

# Colorado Provisional English Learner Identification <sup>1</sup> and Placement Procedures <sup>2</sup>

The Colorado Department of Education (CDE) is issuing 2020-2021 Interim Procedures for the identification of English Learners (ELs) during periods of suspension of in-person learning and when hybrid <sup>3</sup> or distance learning is occurring due to COVID-19. CDE will continue to work with the Office for Civil Rights and the U.S. Department of Education to develop, modify, and evaluate, as needed, interim guidance and policies during school closures. Additionally, CDE will continue the development of this document as new information and federal and state guidance are made available.

Sections 1112(e)(3) and 3113(b)(2) of ESEA require that students be identified for EL status within 30 days of enrollment in a school in a state. For students who enroll after the beginning of the school year, the district, school, or charter school must send the required parent notice within two weeks of a student being placed in a Language Instruction Educational Program (LIEP).

The Interim EL Identification procedures provide a means of **provisionally identifying English learners** during periods when schools are not providing in-person learning due to COVID-19 and administration of Kindergarten W-APT (Kindergarten & first semester, first grade) and/or WIDA Screener (second semester, first grade - grade 12) is not possible. The guidance in this document may not replace Colorado's formal standardized EL Identification Procedures. In cases where 100 percent of instruction is occurring in a distance and/or hybrid learning environment or when a parent opts into a remote learning environment, districts, schools, or charter schools may use the Interim Identification Procedures to provisionally identify EL students. All provisionally identified EL students must be assessed using the Colorado Standardized Identification Procedures as soon as practicable once school resumes in-person operations.

All provisionally identified EL students must be provided an English language development program that supports students' development of English, as part of Tier 1 instruction. In addition to providing English Language Development (ELD) programs, districts, schools, or charter schools share an equally critical responsibility in providing access to grade level content and instruction. During distance instruction, it is essential that grade level content is provided with adequate scaffolds and supports that English learners need to access the grade level content.

The [English Language Proficiency \(ELP\) Screener Assessment Guidance: Based on Instructional Setting](http://www.cde.state.co.us/cde_english/covid19andclde) ([www.cde.state.co.us/cde\\_english/covid19andclde](http://www.cde.state.co.us/cde_english/covid19andclde)), a decision-making tool, aids Colorado districts, schools, or charter schools to identify English learners for English Language Development program eligibility during distance, in-person, or hybrid instruction.

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<sup>1</sup> Districts and schools that have agreements with the Department of Justice and/or the Office for Civil Rights related to English learners and programming for this group of students should work directly with those agencies to determine the appropriate practices to identify ELs during school closures.

<sup>2</sup> Enrollment of students should not be delayed due to any delays in screening for EL services, to the extent consistent with health and welfare directives from the relevant governmental entities.

<sup>3</sup> Districts offering modified learning instruction to combine in-person and distance learning and activities.

The decision-making tool should be used to accompany the 5-step Interim EL Identification Procedures during extended school closures outlined below:

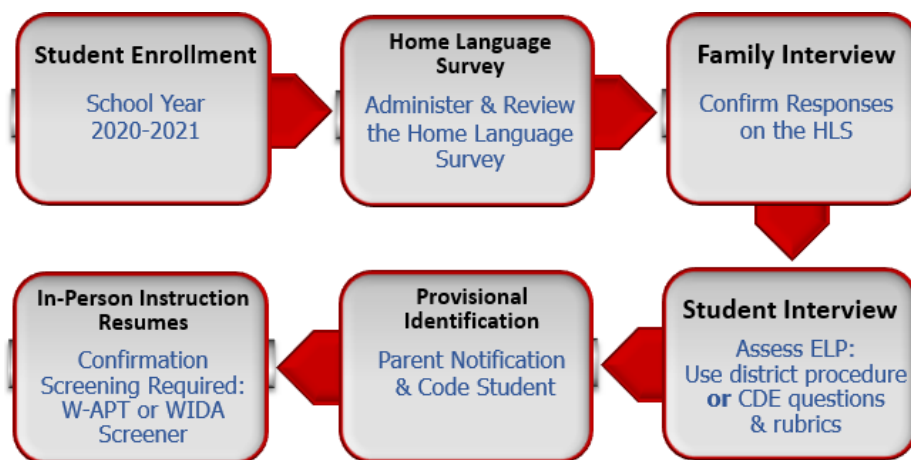
**Step 1:** Administer the Home Language Survey (HLS) to all students new to the district as part of the district’s enrollment process during periods of suspension of in-person learning. Conduct a family interview to confirm responses provided on the HLS. When a language other than/in addition to English is confirmed, proceed to step 2.

