Introduction to
English Language Learner Count
Funding Factor Audit

School Auditing Office

Date: **9/12/2023**

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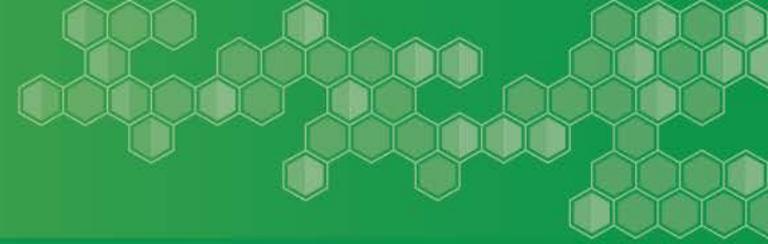
- English Language Learner Count Funding Factor
  - Background
  - Student October Count

- Identification, Redesignation, and Assessments
  - Terminology
  - Identification
  - Redesignation

- ELL Count Audit Documentation and Resources
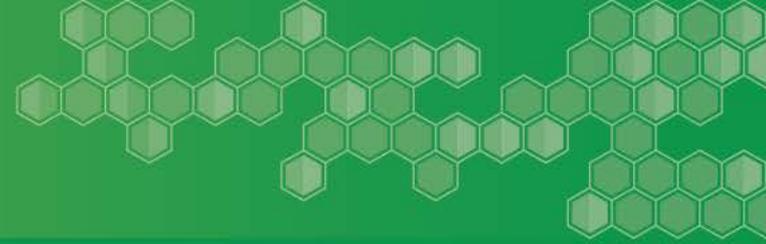
The School Finance Unit at CDE:

- Calculates the "Total Program" funding based on district-reported data included in the yearly Student October Count data submission

- Calculates the Transportation reimbursement based on the CDE-40 data submitted yearly in September

Within School Finance, **the School Auditing Office**:

- Conducts compliance audits verifying that the data reported by districts in those data collections was accurate

- Provides technical guidance and support to districts throughout the year

Who is the Office of Culturally and Linguistically Diverse Education?

The Office of Culturally and Linguistically Diverse Education provides support to Colorado school districts, schools, and educational leaders in the academic, linguistic, and social-emotional challenges and opportunities of culturally and linguistically diverse students to ensure equitable access to grade level standards and ensure a well-rounded education.

# English Language Learner Funding Factor
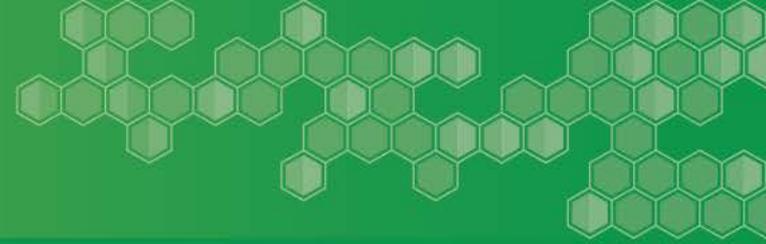
As provided for under SB21-268 and beginning with fiscal year 2021-2022, there is a new English Language Learner funding factor that is included in the calculated <u>total program funding</u> for each district.

This new funding factor includes additional funding to districts related to the total number of English language learners included in the district's funded pupil count for the current year.

* Please note that the English Language Learner count/funding factor is separate from the categorical funding districts received under the English Language Proficiency Act (ELPA).
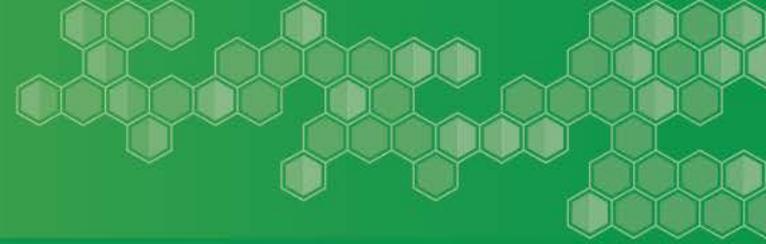
Primary purpose: To collect data necessary to determine each district's Total Program Funding as required by statute and State Board Rule.

