



COLORADO

Department of Education

Identification of English Learners (ELs): Requirements and Process



CLDE Webinar
1:00 - 2:30 pm

October 8, 2015



Webinar Agenda

- **Legal Requirements**
- **Identification Process**
 - Home Language Survey/Questionnaire
 - WIDA-ACCESS Placement Test (W-APT) and Body of Evidence
 - Parent Notification Requirements
- **Student October Count**
- **Redesignation FAQs**
- **Questions/Resources**

Legal Requirements



Colorado Definition of an English Learner (EL)

- A student who is linguistically diverse and who is identified [using the state-approved English language proficiency assessment] as having a level of English language proficiency that requires language support to achieve standards in grade-level content in English.
 - ELPA 22-24-103 (4)

Federal Legal Requirements

- Title VI of the Civil Rights Act of 1964
- Elementary and Secondary Education Act (ESEA)
- Plyler vs. Doe, 1982

Title VI of the Civil Rights Act of 1964

- **Prohibits discrimination based on race, color or national origin**
 - HLS/HLQ given to all students new to district (including incoming Kindergarteners)
 - Identify Primary or Home Language Other than English (PHLOTE)



Elementary and Secondary Education Act (ESEA) of 1965

- Titles I/III – must identify eligible EL students, assess identified language proficiency of EL students, provide ELD services, and evaluate English language development (ELD) programs



Plyler v Doe, 1982



- **As a result of Plyler ruling, public schools may not:**
 - Deny admission to a student during initial enrollment or at any other time on the basis of undocumented status
 - Treat a student disparately to determine residency
 - Engage in any practices to “chill” the right of access to school
 - Require students or parents to disclose or document their immigration status
 - Make inquiries of students or parents that may expose their undocumented status
 - Require social security numbers from all students, as this may expose undocumented status

Colorado Laws

- **Colorado Senate Bill 109 – C.R.S. 22-24-106 ELP Assessment**
- **Colorado House Bill 14-1298 – C.R.S. 22-24-101 English Language Proficiency Act (ELPA)**
- **Colorado House Bill 15-1323 – Changes to Assessments in Public Schools**



Colorado Senate Bill 109, ELP Assessment

- **Colorado Senate Bill 109, C.R.S. 22-24-106 requires:**
 - One common assessment to identify English Learners and measure English language development
 - **W-APT** – state mandated placement assessment *must* be used as one indicator to determine if the student is an English Learner and the English language proficiency level of the student
 - **ACCESS for ELLs** – annual assessment to measure English language proficiency