**Step 2:** Conduct a Student Interview remotely to determine level of ELP (via phone, Skype, Zoom, etc.). Districts determine whether to follow district procedures to assess a student’s ELP in speaking, listening and interaction or to use CDE developed sample questions and rubrics found in Appendix A.

**Step 3:** Determine whether the student is an English learner using Student Interview results and make a provisional EL identification determination.

**Step 4:** Notify parents and/or legal guardians in writing of screening test results and provisional EL identification determination.

**Step 5:** Code student as EL in Data Pipeline. Document and track provisionally identified EL students internally. When in-person instruction resumes, administer Kindergarten W-APT and/or WIDA Screener to confirm provisional EL identification is coded appropriately in Date Pipeline.



## Step 1: Administer the Home Language Survey (HLS) to all newly enrolling students.

A Home Language Survey (HLS) must be completed by all newly enrolling families as part of the district’s standardized registration process to identify students who have a language influence other than or in addition to English. The HLS must be completed for each student; it should be provided in the language(s) most frequently spoken in the local community. If the district or school personnel determine a language influence other than or in addition to English is present, conduct a family interview to confirm responses on the HLS, then proceed to Step 2.

*During suspension of in-person learning due to COVID-19, the HLS must be completed online or remotely by district-trained enrollment personnel via a means of communication that is accessible to the families and the district, such as by phone, Skype, Zoom, etc. Parents can also complete the HLS and mail it back to the district, if necessary.*

## **Step 2: Conduct an interview remotely with the student (via phone, Skype, Zoom, etc.) when the school/district confirms a language influence other than/in addition to English to determine English proficiency level.**

Districts must conduct an interview with **all** students for whom there is a language influence other than or in addition to English. This interview may be conducted remotely. *During suspension of in-person learning due to COVID-19, the following limited exceptions apply:*

- Students who were previously classified as ELs and were then reclassified as Monitor 1, Monitor 2, Exit 1, or Exit 2 in their former Colorado districts;
- EL students who transferred from another district within Colorado or with ACCESS results from school year 2019-2020.

In the absence of the Kindergarten W-APT and/or WIDA Screener assessments due to suspension of in-person instruction, the Student Interview, either Option A **or** Option B, described below, must be conducted for each student in which the HLS and other background information indicate a language influence other than English is present in the student's home. If there is no language other than English, or if the student uses American Sign Language (ASL) and there is no history of use of languages other than English, or if ASL is indicated on the HLS, there is no need to conduct the Student Interview.

The Student Interview, both Option A **and** Option B should consist of questions at varying levels of proficiency that are meant to prompt interaction between the interviewer and the student that will make it possible to determine the student's proficiency in listening, speaking, and interaction. Interviewers must have strategies in place to ensure students who do not have experience interacting with someone through a screen are comfortable during the remote interview.

**District determines to use Student Interview Option A** - Implement district developed questions and associated evaluation tool to conduct an informal interview with the student. This informal oral assessment must include questions at various levels of proficiency, but interviewers should tailor the interaction as necessary, based on the apparent proficiency of the student and their age.

**District determines to use Student Interview Option B** - Complete the speaking, listening and interaction domains using the sample questions on page 6 of this document and associated rubrics found in Appendix A: *Rubric 1 - Interaction, Listening, and Speaking Language Use Inventory*.

Additional Student Interview Option B Considerations:

- Stop at the level where a student has difficulty responding.
- If the student has difficulty responding at a particular level, ask a question or two from the previous level to end on a positive note.
- Generally, a student who easily communicates at a "High Level" is NOT likely to qualify for EL status. "Moderate and Low Levels" would likely qualify for EL status.

