select, administer, and evaluate the use of accommodations for instruction and assessment of students with disabilities*. Washington, DC: Author. Copies may be downloaded from the Council's website at http://www.ccsso.org/

"The guidance in the manual pertains to students with disabilities who participate in large-scale assessments and the instruction they receive." This manual, while generic to all students with disabilities, can be adapted for ELs based on SEA and LEA policies and requirements. It includes recommended steps to select, administer, and evaluate the effectiveness of accommodations for students with disabilities.

Echevarria, J. (2009). The role of professional development in helping English learners with disabilities achieve high standards. *AccELLerate, 1(*3), 6-9. Retrieved from http://ncela.ed.gov/files/uploads/17/Accellerate_1_3.pdf

This article describes the elements of an effective professional development program that was used successfully with ELs with disabilities (Echevarria & Short, 2009). The case study shows that research-based practices coupled with effective professional development ensure high levels of implementation.

Guzman-Orth, D., Laitusis, C., Thurlow, M., & Christensen, L. (2014, October). *Conceptualizing accessibility for English language proficiency assessments*. Princeton, New Jersey: Educational Testing Service (ETS). Retrieved from http://www.cehd.umn.edu/NCEO/OnlinePubs/K12ELAccessibilityPaper.pdf

This white paper discusses English language proficiency assessments (ELPAs) and how to make them more accessible for ELs with disabilities. The paper discusses the accessibility measures currently available for ELs with disabilities; the challenges associated with ELPAs for ELs with disabilities; recommendations for practice; and research considerations. This is the second in a series of ETS papers related to improving ELPAs for ELs.

Hamayan, E., Marler, B., & Damico, J. (2013). *Special education considerations for English language learners: Delivering a continuum of services* (2nd ed.). Caslon Publishing: Philadelphia, PA. Retrieved from http://caslonpublishing.com/titles/1/special-education-considerations-english-language-/

This book is written for special education professionals who work with ELs. It provides guidance on the unique needs of ELs with disabilities and how to design appropriate interventions. It includes professional development activities and discussion questions as well as graphic organizers.

Keller-Allen, C. (2006). *English language learners with disabilities: Identification and other state policies and issues*. Alexandria, VA: National Association of State Directors of Special Education (NASDSE). Retrieved from http://nasdse.org/DesktopModules/DNNspot-Store/ProductFiles/31_37349382-317f-47d9-aefc-7a2c0636eb11.pdf

For this publication, which is dedicated to policies related to ELs with disabilities, researchers interviewed SEA staff members from seven states that were selected because they had a large or rapidly growing EL population. The states included were Alaska, Arkansas, California, Florida, Kansas, New Mexico, and Texas. SEAs can review the policies and recommendations included in this publication to see if their own policies for ELs with disabilities align.

The EL Tool Kit contains examples of, adaptations of, and links to resources created and maintained by other public and private organizations. This information is provided for the reader's convenience and is included here to offer examples of the many resources that educators, parents, advocates, administrators, and other interested parties may find helpful and use at their discretion. The U.S. Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Further, the inclusion of links to items does not reflect their importance, nor is it intended to endorse any views expressed, or materials provided.

Klingner, J. K., & Harry, B. (2006). The special education referral and decision-making process for English language learners: Child study team meetings and placement conferences. *Teacher College Record, 108*(11), 2247-2281. Retrieved from http://www.colorado.edu/UCB/AcademicAffairs/education/faculty/janetteklingner/Docs/Klingner%20&%20Harry_The%20Special%20Education%20Referral%20and%20Decision-Making%20Process.pdf

This study was completed to examine "the special education referral and decision-making process for English language learners (ELLs), with a focus on Child Study Team (CST) meetings and placement conferences/multidisciplinary team meetings". Observation of CST meetings revealed that in practice, "only cursory attention was given to pre-referral strategies" and that "most students were pushed towards testing."

Lazarus, S. S., Kincaid, A., Thurlow, M. L., Rieke, R. L., & Dominguez, L. M. (2014). *2013 state policies for selected response accommodations on statewide assessments* (Synthesis Report 93). Minneapolis, MN: University of Minnesota, NCEO. Retrieved from http://www.cehd.umn.edu/NCEO/OnlinePubs/Synthesis93/SynthesisReport93.pdf

This report provides an overview of the testing accommodations available for students with disabilities for content assessments according to state policies. It also includes an analysis of how those policies have changed over time since 1992. The accommodations considered in this report include human scribe, speech to text, audio transcription, word prediction, grammar checker, spell checker, and calculator.

National Joint Committee on Learning Disabilities. (2005). *Responsiveness to intervention and learning disabilities*. Retrieved from the American Speech Hearing Association website: http://www.asha.org/policy/TR2005-00303/

This report "examines the concepts, potential benefits, practical issues, and unanswered questions associated with responsiveness to intervention (RTI) and learning disabilities (LD). A brief overview of the approach is provided, including attributes, characteristics, and promising features, as well as issues, concerns, unanswered questions, and research needs."

Nguyen, H. (2012). General education and special education teachers collaborate to support English language learners with learning disabilities. *Issues in Teacher Education*, *21*(1), 127-152. Retrieved from http://files.eric.ed.gov/fulltext/EJ986820.pdf

This paper describes the need for general education and special education teachers to collaborate to meet the needs of ELs with learning disabilities; discusses research-based approaches for teaching these students; and suggests effective and appropriate methods and strategies for use in least restrictive environments.

Butterfield, J. (2014). *Meeting the needs of English learners with disabilities: Resource book*. Goleta, CA: Santa Barbara County SELPA, on behalf of the SELPA Administrators of California Association. Retrieved from http://www.sbcselpa.org/wp-content/uploads/2014/06/EL-Resource-Book-Revised-6-14.pdf

"This resource book has two primary focus areas: (1) understanding the requirements for EL assessment, identification, and program requirements, and (2) how these processes are expanded to incorporate special education procedures when an EL is suspected of having a disability. As such, it is intended as a tool to assist general and special education administrators, teachers, special education staff, and English language support staff to better understand the needs of K-12 ELs with disabilities."

Sánchez, M. T., Parker, C., Akbayin, B., & McTigue, A. (2010). *Processes and challenges in identifying learning disabilities among students who are English language learners in three New York State districts* (Issues & Answers Report, REL 2010–No. 085). Washington, DC: U.S. Department of Education, Institute of Education Sciences, National Center for Education Evaluation and Regional Assistance, Regional Educational Laboratory Northeast and Islands. Retrieved from http://ies.ed.gov/ncee/edlabs/projects/project.asp?ProjectID=116

This study examines practices and challenges in the processes applied in three New York State districts in identifying learning disabilities among EL students. Analysis suggests five interrelated elements that appear to be important for avoiding misidentification of learning disabilities among students who are ELs: (1) adequate professional knowledge, (2) effective instructional practices, (3) effective and valid assessment and interventions, (4) interdepartmental collaborative structures, and (5) clear policy guidelines.

You can access **Tools and Resources for Addressing English Learners with Disabilities** at http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html.

The EL Tool Kit contains examples of, adaptations of, and links to resources created and maintained by other public and private organizations. This information is provided for the reader's convenience and is included here to offer examples of the many resources that educators, parents, advocates, administrators, and other interested parties may find helpful and use at their discretion. The U.S. Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Further, the inclusion of links to items does not reflect their importance, nor is it intended to endorse any views expressed, or materials provided.

Schilder, D. (2013). *Training to screen young English language learners and dual language learners for disabilities* (CEELO FASTfacts). New Brunswick, NJ: Center on Enhancing Early Learning Outcomes (CEELO). Retrieved from http://ceelo.org/wp-content/uploads/2013/08/Training-to-Screen-Young-ELLs-and-DLLs-for-Disabilities.pdf

This brief outlines some of the challenges associated with identifying young ELs with disabilities and offers research-based recommendations for policy and practice; considerations for selecting assessment tools; recommendations for training practices; contact information for national experts in the field; and resources on assessing ELs.

Spear-Swerling, L. (2006). Learning disabilities in English language learners. Retrieved from http://www.ldonline.org/spearswerling/Learning_Disabilities_in_English_Language_Learners

This article examines identification of and remediation for ELs with possible LDs. Identification methods include assessments and information obtained from the parents about the prior history of the child and family. The article concludes that further research on identifying and teaching is needed for ELs with LDs.

Sullivan, A. (2011). Disproportionality in special education identification and placement of English language learners. *Exceptional Children, 77*(3), 317-334. Retrieved from http://debdavis.pbworks.com/w/file/fetch/81120626/journal%202.pdf

"This study explores the disproportionality in the identification and placement of culturally and linguistically diverse…ELs in special education." Descriptive analysis and regression analyses results indicate that ELs "are increasingly likely to be identified as having learning disabilities or mental retardation, and less likely to be served in either the least or most restrictive educational environment relative to their white peers…. The study presents implications for further research and practice."

Thurlow, M., Liu, K. Ward, J., & Christensen, L. (2013). *Assessment principles and guidelines for ELLs with disabilities*. Minneapolis, MN: University of Minnesota, Improving the Validity of Assessment Results for English Language Learners with Disabilities (IVARED). Retrieved from http://www.cehd.umn.edu/nceo/onlinepubs/ivared/IVAREDPrinciplesReport.pdf

This report identifies five core principles of inclusive and valid assessment for ELs with disabilities. A brief rationale and specific guidelines that reflect each principle are also provided.

Understood. (2014). Accommodations: What they are and how they work. Retrieved from https://www.understood.org/en/learning-attention-issues/treatments-approaches/educational-strategies/accommodations-what-they-are-and-how-they-work

This article defines accommodations and identifies four types: (1) presentation, (2) response, (3) setting, and (4) timing and scheduling. The authors state that accommodations should be tailored to the child's specific needs and should be regularly monitored and evaluated.

University of Minnesota, NCEO. (2014, May). *Participation of ELLs with disabilities in ELP assessments* (NCEO Brief #8). Minneapolis, MN: Author. Retrieved from http://www.cehd.umn.edu/NCEO/OnlinePubs/briefs/brief08/NCEOBrief8.pdf

This brief focuses on the rate and type of participation of ELs with disabilities in state English language proficiency assessments. The topics included in the brief are: "(a) state policies on participation, (b) use and reporting of data on participation in ELP assessments, (c) experts' recommendations about assessment participation, and (d) the understanding of practitioners about the participation of ELLs with disabilities in ELP assessments." The brief also includes recommendations for practice.

University of Minnesota, NCEO. (2014, June). *State assessment decision-making processes for ELLs with disabilities* (NCEO Brief #9). Minneapolis, MN: Author. Retrieved from http://www.cehd.umn.edu/NCEO/OnlinePubs/briefs/brief09/NCEOBrief9.pdf

This brief reviews how decisions are made about what assessments and what accommodations are appropriate for ELs with disabilities. The topics addressed include: "(a) required assessment decision-making processes, (b) experts' recommendations about assessment decision making for ELLs [English language learners] with disabilities, (c) resources available to guide assessment decision making, (d) standards-based IEPs, and (e) recommended participants on the decision-making team." The brief also includes policy recommendations.

The EL Tool Kit contains examples of, adaptations of, and links to resources created and maintained by other public and private organizations. This information is provided for the reader's convenience and is included here to offer examples of the many resources that educators, parents, advocates, administrators, and other interested parties may find helpful and use at their discretion. The U.S. Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Further, the inclusion of links to items does not reflect their importance, nor is it intended to endorse any views expressed, or materials provided.

U.S. Department of Education, Office for Civil Rights. *The Civil Rights Data Collection: 2011-12* [Online database]. Retrieved from http://ocrdata.ed.gov/

The Civil Rights Data Collection (CRDC) is a biennial (i.e., every other school year) survey required by the U.S. Department of Education's Office for Civil Rights (OCR). Since 1968, the CRDC has collected data on key education and civil rights issues in our nation's public schools for use by OCR in its enforcement and monitoring efforts regarding equal educational opportunity. The CRDC is also a tool for other department offices and federal agencies, policymakers and researchers, educators and school officials, and the public to analyze student equity and opportunity.

U.S. Department of Education, Office for Civil Rights. (2014, October). Dear colleague letter: Resource comparability. (Guidance to ensure all students have equal access to educational resources.) Retrieved from http://www2.ed.gov/about/offices/list/ocr/letters/colleague-resourcecomp-201410.pdf

This document provides detailed and concrete information to educators on the standards set in *Title VI* of the *Civil Rights Act of 1964*, including information on the requirements for educational resources; how OCR investigates resource disparities; and what SEAs, LEAs, and schools can do to meet their obligations to all students. Under *Title VI*, SEAs, LEAs, and schools must not intentionally treat students differently based on race, color, or national origin in providing educational resources. In addition, they must not implement policies or practices that disproportionately affect students of a particular race, color, or national origin, absent a substantial justification. The law does not require that all students receive exactly the same resources to have an equal chance to learn and achieve. It does, however, require that all students have equal access to comparable resources in light of their educational needs.

U.S. Department of Education, Office for Civil Rights, and U.S. Department of Justice (DOJ). (2015, January). *Dear colleague letter: English learner students and limited English proficient parents*. Retrieved from https://www2.ed.gov/about/offices/list/ocr/letters/colleague-el-201501.pdf

This document provides guidance to assist SEAs, LEAs, and all public schools in meeting their legal obligations to ensure that ELs can participate meaningfully and equally in educational programs and services. This guidance provides an outline of the legal obligations of SEAs and LEAs to ELs under the civil rights laws. Additionally, the guidance discusses compliance issues that frequently arise in OCR and DOJ investigations under *Title VI* of the *Civil Rights Act of 1964* and the *Equal Educational Opportunities Act*, and offers approaches that SEAs and LEAs may use to meet their federal obligations to ELs. A discussion of how SEAs and LEAs can implement their *Title III* grants and subgrants in a manner consistent with these civil rights obligations is included. Finally, the guidance discusses the federal obligation to ensure that limited English proficient parents and guardians have meaningful access to SEA-, LEA-, and school-related information.

U.S. Department of Education, Office of English Language Acquisition. (2015, March). *Assessing the English language proficiency of English learners with disabilities* (Panel presentations). Retrieved from http://ncela.ed.gov/files/15_2037_QELPA_ELSWD_Summary_final_dla_5-15-15_508.pdf

In March 2015, OELA hosted a series of panel presentations on assessing the ELP of ELs with disabilities. Experts in the field provided background information, context, and current data related to distinguishing language difference from disability; using valid and reliable assessments for ELs with disabilities; and assessing ELs with significant cognitive disabilities. This document summarizes all the papers.

U.S. Department of Education, Office of Special Education and Rehabilitative Services. (2014). *Questions and answers regarding the inclusion of English learners with disabilities in English language proficiency assessments and Title III annual measurable achievement objectives*. Retrieved from http://www2.ed.gov/about/offices/list/osers/osep/policy.html#elp-qa

This document provides guidance on the inclusion of ELs with disabilities in ELP assessments under *Titles I* and *III* of the *Elementary and Secondary Education Act of 1965*, as amended. These are assessments designed to measure the progress of ELs in attaining English language proficiency. (An addendum was released in July, 2015.).

You can access **Tools and Resources for Addressing English Learners with Disabilities** at http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html.

The EL Tool Kit contains examples of, adaptations of, and links to resources created and maintained by other public and private organizations. This information is provided for the reader's convenience and is included here to offer examples of the many resources that educators, parents, advocates, administrators, and other interested parties may find helpful and use at their discretion. The U.S. Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Further, the inclusion of links to items does not reflect their importance, nor is it intended to endorse any views expressed, or materials provided.

U.S. Department of Education, Office of Special Education and Rehabilitative Services. (2014). 36th annual report to Congress on the implementation of the Individuals with Disabilities Education Act, 2014. Retrieved from http://www.ed.gov/about/reports/annual/osep

This annual report provides various data on assessments, child counts, and educational environments for IDEA Parts B and C. Part B of IDEA provides funds to states to assist them in providing FAPE to children with disabilities, ages three through 21, who are in need of special education and related services.

Zehler, A., Fleischman, H., Hopstock, P., Stephenson, T., Pendzick, M., & Sapru, S. (2003). *Policy report: Summary of findings related to LEP and SpEd-LEP students*. Arlington, VA: Development Associates, Inc. (Contract No. ED-00-CO-0089, U.S. Department of Education, Office of English Language Acquisition, Language Enhancement, and Academic Achievement of Limited English Proficient Students). Retrieved from http://www.ncela.us/files/rcd/BE021195/policy_report.pdf

This study provides findings on the number of ELs, their backgrounds, and the "instructional services they received in grades K–12 in public schools in the United States for SY 2001-02." This study includes a special focus on ELs with disabilities who are identified as being in need of special education services (SpEd-LEP), national estimates on the number of SpEd-LEP students, identified disability categories, nature of instructional services they receive, and "information on policy and practice related to ELs participation in standards and assessments."

Zhang, C. & Cho, S. (2010). The development of the bilingual special education field: Major issues, accomplishments, future directions, and recommendations. *Journal of Multilingual Education Research, 1*(1), 45–62. Retrieved from http://fordham.bepress.com/cgi/viewcontent.cgi?article=1012&context=jmer

This paper reviews challenges in educating children "with and without disabilities from culturally and linguistically diverse (CLD) backgrounds. The challenges discussed include (1) biased assessment that results in mis- or over representing CLD students in special education, (2) difficulty distinguishing between disability and differences, and (3) lack of competent bilingual special educators." The authors recommend the use of "the response to intervention (RTI) model in identifying and instructing CLD children with and without disabilities." Future research should (1) "examine how collaborative service delivery models contribute to referrals of CLD children" with and without disabilities and to their instruction, and (2) "focus on how to expand teachers' knowledge about both the sociocultural and learning contexts to aid in producing positive outcomes for CLD children both with and without disabilities."

To access these and other relevant resources, and for additional information about ELs, please visit http://www.ncela.ed.gov/.

Published September 2015

CHAPTER 7

TOOLS AND RESOURCES FOR SERVING ENGLISH LEARNERS WHO OPT OUT OF EL PROGRAMS

This is the seventh chapter of the English Learner Tool Kit, which is intended to help state and local education agencies (SEAs and LEAs) meet their obligations to English Learners (ELs). This tool kit should be read in conjunction with the U.S. Department of Education Office for Civil Rights' and the U.S. Department of Justice's Dear Colleague Letter, "English Learner Students and Limited English Proficient Parents," published in January 2015, which outlines SEAs' and LEAs' legal obligations to ELs under civil rights laws and other federal requirements. The Dear Colleague Letter can be found at http://www2.ed.gov/about/offices/list/ocr/ellresources.html.