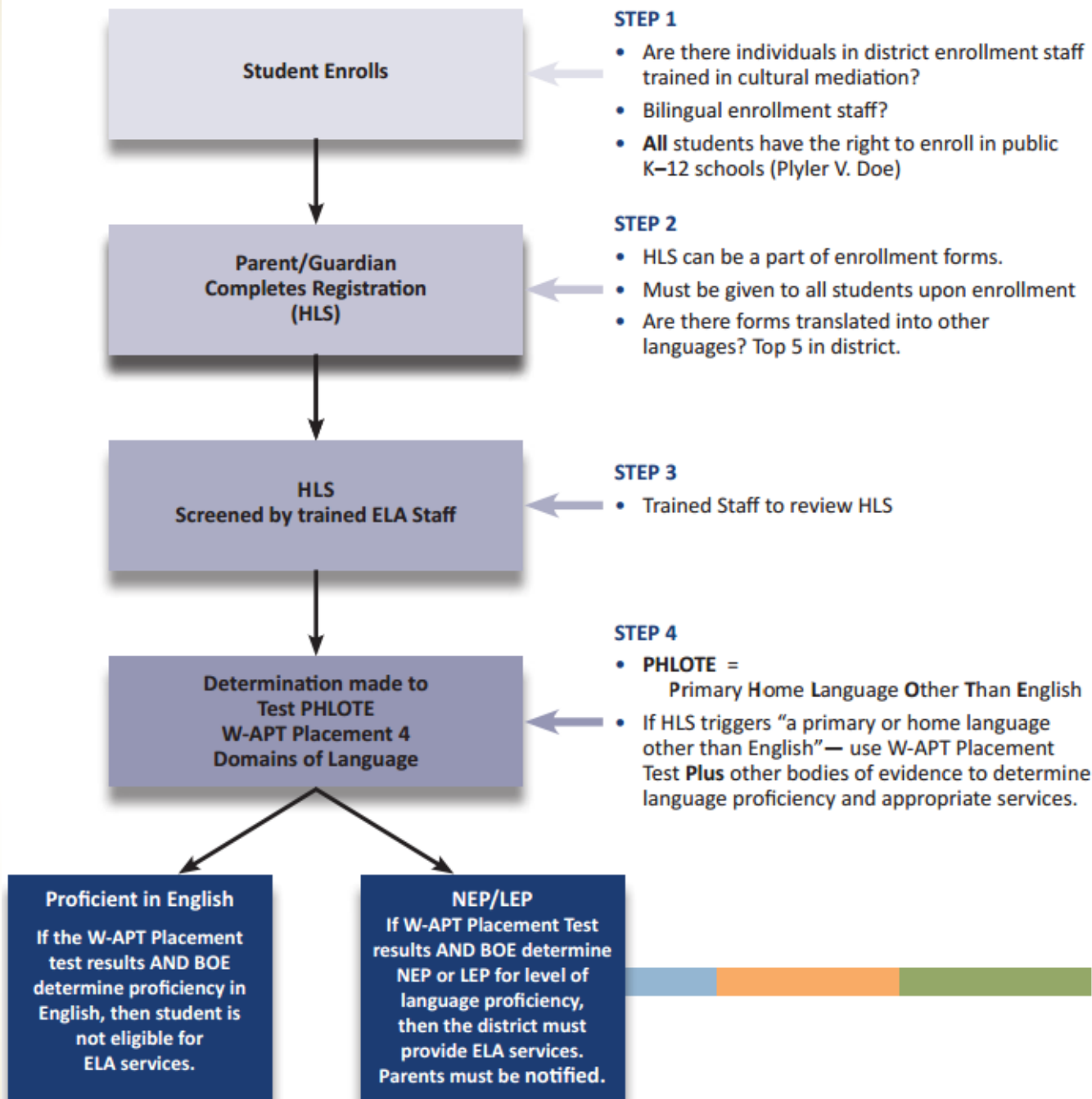
Colorado House Bill 14-1298 – English Language Proficiency Act

- ELPA requires school districts to:
 - Provide an *evidence-based ELD program for all eligible K-12 English learners* to enable ELs to *develop and acquire English proficiency while maintaining grade-level performance in academic content areas* C.R.S. 22-24-102
 - Identify all ELs enrolled in the district using the state-approved ELP assessment (W-APT and ACCESS for ELLs) C.R.S. 22-24-105
 - Report number of ELs to CDE in Student October Count C.R.S. 22-24-105



Identification Process





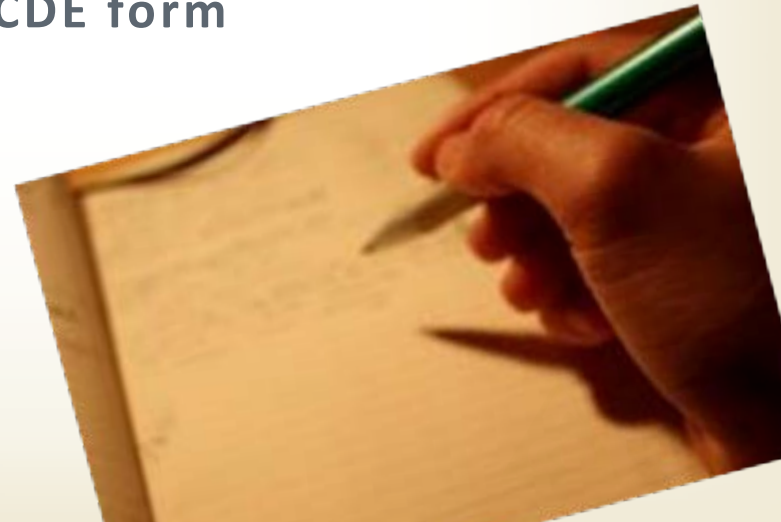
Home Language Survey (HLS) / Home Language Questionnaire (HLQ)

What it is...