**NOTE: If a student is unable to complete the Student Interview process described above, (e.g., because of a disability or refusal) the determination of EL status must be made based on the remaining available evidence gathered from the HLS, parent interview, and academic records review.**

### **Step 3: Determine whether the student is an EL using Student Interview results and determine provisional English language proficiency level and appropriate instructional placement.**

Districts should make a **provisional** determination about the student’s English language proficiency gathered in Step 2. The district’s chosen method of instructional delivery to address student’s English proficiency level should provide opportunities to participate meaningfully and equally in the district’s educational programs.

Consistent with federal and state civil rights laws, school districts must continue to provide English language development instruction to English learners, consistent with the need to protect the health and safety of students and staff.

### **Step 4: Notify parents and/or legal guardians of screening results and provisional placement decision.**

Districts must provide parents with a written description of the **provisional** identification and placement in the ELD program. Communicate with parents, using interpreters as needed, to explain the parent notification letter in order to ensure understanding of the district, school, or charter school’s ELD program and services. In addition, inform parents that when schools reopen for in-person instruction, districts must administer either Kindergarten W-APT and/or WIDA Screener, to confirm provisional EL identification status.

### **Step 5: Districts, schools, or charter schools may code the student as an EL before administering an in-person language proficiency screening assessment.**

In cases where distance instruction is occurring or when a parent opts into a distance learning environment, districts, schools, or charter schools may code provisionally identified students as ELs, using the Student Demographic data elements: Language Proficiency, Language Background, and Language Instruction Program fields. Once in-person instruction resumes all provisionally identified EL students must be administered the W-APT and/or WIDA Screener, as outlined in the [Colorado Standardized Identification Procedures](http://www.cde.state.co.us/cde_english/identification-placement) (www.cde.state.co.us/cde\_english/identification-placement).

Districts and schools **must document and internally track students** with provisional EL identification through a data set separate from the Colorado Department of Education Data Pipeline.

**ATTENTION:**

1. The Colorado Provisional English Learner Identification and Placement Procedures and the English Language Proficiency Screener Assessment Guidance: Based on Instructional Setting documents should be used together to make EL identification procedural decisions for SY2020-2021.
2. Documentation in Student File is required. The district must ensure that students who are given a provisional status assignment (identified as EL or non-EL) are tracked internally by some means (e.g., a special code in the local student management system). Once in-person instruction resumes, students must be assessed according to the [Colorado Standardized Identification Procedures](http://www.cde.state.co.us/cde_english/identification-placement) (www.cde.state.co.us/cde\_english/identification-placement) to ensure appropriate EL identification and placement.
3. Districts, schools, or charter schools offering in-person or hybrid instruction should follow Colorado's Standardized Identification Procedures to identify EL students including administering Kindergarten W-APT and/or WIDA Screener assessments when students are physically in the school building.
4. [The U.S. Department of Education Fact Sheet: Providing Services to English Learners During the COVID-19 Outbreak](http://www2.ed.gov/documents/coronavirus/covid-19-el-factsheet.pdf) (www2.ed.gov/documents/coronavirus/covid-19-el-factsheet.pdf) outlines States' responsibilities to English learners and their parents during the extended school closures and, in some cases, the move to remote learning due to the national emergency caused by the novel Coronavirus disease 2019 (COVID-19).

## Student Interview Sample Questions

Ask questions at low levels of difficulty and progress in difficulty			
Grade	Low Level	Moderate Level	High Level
K-1	What is your name? How old are you? What is your favorite color?	Tell me about someone in your family? What do you like to do with your friends? What shows do you like to watch on TV? What foods don't you like? Why?	How is a dog different from a cat? How is a dog the same as a cat? What is your favorite book/movie? Tell me why. What would you do if you fell down and hurt your knee?
2-5	What is your name? How old are you? When is your birthday?	What would you want to do on your next birthday? What is your favorite game? How do you play it? What do you like to do with friends/family? What foods don't you like? Tell me why. What kind of food do you like? Tell me why.	What is your favorite subject in school? Tell me why? How is a banana different from an orange? How is a banana the same as an orange? Describe your favorite book/movie? Can you tell me about a character in a book/movie? If you could have one wish, what would it be? Tell me why.
6-8	What is your name? Where do you live? Tell me about someone in your family What do you like to do after school?	What do you like to do on the weekends? What shows do you like to watch on TV? What kind of music do you not like to listen to? Tell me about your favorite (sports team, video game, toy, or hobby)?	What is your favorite subject in school? Explain why. Convince me why I should like your favorite (sports team/video game.) How is a television different/same from a computer? Tell me about a special place you have been to. Explain why this place is special to you? Your best friend is crying. Describe what would you do?
9-12	What is your favorite color? Where do you live? Tell me about a special person in your life.	Tell me about your favorite family trip. What kind of books do you like to read? What is your favorite TV show? Tell me why.	What job would you never want to do? Tell me why. How is a car different/same from a motorcycle? Tell me something I might not know about the place you were born. What would you do if there was a fire in the house? Describe a job that you think is useful for society. Explain why. Describe your favorite teacher/friend/family member.