SERVING ENGLISH LEARNERS WHO OPT OUT OF EL PROGRAMS

KEY POINTS

- **Parents have the right to opt their children out of EL programs or particular EL services. This decision must be voluntary and based on a full understanding of the EL child's rights, the range of services available to the child, and the benefits of such services to the child.**
- **If a parent decides to opt his or her child out of EL programs or particular EL services, that child still retains his or her status as an EL.**
- **LEAs must continue to monitor the English language proficiency (ELP) and academic progress of students who opt out of EL programs and services. If a student does not demonstrate appropriate growth in ELP or maintain appropriate academic levels, the LEA must inform the parents in a language they understand and offer EL services.**



Any parent whose child is receiving or is eligible to receive EL programs or services has the right to decline or opt his or her child out of the EL programs or particular EL services being offered. **LEAs may not recommend that a parent opt a child out of EL programs or services for any reason.**

The LEA must provide guidance in a language parents can understand to ensure that parents understand their child's rights, the range of EL services that their child could receive, and the benefits of such services. This is to ensure that the parent's decision to opt out is knowing and voluntary. LEAs that receive *Title I* or *Title III* funds must provide written notification to parents of their children's recommended placement in an EL program within 30 days of the start of the school year (or within two weeks for later-arriving students). The notification must include all of the statutorily-required elements, including the right to opt out (See Tool #1, attached). The LEA should retain appropriate documentation to demonstrate that a parent knowingly and voluntarily opted his or her EL child out of EL programs or particular EL services. It is important to note that opting out of EL programs or particular EL services does not affect a student's ability to participate in any other programs or services, such as special education services.

If a parent decides to opt his or her child out of EL programs or particular EL services, that child retains his or her status as an EL. The LEA remains obligated to take affirmative steps and appropriate action required by civil rights laws to provide the EL student meaningful access

You can access **Tools and Resources for Serving English Learners Who Opt Out of EL Programs** at http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html.

to its educational program. Thus the LEA must continue to monitor periodically the opted-out student's academic progress.

Specific monitoring practices will vary from LEA to LEA. They should include a combination of performance data, such as information on assessment results, grades, courses taken, observations, attendance, and parent meeting notes, along with possible comparisons to other EL students of similar ELP levels. Appropriate personnel should analyze this information throughout the year and make recommendations based on the student's current ELP level and ability to perform at grade level.

If an LEA finds that a student is struggling, it should take appropriate steps to assist the student. These steps may include, but are not limited to, further assessing the student's ELP; notifying the student's parent about his or her child's lack of progress, and encouraging him or her to opt the child into EL programs and services; and providing supports for the student's language acquisition, such as offering professional development in second language acquisition to the student's core curriculum teachers.

ELs who opt out of services must, like those receiving programs or services, have their ELP reassessed a minimum of once per year until they exit EL status. After it is determined that the EL no longer qualifies as an EL, the LEA must continue to monitor the student for at least two years, just as it would an EL who has received EL programs and services.

The following checklist is intended to assist with developing processes and providing support for ELs whose parents choose to opt them out of EL programs or particular EL services. The checklist provides suggested questions only. LEAs and schools should check their SEA's policies and other federal guidance to ensure compliance.

Communicating with Parents

- ★ How are parents informed of their children's EL status and the right to opt their children out of the EL programs or particular EL services being offered?
- ★ Are there procedures in place to ensure that parents do not opt their children out of any EL programs or services based on inadequate information about those programs or services, or on unanswered questions about their children's EL status?
- ★ Are there procedures in place to ensure that parents do not opt their children out of any EL programs or services based on schedule conflicts with other programs (such as special education programs); insufficient space in the available EL programs; or insufficient offerings within the EL program?
- ★ Are there procedures in place to address parental concerns about the quality of the EL services and programs being offered?
- ★ Is information provided in a language that parents understand?
- ★ Does the LEA have a formal mechanism for documenting which students opted out of services, including tracking communications to and from the ELs' parents in the appropriate languages?
- ★ Is there a process (perhaps during parent-teacher conferences or after report cards are issued) for informing parents who opted their children out of EL programs or services that their children are not making progress in ELP or academic content areas, when applicable?
- ★ Is there a process for parents to revisit their opt-out decision and opt their children back into EL programs or particular EL services?
- ★ Is there a process for SEAs and LEAs to explore the cause of high opt-out rates for EL services if and when they occur?

Addressing ELs' Needs

- ★ If a parent opts his or her child out of EL services, is there a process to ensure and monitor that (1) the child maintains his or her EL status; (2) the LEA is fulfilling its obligation of meeting the child's language and academic needs; and (3) the child still has appropriate access to the general curriculum?
- ★ Are ELs who have opted out being assessed for ELP at least annually?
- ★ If a parent continues to opt his or her child out of EL programs and services after being notified of that child's insufficient progress, is the LEA providing additional training to the student's classroom teacher(s) in EL instructional strategies?

You can access **Tools and Resources for Serving English Learners Who Opt Out of EL Programs** at http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html.

SERVING ENGLISH LEARNERS WHO OPT OUT OF EL PROGRAMS

TOOLS

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The following set of tools is intended to assist schools, LEAs, and SEAs in developing processes to assist in meeting legal requirements when parents of ELs choose to opt their child out of EL programs or particular EL services. LEAs are reminded to check with their SEAs to see if a particular parent notification letter is required, and, if so, what the current version is.

Tool #1, Statutorily Required Elements of Parent Notification Letter, cites relevant *Title III* requirements for notifying parents of their children's EL status and their right to opt their children out of EL programs or particular EL services.

Tool #2, Sample Parent Notification Letter for a Child's Placement in English Learner Programs and Services, provides one example of a parent notification letter that LEAs could use to notify parents of their children's EL status and their right to opt their children out of EL programs or particular EL services.

Tool #3, Sample English Learner Programs and Services Opt-Out Notification, provides one example of a form that LEAs could use to provide documentation for legal compliance when a parent has expressed the desire to opt his or her child out of EL programs or particular EL services.

Tool #4, Sample Notification to Opt a Child Back into English Learner Programs or Services, provides one example of a form that LEAs could use to provide documentation when a parent revisits his or her decision and decides to opt the child back into EL programs or particular EL services.



You can access **Tools and Resources for Serving English Learners Who Opt Out of EL Programs** at http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html.

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TOOL #1
STATUTORILY REQUIRED ELEMENTS OF PARENT NOTIFICATION LETTER

This tool cites the relevant *Title III* requirements for notifying parents of their children's EL status and their right to opt their children out of EL programs or particular EL services. SEAs and LEAs that receive *Title I* or *Title III* funds should be familiar with the requirements of *Title I* and *Title III* and ensure parental notification letters include all statutorily required elements.

TITLE III: SECTION 3302 OF THE ESEA (20 USC 7012)

[See same provision in *Title I*: Section 1112(g) of the ESEA (20 USC 6312(g)]

(a) IN GENERAL—each eligible entity using funds provided under this title to provide a language instruction educational program shall, not later than 30 days after the beginning of the school year, inform a parent or the parents of a limited English proficient child identified for participation in, or participating in, such program of

(1) the reasons for the identification of their child as limited English proficient and in need of placement in a language instruction educational program;

(2) the child's level of English proficiency, how such level was assessed, and the status of the child's academic achievement;

(3) the method of instruction used in the program in which their child is, or will be, participating, and the methods of instruction used in other available programs, including how such programs differ in content, instruction goals, and use of English and a native language in instruction;

(4) how the program in which their child is, or will be participating will meet the educational strengths and needs of the child;

(5) how such program will specifically help their child learn English, and meet age appropriate academic achievement standards for grade promotion and graduation;

(6) the specific exit requirements for such program, the expected rate of transition from such program into classrooms that are not tailored for limited English proficient children, and the expected rate of graduation from secondary school for such program if funds under this title are used for children in secondary schools;

(7) in the case of a child with a disability, how such program meets the objectives of the individualized education program of the child; and

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TOOL #1: STATUTORIALY REQUIRED ELEMENTS OF PARENT NOTIFICATION LETTER (CONTINUED)

(8) information pertaining to parental rights that includes written guidance

(A) detailing—

(i) the right that parents have to have their child immediately removed from such program upon their request; and

(ii) the options that parents have to decline to enroll their child in such program or to choose another program or method of instruction, if available; and

(B) assisting parents in selecting among various programs and methods of instruction, if more than one program or method is offered by the eligible entity.

(b) *

(c) Receipt of information

The information required to be provided under subsections (a) and (b)* of this section to a parent shall be provided in an understandable and uniform format and, to the extent practicable, in a language that the parent can understand.

(d) Special rule applicable during school year

For a child who has not been identified for participation in a language instruction educational program prior to the beginning of the school year, the eligible entity shall carry out subsections (a) through (c) of this section with respect to the parents of the child within 2 weeks of the child being placed in such a program.

*Section (b) of the statute is omitted, as it is not directly relevant to the information in this chapter.

Source: Elementary and Secondary Education Act, §3302, 20 USC 7012 (2001). Retrieved from http://www2.ed.gov/policy/elsec/leg/esea02/pg50.html#sec3302

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TOOL #2
SAMPLE PARENT NOTIFICATION LETTER FOR A CHILD'S PLACEMENT IN ENGLISH LEARNER PROGRAMS AND SERVICES

The following tool provides one example of a parent notification letter that LEAs could use to notify parents of their children's EL status and their right to opt their children out of EL programs or particular EL services. The tool is based on forms currently used by SEAs and LEAs. The form would need to be provided in a language that the parent understands.

PARENT NOTIFICATION LETTER FOR PLACEMENT IN ENGLISH LEARNER PROGRAMS AND SERVICES

[SCHOOL NAME, ADDRESS, CONTACT INFORMATION]

Date:

Dear Parent,

When you enrolled your child in school this year, you noted on the home language survey that he or she may use a language other than English. Based on this response, the law requires us to test your child's English language proficiency to determine if s/he is legally entitled to English Learner (EL) support services. We used this test to determine the best educational program placement for your child. We are required to inform you of the test results, our program recommendation, and all of the placement options available for your child. That information appears below, along with information our school district uses to determine when a student is ready to exit the EL program.

Based on your child's test results, your child qualifies for EL support services. Additional English language instruction is instrumental in increasing a student's English language proficiency and ability to acquire grade-level academic content. We highly recommend that your child participate in and receive the benefits from an EL program.

1. Your child's English language assessment scores for this school year are as follows:

Area	Level/Score
Listening	
Speaking	
Reading	
Writing	
Overall	

Continued on next page

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TOOL #2: SAMPLE PARENT NOTIFICATION LETTER FOR A CHILD'S PLACEMENT IN ENGLISH LEARNER PROGRAMS AND SERVICES (CONTINUED)

2. Your child's EL programs and services will entail the following types of instruction:

   Insert available EL programs and services here

3. The overall goal of the EL program is for students to become fully proficient in English and to master state standards for academic achievement as rapidly as possible. The exit criteria are as follows:

   Insert exit criteria here

4. If your child has an Individualized Education Program (IEP), the EL program will assist in meeting the IEP goals in the following ways:

   Insert description here

As mentioned, we highly recommend that your child participate in and receive the benefits from this program; however, you have the right to decline your child's participation in or 'opt your child out' of the EL program or particular EL services. Please telephone the school at [*Insert telephone number.*] or contact your child's teacher if you would like to schedule a parent conference to discuss your child's options for program placement and/or if you wish to opt your child out of the EL program or particular EL services within the EL program.

Sincerely,

Source: Bell, T., & Zantal-Wiener, K. (2015). *Sample parent notification letter for a child's placement in English learner programs and services*. Silver Spring, MD: National Clearinghouse for English Language Acquisition (NCELA). Retrieved from http://ncela.ed.gov/files/forms/sample_parent_notification_letter_for_el_placement.pdf

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TOOL #3
SAMPLE ENGLISH LEARNER PROGRAMS AND SERVICES OPT-OUT NOTIFICATION

The following tool provides one example of a form that LEAs could use to provide documentation for legal compliance with the requirements of the EL opt-out decision-making process when a parent chooses to opt his or her child out of the EL program or particular EL services. The tool reflects forms currently used by LEAs to document that parents have been notified of their child's rights, the range of EL services that their child could receive, and the benefits of such EL services, before voluntarily waiving them. The form would need to be provided in a language that the parents understand.

NOTIFICATION TO OPT A CHILD OUT OF EL PROGRAMS OR PARTICULAR EL SERVICES

[SCHOOL NAME, ADDRESS, CONTACT INFORMATION]

Date:

Dear Parent,

We understand that you would like to decline the English Learner (EL) program or particular EL services proposed for your child _____ *(insert child's name)*. EL services are specifically designed to help your child obtain English language proficiency as well as acquire grade-level content. However, as stated in our conversation, you have the legal right to opt your child out of the program or particular services.

If you still wish to opt your child out of the EL program or particular EL services, please initial next to each item on the checklist below. Doing so will indicate that you fully understand and agree with each statement. After you have initialed next to each of the statements, please sign, date, and return the form to your child's school. We will keep this document on file stating that you have declined or do not want these indicated EL services for your child.

____ I am aware of my child's English language assessment score and other information about my child's current academic progress, and understand why he/she was recommended for additional English language instruction.

____ I am familiar with the EL programs and services the school has available for my child.

____ I have had the opportunity to discuss the available EL programs and services with the school.

____ I understand that the school believes its recommendation is the most academically beneficial for my child.

____ I understand that my child will still be designated an "English Learner" and have his or her English proficiency assessed once per year until he/she no longer meets the definition of an English Learner.

____ All of this information has been presented to me in a language I fully understand.

Continued on next page

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The EL Tool Kit contains examples of, adaptations of, and links to resources created and maintained by other public and private organizations. This information is provided for the reader's convenience and is included here to offer examples of the many resources that educators, parents, advocates, administrators, and other interested parties may find helpful and use at their discretion. The U.S. Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Further, the inclusion of links to items does not reflect their importance, nor is it intended to endorse any views expressed, or materials provided.

TOOL #3: SAMPLE ENGLISH LEARNER PROGRAMS AND SERVICES OPT-OUT NOTIFICATION (CONTINUED)

I, _____ (*insert name*), with a full understanding of the above information, wish to

☐ decline **all** of the EL programs and EL services offered to my child.

☐ decline **some** of the EL programs and/or particular EL services offered to my child.

I wish to decline (*List program/services*)

_____

_____

_____

_____

_____	_____	_____
Parent's Signature	Child's Name	Date

Source: Zantal-Wiener, K., & Bell, T. (2015). *Sample English learner programs and services opt-out notification.* Silver Spring, MD: National Clearinghouse for English Language Acquisition (NCELA). Retrieved from http://ncela.ed.gov/files/forms/sample_notification_to_opt_out.pdf

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TOOL #4
SAMPLE NOTIFICATION TO OPT A CHILD BACK INTO ENGLISH LEARNER PROGRAMS OR SERVICES

The following tool provides one example of a form that LEAs could use to provide documentation when parents decide to opt their children back into EL programs or particular EL services. This form would only be used if/when a parent revisited his or her initial decision to opt his or her child out of EL programs or particular EL services. The form would need to be provided in a language that the parent understands.

NOTIFICATION TO OPT A CHILD BACK INTO EL PROGRAMS OR PARTICULAR EL SERVICES

[SCHOOL NAME, ADDRESS, CONTACT INFORMATION]

Date:

Dear Parent:

On _____ (*insert date of Notice to Opt-Out)*, you notified us of your desire to decline the English Learner (EL) program or particular EL services proposed for your child _____ (*insert name*).

We understand that you have revisited your previous decision and would now like to accept the EL program or particular EL services proposed for your child. EL services are specifically designed to help your child obtain English language proficiency as well as acquire grade-level academic content. We believe these services will be a tremendous benefit to your child.

Please indicate below the EL program or particular EL services you would like your child to participate in. We will keep this form on file indicating that you have revisited your previous decision and do indeed want EL services for your child.

I, _____ (insert name of parent), wish to

☐ opt my child back into all of the EL programs and services offered to my child.

☐ opt my child back into some of the EL programs or particular EL services offered to my child.

I wish to accept (*List program/services*)

_____

_____

_____

_____ _____ _____

Parent's Signature | Child's Name | Date

Source: Bell, T., & Zantal-Wiener, K. (2015). *Sample notification to opt a child back into English learner programs or services*. Silver Spring, MD: National Clearinghouse for English Language Acquisition (NCELA). Retrieved from http://ncela.ed.gov/files/forms/sample_notification_to_opt_in.pdf

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SERVING ENGLISH LEARNERS WHO OPT OUT OF EL PROGRAMS

RESOURCES

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Bell, T., & Zantal-Wiener, K. (2015). *Sample parent notification letter for a child's placement in English learner programs and services.* Silver Spring, MD: National Clearinghouse for English Language Acquisition (NCELA). Retrieved from http://ncela.ed.gov/files/forms/sample_parent_notification_letter_for_el_placement.pdf

This tool is one example of a parent notification letter that LEAs could use to notify parents of their children's EL status and their right to opt their children out of EL programs or particular EL services. The tool reflects forms currently used by SEAs and LEAs.

Bell, T., & Zantal-Wiener, K. (2015). *Sample notification to opt a child back into English learner programs or services.* Silver Spring, MD: National Clearinghouse for English Language Acquisition (NCELA). Retrieved from http://ncela.ed.gov/files/forms/sample_notification_to_opt_in.pdf

This tool provides one example of a form that LEAs could use to provide documentation when a parent decides to opt his or her child back into EL programs or particular EL services. This form would only be used if/when a parent changes his or her initial decision to opt out of EL programs or particular EL services.

U.S. Department of Education, Office for Civil Rights (OCR), and U.S. Department of Justice (DOJ). (2015, January). *Dear colleague letter: English learner students and limited English proficient parents.* Retrieved from http://www2.ed.gov/about/offices/list/ocr/letters/colleague-el-201501.pdf

This document provides guidance to assist SEAs, LEAs, and all public schools in meeting their legal obligations to ensure that ELs can participate meaningfully and equally in educational programs and services. This guidance provides an outline of the legal obligations of SEAs and LEAs to ELs under the civil rights laws. Additionally, the guidance discusses compliance issues that frequently arise in OCR and DOJ investigations under *Title VI* of the *Civil Rights Act of 1964* and the *Equal Educational Opportunities Act* and offers approaches that SEAs and LEAs may use to meet their federal obligations to ELs. A discussion of how SEAs and LEAs can implement their *Title III* grants and subgrants in a manner consistent with these civil rights obligations is included. Finally, the guidance discusses the federal obligation to ensure that limited English proficient parents and guardians have meaningful access to SEA-, LEA-, and school-related information.

Zantal-Wiener, K., & Bell, T. (2015). *Sample English learner programs and services opt-out notification.* Silver Spring, MD: National Clearinghouse for English Language Acquisition (NCELA). Retrieved from http://ncela.ed.gov/files/forms/sample_notification_to_opt_out.pdf

This tool is one example of a form that LEAs could use to provide documentation for legal compliance with the requirements of the EL opt-out decision-making process when a parent wishes to opt his or her child out of the EL program or particular EL services. The tool reflects forms currently used by LEAs to document that a parent has been notified of his or her child's rights, the range of EL services that the child could receive, and the benefits of such EL services, before voluntarily waving them.