- Required by law
- Given to all new to district students, including foreign exchange and adopted students
- A tool to be used with all students to identify possible language influences other than English
- Three required questions included in district developed form
- Must be filled out when student enrolls

What it is not...

- Optional
- Just for students who are believed to be ELs
 - Not given annually to returning students
- An assessment
- CDE form



Home Language Survey (HLS) / Home Language Questionnaire (HLQ)

Three (3) questions must be asked.....

1. What is/was the student's first language?

1. What is the native language of the student?

2. Does the student speak a language(s) other than English?
(Do not include languages learned in school.)

☐ Yes ☐ No

If yes, specify the language(s):

2. What language(s) is(are) spoken most often by the student?

3. What language(s) is (are) spoken in your home?

Who Reviews the HLS/HLQ?

- **Trained, culturally competent district/school staff**
 - Counselor
 - Administrator
 - Teacher
 - Administrative assistants
 - Other personnel

Requirements for W-APT® Testing

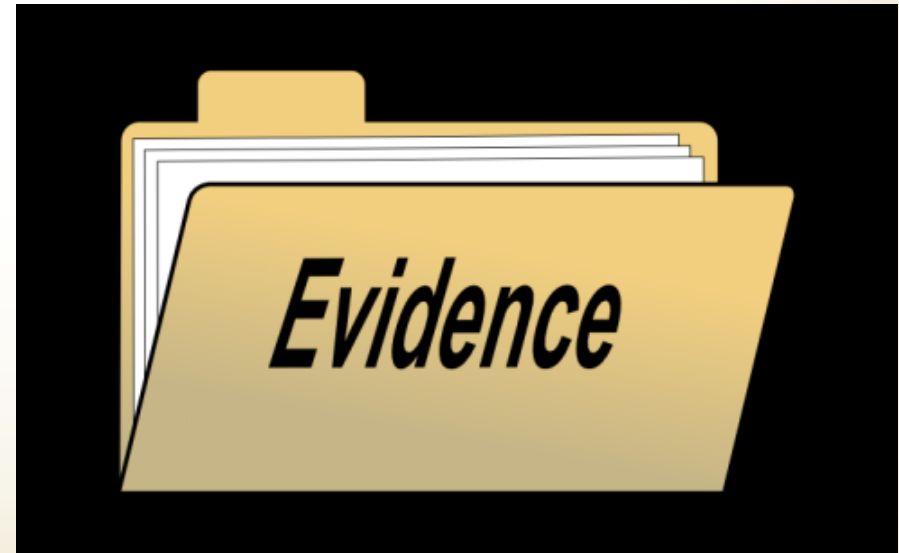
- **Any new to district student the district determines has a language influence other than English and might be EL**
 - Can include...
 - Foreign exchange students
 - Students with disabilities
 - Students enrolled in charter schools and facility schools
 - Adopted students
 - Students of military families
 - Home school or online students
 - Does not include...per federal guidance
 - Students who use American Sign Language and do not have a language influence other than English