Total Program Funding
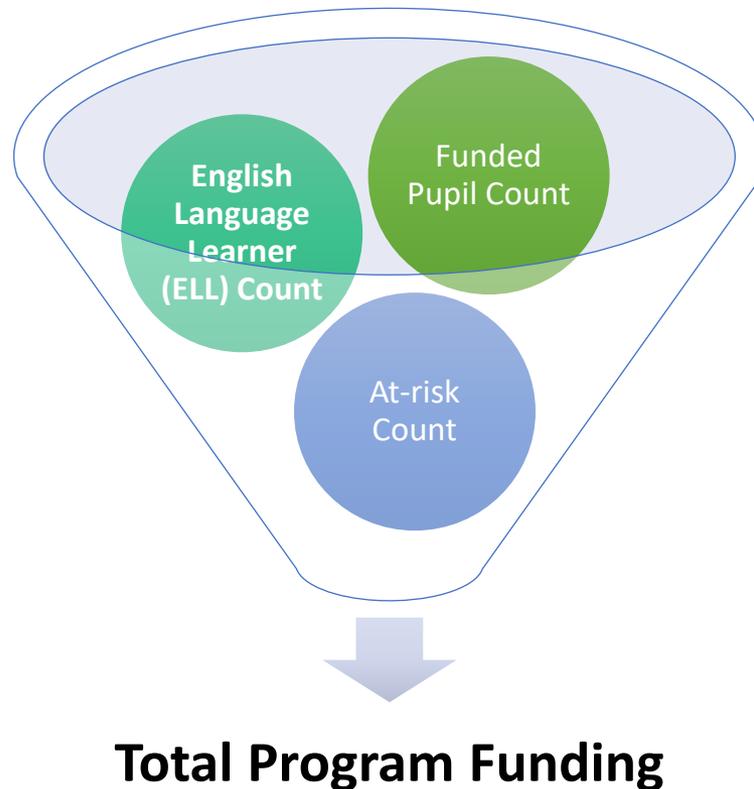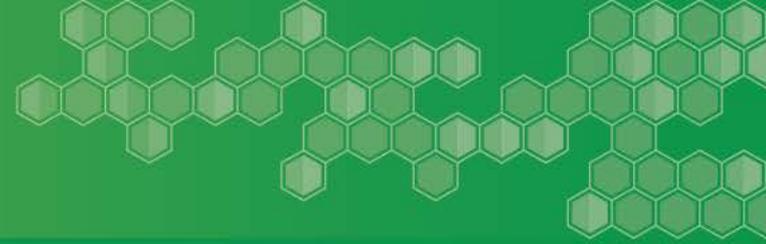
The 2023 pupil enrollment count date will be:

Monday, October 2, 2023

- Colorado funds public school districts based on a one-day (pupil enrollment count date) membership count.

- All student-level data that is submitted in Student October should reflect what was true as of the pupil enrollment count date.

Criteria for ELL Count
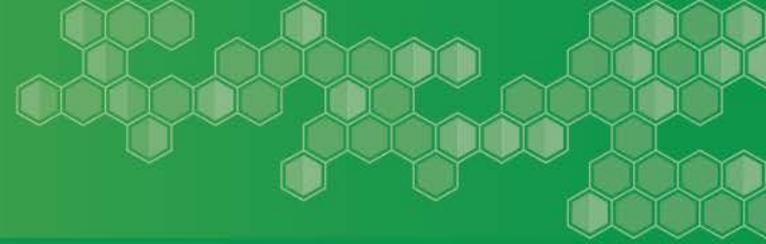
Students must meet the criteria in **both** boxes below to be included in the ELL Count:

Student October Count data:

- Grade level: K-12
- Funding codes: 80, 82, 85, 91, 92, 94, 95
- Language Proficiency:
  - 1 - NEP (Non-English Proficient)
  - 2 - LEP (Limited-English Proficient)

Not specifically reported in the Student October Count:

- Students must still be within the five-year services window defined in ELPA
- Cognos/Data Pipeline Reports with Years in Program after October Snapshot Generated:
  - "ELPA Report"
  - "ELL Count Funding Factor Report"

Disclaimer

When identifying English Learners (ELs) and reporting their English language proficiency level, districts must follow Colorado's Standardized Requirements and Processes for the Identification and Redesignation of English Learners.