*Student Interview Sample Questions adapted from the NY State Education Department*

# Appendix A<sup>4</sup>

Grade: Kindergarten - 1

## Rubric 1 - Interaction, Listening, and Speaking Language Use Inventory

Student:

Evaluator's Name:

Interview Date(s):

Domain:

	LOW	MODERATE	HIGH	Notes
Interaction	Can engage in very short social exchanges and sustain the conversation with substantial support. Can communicate in simple and routine tasks requiring a simple and direct exchange of information on familiar topics and activities, possibly using provided language frames or structures. <input type="checkbox"/>	Can function in most social situations in the classroom. Can enter unprepared in conversation on topics that are familiar, of personal interest, or connected to everyday life. Can use provided language frames or structures as models for original expression. <input type="checkbox"/>	Can use language spontaneously, flexibly, and effectively for social and academic purposes. Can formulate ideas and opinions with precision and relate contributions skillfully to those of other speakers. <input type="checkbox"/>	
Listening	Can understand the main point in simple messages in slow and clear standard speech. Can understand phrases and high frequency vocabulary related to familiar topics. <input type="checkbox"/>	Can understand the main points in slow and clear standard speech on familiar topics in discussions, presentations, and educational videos. <input type="checkbox"/>	Can understand extended speech even when it is not clearly structured and when relationships are only implied and not signaled explicitly. <input type="checkbox"/>	
Speaking	Can use a series of connected phrases and short, simple sentences to talk in simple terms about familiar topics. <input type="checkbox"/>	Can use a series of connected phrases and short, simple sentences to talk in simple terms about familiar and academic topics. <input type="checkbox"/>	Can present clear, expanded discourse about a familiar or academic topic using some content-specific vocabulary. <input type="checkbox"/>	
<b>Provisional Determination</b>				

Generally, a student who easily communicates at a “High Level” is NOT likely to qualify for EL status. “Moderate and Low Levels” would likely qualify for EL status.

<sup>4</sup> Massachusetts Department of Elementary and Secondary Education, Center for Instructional Support, Office of English Language Acquisition

Grade: 2-5

**Rubric 1 - Interaction, Listening, and Speaking Language Use Inventory**

Student:

Evaluator's Name:

Interview Date(s):

Domain:

	LOW	MODERATE	HIGH	Notes
Interaction	Can engage in very short social exchanges and sustain the conversation with substantial support. Can communicate in simple and routine tasks requiring a simple and direct exchange of information on familiar topics and activities, possibly using provided language frames or structures. <input type="checkbox"/>	Can function in most social situations in the classroom. Can enter unprepared in conversation on topics that are familiar, of personal interest, or connected to everyday life. Can use provided language frames or structures as models for original expression. <input type="checkbox"/>	Can use language spontaneously, flexibly, and effectively for social and academic purposes. Can formulate ideas and opinions with precision and relate contributions skillfully to those of other speakers. <input type="checkbox"/>	
Listening	Can understand the main point in simple messages in slow and clear standard speech. Can understand phrases and high frequency vocabulary related to familiar topics. <input type="checkbox"/>	Can understand the main points in slow and clear standard speech on familiar topics in discussions, presentations, and educational videos. <input type="checkbox"/>	Can understand extended speech even when it is not clearly structured and when relationships are only implied and not signaled explicitly. <input type="checkbox"/>	
Speaking	Can use a series of connected phrases and short, simple sentences to talk in simple terms about familiar topics. <input type="checkbox"/>	Can use a series of connected phrases and short, simple sentences to talk in simple terms about familiar and academic topics. <input type="checkbox"/>	Can present clear, expanded discourse about a familiar or academic topic using some content-specific vocabulary. <input type="checkbox"/>	
<b>Provisional Determination</b>				

Generally, a student who easily communicates at a “High Level” is NOT likely to qualify for EL status. “Moderate and Low Levels” would likely qualify for EL status.