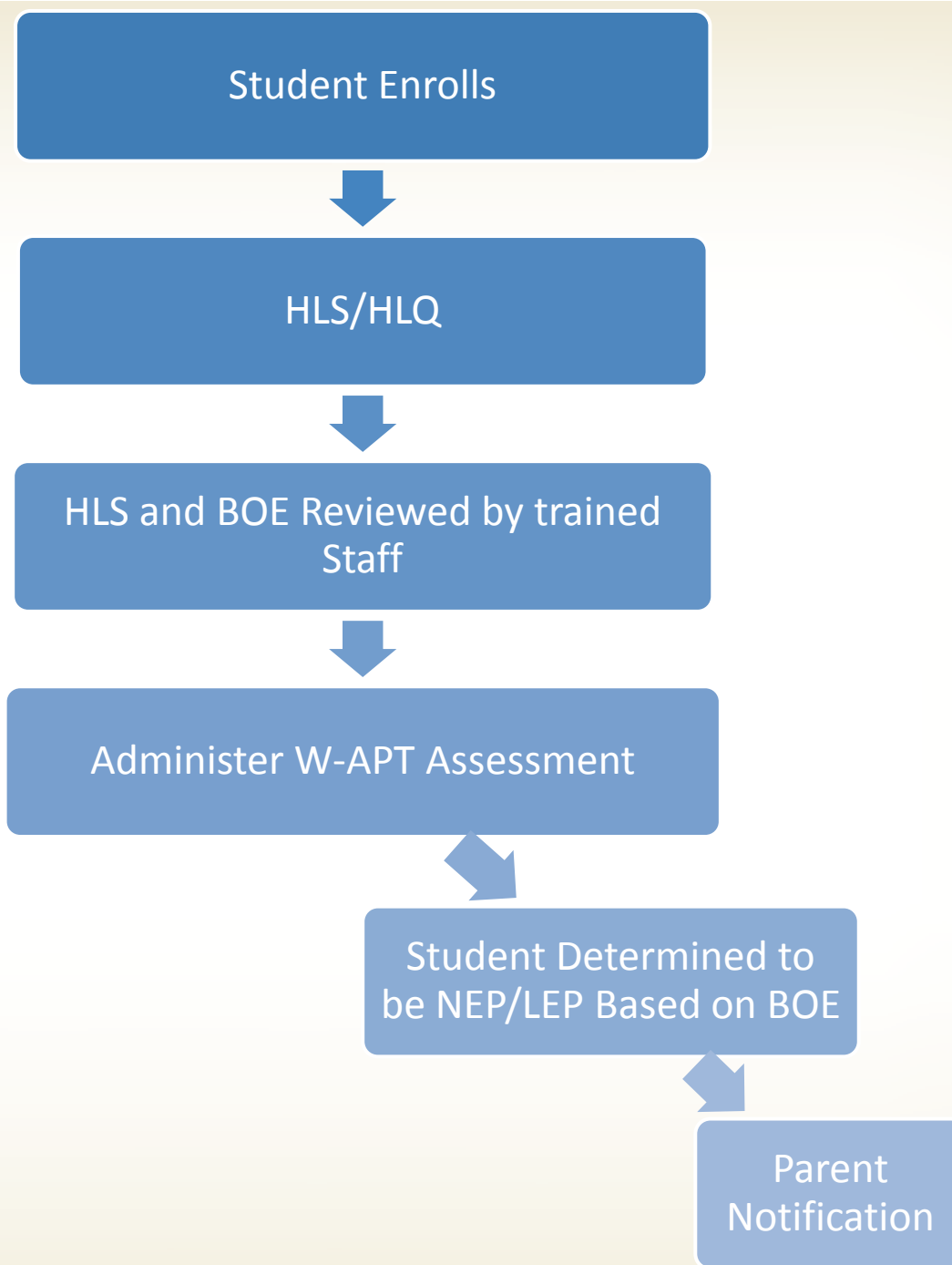
Frequently Asked Questions

- **If a student arrives from another district with an ACCESS score, do we still have to administer the W-APT?**
 - Yes, you would still need to administer the W-APT if the HLQ triggers
- **If a student leaves our district and then returns one semester later, do we have to give them the W-APT?**
 - State guidance is to give the W-APT to students new to district when the HLQ triggers
 - Students who have left the district and returned are considered new to district

Body of Evidence: Determining if Student is an English Learner

- W-APT®
- Family Interview
- Student Academic Record
- Local school or district assessment
- Informal assessment
- Student Profile





Initial Language Proficiency Categories

- **Initial identification categories of students eligible English Language Development services**
 - NEP: Non-English Proficient - A student who speaks a language other than English and does not comprehend, speak, read, or write English.
 - LEP: Limited English Proficient - - A student who comprehends, speaks, reads, or writes some English, but whose predominant comprehension or speech is in a language other than English.
 - For state recommended W-APT cut scores, see the [Guidebook on Designing, Delivering and Evaluating Services for English Learners](#) Pages 19-21