To access these and other relevant resources, and for additional information about ELs, please visit http://www.ncela.ed.gov/.

You can access **Tools and Resources for Serving English Learners Who Opt Out of EL Programs** at http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html.

Published September 2015

CHAPTER 8

TOOLS AND RESOURCES FOR MONITORING AND EXITING ENGLISH LEARNERS FROM EL PROGRAMS AND SERVICES

This is the eighth chapter of the English Learner Tool Kit, which is intended to help state and local education agencies (SEAs and LEAs) in meeting their obligations to English Learners (ELs). This tool kit should be read in conjunction with the U.S. Department of Education Office for Civil Rights' and the U.S. Department of Justice's Dear Colleague Letter on "English Learner Students and Limited English Proficient Parents," published in January 2015, which outlines SEAs' and LEAs' legal obligations to ELs under civil rights laws and other federal requirements. The Dear Colleague Letter can be found at http://www2.ed.gov/about/offices/list/ocr/ellresources.html.

TRACKING THE PROGRESS OF ENGLISH LEARNERS

KEY POINTS

- **LEAs must monitor the progress of all ELs in achieving English language proficiency (ELP) and in acquiring content knowledge.**
- **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.**
- **SEAs must monitor LEAs to ensure that they are providing ELs meaningful access to grade-level core content instruction and remedying any academic deficits in a timely manner.**



LEAs must monitor and regularly assess the progress of all ELs, including those who have opted out of EL programs, in both English language proficiency (ELP) and content knowledge. This includes conducting an annual ELP assessment and, at least annually, measuring their performance in grade-level core content areas.

Establishing rigorous monitoring systems that include periodic benchmarks allows LEAs to monitor ELs' progress over time, determine when students are not making appropriate progress, and provide additional support to enable ELs to reach English proficiency and gain grade-level content knowledge. SEAs must monitor LEAs to ensure that they are providing ELs meaningful access to grade-level core content instruction and remedying any academic deficits in a timely manner.

ELs could benefit from multi-tiered systems of support. One such system for supporting students, including ELs, is Response to Intervention (RTI). RTI is not an EL program and may not substitute for one. However, RTI can provide additional systems of support for ELs in areas such as assessment, screening, intervention, and monitoring, which when combined can help improve instructional outcomes for ELs (Brown & Sanford, 2011; Sáenz, 2008).

Educators, including teachers, need tools that help them continually monitor students' progress and adjust instructional strategies to target and support students' needs. Regularly monitoring ELs' progress in ELP and content knowledge allows teachers to target instruction and provide additional support services, as needed. For ELP, LEAs must assess ELs at least annually using a valid and reliable assessment that is aligned to state ELP standards. In addition, periodic formative assessments of ELP help inform instruction and support ELs' English language development throughout the school year.

EL progress should inform EL program evaluations. See Chapter 9 of this tool kit for information on evaluating the effectiveness of an LEA's EL program.

You can access **Tools and Resources for Monitoring and Exiting English Learners from EL Programs and Services** at http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html.

EXITING ENGLISH LEARNERS

KEY POINTS

- **LEAs must document that an EL has demonstrated English proficiency using a valid and reliable ELP assessment that tests all four language domains.**
- **Students exiting from EL status must be monitored for at least two years to ensure that (1) they have not been prematurely exited; (2) any academic deficits incurred as a result of participating in the EL program have been remedied; and (3) they are meaningfully participating in the standard program of instruction comparable to their never-EL peers.**

SEAs must use valid and reliable ELP assessments that test all four language domains (listening, speaking, reading, and writing) to ensure that ELs have achieved English proficiency. The proficiency score on the ELP assessment must be set at a level that enables students to effectively participate in grade-level content instruction in English without EL services. This does not mean that students must score proficient on a content assessment (e.g., reading/language arts) in order to exit EL status; indeed, there are never-EL students who are in the general education program who do not score proficient on these content assessments.

SEAs may use additional objective criteria related to English proficiency to decide if an EL who scores proficient on the ELP assessment is ready to exit EL services. However, these additional criteria may not substitute for a proficient score on a valid and reliable ELP assessment.

Exiting EL students either too soon or too late raises civil rights concerns. EL students who are exited too soon are denied access to EL services while EL students who are exited too late may be denied access to parts of the general curriculum. Denied or delayed access to the general curriculum can impede academic growth and contribute to a higher risk of dropping out of school.

After students have exited an EL program, LEAs must monitor their academic progress for at least two years. If an exited EL is not progressing academically as expected and monitoring suggests a persistent language need, LEAs should re-test the student's ELP with a valid, reliable, and grade-appropriate ELP test to see if the student must be offered additional language assistance services. In no case should re-testing of an exited student's ELP be prohibited. If the student is reentered into EL services, however, the LEA should document the reasons why and the parent's consent to reentry. If SEAs or LEAs find that changes to exit criteria or procedures are necessary, SEAs and LEAs need to provide teachers and staff with appropriate training.

The following checklist is intended to assist with tracking the progress of ELs and exiting ELs. The checklist provides suggested questions only. Schools and LEAs should check their SEA's policies and federal guidance to ensure compliance.

Tracking the Progress of ELs

- ★ Are all ELs, including those who have opted out of EL programs and services, monitored at least annually for progress in achieving ELP and acquiring content knowledge?
- ★ Are LEAs monitoring ELs' progress toward established benchmarks for expected growth in ELP and the grade-level content areas and assisting students who are not making timely progress towards those goals?
- ★ Does the SEA monitor LEAs to ensure that they are both providing ELs meaningful access to grade-level core content instruction and remedying any academic deficits in a timely manner?
- ★ Has the SEA developed ELP standards and ensured that LEAs are implementing those ELP standards to inform EL programs, services, and assessments?

Exiting ELs

- ★ Are procedures in place to ensure that students exit from EL programs, services, and status only after they demonstrate English proficiency on a valid and reliable ELP assessment?
- ★ What processes are in place to monitor the progress of former ELs? Do LEAs monitor, for at least two years, the academic progress of students who have exited EL status to ensure that they have not been prematurely exited and that they are meaningfully participating in the LEA's standard educational programs comparable to their never-EL peers?

You can access **Tools and Resources for Monitoring and Exiting English Learners from EL Programs and Services** at http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html.

MONITORING AND EXITING ENGLISH LEARNERS FROM EL PROGRAMS AND SERVICES

TOOLS

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The following tools are intended to assist schools, LEAs, and SEAs in establishing rigorous monitoring systems that include benchmarks for expected growth and taking appropriate steps to assist students who are not adequately progressing towards those benchmarks.

Tool #1, Monitoring English Learner Progress in English Language Proficiency, is an example of a monitoring form that can help determine if an EL is making appropriate progress, or needs additional support to attain English proficiency.

Tool #2, Monitoring English Learner Progress in Core Content Areas, is an example of a form that can help track an EL's educational progress in the content areas.

Tool #3, Digital Progress Monitoring, provides examples of five digital systems available online to monitor ELs' progress.

Tool #4, Resources for Planning and Self-Assessments, provides reference tools, materials, and resources from the Office for Civil Rights (OCR).



You can access **Tools and Resources for Monitoring and Exiting English Learners from EL Programs and Services** at http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html.

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TOOL #1
MONITORING ENGLISH LEARNER PROGRESS IN ENGLISH LANGUAGE PROFICIENCY

Educators need tools that will help them continually monitor students' progress and adjust instructional strategies to target and support students' language needs. Such tools must be used in addition to, rather than in lieu of, the annual ELP assessment.

EL LANGUAGE PROGRESS MONITORING FORMS

The following tool is used with permission from Colorín Colorado's *ELL Starter Kit for Educators: Tools for Monitoring Language Skills*. It may be helpful to use these forms to monitor ELs in the classroom, to determine if their progress is appropriate or whether they need additional support to attain English proficiency. The form below is an excerpt from a larger document. Additional monitoring forms for oral communication skills, reading and fluency skills, and use of comprehension strategies can be found in the starter kit (link provided below). The forms also may help in planning and communicating with parents and other teachers.



¡Colorín colorado! **Overall Language Performance**

This form can help you document the progress of an English language learner. Complete a new form **each month** to learn about the student's overall academic progress and gains in English proficiency. Use the form to help you plan next steps, and share this assessment with other educators who are assisting your student.

Student's name _____ Grade _____ Date _____

Class _____ Teacher _____

	low		average		high
1. Progress during the past month	1	2	3	4	5
2. Performance in class on:					
• Oral comprehension	1	2	3	4	5
• Reading comprehension	1	2	3	4	5
• Completes writing assignments	1	2	3	4	5
• Works independently	1	2	3	4	5
• Asks for help when needed	1	2	3	4	5
• Successful completion of tests and assessments	1	2	3	4	5

3. Recommendations: What kind of help does this student need during the coming weeks or months?

4. How can these recommendations be accomplished?

5. Other

www.ColorinColorado.org

Information, activities, and advice for educators of English language learners

Source: Colorín Colorado. (n.d.). *ELL Starter Kit for Educators: Tools for Monitoring Language Skills*. Washington, DC: AFT. Retrieved from http://www.colorincolorado.org/pdfs/guides/ellstarterkit.pdf

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TOOL #2
MONITORING ENGLISH LEARNER PROGRESS IN CORE CONTENT AREAS

LEAs should create rigorous monitoring systems that include benchmarks for expected growth in acquiring academic content knowledge during the academic year and take appropriate steps to assist students who are not adequately progressing towards those goals. Classroom teachers and EL specialists should gather data on EL progress and collaborate based on this data to ensure that the EL is growing at an acceptable rate in both English language acquisition and content knowledge.

CONTENT MONITORING FORM FOR ENGLISH LEARNERS OR FORMER ENGLISH LEARNERS

The following tool was developed by the National Clearinghouse on English Language Acquisition (NCELA) based on tools used by SEAs and LEAs. This form may be useful to track an EL's educational progress during the school year. The tool is meant to be used at team meetings in which classroom teachers and EL specialists (1) review each student's progress in mastering academic content standards and meeting benchmarks, and (2) determine the support and services an EL may need. This form could also be modified for use in tracking the progress of former ELs during the required two-year monitoring period.

STUDENT INFORMATION	
Student Name	Date of Birth
School Name	
Date Entered U.S. Schools	
Home Language	

STATE CONTENT ASSESSMENT TEST SCORES	
Year:	Results:
Year:	Results:
Year:	Results:

GRADES	
Year:	Grades:
Year:	Grades:
Year:	Grades:
Is the student on track to graduate on time?	

Continued on next page

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TOOL #2: MONITORING ENGLISH LEARNER PROGRESS IN CORE CONTENT AREAS (CONTINUED)

CURRENT YEAR BENCHMARKS

Subject	Term 1 Benchmark	Term 2 Benchmark	Term 3 Benchmark	Term 4 Benchmark
English/Language Arts	___ Above grade level ___ On grade level ___ Below grade level	___ Above grade level ___ On grade level ___ Below grade level	___ Above grade level ___ On grade level ___ Below grade level	___ Above grade level ___ On grade level ___ Below grade level
Mathematics	___ Above grade level ___ On grade level ___ Below grade level	___ Above grade level ___ On grade level ___ Below grade level	___ Above grade level ___ On grade level ___ Below grade level	___ Above grade level ___ On grade level ___ Below grade level
Science	___ Above grade level ___ On grade level ___ Below grade level	___ Above grade level ___ On grade level ___ Below grade level	___ Above grade level ___ On grade level ___ Below grade level	___ Above grade level ___ On grade level ___ Below grade level
Social Studies	___ Above grade level ___ On grade level ___ Below grade level	___ Above grade level ___ On grade level ___ Below grade level	___ Above grade level ___ On grade level ___ Below grade level	___ Above grade level ___ On grade level ___ Below grade level
Other _____	___ Above grade level ___ On grade level ___ Below grade level	___ Above grade level ___ On grade level ___ Below grade level	___ Above grade level ___ On grade level ___ Below grade level	___ Above grade level ___ On grade level ___ Below grade level

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TEACHER OBSERVATIONS

Rating Scale: 1: Never 2: Seldom 3: Sometimes 4: Often 5: Always

Characteristic	Term 1	Term 2	Term 3	Term 4
Completes class assignments on time				
Participates effectively in class discussions				
Works independently				
Completes homework assignments				
Displays effort				

ATTENDANCE AND TARDY DATA

	Term 1	Term 2	Term 3	Term 4
Attendance				
Tardy				

SUMMARY AND ACTION STEPS

Summary

1. Student meets grade-level academic standards or benchmarks.	
2. Student does not meet grade-level academic standards or benchmarks. English language proficiency is *not* a reason the student is not meeting grade-level academic standards or benchmarks.	
3. Student does not meet grade-level academic standards or benchmarks. Limited English language proficiency in one or more language domains *is* a reason the student is not meeting grade-level academic standards or benchmarks.	

Action Steps:

Date:	Person Completing the Form and Title:
	Team Members:

Source: Zantal-Wiener, K., & Bell, T. (2015). *Content monitoring form for English learners or former English learners.* Silver Spring, MD: National Clearinghouse for English Language Acquisition (NCELA). Retrieved from http://ncela.ed.gov/files/forms/content_monitoring_form.pdf

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TOOL #3
DIGITAL PROGRESS MONITORING

There are numerous Web-based tools available to monitor students' academic progress. Each tool has a wide range of functionality, including the ability to monitor an EL's placement and progress. Some systems generate individualized lesson plans and assignments and chart progress based on assessment results and the proficiency levels of all students. Some additional considerations may include accessibility for parents and staff with disabilities as well as availability of parent information in multiple languages.

SAMPLE DIGITAL MONITORING SYSTEMS

NCELA developed an alphabetical list of some data monitoring systems used by SEAs, LEAs, and individual schools. The chart below briefly describes the general features of the systems and, if applicable, features specifically for ELs. It is important to note that the U.S. Department of Education does not endorse any particular system, product, or program for data monitoring.

Program	General Features	EL-Specific Features
Blackboard/Blackboard Engage (previously Edline) http://www.blackboard.com/platforms/engage/overview.aspx	SEA, LEA, and school-wide student management system: • tracks attendance • tracks enrollment • creates class lists • produces grade reports • creates report cards • provides parental access • developed in accordance with the internationally recognized Web Content Accessibility (WCAG) Guidelines 2.0, Level AA, as well as the Section 508 standards in the United States	• Has the capacity to track progress for individual EL students, groups of EL students, and former EL students
Edmodo* https://www.edmodo.com/	SEA, LEA, school-wide and classroom-wide instructional system: • creates assignments • creates quizzes • assists with lesson planning • has online professional learning communities (PLCs)	• Has the capacity to track progress for individual EL students, groups of EL students, and former EL students

Continued on next page

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TOOL #3: DIGITAL PROGRESS MONITORING (CONTINUED)

Program	General Features	EL-Specific Features
ELLevation* http://ellevationeducation.com/	SEA, LEA, and school-wide student management system: • provides suggestions for differentiation • includes individualized EL instructional plans • sets goals based on individual data • has a progress dashboard to view specific topics and areas • recommends accommodations based on student data and characteristics	• Has the capacity to track progress for individual EL students, groups of EL students, and ELs in the required two-year monitoring phase • *Title III* Parent letters in 28 languages
Infinite Campus* https://www.infinitecampus.com/	SEA, LEA, and school-wide student management system: • tracks attendance • tracks enrollment • creates class lists • creates assignments • produces grade reports • creates report cards • provides parental access	• Has the capacity to track progress for individual EL students, groups of EL students, and former EL students
Powerschool* http://www.pearsonschoolsystems.com/products/powerschool/	SEA, LEA, and school-wide student management system: • tracks attendance • tracks enrollment • creates class lists • creates assignments • produces grade reports • creates report cards • provides parental access	• Has the capacity to track progress for individual EL students, groups of EL students, and former EL students

*Vendor websites do not state explicitly whether programs are WCAG 2.0 or 508 compliant. Contact vendor directly for more information.

Source: Bell, T. (2015). *Sample digital monitoring systems*. Silver Spring, MD: National Clearinghouse for English Language Acquisition (NCELA). Retrieved from http://ncela.ed.gov/files/forms/digital_progress_monitoring.pdf

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TOOL #4
RESOURCES FOR PLANNING AND SELF-ASSESSMENTS

In addition to the Dear Colleague Letter regarding EL students published on January 7, 2015 (http://www2.ed.gov/about/offices/list/ocr/letters/colleague-el-201501.pdf), OCR's website contains resource materials from 1999 that may assist LEAs in serving their EL students. These reference tools, materials, and resources address procedures for determining when students no longer need EL services, and must be used consistently with the guidance on monitoring and exiting ELs in the 2015 EL Dear Colleague Letter.

Topic	Description	URL
Progression of Student Through EL Program	Flowchart describes an EL's progression through an EL program. The steps include (1) enrollment in a school; (2) identification as a potential EL; (3) assessment to determine need for services; (4) provision of appropriate services; (5) transition from services; and (6) monitoring of the former EL to gauge ability to participate meaningfully in the general education program.	http://www2.ed.gov/about/offices/list/ocr/ell/cprogression.html
	Flowchart describes a district's responsibility for providing EL services, including transitioning out of services and monitoring former EL students.	http://www2.ed.gov/about/offices/list/ocr/ell/coverview.html
Transition from EL Services	Questions that districts may use as a checklist for developing a description of the transition procedures.	http://www2.ed.gov/about/offices/list/ocr/ell/transition.html
	Flowchart describes criteria to determine when EL students no longer need EL services, and if a student is ready to transition from services.	http://www2.ed.gov/about/offices/list/ocr/ell/ctransition.html
Monitoring Former EL Students	Questions that districts may use to develop a description of the procedures for monitoring former EL students.	http://www2.ed.gov/about/offices/list/ocr/ell/cmonitoring.html
	Flowchart describes processes for monitoring a transitioned former EL student and what to do if the EL is not meaningfully participating in the district's educational program.	http://www2.ed.gov/about/offices/list/ocr/ell/cmonitoring.html

Source: U.S. Department of Education, Office for Civil Rights. (n.d.) Resource materials for planning and self-assessments. Retrieved from http://www2.ed.gov/about/offices/list/ocr/ell/index.html

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MONITORING AND EXITING ENGLISH LEARNERS FROM EL PROGRAMS AND SERVICES

RESOURCES

The U.S. Department of Education does not mandate or prescribe particular standards, curricula, lesson plans, assessments, or other instruments in this tool kit. This tool kit contains examples of, adaptations of, and links to resources created and maintained by other public and private organizations. This information is provided for the reader's convenience and is included here to offer examples of the many resources that educators, parents, advocates, administrators, and other interested parties may find helpful and use at their discretion. The U.S. Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Further, the inclusion of links to resources does not reflect their importance, nor is it intended to endorse any views expressed, or materials provided. All links included here were verified on August 25, 2015. The list of resources will be updated and revised in the future.