For information about services for ELs, please refer to CDE's English Language Development Guidebook.

The guidance in the ELL Count Audit Resource Guide is not intended to supersede or contradict any program-specific guidance; the intent of the Guide is to outline the documentation requirements that are subject to audit.

The documentation provided at the time of audit should be compiled from the district's already-existing body of evidence (i.e., districts should not be creating new documentation specifically for English Language Learner (ELL) Count audit purposes).

# English Learners: Identification, Redesignation, and Assessments
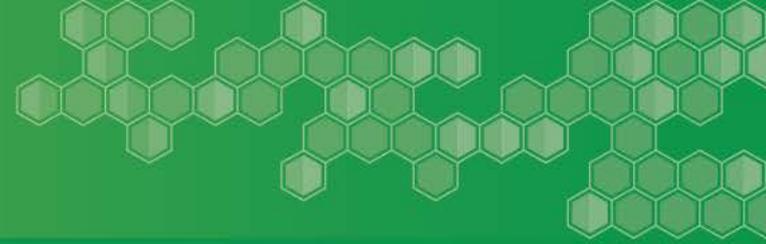
- **English Learners (EL):** students who are linguistically diverse and identified as having a level of **English Language Proficiency (ELP)** that requires language support to achieve standards in grade-level content in English (Colorado Revised Statutes under the English Language Proficiency Act 22-24-103)
  - **Non-English Proficient (NEP)**: A student who speaks a language other than English and does not comprehend, speak, read, or write English.
  - **Limited English Proficient (LEP)**: A student who comprehends, speaks, reads, or writes some English, but whose predominant comprehension or speech is in a language other than English.

Relevant Terminology & Acronyms
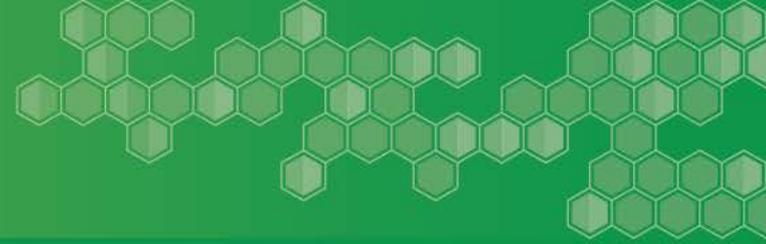
- **EL Identification Process:** based on Colorado's Standardized EL Identification procedures, a process that districts and schools develop to identify English Learners

- **EL Redesignation Process:** based on Colorado's Standardized EL Redesignation procedures, a process that districts and schools develop to determine when identified ELs become fluent English proficient and can transition successfully to classrooms, with minimal and appropriate ELD support (i.e., move from LEP to FEP Monitor 1)

- **English Language Proficiency (ELP) Assessment**
  - **ACCESS for ELLs:** a secure large-scale English Language Proficiency (ELP) assessment given annually to students in grades K-12 who have been identified as English learners (NEP/LEP)
  - **Alternate (Alt) ACCESS:** a large-print, paper-based test individually administered to students in grades 1-12 who are identified as English Learners (ELs) with the most significant cognitive disabilities