Grades: 6-8

**Rubric 1 - Interaction, Listening, and Speaking Language Use Inventory**

Student:

Evaluator's Name:

Interview Date(s):

Domain:

	LOW	MODERATE	HIGH	Notes
Interaction	Can engage in very short social exchanges and sustain the conversation with substantial support. Can communicate in simple and routine tasks requiring a simple and direct exchange of information on familiar topics and activities, possibly using provided language frames or structures. <input type="checkbox"/>	Can function in most social situations in the classroom. Can enter unprepared in conversation on topics that are familiar, of personal interest, or connected to everyday life. Can use provided language frames or structures as models for original expression. <input type="checkbox"/>	Can use language spontaneously, flexibly, and effectively for social and academic purposes. Can formulate ideas and opinions with precision and relate contributions skillfully to those of other speakers. <input type="checkbox"/>	
Listening	Can understand the main point in simple messages in slow and clear standard speech. Can understand phrases and high frequency vocabulary related to familiar topics. <input type="checkbox"/>	Can understand the main points in slow and clear standard speech on familiar topics in discussions, presentations, and educational videos. <input type="checkbox"/>	Can understand extended speech even when it is not clearly structured and when relationships are only implied and not signaled explicitly. <input type="checkbox"/>	
Speaking	Can use a series of connected phrases and short, simple sentences to talk in simple terms about familiar topics with little to no content-specific vocabulary. <input type="checkbox"/>	Can use a series of connected phrases and short, simple sentences to talk in simple terms and some content-specific vocabulary about familiar and academic topics. <input type="checkbox"/>	Can present clear, expanded discourse about a familiar or academic topic using content-specific vocabulary. <input type="checkbox"/>	
<b>Provisional Determination</b>				

Generally, a student who easily communicates at a “High Level” is NOT likely to qualify for EL status. “Moderate and Low Levels” would likely qualify for EL status.

Grades: 9-12

**Rubric 1 - Interaction, Listening, and Speaking Language Use Inventory**

Student:

Evaluator's Name:

Interview Date(s):

Domain:

	LOW	MODERATE	HIGH	Notes
Interaction	Can engage in very short social exchanges and sustain the conversation with substantial support. Can communicate in simple and routine tasks requiring a simple and direct exchange of information on familiar topics and activities, possibly using provided language frames or structures. <input type="checkbox"/>	Can function in most social situations in the classroom. Can enter unprepared in conversation on topics that are familiar, of personal interest, or connected to everyday life. Can use provided language frames or structures as models for original expression. <input type="checkbox"/>	Can use language spontaneously, flexibly, and effectively for social and academic purposes. Can formulate ideas and opinions with precision and relate contributions skillfully to those of other speakers. <input type="checkbox"/>	
Listening	Can understand the main point in simple messages in slow and clear standard speech. Can understand phrases and high frequency vocabulary related to familiar topics. <input type="checkbox"/>	Can understand the main points in slow and clear standard speech on familiar topics in discussions, presentations, and educational videos. <input type="checkbox"/>	Can understand extended speech even when it is not clearly structured and when relationships are only implied and not signaled explicitly. <input type="checkbox"/>	
Speaking	Can use a series of connected phrases and short, simple sentences to talk in simple terms about familiar topics. <input type="checkbox"/>	Can connect phrases to talk about familiar topics using simple sentences. Can briefly give reasons and explanations for reactions, opinions, and plans. <input type="checkbox"/>	Can present clear, detailed descriptions of complex subjects integrating subthemes, developing particular points, and finishing with an appropriate conclusion. <input type="checkbox"/>	
<b>Provisional Determination</b>				

Generally, a student who easily communicates at a "High Level" is NOT likely to qualify for EL status. "Moderate and Low Levels" would likely qualify for EL status.