Abedi, J. (2008, Fall). Classification system for English language learners: Issues and recommendations. *Educational Measurement: Issues and Practice, 27*(3). Retrieved from http://education.ucdavis.edu/sites/main/files/LEP_Class_EMIP_New.pdf

The purpose of this paper is to "reveal issues concerning the validity of the current EL classification system". Past studies show inconsistencies in how states, LEAs, and schools within states determine English language proficiency and define ELs. This paper suggests using pre-existing criteria, such as home language surveys and standardized language assessments, in a step-by-step process to ensure consistency in the classification of ELs.

Alvarez, L., Ananda, S., Walqui, A., Sato, E., & Rabinowitz, S. (2014). *Focusing formative assessment on the needs of English language learners*. San Francisco, CA: WestEd. Retrieved from http://www.wested.org/wp-content/files_mf/1391626953FormativeAssessment_report5.pdf

This paper examines ways for educators to use formative assessment in improving pedagogical and instructional outcomes for ELs. The authors "highlight the opportunities and challenges inherent in integrating formative assessment into the instruction for ELL students [ELs]". They believe that teachers must simultaneously assess ELs' content and language skills to gauge academic growth.

Assessment and Accountability Comprehensive Center. (2009). *Framework for high-quality English language proficiency standards and assessments*. San Francisco, CA: WestEd. Retrieved from http://files.eric.ed.gov/fulltext/ED524106.pdf

This framework provides criteria for high-quality ELP standards and aligned assessments using research and practice. Intended primarily for SEAs, the framework suggests a cross-disciplinary process for using the criteria to either "1) engage in an evaluation of states' existing ELP standards and assessments, and their implementation, or 2) oversee the development and implementation of new ELP standards and assessments."

August, D., Estrada, J., & Boyle, A. (2012). *Supporting English language learners: A pocket guide for state and district leaders*. Washington, DC: American Institutes for Research. Retrieved from http://www.air.org/sites/default/files/downloads/report/ELL_Pocket_Guide1_0.pdf

This guide provides research-based guidelines to support state and district leaders in implementing reforms for ELs outlined by the U.S. Department of Education in 2011. The reforms are broken into four main principles: "1) achieving college- and career-ready expectations for all students; 2) developing differentiated recognition, accountability, and support systems; 3) supporting effective instruction and leadership; and 4) reducing duplication and unnecessary burden." This guide "focuses on the implementation of reforms related to ELLs [ELs] across the first three principles."

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Bell, T. (2015). *Sample digital monitoring systems*. Silver Spring, MD: National Clearinghouse for English Language Acquisition (NCELA). Retrieved from http://ncela.ed.gov/files/forms/digital_progress_monitoring.pdf

This tool is an alphabetical list of some data-monitoring systems used by SEAs, LEAs, and individual schools. The tool describes the general features of the systems, and if applicable, features specifically for ELs.

Brown, J. E., & Sanford, A. (2011, March). *RTI for English language learners: Appropriately using screening and progress monitoring tools to improve instructional outcomes*. Washington, DC: U.S. Department of Education, Office of Special Education Programs, National Center on Response to Intervention. Retrieved from http://www.rti4success.org/sites/default/files/rtiforells.pdf

This brief provides a framework for using Response to Intervention (RTI) methods with students who are ELs from Hispanic backgrounds. Highlights include guiding appropriate screening, progress monitoring, and goal setting to promote English literacy, as well as the need for system-wide process and professional development plans to ensure educational equity for ELs and other diverse student populations.

Callahan, R. M. (2005, Summer). Tracking and high school English learners: Limiting opportunity to learn. *American Educational Research Journal, 42*(2), 305-328. Retrieved from http://www.utexas.edu/cola/orgs/etag/_files/pdfs/articles/2005/Callahan%202005.pdf

This study examines the effects of "track placement and English proficiency on secondary English learners' academic achievement." The study also controls for students' previous schooling and how long they attended school in the United States. Authors find that "track placement was a better predictor of achievement than proficiency in English."

Colorín Colorado. (n.d.). *Assessment of English language learners* [Webcast]. Retrieved from http://www.colorincolorado.org/webcasts/assessment/

This 45-minute webcast discusses various methods for assessing ELs. Topics covered include "performance-based standardized assessments; assessment as a tool for informing instruction; use of assessment to reinforce reading comprehension; and student self-assessment and self-monitoring." The author also provides ideas on how EL and mainstream teachers can collaborate to more effectively assess ELs.

Colorín Colorado. (n.d.). *English language learners with learning disabilities* [Webcast]. Retrieved from http://www.colorincolorado.org/webcasts/disabilities/

This webcast "discusses effective assessment and instruction strategies for ELs with learning disabilities (LD)." Specific strategies discussed include "assessing children regularly and carefully," "basing instructional design upon assessment data," "having consistency across languages of instruction," "providing opportunities to develop social language skills," and "focusing intensively on high-level vocabulary and comprehensive skills." This webcast also provides suggestions for involvement of parents of ELs with LD in their children's schools.

Colorín Colorado. (n.d.). *ELL starter kit for educators: Tools for monitoring language skills*. Washington, DC: AFT. Retrieved from http://www.colorincolorado.org/pdfs/guides/ellstarterkit.pdf

This starter kit for English learners provides "high-quality, research-based instructional information on what educators can do to help their ELLs succeed academically." The kit contains worksheets to monitor students' conversation skills, fluency, reading, and comprehension. It was developed for Spanish-speaking students and also contains a short Spanish-to-English translation guide.

Cook, G., Boals, T., & Lundberg, T. (2011, November). Academic achievement for English learners: What can we reasonably expect? *Kappan, 93*(3), 66-69. Retrieved from https://www.wida.us/get.aspx?id=485

This article addresses the journey to English proficiency for ELs and the relationship between academic language and academic content proficiency. Research suggests that comparisons between ELP and academic content proficiency should be part of the process that states use to define English proficiency. It also suggests that representations of EL achievement must be sensitive to the fact that ELs progress at different rates.

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Cook, H. G., Linquanti, R., Chinen, M., & Jung, H. (2012). *National evaluation of Title III implementation supplemental report—Exploring approaches to setting English language proficiency performance criteria and monitoring English learner progress*. Washington, DC: U.S. Department of Education; Office of Planning, Evaluation and Policy Development; Policy and Program Studies Service. Retrieved from http://www2.ed.gov/rschstat/eval/title-iii/implementation-supplemental-report.pdf

This report describes "several empirical methods and conceptual or theoretical rationales" to assist in creating meaningful ELP performance standards. The authors discuss various methodological approaches that may assist educators to "1) determine a meaningful ELP performance standard; 2) establish a realistic, empirically anchored time frame for attaining a given ELP performance standard; and 3) take into account an EL's ELP level when setting academic progress and proficiency expectations."

de Jong, E. J. (2004, September). After exit: Academic achievement patterns of former English language learners. *Education Policy Analysis Archives, 12*(50). Retrieved from http://files.eric.ed.gov/fulltext/EJ853517.pdf

This study examines the achievement patterns in English language arts, math, and science of former ELs who attended a bilingual and an ESL program. Results show that "4th grade students more closely paralleled non-ELL [non-EL] students' achievement patterns than 8th grade students, particularly for the BE [bilingual education] students." The authors find that "exit grade does emerge as an important variable to take into consideration in setting exit guidelines."

Gallegos, C. and Wise, D. (2011, September). Leadership for English learners: Challenges and questions. *Educational Leadership and Administration: Teaching and Program Development, 23*, 37-55. Retrieved from http://files.eric.ed.gov/fulltext/EJ965168.pdf

This article discusses decision points to reclassify students as fluent and proficient in English. The study examines "the achievement gap between English learners and the overall student population and the reclassification of English learners as proficient in English in schools across three California counties."

Gwynne, J., Stitziel Pareja, A., Ehrlich, S. B., & Allensworth, E. (2012, May). *What matters for staying on-track and graduating in Chicago public schools: A focus on English language learners*. Chicago, IL: University of Chicago Consortium on Chicago School Research. Retrieved from https://ccsr.uchicago.edu/sites/default/files/publications/ELL%20Report_0.pdf

This report analyzes "ninth-grade course performance indicators." These indicators are seen as good predictive measures for high school graduation amongst the overall student population. The authors examine whether these indicators have the same predictive ability with ELs. The authors differentiate between long-term ELs, students identified as ELs before sixth grade, and new ELs, students identified as ELs after the sixth grade.

Kim, J. (2011). *Relationships among and between ELL status, demographic characteristics, enrollment history, and school persistence* (CRESST Report 810). Los Angeles, CA: University of California, Los Angeles (UCLA), Graduate School of Education and Information Studies, National Center for Research on Evaluation, Standards, and Student Testing (CRESST).Retrieved from http://www.cse.ucla.edu/products/reports/R810.pdf

"This report examines enrollment history, achievement gaps, and persistence in school for ELL students [ELs] and reclassified ELL students as compared to non-ELL students. … [R]esults show that after accounting for academic achievement, behavioral issues, background, and district contexts, the longer a student is designated as an EL, the more likely the student will be to drop out [of school]."

Kim, J., & Herman, J. L. (2010). *When to exit ELL students: Monitoring success and failure in mainstream classrooms after ELLs' reclassification* (CRESST Report 779). Los Angeles, CA: UCLA, Graduate School of Education and Information Studies; CRESST. Retrieved from https://www.cse.ucla.edu/products/reports/R779.pdf

This study "assesses the validity of existing systems in terms of gross consequences of reclassification of ELs." Authors investigated the academic outcomes of reclassified ELs in general education classrooms in a local control state. They found that "ELL [EL] students tend to make a smooth transition upon their reclassification and keep pace in mainstream classrooms."

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Kim, J. & Herman, J. L. (2012). *Understanding patterns and precursors of ELL success subsequent to reclassification* (CRESST Report 818). Los Angeles, CA: UCLA, Graduate School of Education and Information Studies; CRESST. Retrieved from http://files.eric.ed.gov/fulltext/ED540604.pdf

This study focuses on ELs who were reclassified after they finished elementary school. Findings reveal that there was "no evidence of former ELLs [ELs] falling behind in academic growth after reclassification, either relative to their non-ELL [non-EL] peers or in terms of absolute academic proficiency levels."

Linquanti, R., & Cook, H. G. (2013). *Toward a "common definition of English learner": Guidance for states and state assessment consortia in defining and addressing policy and technical issues and options*. Washington, DC: Council of Chief State School Officers. Retrieved from http://www.ccsso.org/Documents/2013/Toward_a_Common_Definition_2013.pdf

This paper outlines key issues in defining ELs and discusses specific policy and technical options through a four-state framework. The framework captures the following key criteria and processes to define ELs: (1) identifying potential ELs, (2) classifying a student as an EL, (3) establishing EL performance standards on state or consortium ELP tests to assess EL proficiency, and (4) using multiple exit criteria to reclassify ELs.

Linquanti, R. (2001). *The redesignation dilemma: Challenges and choices in fostering meaningful accountability for English learners* (Policy Report 2001-1). Santa Barbara, CA: University of California Linguistic Minority Research Institute. Retrieved from http://www.wested.org/online_pubs/redesignation.pdf

This policy report focuses on issues surrounding redesignation or reclassification of ELs from limited to fluent English proficient. The authors provide state and local administrators and policymakers with guidance for reviewing their current reclassification policies and procedures.

Musgrove, M. (2011, January). *A response to intervention (RTI) process cannot be used to delay-deny an evaluation for eligibility under the Individuals with Disabilities Education Act (IDEA)* [Memorandum]. Washington, DC: Department of Education Office of Special Education Programs. Retrieved from https://www2.ed.gov/policy/speced/guid/idea/memosdcltrs/osep11-07rtimemo.pdf

This memorandum aims to clarify the relationship between Response to Intervention and evaluations pursuant to the Individuals with *Disabilities Education Act* (IDEA). It suggests examination of procedures and practices in states to ensure any LEA implementing RTI strategies is appropriately using RTI and not delaying or denying timely initial evaluations of children suspected of having a disability.

National Center on Educational Outcomes (NCEO). (2014, June). *State assessment decision-making processes for ELLs with disabilities*. Minneapolis, MN: University of Minnesota, National Center on Educational Outcomes. Retrieved from http://www.cehd.umn.edu/NCEO/OnlinePubs/briefs/brief09/brief09.html

This brief presents information on determining state assessments for ELs with disabilities. Topics discussed in the brief include: "(a) required assessment decision-making processes, (b) experts' recommendations about assessment decisions for ELs with disabilities, (c) resources available to guide assessment decisions, (d) standards-based individualized education programs, and (e) recommended participants on the decision-making team."

Sáenz, L. (2008, March). *Using CBM to progress monitor English language learners* [Slide presentation]. Retrieved from National Center on Student Progress Monitoring website, http://www.studentprogress.org/doc/webinars/mar08webinarslides.pdf

This webinar consists of four sections, (1) "Introductions and ELL Background," (2) "PM with CBM," (3) "RTI and ELL," and (4) "A Closer Look at CBM in a RTI Model," and describes the process of how CBM and RTI assist with monitoring ELLs. It also highlights the potential benefits of using Curriculum-Based Measurement (CBM) for monitoring EL progress and using CBM within an RTI model.

You can access **Tools and Resources for Monitoring and Exiting English Learners from EL Programs and Services** at http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html.

The EL Tool Kit contains examples of, adaptations of, and links to resources created and maintained by other public and private organizations. This information is provided for the reader's convenience and is included here to offer examples of the many resources that educators, parents, advocates, administrators, and other interested parties may find helpful and use at their discretion. The U.S. Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Further, the inclusion of links to items does not reflect their importance, nor is it intended to endorse any views expressed, or materials provided.

U.S. Department of Education, Office for Civil Rights. (2014, October). *Dear colleague letter: Resource comparability*. (Guidance to ensure all students have equal access to educational resources.) Retrieved from http://www2.ed.gov/about/offices/list/ocr/letters/colleague-resourcecomp-201410.pdf

This document provides detailed and concrete information to educators on the standards set in *Title VI* of the *Civil Rights Act of 1964,* including information on the requirements for educational resources; how OCR investigates resource disparities; and what SEAs, LEAs, and schools can do to meet their obligations to all students. Under *Title VI*, SEAs, LEAs, and schools must not intentionally treat students differently based on race, color, or national origin in providing educational resources. In addition, they must not implement policies or practices that disproportionately affect students of a particular race, color, or national origin, absent a substantial justification. The law does not require that all students receive exactly the same resources to have an equal chance to learn and achieve. It does, however, require that all students have equal access to comparable resources in light of their educational needs.

U.S. Department of Education, Office for Civil Rights, and U.S. Department of Justice (DOJ). (2015, January). *Dear colleague letter: English learner students and limited English proficient parents*. Retrieved from https://www2.ed.gov/about/offices/list/ocr/letters/colleague-el-201501.pdf

This document provides guidance to assist SEAs, LEAs, and all public schools in meeting their legal obligations to ensure that ELs can participate meaningfully and equally in educational programs and services. This guidance provides an outline of the legal obligations of SEAs and LEAs to ELs under the civil rights laws. Additionally, the guidance discusses compliance issues that frequently arise in OCR and DOJ investigations under *Title VI* of the *Civil Rights Act of 1964* and the *Equal Educational Opportunities Act*, and offers approaches that SEAs and LEAs may use to meet their federal obligations to ELs. A discussion of how SEAs and LEAs can implement their *Title III* grants and subgrants in a manner consistent with these civil rights obligations is included. Finally, the guidance discusses the federal obligation to ensure that limited English proficient parents and guardians have meaningful access to SEA-, LEA-, and school-related information.

U.S. Department of Education, Office of Special Education and Rehabilitative Services. (2014). *Questions and answers regarding the inclusion of English learners with disabilities in English language proficiency assessments and Title III annual measurable achievement objectives*. Retrieved from http://www2.ed.gov/about/offices/list/osers/osep/policy.html#elp-qa

This document provides guidance on the inclusion of ELs with disabilities in ELP assessments under *Titles I* and *III* of the *Elementary and Secondary Education Act of 1965,* as amended. These are assessments designed to measure the progress of ELs in attaining English language proficiency.

Western Oregon University, The Teaching Research Institute, Education Evaluation Center. (2007). *Guidelines and resources for the Oregon Department of Education: Special education assessment process for culturally and linguistically diverse (CLD) students* (Rev. ed.). Salem, OR: Oregon Department of Education, Office of Student Learning & Partnerships. Retrieved from https://www.wou.edu/tri/eec/CLD.pdf

This manual provides best practices for the special education assessment process for culturally and linguistically diverse (CLD) students. The manual includes an "integrated assessment paradigm" and practice, expanded terminologies and definitions, emerging practices in RTI, as well as revised assessment tools and resources.

Wolf, M. K., Herman, J. L., Bachman, L. F., Bailey, A. L., & Griffin, N. (2008). *Issues in assessing English language learners: English language proficiency measures and accommodation uses—Literature review, Part 1 of 3* (CRESST Report 731). Los Angeles, CA: UCLA, Graduate School of Education and Information Studies, CRESST. Retrieved from http://files.eric.ed.gov/fulltext/ED502283.pdf

This literature review is "the first component of a series on assessing ELL students [ELs], containing pertinent literature related to assessing ELs. The areas being reviewed include validity theory, the construct of ELP assessments, and the effects of accommodations in the assessment of ELL students' content knowledge."

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The EL Tool Kit contains examples of, adaptations of, and links to resources created and maintained by other public and private organizations. This information is provided for the reader's convenience and is included here to offer examples of the many resources that educators, parents, advocates, administrators, and other interested parties may find helpful and use at their discretion. The U.S. Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Further, the inclusion of links to items does not reflect their importance, nor is it intended to endorse any views expressed, or materials provided.

Wolf, M. K., Kao, J., Griffin, N., Herman, J. L., Bachman, P. L., Chang, S. M., & Farnsworth, T. (2008). *Issues in assessing English language learners: English language proficiency measures and accommodation uses—Practice review, Part 2 of 3* (CRESST Report 732). Los Angeles, CA: UCLA, Graduate School of Education and Information Studies, CRESST. Retrieved from http://files.eric.ed.gov/fulltext/ED502284.pdf

This practice review is the second component of the series on assessing ELs, providing a comprehensive picture of states' current policies related to EL assessment. The areas reviewed include "the procedures of ELL [EL] identification and re-designation, the characteristics of English language proficiency assessments, including validity information, and the use of accommodations in the assessment of content knowledge."