Colorado EL Language Proficiency Progression

Screener Scores & BOE

Redesignation: Annual ELP Assessment Scores & BOE

NEP / LEP → FEP Monitor Year 1 → FEP Monitor Year 2 → FEP Exited Year 1 → FEP Exited Year 2 → FELL
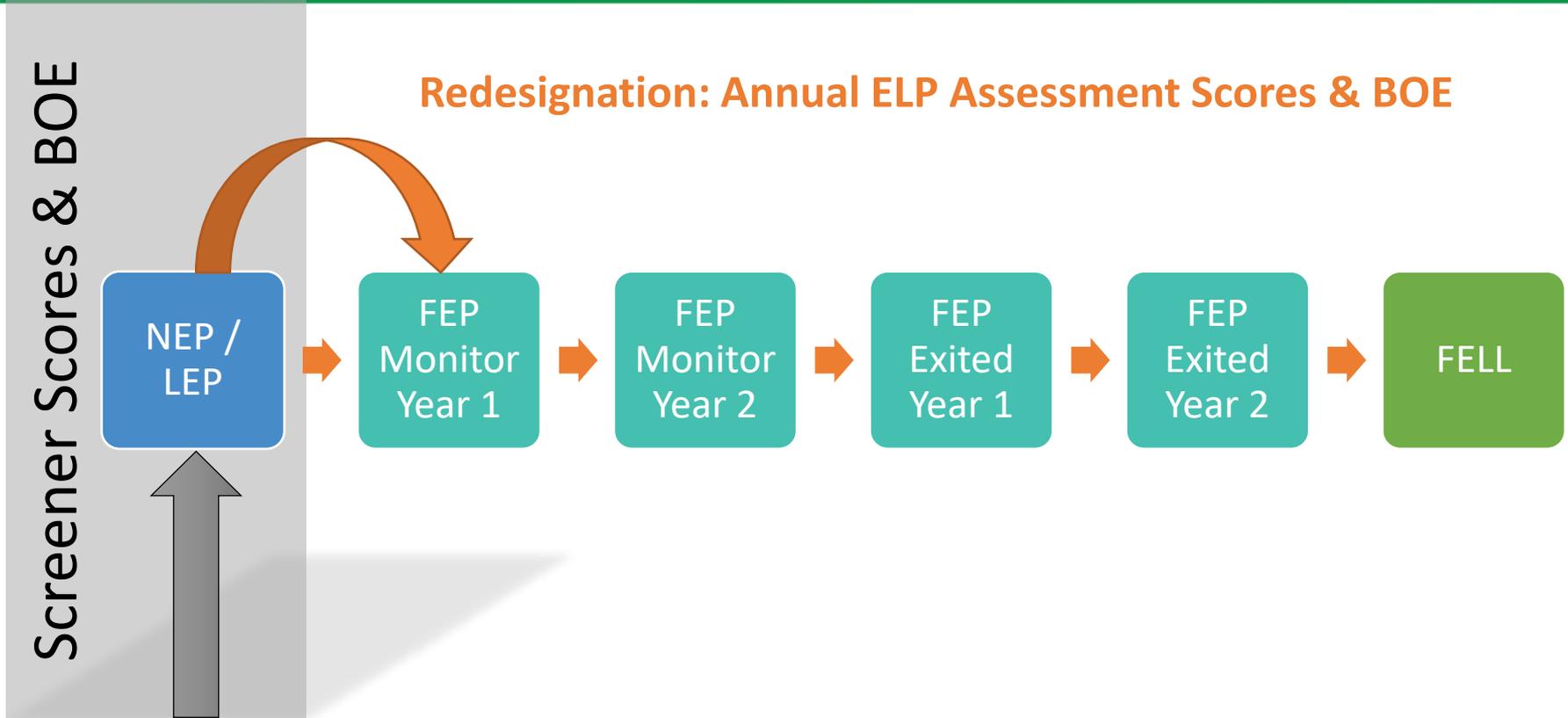
All identified NEPs & LEPs take annual ELP assessment (ACCESS/Alt ACCESS).
While a parent/family may opt-out of ELD services, they **cannot** opt-out of taking the annual ELP testing or EL designation.

Colorado Standardized EL Identification Procedures

Identification including screening and parent notification within the first 30 days of school. If a student enrolls after the first 30 days of school, the district must determine English language proficiency within 2 weeks.