Parent Notification Requirements - Identification

■ NCLB ACT 2001 Title III

- Reason why child was identified as EL
- Level of English proficiency and how assessed
- Method of instruction used in programs
 - If more than one, list all
- How program will meet the educational strengths of the child
- How program will help child learn English
- Exit requirements for programs/graduation rates for secondary students
- Parents right to opt out of program services
- Children with disability/IEP



http://www.cde.state.co.us/cde_english/elau_parentinfo.htm

Student Enrolls



HLS/HLQ



HLS and BOE Reviewed by trained Staff



Administer W-APT Assessment



Student Determined to be
PHLOTE/FELL Based on BOE

English Proficient Upon Entry Categories

- **PHLOTE – Primary Home Language Other than English**
 - New to district
 - Language background other than English
 - W-APT and body of evidence shows proficient in English
 - Never received English language development instruction
- **FELL – Former ELL student -**
 - New to district
 - Language background other than English
 - W-APT and body of evidence shows proficient in English
 - Received English language development instruction in another District, State, or education facility

Initial Identification

~~FEP~~

A student entering a district cannot be identified as FEP (Fluent English Proficient - A student who has spoken, or currently speaks, a language other than English, but who is able to comprehend, speak, read, and write English on a level comparable to his or her monolingual English-speaking peers.) since they are not in a district ELD program. Use PHLOTE or FELL, as appropriate.

Student October Count



Student October Count

- Generates ELPA funding
- Used to calculate district allocations for Title III, Part A and Title III Immigrant Set-Aside
- Three fields are associated with English learner data coding:
 - Language Background
 - Program (ESL/Bilingual)
 - Language Proficiency

Language Background

- English learners must be assigned a language background other than English
- An Excel version of the language codes can be viewed at:
http://www.cde.state.co.us/DataPipeline/download/Frequently%20Requested%20Code/ELPA_Language_Codes.xls
- Deactivated codes can be viewed at:
http://www.cde.state.co.us/DataPipeline/download/Frequently%20Requested%20Code/ELPA_Language_Codes_Deactivated.xls

English Learner Coding

EL Status	Language Proficiency code	ESL or Bilingual status code	Language Background
NEP	1	1	Other than English
LEP	2	1	Other than English
PHLOTE	4	0	Other than English
FELL	5	0	Other than English

Districts will enter “5” in the “ESL or Bilingual Status Code” for Parent Refusals

Student October Resources

- For more information on Student October Count

- Visit:

- http://www.cde.state.co.us/datapipeline/snap_studentoctober

- Contact: Kevin Smith at smith_k@cde.state.co.us

Redesignation FAQs



Redesignation FAQs

- **What does a student need to score on ACCESS for ELLs to be an NEP? LEP? FEP M1?**
 - CDE does not set cut scores on ACCESS for ELLs to determine language proficiency levels. Districts must develop a standardized process and criteria for further investigation and confirmation of a student's ability to meet grade-level performance expectations. Each piece of evidence must align to the Colorado English Language Proficiency (CELP) standards and Colorado Academic Standards (CAS). A body of evidence should represent local data that is used to define academic growth and grade level proficiency as well as the student's linguistic growth and English language proficiency.

Redesignation FAQs

- **Can students be redesignated before 3rd grade?**
 - CDE redesignation guidance is that a student should receive a 5 Overall and a 5 on Literacy in the Tier B or C ACCESS for ELLs assessment in order to be considered for redesignation. However, districts should make the final determination based on their local data and body of evidence.

Questions?



Next CLDE Webinar

EL Data Dig Tool

November 12, 2015

1:00 – 2:30 pm

http://www.cde.state.co.us/cde_english/webinars

Office of CLDE Resources and Upcoming Professional Learning Opportunities

- Webinars - http://www.cde.state.co.us/cde_english/webinars
- Statewide Professional Learning Opportunities - http://www.cde.state.co.us/cde_english/professionaldevelopment
- Regional ELD Directors/Coordinators Meetings - http://www.cde.state.co.us/cde_english/regionalmeetings
- Resources - http://www.cde.state.co.us/cde_english/elau_pubsresources

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