Wolf, M. K., Herman, J. L., Bachman, L. F., Bailey, A. L., & Griffin, N. (2008). *Recommendations for assessing English language learners: English language proficiency measures and accommodation uses — Recommendations report, Part 3 of 3* (CRESST Report 737). Los Angeles, CA: UCLA, Graduate School of Education and Information Studies, CRESST. Retrieved from http://files.eric.ed.gov/fulltext/ED502273.pdf

Third in a series on assessing ELs, this report presents a set of "guidelines and recommendations for practitioners to use as a resource to improve EL assessment systems."

Wolf, M. K., Herman, J. L., & Dietel, R. (2010, Spring). *Improving the validity of English language learner assessment systems* (Policy Brief 10). Los Angeles, CA: UCLA, Graduate School of Education and Information Studies, CRESST. Retrieved from http://eric.ed.gov/?q=reclassification+ells&ft=on&id=ED520528

This brief identifies five considerations for improving the validity of assessment systems for EL students. The authors' recommendations include "improvements in: (1) English Language Proficiency standards and assessments; (2) ELL [EL] Classification and Reclassification; (3) Content Assessments for ELL students [ELs]; (4) ELL [EL] Test Accommodations; and (5) Teacher Capacity and ELL students' [ELs] Opportunity to Learn."

Zantal-Wiener, K., & Bell, T. (2015). *Content monitoring form for English learners or former English learners*. Silver Spring, MD: National Clearinghouse for English Language Acquisition (NCELA). Retrieved from http://ncela.ed.gov/files/forms/content_monitoring_form.pdf

This tool, based on tools used by SEAs and LEAs, may be useful to track an EL's educational progress during the school year. The tool may be used at team meetings in which classroom teachers and EL specialists review each student's progress in mastering academic content standards and meeting benchmarks and to determine the support and services an EL may need. This form could also be modified for use in tracking the progress of former ELs during the required two-year monitoring period.

To access these and other relevant resources, and for additional information about ELs, please visit http://www.ncela.ed.gov/.

You can access **Tools and Resources for Monitoring and Exiting English Learners from EL Programs and Services** at http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html.

CHAPTER 9

TOOLS AND RESOURCES FOR EVALUATING THE EFFECTIVENESS OF A DISTRICT'S EL PROGRAM

This is the ninth chapter of the English Learner Tool Kit, which is intended to help state and local education agencies (SEAs and LEAs) meet their obligations to English Learners (ELs). This tool kit should be read in conjunction with the U.S. Department of Education Office for Civil Rights' and the U.S. Department of Justice's Dear Colleague Letter on "English Learner Students and Limited English Proficient Parents," published in January 2015, which outlines SEAs' and LEAs' legal obligations to ELs under civil rights laws and other federal requirements. The Dear Colleague Letter can be found at http://www2.ed.gov/about/offices/list/ocr/ellresources.html.

EVALUATING THE EFFECTIVENESS OF A DISTRICT'S EL PROGRAM

KEY POINTS

- **Successful EL programs enable EL students to attain both English proficiency and parity of participation in the standard instructional program within a reasonable period of time.**
- **LEAs should collect longitudinal data to monitor and compare the performance of current ELs, former ELs, and never-ELs in the LEA's standard instructional program. Data should not be limited to annual measurable achievement objectives (AMAOs).**
- **When EL programs do not produce both English proficiency and parity of participation within a reasonable period of time, SEAs and LEAs must modify the EL program.**



Successful EL programs must, at a minimum, be designed to enable EL students to attain both English proficiency and parity of participation in the standard instructional program, comparable to their never-EL peers, within a reasonable period of time. Research shows that effective academic programs for ELs eliminate achievement gaps by providing cohesive, sustained systems of support (Valentino & Reardon, 2014; Baker et al., 2014; Calderón, Slavin, & Sánchez, 2011). Another key element of effective EL programs is full access to academic, grade-level content. This access facilitates ELs' exiting from EL programs when they achieve English proficiency within a reasonable period of time, participating meaningfully in classes without EL services, and graduating prepared for college and careers.

To determine the effectiveness of an LEA's EL program, an LEA must periodically evaluate its EL programs. Indeed, evaluation should be integrated into all EL program activities and focus on policies, procedures, programs, practices, resources, staffing, and student outcomes. Moreover, Title III of the Elementary and Secondary Education Act (ESEA) requires that every LEA receiving Title III Part A funds carry out an evaluation every two years and submit the results to the SEA (20 U.S.C. § 6841).

You can access **Tools and Resources for Evaluating the Effectiveness of a District's EL Program** at http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html.

Student achievement data is necessary to determine an EL program's effectiveness and ensure compliance with SEA and federal reporting requirements. An evaluation of an EL program should not be limited to annual measurable achievement objectives (AMAOs)[1]; it should be continuous and include multiple data points on ELs. If an LEA or SEA has more than one EL program, data should be disaggregated, by program, to determine if each is effective. The data should be gathered, analyzed, and used to change or modify the EL program and services, as appropriate. Schools can also use individual student achievement data to inform decisions about appropriate instruction and interventions.

Exhibit 1 displays data elements for SEAs, LEAs, and schools to collect in order to determine how ELs are progressing academically, whether the EL program provides ELs with equal opportunities to participate in all other programs and activities, as well as whether any achievement gaps exist between former ELs and their never-EL peers.

Exhibit 1: Data Elements for Evaluating and Monitoring Programs for English Learners

- Scores on state and local assessments
- Scores on annual English language proficiency tests
- Grades in content courses
- Retention in grade
- Reclassification/exit rates
- Graduation and dropout rates
- Participation rates in gifted and advanced courses (e.g., honors, Advanced Placement (AP), gifted and talented, and International Baccalaureate (IB) courses)
- Enrollment rates in pre-kindergarten, magnet, and other choice programs
- Enrollment rates in special education and related services
- Mobility and attendance rates
- Participation in extracurricular programs
- Suspension rates
- Other indicators of college and career readiness

Meaningful EL evaluations include longitudinal data that compares the performance of current ELs, former ELs, and never-ELs in the LEA's standard instructional program over time. Longitudinal data is especially important in evaluating the success of each EL program, given the ever-changing nature of the EL student population. Comprehensive longitudinal monitoring and evaluation will help LEAs and schools determine if ELs are (1) meeting college- and career-ready standards; (2) participating in, and performing comparably to their never-EL peers in, the standard instructional program; (3) accessing the same curricular and extracurricular opportunities as their never-EL peers; and (4) exiting EL programs at appropriate rates (Hill, 2012).

If evaluations show that EL programs are not effective, the LEA must make appropriate programmatic changes.

The following checklist is intended to assist with evaluating programs and services for ELs. The checklist provides suggested questions only. Schools and LEAs should check their SEA's policies and federal guidance to ensure compliance.

- ★ To what extent is the LEA tracking data, both periodically and longitudinally, and by EL program, on ELs' acquisition of English proficiency and mastery of grade-level content?
- ★ To what extent is the EL program meeting its stated educational goals without unnecessarily segregating EL students from never-EL students?
- ★ Do all ELs have comparable access to opportunities that prepare them for college and careers (e.g., higher-level courses, extracurricular activities, field trips, etc.) as their never-EL peers?
- ★ Are ELs making progress toward achieving language proficiency within a reasonable period of time, as evidenced by multiple performance indicators?
- ★ To what extent do longitudinal data compare performance in the core-content areas (e.g., via valid and reliable standardized tests), and graduation, drop-out, and retention data among current ELs, former ELs, and never-ELs?
- ★ To what extent are EL students meeting exit criteria and being exited from EL programs within a reasonable period of time?
- ★ Are all ELs receiving EL services until they achieve English proficiency and not exited from these services based on time in the EL program or opted-out status?
- ★ Is the LEA tracking data of former ELs over time and is it able to compare that data to that of their never-EL peers? For example, to what extent do grades and state and local assessment data in the core-content areas indicate that former ELs
  - participate meaningfully in classes without EL services?
  - perform comparably to their never-EL peers in the standard instructional program?
- ★ Do LEAs modify EL programs when longitudinal performance data indicate ELs are not reaching English proficiency within a reasonable period of time, or when former ELs are not participating in the standard instructional program comparable to their never-EL peers?

1 *Title III*, Section 3122(a) of the ESEA requires SEAs to establish a set of three annual measurable achievement objectives (AMAOs): AMAO 1—Annual increases in the number or percentage of children making progress in learning English; AMAO 2—Annual increases in the number or percentage of children attaining English proficiency by the end of each school year and AMAO 3—Making adequate yearly progress (AYP) for limited English proficient children as described in *Title I*, Section 1111(b)(2)(B), of ESEA.

You can access **Tools and Resources for Evaluating the Effectiveness of a District's EL Program** at http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html.

EVALUATING THE EFFECTIVENESS OF A DISTRICT'S EL PROGRAM

TOOLS

The U.S. Department of Education does not mandate or prescribe particular curricula, lesson plans, assessments, or other instruments in this tool kit. This tool kit contains examples of, adaptations of, and links to resources created and maintained by other public and private organizations. This information is provided for the reader's convenience and is included here to offer examples of the many resources that educators, parents, advocates, administrators, and other concerned parties may find helpful and use at their discretion. The U.S. Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Further, the inclusion of links to items does not reflect their importance, nor is it intended to endorse any views expressed, or materials provided. All links included here were verified on August 19, 2015.

The following tools are intended to assist schools, LEAs, and SEAs in evaluating EL programs and services. The tools provide guidelines and specific examples of program elements to evaluate.

Tool #1, Evaluating Programs and Services for English Learners, offers suggested topics and questions for EL program evaluation.

Tool #2, Improving SEA Systems to Support All Students, provides information that may assist SEAs in sustaining reform efforts, including those focused on ELs.

Tool #3, Improving LEA Systems to Support English Learners, provides information that may help LEAs strengthen their EL programs.

Tool #4, Improving School-Based Systems for English Learners, provides information that may help schools strengthen their EL programs.



You can access **Tools and Resources for Evaluating the Effectiveness of a District's EL Program** at http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html.

The EL Tool Kit contains examples of, adaptations of, and links to resources created and maintained by other public and private organizations. This information is provided for the reader's convenience and is included here to offer examples of the many resources that educators, parents, advocates, administrators, and other interested parties may find helpful and use at their discretion. The U.S. Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Further, the inclusion of links to items does not reflect their importance, nor is it intended to endorse any views expressed, or materials provided.

TOOL #1
EVALUATING PROGRAMS AND SERVICES FOR ENGLISH LEARNERS

It is important that evaluations of EL programs and services focus on overall and specific program goals. The goals should address expected progress in English language development and core-content instruction. SEAs and LEAs are encouraged to develop continuous evaluation systems that align with both program design and the needs of EL students in each state or community.

COMPONENTS OF AN EVALUATION OF PROGRAMS AND SERVICES FOR ELs

The following tool is based on the U.S. Department of Education's Office for Civil Rights' Web page "Developing Programs for English Language Learners," located at http://www2.ed.gov/about/offices/list/ocr/ell/programeval.html. It may help SEAs and LEAs identify elements for evaluating EL programs and services. Questions and data sources focus on EL program implementation information; staffing and professional learning; student performance in English language development and academic content areas; and analyzing the information collected and identifying areas for improvement. EL program evaluation will vary from LEA to LEA; thus, the information below is illustrative.

A. EL Program Implementation Information

Overview: Following are questions to consider in collecting and maintaining information needed to determine whether all aspects of an LEA's EL program(s) are being evaluated. Where an LEA uses more than one EL program, the evaluation should disaggregate current and former EL students' performance data by program to ensure that each program's strengths and weaknesses can be identified and addressed, as needed.

Questions to Ask About EL Program Implementation:

1. Does the evaluation cover all procedural and service provision requirements set forth in the LEA's EL plan, including
   - the identification/screening process?
   - the student assessment process, including the annual ELP assessment?
   - the provision of EL programs and services to all EL students in ways that avoid the unnecessary segregation of EL students?
   - the provision of qualified staff and resources consistent with EL program design?
   - equal opportunities to participate meaningfully in programs and activities, whether curricular, co-curricular, or extracurricular?
   - following appropriate criteria for exiting students from EL program services?
   - the implementation of monitoring practices for current EL students, including opt-out ELs, and former EL students who have transitioned from EL program services?
2. Is the information collected on each EL program element being assessed with reference to the specific requirements of the district's EL plan? For example, when looking at the process for identifying potential EL students, does the evaluation determine whether the LEA has followed the established plan for identifying potential EL students with a home language survey (HLS) and timely referral for an ELP assessment?
3. Does the evaluation determine whether staff are adequately trained and have followed applicable procedural and service requirements, including frequency, timeliness, and documentation to ensure no lapses in EL services?

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TOOL #1: EVALUATING PROGRAMS AND SERVICES FOR ENGLISH LEARNERS (CONTINUED)

Possible Data Sources:

- file and record reviews (e.g., date of enrollment, HLS, assessment, placement, notice letter to EL parent)
- staff interviews and surveys
- enrollment data in advanced, gifted, and special education courses; choice programs, like magnets; extracurricular activities
- input from parents, student surveys, or focus group meetings
- grievances or complaints made to the district regarding program implementation, service delivery, or access to programs

B. Staffing and Professional Learning

Overview: The following questions will be helpful to ask to determine if school leaders and EL program teachers are well prepared and effectively employing professional learning in the classroom to help ensure that EL programs and services facilitate improved educational outcomes and English language development for ELs.

Questions to Ask About Staffing and Professional Learning:

1. Do classroom teachers have the resources, skills and knowledge to address the needs of EL students in their classroom?
2. Are content teachers trained in specific methodologies to provide EL students with meaningful access to the content?
3. If English as a Second Language (ESL) teachers teach in content areas, do they have certification in their specific content areas, as well as ESL certification?
4. Does the LEA provide adequate professional development and follow-up training in order to prepare EL program teachers and administrators to implement the EL program effectively?
5. Are administrators who evaluate EL program staff adequately trained to meaningfully evaluate whether EL teachers are appropriately employing their training in the classroom?
6. Does the school use mainly paraprofessionals to serve EL students or teachers who are qualified to deliver EL services?

Possible Data Sources:

- copies of required certifications, licenses or endorsements of teachers who instruct ELs, including content-area certification, as appropriate
- list of all paraprofessionals who work with ELs and their qualifications to provide support to ELs
- classroom observations
- class lists and description of how ELs are placed in classes (e.g., ESL, bilingual, and supported content instruction)
- topics, schedules, and participants at professional learning opportunities

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TOOL #1: EVALUATING PROGRAMS AND SERVICES FOR ENGLISH LEARNERS (CONTINUED)

C. Student Performance Information: English Language Development

Overview: Following are questions that may be considered when evaluating the success of EL programs in meeting English language development (ELD) goals.

Questions to Ask About English Language Development Goals:

1. Rate of English Language Development
   - Are EL students acquiring English language skills in all four language domains (e.g., listening, speaking, reading, and writing) at a pace that is consistent with EL program goals or expectations and with EL students at comparable ages and initial ELP levels?
   - Is the rate of language development compatible with the LEA's objectives for academic progress?
   - Is the language progress of intermediate and advanced ELs or ELs with disabilities stagnating? If so, what supports are these ELs receiving in addition to continued ELD instruction targeted to their language needs?
2. English Language Proficiency
   - How are EL students performing in English language skills compared to the LEA's goals and standards?
   - Are EL students progressing in English language skills so they will be able to successfully manage regular coursework?
   - Do former EL students, who no longer receive English language development services, continue to demonstrate English language skills that enable them to successfully manage regular coursework?

Possible Data Sources:

- performance on standardized achievement tests
- standardized language proficiency tests
- English oral, reading, and writing skills, as demonstrated by grades in language development courses
- year-to-year test scores
- teacher observation
- parental observations and feedback
- records on length of time from entry to exit from the program
- grades in core classes
- graduation rates

Note: Longitudinal data is especially important in evaluating the success of each EL program with respect to whether ELs attain English proficiency within a reasonable time period. Disaggregating data by current ELs, former ELs, and never ELs is particularly useful for assessing whether EL programs enable ELs to attain parity of participation in the standard program within a reasonable time period.

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You can access **Tools and Resources for Evaluating the Effectiveness of a District's EL Program** at http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html.

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TOOL #1: EVALUATING PROGRAMS AND SERVICES FOR ENGLISH LEARNERS (CONTINUED)

D. Student Performance Information: Academic Content

Overview: This area addresses whether EL students are demonstrating progress in grade-level academic content and are not incurring irreparable academic deficits. The following are questions that may be appropriate to consider when evaluating program success in the area of academic performance.

Questions to Ask:

Rate of Academic Progress

- Are EL students receiving ELD services targeted to their language needs and progressing academically relative to EL program goals or expectations?
- Are EL students learning grade-level core content in addition to English language development?
- Depending upon the LEA's EL program model(s) and goals, are EL students making sufficient academic progress in the core- content areas so that they are either at academic grade level or will be able to "catch up" academically within a reasonable period of time?
- Are middle and high school EL students receiving meaningful access to courses needed to graduate on time?

Comparison to Other Students

- Once EL students have exited EL programs and services, are they able to participate meaningfully in the standard curriculum comparable to their never-EL peers?
- How are EL and former EL students doing, over time, as compared to the academic performance of never-EL students in core-content subjects and with respect to on-time graduation?
- How do the percentages of current ELs, former ELs, and never-ELs compare in special education, advanced courses, and extracurricular activities? Does such access differ by EL program or language background? If there is disproportionate participation, what are the barriers to participation? Are the barriers based on language needs or EL status?
- Are multiple measures used to assess the overall performance of current EL and former EL students in meeting the educational goals the district has established for its EL program?

Note: Longitudinal data is especially important in evaluating the success of each EL program. Disaggregating academic performance data by current ELs, former ELs, and never ELs is particularly useful for assessing whether EL programs enable ELs to attain parity of participation in the standard instructional program within a reasonable period of time.

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TOOL #1: EVALUATING PROGRAMS AND SERVICES FOR ENGLISH LEARNERS (CONTINUED)

Possible Data Sources:

- performance on standardized achievement tests
- year-to-year test scores
- teacher observation
- parental observations and feedback
- records on length of time from entry to exit from program, including the EL student's ELP and age at the time of entry
- grades in core classes
- graduation and drop-out rates
- inclusion of EL students in gifted and talented, as well as other special programs (e.g., magnet programs)
- participation in extracurricular activities
- measures related to meeting state or local school reform goals

Note: Most data should already be available in the LEA's student records. Are data collection and maintenance systems maintained to effectively support this portion of the evaluation? Are data systems maintained that permit EL and former EL students to be compared to never-EL students?

E. Analyzing the Information and Identifying Areas for Improvement

Overview: This section provides information on analyzing the data collected and describes steps to consider in developing an action plan to address the findings from the evaluation. For illustrative purposes, the information is organized into three areas discussed below.