Enrollment packet given to all students includes Home Language Survey (HLS) within the first 30 days of school. If student enrolls after the first 30 days of school, the district must determine English language proficiency within 2 weeks

Review HLS responses to determine a language influence other than English

'No' Reponses

'Yes' Reponses

No language influence, not an English Learner

Administer Screener (W-APT/WIDA Screener)
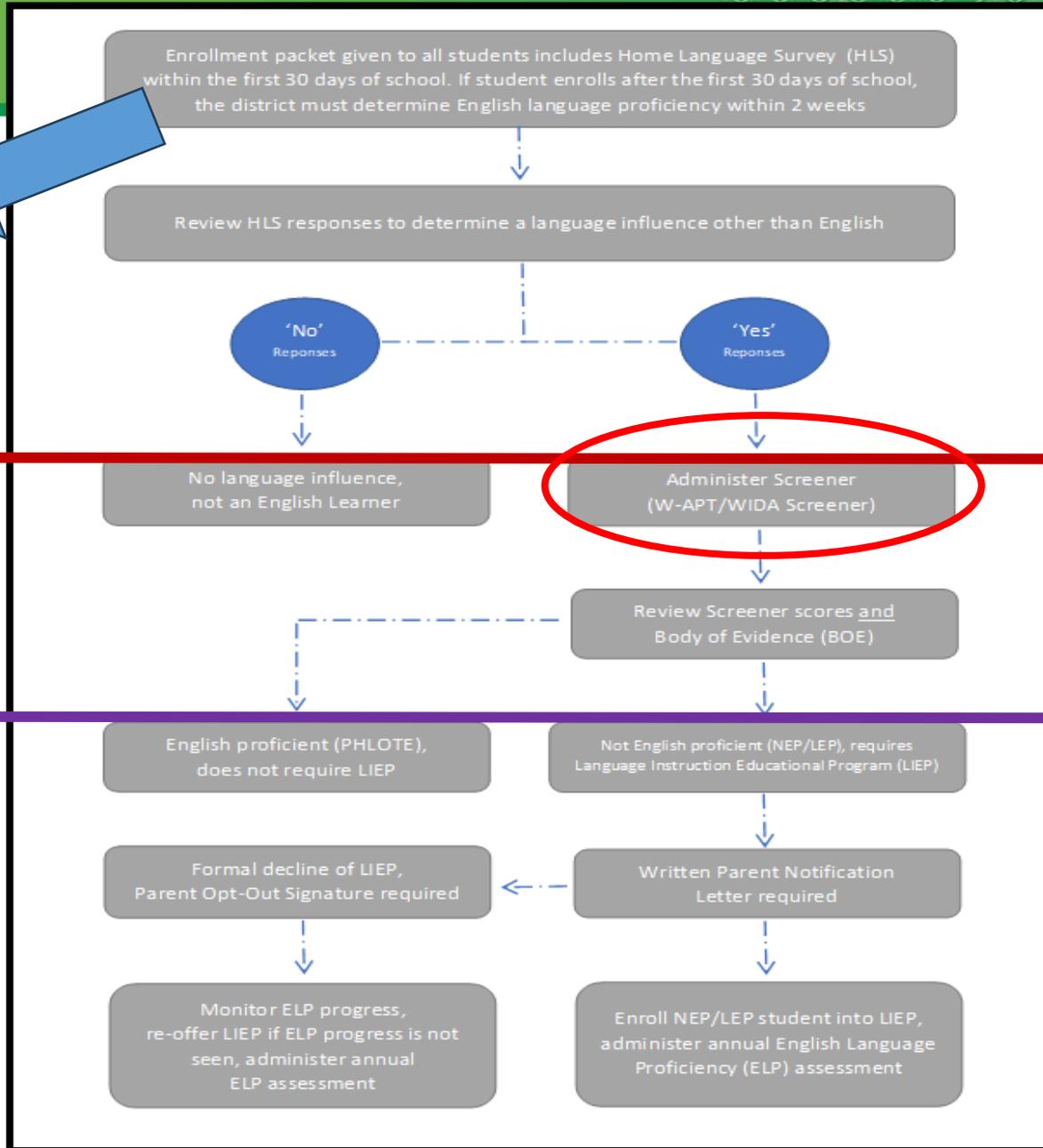
District determines if there is a language influence