Questions to Ask:

1. Review of Results—Findings and Conclusions

   Following are questions that may be considered when compiling, organizing, and summarizing the information collected for each area where the district is not meeting the educational goals it established:

   - Is each identified area of concern evaluated to determine why it arose and how it is interfering with program objectives?
   - Were adequate resources allocated to the area of concern?
   - Were the responsible staff adequately trained with respect to their duties?
   - Were goals and expectations realistic? Were goals and other program expectations adequately communicated?
   - Does the concern suggest the need to take another look at some aspect of the program design?
   - Are there any contributing factors, explanations, or reasons for each area of concern?

   Note that it may be convenient to organize a written summary of three basic components:

   - *Goal or Standard*—Describe program goal or standard where a concern has been identified.
   - *Actual Outcome*—Describe what the evaluation demonstrated with respect to shortcomings in achieving the desired goal or standard.
   - *Contributing Factors*—Describe factors and circumstances that may have influenced the outcome of the goal or standard (i.e., why was the outcome not as expected?

Continued on next page

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TOOL #1: EVALUATING PROGRAMS AND SERVICES FOR ENGLISH LEARNERS (CONTINUED)

Questions to Ask (continued)

2. Planning and Designing Modifications and Improvements

   The following questions relate to planning and designing corrective measures or improvements tailored to address the specific concerns identified, while promoting the overall success of the program:

   - Has a description of the changes been developed (e.g., What procedural and program modifications will be undertaken? Who is expected to be responsible for what? When will the changes be implemented?)
   - Has a description of the rationale and objective(s) been developed (e.g., What are the changes expected to accomplish? How will success be measured?)

3. Implementing Program Changes

   Once the planned modifications are developed, they can be put in place. Questions about implementation procedures may include:

   - Have all stakeholders (i.e., responsible and interested parties) been notified of any program changes?
   - Has necessary training been identified? Have appropriate steps been put in place so that responsible persons understand expectations and are prepared to implement the changes as planned?

   To facilitate the success of the program improvement process, you may wish to consider the following questions:

   - *Staff Responsibilities*—Have staff been assigned specific responsibility for activities? Have the assigned staff been granted appropriate authority and have they been provided directions describing responsibilities and expected outcomes?
   - *Establishing Schedules*—Has a schedule of due dates been established for key events, action steps, and expectations? Does the schedule provide for prompt actions to afford equal educational opportunities to EL students?
   - *Follow-up, as Appropriate*—Has an approach been established to ensure that the process moves forward as expected? Has a person been designated with overall responsibility for the process to ensure its effective implementation?

Adapted from U.S. Department of Education, Office of Civil Rights. (n.d.). Developing programs for English language learners: Resource materials for planning and self-assessments. Retrieved from http://www2.ed.gov/about/offices/list/ocr/ell/programeval.html

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TOOL #2
IMPROVING SEA SYSTEMS TO SUPPORT ALL STUDENTS

Many SEAs have adopted reforms to improve student outcomes and to support all students, including English Learners. States then face the challenge of sustaining these reforms.

SUSTAINABILITY FRAMEWORK

The following tool is an excerpt from the Reform Support Network's Sustainability Rubric: A Tool to Help State Educational Agencies Access Their Current Efforts to Sustain Reform Strategies to Meet Student Achievement Goals. This guide to the initial stages of planning for sustainable education reform is intended to help SEA leaders sustain the initiatives that have the greatest impact on student achievement. It provides an introduction to the cycle of assessment and planning designed to ensure the continual refocusing and strengthening of efforts to improve how education serves all students, including ELs. This tool is part of a suite of resources from the Reform Support Network. The suite includes an LEA sustainability rubric, a case study, and capstone publications summarizing the lessons learned as well as recommendations from peer states that have used and have helped shape these sustainability resources. These additional resources are located at http://www2.ed.gov/about/inits/ed/implementation-support-unit/tech-assist/resources.html#capacity-building.

Sustainability Framework Components

Category *(1, 2, 3)*

1. Context for Sustaining Reform
   - A. Alignment of the Statewide System
     - i. Align the policy agenda with priority reforms
   - B. Public Value
     - i. Build stakeholder support for priority goals and reforms
     - ii. Build broad public support for priority goals and reforms

Variable *(A, B...)*

2. System Capacity
   - A. SEA Capacity
     - i. Align human capital decisions with priority goals and reforms
     - ii. Build a culture of continuous improvement toward priority goals
     - iii. Align organizational structure with priority goals and reforms
   - B. State Capacity
     - i. Extend capacity through partnerships
     - ii. Extend capacity in the field

Element *(i, ii...)*

3. Performance Management
   - A. Clarity of Outcomes and Theory of Action
     - i. Set student outcome targets to achieve priority goals
     - ii. Establish a theory of action and strategies for implementing priority reforms
     - iii. Develop plan(s) that align strategies with priority goals
   - B. Alignment of Resources (People, Time, Technology and Money)
     - i. Direct resources to priority reforms
     - ii. Establish clear leadership of priority goals and reforms
   - C. Collection and Use of Data
     - i. Ensure quality data on performance
     - ii. Ensure quality data on implementation
     - iii. Use data to review progress and make mid-course corrections
   - D. Accountability for Results
     - i. Link internal accountability to results
     - ii. Link external accountability to results
     - iii. Engage stakeholders about results

Source: Reform Support Network. (2015, June). Sustainability rubric: A tool to help state educational agencies assess their current efforts to sustain reform strategies to meet student achievement goals. Retrieved from http://www2.ed.gov/about/inits/ed/implementation-support-unit/tech-assist/sustainability-rubric-full.pdf.

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TOOL #3
IMPROVING LEA SYSTEMS TO SUPPORT ENGLISH LEARNERS

Evaluating the effectiveness of EL programs and services is essential for ensuring that LEAs meet the needs of all ELs. The following tool may help LEAs evaluate various aspects of their EL programs and services, collect data, and inform instructional program decisions for ELs.

SEVEN DIMENSIONS OF AN LEA'S NEEDS ASSESSMENT: THE PROMOTING EXCELLENCE APPRAISAL SYSTEM

The Promoting Excellence Appraisal System (PEAS) was developed by the George Washington University Center for Equity and Excellence in Education to support higher achievement among ELs. The system comprises seven dimensions and corresponding standards of practice: leadership, personnel, professional development, instructional program design, instructional implementation, assessment and accountability, and parent and community outreach. The following tool is excerpted from one dimension—instructional program design. In this tool, the term "ELL" (English Language Learner) is used to refer to "EL" (English Learner).

Instructional Program Design

Constructs	Code	Standard Name	Definition
Effective Design	DE1	Research-based	The district's ELL program design is consistent with current theory and research about effective instructional programs for ELLs.
	DE2	Aligned with vision	The district's ELL program design is aligned with the district's overall vision, mission, and goals for ELLs.
	DE3	Aligned with needs	The district's ELL program design addresses the needs of the diverse populations of ELLs in the district (students at different English language proficiency levels, ages, linguistic, and cultural backgrounds, time in the U.S., and levels of prior schooling).
Access to grade-level content	DA1	Rigor	The district's ELL program design is academically rigorous (not remedial), and promotes the knowledge and higher-level thinking skills to prepare students for college and satisfying careers.
	DA2	Access to grade-level instruction	The district's ELL program(s) are designed to ensure ELLs have equitable access to grade-level instruction in the academic content areas.
	DA2A	Instructional time	ELLs are provided adequate instructional time to learn the intended curriculum.
	DA3	Additional support	The district provides additional grade-level academic support for ELLs, including translators, tutors, and bilingual instructional aides.
	DA4	High quality resources	The district provides sufficient and equitable access to high quality instructional materials, educational technology, libraries, laboratories and other relevant resources that support ELLs' English language development and grade-level, academic content learning in English and the native language.

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TOOL #3: IMPROVING LEA SYSTEMS TO SUPPORT ENGLISH LEARNERS (CONTINUED)

Constructs	Code	Standard Name	Definition
Access to grade-level content (continued)	**DA5**	L1 instructional resources	High quality native language instructional materials and resources are available at each grade level and subject area to support literacy and academic content learning.
	DA6	Multicultural resources	Instructional materials and resources that reflect and value a wide diversity of cultural backgrounds and histories are integrated throughout the general education curriculum for all students.
	DA7	Vertical coherence	The district ensures sustained, consistent, and coherent instructional support from grade to grade until ELLs have reached parity with English speaking students on measures of academic achievement in the core content areas.
	DA8	Struggling students	The ELL plan includes a timely means for identifying struggling students who need additional support, including both active ELLs and those who are not currently receiving ELL services.

Source: Acosta, B., Marzucco, L., Bayraktar, B., & Rivera, C. (2012). Evaluation of English learner programs in Alexandria City Public Schools. Washington, DC: The George Washington Center for Equity and Excellence in Education. Retrieved from http://www.acps.k12.va.us/curriculum/ell/gwu-report.pdf

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TOOL #4
IMPROVING SCHOOL-BASED SYSTEMS FOR ENGLISH LEARNERS

Evaluating the effectiveness of EL programs and services is essential for ensuring that schools meet the needs of all ELs. The following tool may help schools evaluate various aspects of their EL programs and services, collect data, and inform instructional program decisions for ELs.

ENGLISH LEARNER PROGRAM SURVEY FOR PRINCIPALS

Regional Educational Laboratory Northeast & Islands (REL-NEI), administered by the Education Development Center, and the English Language Learners Alliance developed a survey to collect consistent data on EL programs and students. The survey is designed for school principals and covers EL programs, policies, and practices. The survey itself is a multi-page document. Below is an overview of its domains and the information obtained by each domain. Both SEAs and LEAs may wish to use the survey as a planning tool for providing school leaders professional learning opportunities about ELs. "ELL" (English Language Learner) is used to refer to "EL" (English Learner).

THE ENGLISH LANGUAGE LEARNER PROGRAM SURVEY FOR PRINCIPALS

Domain	Information Obtained
Principal characteristics	• Characteristics of the responding principal
ELL student population	• Percentage of students in school who are ELL students
Former ELL student population	• Percentage of students in school who are former ELL students
ELL instructional models	• Instructional models used in the school
Responsibility for ELL students	• What personnel at the school are responsible for the education of ELL students
ELL professional development	• Types of professional development received and types of professional development needed
ELL student monitoring	• Whether and how the school monitors the academic achievement and English proficiency of ELL students
Former ELL student monitoring	• Whether and how the school monitors the academic achievement of former ELL students
ELL teacher evaluation	• School practices regarding the evaluation of ELL teachers and general education teachers with ELL students in their classrooms
Response to intervention for ELL students	• How the school uses response to intervention for ELL students

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TOOL #4: IMPROVING SCHOOL-BASED SYSTEMS FOR ENGLISH LEARNERS (CONTINUED)

Domain	Information Obtained
Challenges to implementation	• Challenges to implementing the school's ELL program
Familiarity with research	• Familiarity with research related to instructional practices for ELL students
Familiarity with state guidelines and standards for ELL student education	Familiarity with state guidelines and standards concerning • ELL entrance and exit criteria • ELL program standards • ELL students with learning disabilities • State ELP assessment • State ELP assessment score interpretation
English acquisition	• Beliefs about how ELL students learn English, including the role of the native language and the importance of academic English
Teaching ELL students and ELL teacher training	• Beliefs about teaching ELL students and the importance of professional development for ELL teachers and general education teachers with ELL students in their classrooms
Sociocultural issues around educating ELL students	• Beliefs about the role that socio-cultural factors play in educating ELL students
ELL students and learning disabilities	Beliefs about ELL students and learning disabilities

Source: Grady, M. W., & O'Dwyer, L. M. (2014). The English language learner program survey for principals (REL 2014-027). Washington, DC: U.S. Department of Education, Institute of Education Sciences, National Center for Education Evaluation and Regional Assistance, Regional Educational Laboratory Northeast & Islands. Retrieved from http://ies.ed.gov/ncee/edlabs/regions/northeast/pdf/REL_2014027.pdf

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EVALUATING THE EFFECTIVENESS OF A DISTRICT'S EL PROGRAM

RESOURCES

The U.S. Department of Education does not mandate or prescribe particular curricula, lesson plans, assessments, or other instruments in this tool kit. This tool kit contains examples of, adaptations of, and links to resources created and maintained by other public and private organizations. This information is provided for the reader's convenience and is included here to offer examples of the many resources that educators, parents, advocates, administrators, and other concerned parties may find helpful and use at their discretion. The U.S. Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Further, the inclusion of links to items does not reflect their importance, nor is it intended to endorse any views expressed, or materials provided. All links were verified on September 8, 2015. The list of resources will be updated and revised in the future.

Acosta, B., Marzucco, L., Bayraktar, B., & Rivera, C. (2012). Evaluation of English learner programs in Alexandria City Public Schools. Washington, DC: The George Washington Center for Equity and Excellence in Education. Retrieved from http://www.acps.k12.va.us/curriculum/ell/gwu-report.pdf

This resource provides an example of the information collected during an evaluation of an EL program. It illustrates data elements for SEAs and LEAs to consider when making the decisions about actions most likely to improve learning and teaching for ELs.

August, D., Salend, S., Staehr Fenner, D., & Kozik, P. (2012, July). The evaluation of educators in effective schools and classrooms for all learners. Washington, DC: AFT. Retrieved from http://connectingthedots.aft.org/sites/aft/files/documents/i3_Grant-ELL-SWD_Working_Group-Shared_Values_Paper-FINAL-7-3-12.pdf

This brief outlines the necessary conditions for ensuring that all students can become successful learners in general education classrooms. The authors discuss what is necessary in the classroom, as well as in professional practice and development, to ensure that SEAs and LEAs evaluate teachers in ways that advance the learning of all students.

Baker, S., Lesaux, N., Jayanthi, M., Dimino, J., Proctor, C. P., Morris, J., Gersten, R., Haymond, K., Kieffer, M. J., Linan-Thompson, S., & Newman-Gonchar, R. (2014). Teaching academic content and literacy to English learners in elementary and middle school (NCEE 2014- 4012). Washington, DC: U.S. Department of Education, Institute of Education Sciences, National Center for Education Evaluation and Regional Assistance (NCEE). Retrieved from http://ies.ed.gov/ncee/wwc/practiceguide.aspx?sid=19

This practice guide offers "educators specific, evidence-based recommendations that address the challenge of teaching ELs in the elementary and middle grades: building their ELP while simultaneously building literacy, numeracy skills, and content knowledge of social studies and science. The guide provides practical and coherent information on critical topics related to literacy instruction for ELs, and is based on the best available evidence as judged by the authors."

Calderón, M., Slavin, R., & Sánchez, M. (2011). Effective instruction for English learners. Future of Children, 21(1), 103-127. Retrieved from http://www.princeton.edu/futureofchildren/publications/docs/21_01_05.pdf

This article identifies the elements of effective instruction and reviews successful program models for ELs. The authors highlight both comprehensive reform models and individual components of the models. Examples include (1) school structures and leadership; (2) language and literacy instruction; (3) integration of language, literacy, and content instruction in secondary schools; (4) cooperative learning; (5) professional development; (6) parent and family support teams; (7) tutoring; (8) and monitoring implementation and outcomes.

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George Washington University Center for Equity and Excellence in Education. (1994). Promoting excellence: Ensuring academic success for English language learners—Guiding principles. Washington, DC: Author. Retrieved from http://www.cgu.edu/include/guidingprinciples.pdf

This guide catalogs standards that support educators working with ELs and former ELs. The Promoting Excellence principles are the foundation of the Promoting Excellence Appraisal System, which was used by the George Washington University Center for Equity and Excellence in Education to support SEAs and LEAs in evaluating EL programs.

Giancola, S. (2014). Evaluation matters: Getting the information you need from your evaluation. Washington, DC: U.S. Department of Education, Office of Secondary and Elementary Education, School Support and Rural Programs. Retrieved from http://www2.ed.gov/about/offices/list/oese/sst/evaluationmatters.pdf

This guide will help SEA and LEA staff to build evaluations into EL programs and projects. It also explains how to be an informed, active partner with an evaluator to make sure that evaluation improves programs. Appendices include evaluation resources, instruments, and templates.

Grady, M. W., & O'Dwyer, L. M. (2014). The English language learner program survey for principals (REL 2014-027). Washington, DC: U.S. Department of Education, Institute of Education Sciences, National Center for Education Evaluation and Regional Assistance, Regional Educational Laboratory Northeast & Islands. Retrieved from http://ies.ed.gov/ncee/edlabs/regions/northeast/pdf/REL_2014027.pdf

This document includes survey questions for SEAs to use to collect data on (1) school policies and practices for educating ELs; (2) the types of professional development on EL education that principals have received and would like to receive; (3) principals' familiarity with state guidelines and standards for EL education; and (4) principals' beliefs about the education of ELs.

Hill, P., Murphy, P., & Redding, S. (2013, May). The SEA of the future: Leveraging performance management to support school improvement. Building State Capacity and Productivity Center, 1(1). Retrieved from http://www.bscpcenter.org/sea/pdf/sea_of_the_future%20_vol_1_052113.pdf

This four-volume publication discusses "how [SEAs] can shift from a compliance to a performance-oriented organization." Volume titles are:

1. "Leveraging Performance Management to Support School Improvement"
2. "Prioritizing Productivity"
3. "Building the Productivity Infrastructure "
4. "Uncovering the Productivity Promise of Rural Education"

Each volume provides specific strategies for transforming SEAs into more productive organizations.

National Alliance for Public Charter Schools. (2013). Serving English language learners: A toolkit for public charter schools. Retrieved from http://www.publiccharters.org/wp-content/uploads/2014/01/NAPCS_ELL_Toolkit_04.02.13_20130402T114313.pdf

This tool kit discusses key federal laws and policies and provides examples of state laws. "It also gives real-world examples from charter schools across the country, and provides a basic framework for conceptualizing, implementing, and monitoring an EL instructional program.... This toolkit discusses the areas that charter schools should consider when serving EL students: school opening, recruitment, admissions, identification and assessment, program requirements, teacher qualifications, exiting students from the program, program monitoring, and parental communication."

National Charter School Resource Center. (2014). Legal guidelines for educating English learners in charter schools. Houston, TX: Author. Retrieved from http://www.charterschoolcenter.org/sites/default/files/files/field_publication_attachment/NCSRC%20Legal%20Guidelines%20for%20Educating%20English%20Learners%20in%20Charter%20Schools_FINAL_0.pdf

This report discusses the legal requirements that charter schools need to be aware of as they serve the needs of ELs. "Section I outlines the broad legal framework governing equal educational access for ELs in charter schools as established by federal law. Section II highlights state laws enacted to clarify, extend, or implement federal requirements." Section III "discusses issues related to the availability and quality of available data on ELs in charter schools." Section IV "outlines policy implications at the federal and state levels."

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Reform Support Network. (2015, April) Sustainability rubric: A tool to help state educational agencies assess their current efforts to sustain reform strategies to meet student achievement goals. Retrieved from http://www2.ed.gov/about/inits/ed/implementation-support-unit/tech-assist/sustainability-rubric-full.pdf

This rubric is a tool for SEAs to assess their capacities to sustain priority reforms. The rubric comprises three sections (1) "Context for Sustaining Reform," (2) "System Capacity," and (3) "Performance Management," each with multiple variables and elements to measure reform. A four-scale rating (i.e., inadequate, emerging, strong, and exemplary) is used for measurement and the rubric includes "look-fors" for guidance.

Reform Support Network. (2015, June). Sustainability rubric for local educational agencies. Retrieved from https://www2.ed.gov/about/inits/ed/implementation-support-unit/tech-assist/sustainabilityrubricsummaryforlea.pdf

This rubric is a tool for LEAs to assess their capacities to sustain priority reforms. The rubric includes 19 elements of sustainability, and provides a four-scale rating (inadequate, emerging, strong, and exemplary) for each. Together, these ratings show clear strengths and challenges in LEA sustainability.

Rhim, L. M., & Redding, S. (Eds.). (2014). The state role in turnaround: Emerging best practices. San Francisco, CA: WestEd. Retrieved from http://centeronschoolturnaround.org/wp-content/uploads/2014/01/The_State_Role_in_School_Turnaround.pdf

This resource examines the role of the SEA in school turnaround efforts. The editors apply research and best practices related to the SEA's leadership role in driving and supporting successful school turnarounds.

Shakman, K., & Rodriguez, S. M. (2015). Logic models for program design, implementation, and evaluation: Workshop toolkit (REL 2015–057). Washington, DC: U.S. Department of Education, Institute of Education Sciences, National Center for Education Evaluation and Regional Assistance, Regional Educational Laboratory Northeast & Islands. Retrieved from http://ies.ed.gov/ncee/edlabs/regions/northeast/pdf/REL_2015057.pdf

This workshop tool kit is designed to help resource education leaders better understand, monitor, and evaluate their programs and develop program outcomes using logic models. It includes facilitator and participant workbooks, and an accompanying slide deck.

U.S. Department of Education, Implementation and Support Unit (ISU). (2015, August). Race to the Top publications and resources. Retrieved from http://www2.ed.gov/about/inits/ed/implementation-support-unit/tech-assist/resources.html

This Web page provides links to Race to the Top guidance and resource documents. It contains a drop-down menu of education reform resources and a section of documents organized into the following five categories: (1) "Instructional improvement and Data Systems," (2) "Teacher and Leader Effectiveness/Standards and Assessments," (3) "School Turnaround," (4) "SEA Capacity Building," and (5) "Stakeholder Communication and Engagement." The "SEA Capacity Building" section contains tools specifically developed by the Reform Support Network to guide SEA reform initiatives.

U.S. Department of Education, Office for Civil Rights (OCR). (n.d.). Developing programs for English language learners: Resource materials for planning and self-assessments. Washington, DC: Author. Retrieved from http://www2.ed.gov/about/offices/list/ocr/ell/programeval.html

This Web page may help SEAs and LEAs in evaluating programs for ELs. It contains the following resources: key elements to evaluate EL programs, information needed to determine whether an LEA is evaluating all aspects of its EL program, questions to ask when evaluating EL programs, information on analyzing program data, and steps toward developing an action plan to address evaluation findings.

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U.S. Department of Education, Office for Civil Rights. (2014, October). Dear colleague letter: Resource comparability. (Guidance to ensure all students have equal access to educational resources.) Retrieved from http://www2.ed.gov/about/offices/list/ocr/letters/colleague-resourcecomp-201410.pdf

This document provides detailed and concrete information to educators on the standards set in Title VI of the Civil Rights Act of 1964, including information on the requirements for educational resources; how OCR investigates resource disparities; and what SEAs, LEAs, and schools can do to meet their obligations to all students. Under Title VI, SEAs, LEAs, and schools must not intentionally treat students differently based on race, color, or national origin in providing educational resources. In addition, they must not implement policies or practices that disproportionately affect students of a particular race, color, or national origin, absent a substantial justification. The law does not require that all students receive exactly the same resources to have an equal chance to learn and achieve. It does, however, require that all students have equal access to comparable resources in light of their educational needs.

U.S. Department of Education, Office for Civil Rights, and U.S. Department of Justice (DOJ). (2015, January). Dear colleague letter: English learner students and limited English proficient parents. Retrieved from https://www2.ed.gov/about/offices/list/ocr/letters/colleague-el-201501.pdf

This document provides guidance to assist SEAs, LEAs, and all public schools in meeting their legal obligations to ensure that ELs can participate meaningfully and equally in educational programs and services. This guidance provides an outline of the legal obligations of SEAs and LEAs to ELs under civil rights laws. Additionally, the guidance discusses compliance issues that frequently arise in OCR and DOJ investigations under Title VI of the Civil Rights Act of 1964 and the Equal Educational Opportunities Act, and offers approaches that SEAs and LEAs may use to meet their federal obligations to ELs. A discussion of how SEAs and LEAs can implement their Title III grants and subgrants in a manner consistent with these civil rights obligations is included. Finally, the guidance discusses the federal obligation to ensure that limited English proficient parents and guardians have meaningful access to SEA-, LEA-, and school-related information.

To access these and other relevant resources, and for additional information about ELs, please visit http://www.ncela.ed.gov/.

You can access **Tools and Resources for Evaluating the Effectiveness of a District's EL Program** at http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html.

Published September 2015

CHAPTER 10

TOOLS AND RESOURCES FOR ENSURING MEANINGFUL COMMUNICATION WITH LIMITED ENGLISH PROFICIENT PARENTS

This is the tenth chapter of the English Learner Tool Kit, which is intended to help state and local education agencies (SEAs and LEAs) meet their obligations to English Learners (ELs). This tool kit should be read in conjunction with the U.S. Department of Education Office for Civil Rights' (OCR) and the U.S. Department of Justice's (DOJ) Dear Colleague Letter on "English Learner Students and Limited English Proficient Parents," published in January 2015, which outlines SEAs' and LEAs' legal obligations to ELs under civil rights laws and other federal requirements. The Dear Colleague Letter can be found at http://www2.ed.gov/about/offices/list/ocr/ellresources.html.

ENSURING MEANINGFUL COMMUNICATION WITH LIMITED ENGLISH PROFICIENT PARENTS

KEY POINTS

- **SEAs and LEAs have an obligation to communicate meaningfully with limited English proficient (LEP) parents and to notify LEP parents adequately of information about any program, service, or activity called to the attention of non-LEP parents.**
- **LEAs must have a process to identify LEP parents and provide them with free and effective language assistance, such as translated materials or an appropriate and competent interpreter.**
- **Appropriate and competent translators or interpreters should have proficiency in target languages; ease of written and oral expression; knowledge of specialized terms or concepts; as well as be trained on their role, the ethics of interpreting and translating, and the need for confidentiality.**



Research shows that strong family-school relationships are an indicator of student success (Weiss, López, & Rosenberg, 2011). Communication with limited English proficient (LEP) parents in a language they can understand provides a foundation for students' academic success and creates a welcoming school community; it provides these parents with access to all the necessary information about their child's education.

SEAs and LEAs have an obligation to communicate meaningfully with LEP parents and to adequately notify them of information about any program, service, or activity called to the attention of non-LEP parents. Successful communication provides LEP parents the school-related information they need to make informed decisions about, and be helpful participants in, their children's education. This may include but not be limited to information about language assistance programs, special education and related services, Individualized Education Program (IEP) meetings, grievance procedures, notices of nondiscrimination, student discipline policies and procedures, registration and enrollment, report cards, requests for parent permission for student participation in district or school activities, parent-teacher conferences, parent handbooks, gifted and talented programs, and magnet and charter schools.

LEAs must develop and implement a process for determining (1) if parents and guardians have limited English proficiency; (2) what their primary language is; and (3) what their language needs are. An LEA may use a student registration form, such as the home language

You can access **Tools and Resources for Ensuring Meaningful Communication with LEP Parents** at http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html.

survey (HLS), to inquire about whether a parent or guardian requires oral and/or written communication in a language other than English. LEAs and schools should translate the HLS into languages that are common in the school and surrounding community. Schools should take parents at their word about their communication needs if they request language assistance. Schools should also understand that parents may not be proficient in English, even if their child is.SEAs and LEAs must provide language assistance to LEP parents effectively with appropriate, competent staff or appropriate and competent outside resources. To provide these services, LEAs may canvas staff to see if they are trained and qualified to provide effective language assistance, or obtain qualified interpreters and translators if staff is unqualified or if it would minimize the degree to which trained bilingual staff is called away from instruction and other duties to translate or interpret. Schools or LEAs may also use a language phone line to provide oral translation and interpretation services. Students, siblings, friends, and untrained staff members are not considered qualified translators or interpreters, even if they are bilingual. All interpreters and translators, including staff acting in this capacity, should be proficient in the target languages; have knowledge of specialized terms or concepts in both languages; and be trained in the role of an interpreter or translator, the ethics of interpreting and translating, and the need to maintain confidentiality.

Building strong relationships between families and schools or LEAs occurs over a period of time, and these relationships can be established and nurtured in numerous ways. It is essential to understand the cultures of LEP families and "integrate cultural traditions of families throughout the school" (Breiseth, 2011). Schools and LEAs can also foster relationships by inviting families to volunteer in the school and encouraging families to help children integrate their cultural and linguistic traditions into school assignments and other curricular and extracurricular activities.

The following checklist is intended to help SEAs, LEAs, and schools have meaningful communication with LEP parents. The checklist provides suggested questions only. Schools and LEAs should check their SEA's policies and federal guidance to ensure compliance. SEAs may also have translated forms.

Family, Language, and Culture

- ★ How does the school honor and reflect the diversity of families, including their languages and cultures?
- ★ Are staff members trained in engaging diverse families and communities?
- ★ Are parent meetings and school events scheduled with interpreters present on dates and times that facilitate LEP parent participation?

Language Identification Procedures

- ★ What is the process for determining parents' language needs (e.g., HLS)?
- ★ Does the LEA or school have the HLS translated into the language(s) common to the community and have qualified interpreters available to help parents complete the survey accurately?

Interpretation and Translation Services

- ★ What is the process for providing language assistance to LEP parents or guardians?
- ★ How does the LEA inform LEP parents about the availability of free language assistance services, including qualified interpreters and translators?
- ★ What is the process for acquiring qualified and trained interpreters and translators?
- ★ What is the process for determining that the LEA staff is competent and appropriate to serve as interpreters or translators?
- ★ How does the LEA ensure that interpreters and translators have knowledge of all specialized educational terms and concepts?

Parent Notification

- ★ What procedures are in place for LEP parents to be informed of programs, services, and activities in a language they understand?
- ★ How does the LEA ensure that translated written communications--including information regarding progress reports, report cards, and permission slips--are provided in a language that LEP parents understand?
- ★ What is the process for providing translation or interpretation services, when needed, for parent-teacher conferences, IEP meetings, and disciplinary proceedings?

Partnerships

- ★ What parent, school, and community partnerships exist at the SEA-, LEA-, and school levels?
- ★ What learning and leadership opportunities are available for LEP parents?

You can access **Tools and Resources for Ensuring Meaningful Communication with LEP Parents** at http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html.

ENSURING MEANINGFUL COMMUNICATION WITH LIMITED ENGLISH PROFICIENT PARENTS

TOOLS

The U.S. Department of Education does not mandate or prescribe particular curricula, lesson plans, assessments, or other instruments in this tool kit. This tool kit contains examples of, adaptations of, and links to resources created and maintained by other public and private organizations. This information is provided for the reader's convenience and is included here to offer examples of the many resources that educators, parents, advocates, administrators, and other concerned parties may find helpful to use at their discretion. The U.S. Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Further, the inclusion of links to items does not reflect their importance, nor is it intended to endorse any views expressed, or materials provided. All links verified on September 8, 2015.

The following set of tools is intended to assist schools, LEAs, and SEAs in working with families of ELs. The tools provide information on how to help families participate in their child's education and other school activities.

Tool #1, Establishing Family-School Partnerships, provides a framework for family engagement activities that help schools and families partner for improved student outcomes.

Tool #2, Tapping into the Strengths of Families and Communities, provides educators with ideas to establish and maintain strong parental engagement in schools.

Tool #3, Interpretation and Translation Resources, contains multiple resources for interpretation and translation.





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TOOL #1
ESTABLISHING FAMILY-SCHOOL PARTNERSHIPS

The U.S. Department of Education (ED), in partnership with the Southwest Educational Development Laboratory (SEDL), developed the following framework to support family engagement activities that help schools and families partner for improved student outcomes. *Partners in Education: A Dual Capacity-Building Framework for Family-School Partnerships* (the framework) describes itself as a "scaffold for the development of family engagement strategies, policies, and programs." The shortened framework provided below was excerpted from the entire framework, which discusses the goals and conditions needed for effective family engagement that supports student achievement and school improvement. The complete framework is available at http://www2.ed.gov/documents/family-community/partners-education.pdf

DUAL CAPACITY-BUILDING FRAMEWORK FOR FAMILY-SCHOOL PARTNERSHIPS

The Dual Capacity-Building Framework for Family-School Partnerships was formulated using research on effective family engagement and home-school partnership strategies and practices, adult learning and motivation, and leadership development. The framework's components include the following:

1. The challenges (e.g., lack of knowledge about developing partnerships, and personal, cultural, and structural barriers) faced by both the school/program staff and the families for building effective home–school partnerships.
2. The process conditions (e.g., linking partnerships to learning) and organizational conditions (e.g., systemic and sustained strategies) integral to the success of family-school partnership initiatives and interventions.
3. The areas (e.g., skills, knowledge, networks, beliefs, values, and self-efficacy) that staff and families need to create, implement, and sustain family-oriented policy and program goals.
4. A description of the capacity-building outcomes for school/program staff and families that support student achievement and school improvement.

The publication also presents three case studies from a school, a district, and a county. The case studies illustrate capacity-building strategies based on the framework.

Continued on next page

You can access **Tools and Resources for Ensuring Meaningful Communication with LEP Parents** at http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html.

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Figure 2: The Dual Capacity-Building Framework for Family–School Partnerships



Source: U.S. Department of Education and Southwest Educational Development Laboratory. (2013). *Partners in education: A dual capacity-building framework for family-school partnerships*. Retrieved from http://www2.ed.gov/documents/family-community/partners-education.pdf

You can access **Tools and Resources for Ensuring Meaningful Communication with LEP Parents** at http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html.

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TOOL #2
TAPPING INTO THE STRENGTHS OF FAMILIES AND COMMUNITIES

Schools are diverse communities, and educators can use the strengths families possess to support student achievement. It is important to understand and value the backgrounds and experiences of parents. This will help school staff identify strategies for developing and sustaining strong partnerships to help all children succeed in school.

BRIDGING FAMILIES' CULTURE AND SCHOOLS

The Regional Educational Laboratory for the Pacific (REL Pacific) developed a tool kit that focuses on practices and tools that provide an integrated approach for engaging families and the community with the schools. The tool kit consists of four parts. Below is the introduction from "Part 2: Building a Cultural Bridge," which focuses on using the strengths of families to actively engage them in student learning.

- **It is critical to identify family strengths in order to engage with families as partners in their children's education.** To identify and make use of family strengths, educators may need to shift from a deficit model—focusing on what families *aren't* doing—to a strengths-based model that acknowledges that families *want* to help their students succeed (Moore, 2011). For example, in the Chuukese population it is not unusual for the extended family or another interested community member to come to school functions when a child's parent is not available. Rather than seeing this as a case in which parents do not care about their child's education, educators can see the involvement of others as a reflection of a cultural strength—the community is interdependent and focused on group success. If the parent isn't available, another member of the community steps in to support the student. Of course, educators must avoid the pitfall of thinking that all family characteristics in a culture can be generalized. Instead, they must get to know each family better.
- **Collaborating with families based on strengths develops strong relationships between home, school, and community.** Educators can help families build on their strengths by asking them how they want to be involved and how the school and community can create opportunities for that involvement. When educators recognize parents' strengths, they are more likely to reach out to parents as true partners in their children's education (e.g., work together with them to set goals for their children's education, help them understand how to support their children's learning at home, acknowledge the importance of the home language). To make use of family strengths, the school and community need to offer diverse and culturally-appropriate approaches to engaging families. They need to provide opportunities for parents to be viewed as individuals, recognizing the diversity that occurs within and between cultural groups.
- **Partnering with communities to promote family engagement helps schools and families support student learning.** Family, school, and community have "overlapping spheres of influence" and if the three spheres, or areas of influence, interact and communicate with each other, it is more likely that students will receive common messages about student success (Epstein, 2010). By partnering with communities (e.g., businesses, faith-based organizations, community centers), families and schools can maximize their efforts to support student success (Epstein et al., 2002). Research shows that all students can benefit when all stakeholders work together.

References:
- Epstein, J. L., (2010). School/family/community partnerships: Caring for the children we share. *Phi Delta Kappan, 92*(3),81–96.
- Epstein, J. L., Sanders, M. G., Simon, B. S., Salinas, K. C., Jansorn, N. R., & Voorhis, F. (2002). *School, family and community partnerships: Your handbook for action* (2nd ed.). Thousand Oaks, CA: Corwin Press
- Moore, T. (2011). Drawing on parents' strengths: The role of districts and schools in empowering families to be effective partners in learning. *Family Involvement Network of Educators (FINE) Newsletter, 3*(2).

Source: Regional Educational Laboratory for the Pacific. (2015). *Toolkit of resources for engaging parents and community as partners in education, Part 2: Building a cultural bridge.* Retrieved from http://relpacific.mcrel.org/resources/~/media/RELPacific/Files/Part%202_Jan2015.ashx

You can access **Tools and Resources for Ensuring Meaningful Communication with LEP Parents** at http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html.

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TOOL #3
INTERPRETATION AND TRANSLATION RESOURCES

The following tool is a sampling of resources for interpretation and translation resources from the U.S. Department of Justice's LEP.gov website. Not all resources on the website are listed below. It is important to note that the interpretation and translation resources included here are not necessarily endorsed by ED, DOJ, or the Federal Interagency Working Group on LEP. A more complete list of LEP information and resources can be found at http://www.lep.gov/interp_translation/trans_interpret.html.