Review Screener scores and Body of Evidence (BOE)

English proficient (PHLOTE), does not require LIEP

Not English proficient (NEP/LEP), requires Language Instruction Educational Program (LIEP)

Student is Identified

Formal decline of LIEP, Parent Opt-Out Signature required

Written Parent Notification Letter required

Monitor ELP progress, re-offer LIEP if ELP progress is not seen, administer annual ELP assessment

Enroll NEP/LEP student into LIEP, administer annual English Language Proficiency (ELP) assessment

Colorado Standardized EL Identification Summary

At a minimum, the following must be considered:

- Home Language Survey
- Appropriate <u>screener score</u> that supports language proficiency of NEP or LEP
  - *In general, meeting the state's cut scores on the screener is a good indicator the student is English proficient*
  - *However, if the district reports a student identified as English-proficient as EL, then the district must provide the measures, matrices and/or scales and a body of evidence used to determine the "why" behind classifying a student as EL*
- Body of Evidence, which may include:
  - parent interviews
  - student observation
  - discussions with educators
  - informal/formal district assessments (as described in the district identification process)
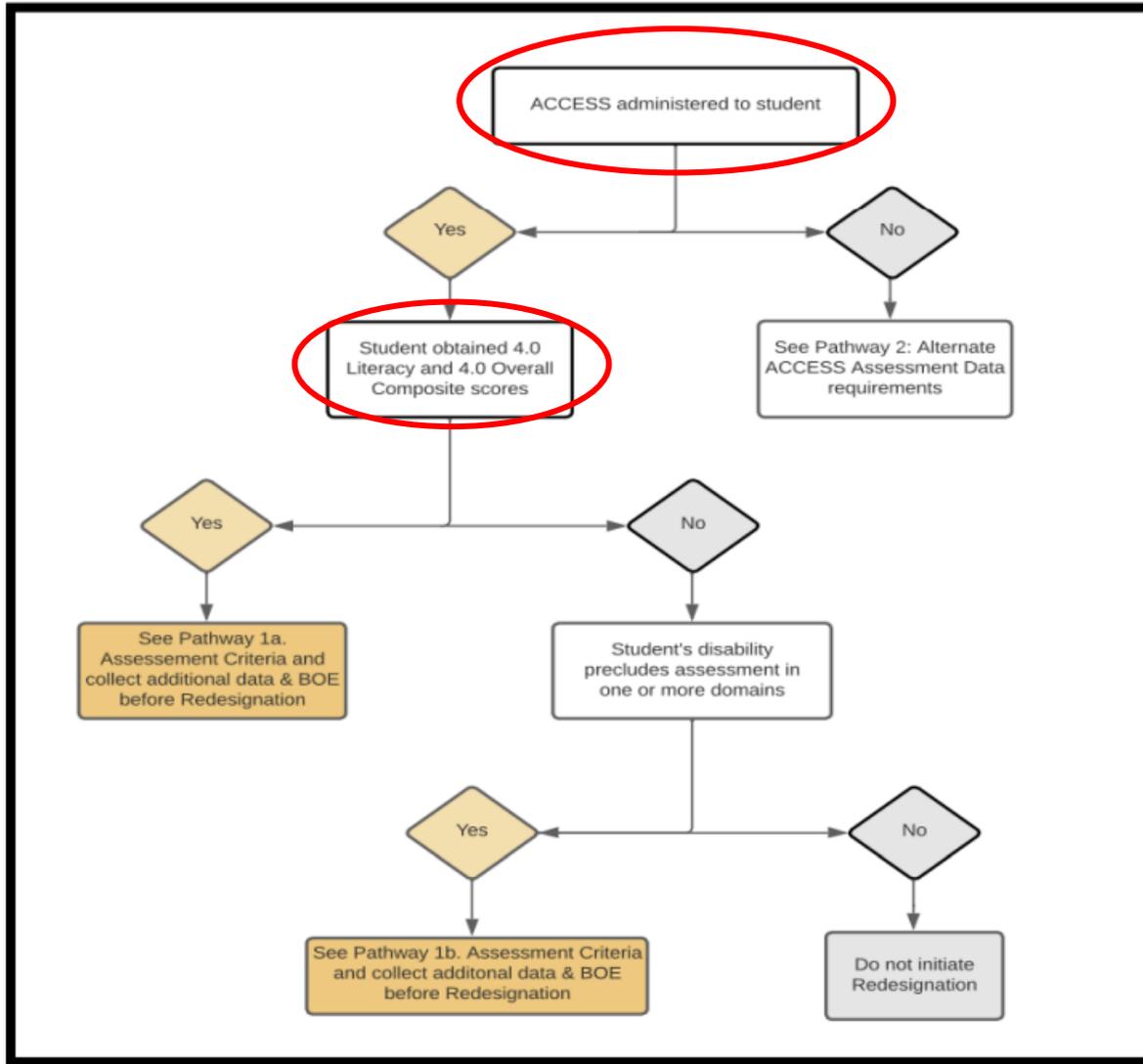
In order to be considered for Redesignation, an identified student must <u>first</u> meet the state's cut scores for Redesignation on an ELP assessment (ACCESS or Alt. ACCESS).

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Pathway 1: ACCESS for ELLs Assessment Data

PATHWAY 1 ACCESS for ELLs ASSESSMENT DATA		

ASSESSMENT CRITERIA	1a. Meet CDE criteria for demonstrating English Language Proficiency on ACCESS for ELLs
	• 4.0 Overall
	  AND
	• 4.0 Literacy
		1b. Meet *partial* CDE criteria by demonstrating English Language Proficiency on ACCESS for ELLs
		• <4.0 Literacy
		  OR
		• <4.0 Overall Composite or no overall composite score reported *
		
		AND MUST INCLUDE
		• One additional piece of evidence that confirms English proficiency that is aligned with the CELP standard(s) in missing domain(s) or that does not reflect typical student performance *

	AND MUST INCLUDE ADDITIONAL DATA AND PIECES OF EVIDENCE LISTED BELOW	
BODY OF EVIDENCE	• At least one piece of local data that demonstrates success in Reading through English Language Arts (ELA), Science, Social Studies, and/or Math as comparable to English proficient peers **AND INCLUDE** • At least one piece of local data that demonstrates success in Writing through English Language Arts (ELA), Science, Social Studies, and/or Math as comparable to English proficient peers	

Pathway 2: Alternate ACCESS Assessment Data

PATHWAY 2 ALTERNATE ACCESS ASSESSMENT DATA		

ASSESSMENT CRITERIA	2a. Meet CDE criteria for demonstrating English Language Proficiency on Alternate ACCESS
	• P1 Overall
	  AND
	• P1 Literacy
		2b. Meet *partial* CDE criteria by demonstrating English Language Proficiency on ACCESS for ELLs
		• <P1 Literacy*
		  OR
		• <P1 Overall Composite or no overall composite score reported *
		
		AND MUST INCLUDE
		• One additional piece of evidence that demonstrates success in English as demonstrated through the CAS (Colorado Academic Standards) Extended Evidence Outcomes (EEOs) and/or CELP standard(s) in missing domain(s).

	AND MUST INCLUDE ADDITIONAL DATA AND PIECES OF EVIDENCE LISTED BELOW	
BODY OF EVIDENCE	• At least one piece of local data that demonstrates adequate performance and/or proficiency in English. • At least one piece of local data that demonstrates generalization of skills in English in the content areas of ELA, Science, Socials Studies, and/or Math.	