A. Federal Resources

1. Before You Hire—Ask Yourself: "What Are My Project's Language Needs?"— TIPS (Translation and Interpretation Procurement Series) for making language service hiring decisions. (PDF)
2. TIPS on Hiring the Right Telephonic Interpretation Vendor —TIPS to finding a high-quality telephone interpretation vendor. (PDF)
3. TIPS for Working With Telephone Interpreters—TIPS for planning, placing, and troubleshooting phone calls with telephone interpreters. (PDF)
4. What Does It Mean to Be a Certified Linguist?—TIPS for discovering vendor and linguist qualifications. (PDF)
5. Top 10 Best Practices for Multilingual Websites—Suggestions include providing prominent access on the English site and ensuring that the multilingual site and English site provide a comparable experience.
6. Lost in Translation, Automated Translations—Good Solution or Not?

B. The Difference Between an Interpreter and a Translator

1. "[T]he ordinary or common meaning of 'interpreter' does not include those who translate writings. Instead, we find that an interpreter is normally understood as one who translates orally from one language to another." Taniguchi v Kan Pac. Saipan, Ltd, 132 S Ct 1997, 2003-04 (May 21, 2012).
2. *What is the difference between a bilingual staff person and an interpreter or translator?* DOJ Question 11, Commonly Asked Questions and Answers Regarding Limited English Proficient (LEP) Individuals

C. National Interpreter and Translator Associations and Organizations

1. Regional and State Interpreter Associations (Word document)
2. Interpreter and Translator Training and Certificate Programs (Word document)
3. The American Association of Language Specialists
4. The American Literary Translators Association
5. The American Translators Association (ATA)
6. ATA Affiliated Chapters and Groups
7. ATA Other Interpreter and Translator Groups
8. The Association of Language Companies
9. National Association of Judiciary Interpreters & Translators

Source: LEP.gov. (n.d.). Interpretation and translation. Retrieved from http://www.lep.gov/interp_translation/trans_interpret.html

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ENSURING MEANINGFUL COMMUNICATION WITH LIMITED ENGLISH PROFICIENT PARENTS

RESOURCES

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American Speech-Language-Hearing Association. (n.d.). Collaborating with interpreters: Overview. Retrieved from http://www.asha.org/PRPSpecificTopic.aspx?folderid=8589935334&section=Overview

The American Speech-Language-Hearing Association outlines several roles and responsibilities for providing culturally- competent materials and translation or interpretation services when working with non-English speakers. The article is written for speech and language pathologists; however, it provides suggestions that LEAs may wish to consider when working with interpreters and translators.

Breiseth, L. (2011, August). *Engaging ELL families: 20 strategies for school leaders with questions for reflection and checklists*. Washington, DC: Colorín Colorado. Retrieved from http://www.colorincolorado.org/pdfs/articles/Engaging-ELL-Families_A-Checklist-for-School-Leaders.pdf

This guide offers 20 ideas to help school leaders strengthen home-school partnerships; engage staff, parents, and students; create a culture of respect in the community; and advocate and allocate resources for EL families. The guide has six sections: (1) connecting with EL families, (2) communicating important information, (3) parent participation, (4) parents as leaders, (5) community partnerships, and (6) creating a plan of action.

Bridging Refugee Youth & Children's Services (BRYCS). (2015). Interpretation—Serving refugee and immigrant children. Retrieved from http://www.brycs.org/clearinghouse/Highlighted-Resources-Interpretation-Serving-Refugee-and-Immigrant-Children.cfm

This Web page contains resources about using translators and interpreters in various settings related to services for adults and children.

Bridging Refugee Youth & Children's Services. (n.d.). Federal requirements to provide interpretation/translation in the schools. In *Refugee children in U.S. schools: A toolkit for teachers and school personnel*. Washington, DC: Author. Retrieved from http://www.brycs.org/documents/upload/Interpretation-Translation-FAQ.pdf

This chapter of the BRYCS tool kit on refugee children provides information about federal laws and regulations on national origin discrimination, and translation and interpretation for students and parents. Educational glossaries are included, along with other resources on etiquette for translators, suggestions for improving LEP services, and the effective use of interpreters for parent-teacher conferences.

Center for Parent Information and Resources. (2015). English language learners (ELL) resources. Retrieved from http://www.parentcenterhub.org/topics/ell/

The Center for Parent Information and Resources provides assistance to parents of ELs. The resources provide information on using interpreters effectively, ensuring EL students have equal access to high-quality education, and the education rights of immigrant children, among other topics. The page provides links to all resources.

Colorín Colorado. (n.d.). For families. Retrieved from http://www.colorincolorado.org/families/

The Colorín Colorado is a bilingual website that provides parents and families with information to help their children become good readers and successful students. This page for families contains reading tips and activities, suggestions for choosing books to read with children, ideas for getting involved at a child's school, and more.

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Colorín Colorado. (n.d.). Parent outreach. Retrieved from http://www.colorincolorado.org/article/c44/

Parents of ELs may feel apprehensive about getting involved at school because they lack English skills or knowledge of U.S. culture and the public school system. This resource provides information about how to reach out to the parents of ELs and involve them in their children's learning, both at school and at home.

Detzner, D., Xiong, B., & Eliason, P. (2010). Helping youth succeed: Bicultural parenting for Southeast Asian families. Retrieved from http://www.extension.umn.edu/family/families-with-teens/resources-parents/bicultural-parenting/background/

This paper provides an overview of Southeast Asian parenting and child-rearing practices, as well as background information about the "cultural values and beliefs that influence parents, especially regarding family life and interpersonal relationships." It also includes a review of gender roles in the family; parent-child relationships among Cambodian, Hmong, Lao, and Vietnamese families; and issues confronting Southeast Asian parents and youths in the United States.

Erekson, J., Kim, Y., & Lycke, K. (2015, March). Five principles with twenty examples for engaging ELL families. *ASCD Express: Ideas from the field, 10(13).* Retrieved from http://www.ascd.org/ascd-express/vol10/1013-erekson.aspx

This discussion looks at three approaches to parental engagement: (1) invite families to school activities; (2) empower learners by studying the funds of knowledge families bring from their varied class and cultural backgrounds; and (3) develop teacher-parent collaborations where teachers focus on a specific set of home-friendly strategies. The authors provide tables and explanations for implementing their proposed strategies.

Grantmakers for Education. (2013, April). *Educating English language learners: Grantmaking strategies for closing America's other achievement gap*. Portland, OR: Author. Retrieved from http://edfunders.org/sites/default/files/Educating%20English%20Language%20Learners_April%202013.pdf

This report presents an overview of ELs, the history of grants on their behalf, and how philanthropy can impact the education of English learners. The report also details four case studies of grants in action in three states—California, Illinois, and Texas—and includes information about successful parent programs in EL communities.

Harry, B., & Waterman, R. (2008). *Building collaboration between schools and parents of English language learners: Transcending barriers, creating opportunities* (Practictioner Brief). Tempe, AZ: National Center for Culturally Responsive Educational Systems. Retrieved from http://www.nccrest.org/Briefs/PractitionerBrief_BuildingCollaboration.pdf

This brief discusses barriers between schools and parents of ELs. It offers concrete suggestions to (1) inform school staff about school-initiated efforts to build partnerships with parents; (2) overcome language barriers; (3) provide access to comprehensible information about U.S. schools and culturally and linguistically diverse families; (4) address concerns related to special education placement and referral; (5) reduce immigrant isolation; and (6) raise awareness of EL concerns related to undocumented legal status.

Mathis, W. (2013, March). *English language learners and parental involvement*. Boulder, CO: National Education Policy Center (NEPC), School of Education at the University of Colorado-Boulder. Retrieved from http://www.greatlakescenter.org/docs/Policy_Briefs/Research-Based-Options/07-Mathis-ParentalInvolvement.pdf

This multi-part brief summarizes relevant findings in education policy research for engaging the families of English learners. The author recommends two-way communication with EL families; as well as the involvement of these families in the life of the school, community collaboration, school governance, and their child's schoolwork.

National Charter School Resource Center. (2014). *Engaging English learner families in charter schools*. Houston, TX: Safal Partners. Retrieved from http://www.charterschoolcenter.org/resource/engaging-english-learner-families-charter-schools

This paper highlights several practices for engaging EL families. Section I describes "practices employed by charter operators to reach out to EL families and involve them in the activities of their charter schools." Section II provides an overview of funding strategies used by schools to finance their family engagement, and Section III discusses the implications of the findings.

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Omniglot. (n.d.). The difficulties involved in Spanish-English translation. Retrieved from http://www.omniglot.com/language/articles/spanishenglishtranslation.htm

The article discusses difficulties involved in translating from Spanish-to-English and English-to-Spanish. The author states that, although they are both Romance languages, grammatical and syntactical constructs in English and Spanish, such as general word order, make it very challenging for translators to translate correctly between the two languages. The article concludes by adding that "[h] igh proficiency is required in both the languages for performing flawless and authentic English-Spanish translation and Spanish-English translation."

Payton, B. (2014, February). New funding law puts focus on translation for non-English speakers. *EdSource*. Retrieved from http://edsource.org/2014/new-funding-law-puts-focus-on-translation-for-non-english-speakers/57514

This article discusses how four districts in California (Oakland, San Jose, West Contra Costa, and Fresno) are instituting updated translation services to ensure proper communication with non-English speaking parents. This follows passage of a new California funding law. The districts offer "real-time meeting interpreting through headsets, bilingual PowerPoint presentations, translated written materials," and other translation formats at the LEA level.

Regional Educational Laboratory for the Pacific. (2015, January). *Toolkit of resources for engaging parents and community as partners in education* (Parts 1–3). Retrieved from http://relpacific.mcrel.org/resources/tools

Part 1 of this toolkit, on building trusting relationships with families and community through effective communication, provides tools that help school staff become aware of "how their beliefs and assumptions about family and community engagement influence their interactions with families," as well as how the demographic characteristics of the families can inform family engagement with these schools. Part 2, on building a cultural bridge, focuses on tapping the strengths of families and community members to help families become active in the school community in support of student learning. Part 3, on building trusting relationships with families and community through effective communication, "discusses cross-cultural and two-way communication as ways to enhance family and community engagement."

Rowe, D., & Fain, J. (2013, July). The family backpack project: Responding to dual-language texts through family journals. *Language Arts, (90)*6, 402–416. Retrieved from http://www.ncte.org/library/NCTEFiles/Resources/Journals/LA/0906-jul2013/LA0906Family.pdf

This article describes parent and child responses to a home book-reading program designed to provide prekindergarten students and their families with access to dual-language books and audio recordings in English as well as their home language. The authors emphasize that "family literacy practices are a foundation for initiating preschoolers into literacy" and understanding interactions, values, and beliefs of various cultures.

San Francisco Unified School District, Translation and Interpretation Unit. (2014, October). *SFUSD glossary of educational terms*. San Francisco, CA: San Francisco Unified School District. Retrieved from http://www.sfusd.edu/en/assets/sfusd-staff/services/files/translation-interpretation-glossary.pdf

SFUSD created this glossary of terms to facilitate effective communication between families and school staff. The glossary covers a wide range of educational terms in English, Chinese, and Spanish and is designed to help schools translate documents into predominant languages as well as those that are less common in their school communities. Additional information about translation and interpretation can be found at http://www.sfusd.edu/en/family-and-community-support/translation-and-interpretation.html.

Shamseddine, R. (2011). *Interpreting in a classroom setting*. Washington, DC: Bridging Refugee Youth and Children's Services. Retrieved from http://www.brycs.org/documents/upload/classroominterpreting.pdf

This document provides information about interpretation in the classroom setting. It includes recommendations on seating arrangements, pre-interviews with the interpreter, and the roles of both the teacher and interpreter.

You can access **Tools and Resources for Ensuring Meaningful Communication with LEP Parents** at http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html.

The EL Tool Kit contains examples of, adaptations of, and links to resources created and maintained by other public and private organizations. This information is provided for the reader's convenience and is included here to offer examples of the many resources that educators, parents, advocates, administrators, and other interested parties may find helpful and use at their discretion. The U.S. Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Further, the inclusion of links to items does not reflect their importance, nor is it intended to endorse any views expressed, or materials provided.

Sperling, J. (2011, January). *Communicating more for less: Using translation and interpretation technology to serve limited English proficient individuals*. Washington, DC: Migration Policy Institute, National Center on Immigrant Integration Policy. Retrieved from http://www.maine.gov/education/esl/webinars/documents/LEPtranslationtechnologyJan2011.pdf

This report discusses how advances in interpretation and translation technology can cut costs by reducing redundancy and saving resources. The document may assist practitioners in understanding and identifying which services would best meet their language access needs.

U.S. Department of Education. (2008, June). *Preparing to serve English language learner students: School districts with emerging English language learner communities* (Issues & Answers, REL 2008–No. 049). Washington, DC: U.S. Department of Education, Institute of Education Sciences, National Center for Education Evaluation and Regional Assistance, Regional Educational Laboratory-Appalachia. Retrieved from http://nces.ed.gov/pubsearch/pubsinfo.asp?pubid=REL2008049

This report offers suggestions for helping to overcome the challenges of newly enrolling or rapidly increasing EL student populations. Information is provided on encouraging parents to participate in their children's education, as well as reaching out to social services to assist district and school staff in addressing student needs for housing and other support. The appendices provide links to resources and sources of guidance.

U.S. Department of Education. (2015). *I have a question. What parents and caregivers can ask and do to help children thrive at school: A parent checklis*t. Retrieved from http://www2.ed.gov/documents/family-community/parent-checklist.pdf

This checklist was developed by the Department of Education in collaboration with America Achieves, National Parent Teacher Association, National Council of La Raza, and United Negro College Fund and provides questions for parents to ask educators about their child's education. The questions focus on five areas of school performance: "(1) quality; (2) ready for success; (3) safe and healthy; (4) great teachers; and (5) equity and fairness." In addition, there are possible follow-up questions, developed by teachers, on how parents can support their child's success in school, as well as a list of resources on a variety of educational topics. The checklist is available in both English and Spanish.

U.S. Department of Education & Southwest Educational Development Laboratory. (2013). Partners in education: A dual capacity-building framework for family-school partnerships. Retrieved from http://www2.ed.gov/documents/family-community/partners-education.pdf

This paper provides guidance on how to build successful family-school partnerships. The ideas presented are "designed to act as a scaffold for the development of family engagement strategies, policies, and programs."

U.S. Department of Education, U.S. Department of Health and Human Services, & Too Small to Fail. (2015). Talk, read, and sing together every day! Tip sheets for families, caregivers, and early learning educators. Retrieved from https://www.ed.gov/early-learning/talk-read-sing

Six tip sheets are the result of a commitment made at the White House Summit on Early Education, which focused on increasing the quantity and quality of words that children learn. The tip sheets—made specifically for families, caregivers, and early educators—provide guidance on how to enrich a child's early language experiences as much as possible. Each tip sheet is available in English and Spanish.

U.S. Department of Education, Office for Civil Rights, & U.S. Department of Justice, Civil Rights Division. (2015, January). *Dear colleague letter: English learner students and limited English proficient parents*. Retrieved from https://www2.ed.gov/about/offices/list/ocr/letters/colleague-el-201501.pdf

This document provides guidance to assist SEAs, LEAs, and all public schools in meeting their legal obligations to ensure that ELs can participate meaningfully and equally in educational programs and services. This guidance provides an outline of the legal obligations of SEAs and LEAs to ELs under the civil rights laws. Additionally, the guidance discusses compliance issues that frequently arise in OCR and DOJ investigations under *Title VI* of the *Civil Rights Act of 1964* and the *Equal Educational Opportunities Act*, and offers approaches that SEAs and LEAs may use to meet their federal obligations to ELs. A discussion of how SEAs and LEAs can implement their *Title III* grants and subgrants in a manner consistent with these civil rights obligations is included. Finally, the guidance discusses the federal obligation to ensure that limited English proficient parents and guardians have meaningful access to SEA-, LEA-, and school-related information.

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The EL Tool Kit contains examples of, adaptations of, and links to resources created and maintained by other public and private organizations. This information is provided for the reader's convenience and is included here to offer examples of the many resources that educators, parents, advocates, administrators, and other interested parties may find helpful and use at their discretion. The U.S. Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Further, the inclusion of links to items does not reflect their importance, nor is it intended to endorse any views expressed, or materials provided.

U.S. Department of Justice. (2014). Limited English proficiency (LEP): A federal interagency website. Retrieved from http://www.lep.gov/interp_translation/trans_interpret.html

This website provides links to resources for implementing and understanding translation and interpretation services.

Vietnamese American Young Leaders Association of New Orleans (VAYLA). (2011). *ESL: Lost in the system, 21 Asian and Latino families speak out on barriers to educational access in New Orleans Public Schools*. Retrieved from http://vayla-no.org/wp-content/uploads/2014/07/ESL-Lost-In-The-Sytem-2013.pdf

The first section of the report contains the personal testimony of youth leaders and their peers as well as accounts of how they worked to create change. The second section reflects the challenges encountered by parents and families seeking school support for their children. In the final section, youth leaders and staff members provide recommendations to improve learning "for limited-English proficient students and families and to create a school system that truly values them."

Waterman, R., & Harry, B. (2008). *Building collaboration between schools and parents of English language learners: Transcending barriers, creating opportunities*. Tempe, AZ: National Center for Culturally Responsive Educational Systems. Retrieved from http://www.nccrest.org/Briefs/PractitionerBrief_BuildingCollaboration.pdf

This brief discusses the barriers to parental involvement and offers concrete suggestions for creating positive relationships between schools and parents of ELs.

Weiss, H., Lopez, M., & Rosenberg, H. (2010, December). *Beyond random acts: Family, school, and community engagement as an integral part of education reform*. Cambridge, MA: Harvard Family Research Project. Retrieved from http://www.nationalpirc.org/engagement_forum/beyond_random_acts.pdf

"This publication advocates family, school, and community engagement (FSCE) as a strategy to support student success." It is the precursor to a forum that "sought to serve as a catalyst for reframing what FSCE should look like in the twenty-first century."

Wessels, S. (2014). Supporting English and Spanish literacy through a family literacy program. *School Community Journal, (24)*2, 147–164. Retrieved from http://files.eric.ed.gov/fulltext/EJ1048612.pdf

This article reports on a qualitative research study that explored the effects of an eight-week bilingual family literacy program for Latino, English-learning families. Data from the study showed (1) that maintaining the first language is important; (2) that practicing what has been taught helps to sustain language; and (3) the importance of time. The article also discusses implications of the study's findings for educators.

Wisconsin Early Dual Language Learner Initiative. (n.d.). *How to use interpreters effectively* (Facts & Tips Series, Topic #2.2). Retrieved from http://www.collaboratingpartners.com/documents/Topic_2.2_How_to_use_interpreters_effectively.pdf

This fact sheet addresses how to establish guidelines for interpretation for young children and young dual language learners. Also discussed are the proper use of translation software and the reasons why school staff should meet with interpreters prior to holding meetings with families.

To access these and other relevant resources, and for additional information about ELs, please visit http://www.ncela.ed.gov/.

You can access **Tools and Resources for Ensuring Meaningful Communication with LEP Parents** at http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html.