Redesignation Summary
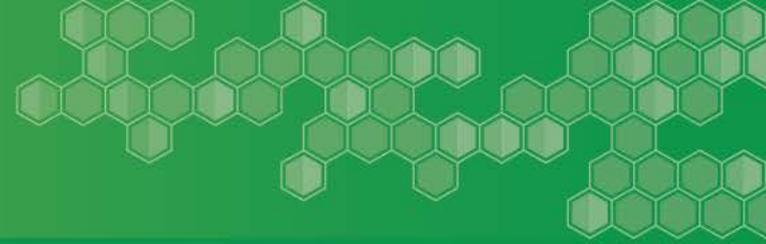
In order to be Redesignated, a student must:

- Meet the state's cut sores for redesignation on the ACCESS for ELLs or Alternative ACCESS assessments, *AND*

- Demonstrate success in Reading compared to <u>English proficient peers</u>, *AND*

- Demonstrate success in Writing compared to <u>English proficient peers</u>.

Notes:

- In general, meeting the state's cut scores for English proficiency on the ELP assessment is a good indicator the student is no longer an EL.

- Each district or school must establish and document what standardized measures and metrics across K-12 grade levels it will use to define grade-level success in reading and writing for <u>English proficient peers</u> in their district or school.

English Learner Identification, Coding & Assessment Contacts

- **Office of CLDE Contacts**
  - Visit www.cde.state.co.us/cde_english
  - **Morgan Cox** at cox_m@cde.state.co.us
  - **Doris Brock-Nguyen** at brock-nguyen_d@cde.state.co.us
  - **Lindsay Swanton** at swanton_l@cde.state.co.us

- **EL Data Coding & Reporting**
  - Visit http://www.cde.state.co.us/datapipeline/snap_studentoctober
  - Visit http://www.cde.state.co.us/datapipeline/inter_student
  - Questions: StudentOctober@cde.state.co.us

- **Unit of Student Assessment (ACCESS/ALT ACCESS)**
  - Visit http://www.cde.state.co.us/assessment/ela
  - **Heather Villalobos Pavia** at villalobospavia_h@cde.state.co.us

English Language Learner Count Audit Documentation & Resources

ELL Count Funding Factor Website
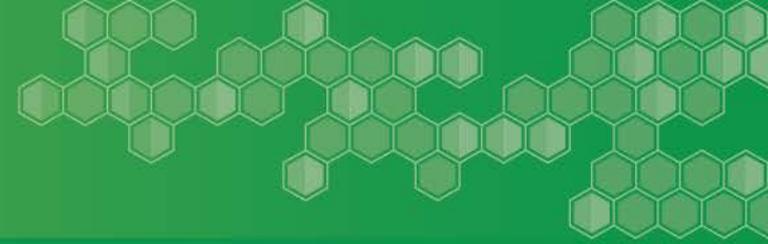
https://www.cde.state.co.us/cdefinance/auditunit_ell_count

https://www.cde.state.co.us/cdefinance/2324_ell_audit_resource_guide

COLORADO
Department of Education

2023 English Language Learner Count
Audit Resource Guide

Fiscal Year 2023-2024

Submitted to:
Colorado Public School Districts, Charter Schools, Charter School Collaboratives, Charter School Networks, The Charter School Institute (CSI) and Colorado Boards of Cooperative Educational Services (BOCES)

By:
Colorado State Board of Education
School District Operations Division

Susana Córdova   Commissioner of Education
Jennifer Okes   Chief School Operations Officer
Amy Carman   Executive Director of School Finance and Grants

School Auditing Office
Rebecca McRee   Supervisor
Jessica Oxton   Auditor
Tabitha Tyree   Auditor
Adam Van Alstyne   Auditor

Effective July 7, 2023

201 E. Colfax Ave., Denver, CO 80203; 303-866-6600; www.cde.state.co.us

Colorado Revised Statutes, www.lexisnexis.com/hottopics/colorado/
Code of Colorado Regulations, www.sos.state.co.us/CCR/Welcome.do

ELL Count Audit Resource Guide

Contents

ELL Count Funding Factor:
Audit Documentation
Flow Chart

WIDA Screener Report for Kindergarten (and 1st Semester First Grade) Sample

Online Screener Report

Paper Screener Report

- Description of the district, school or public charter school EL Identification Process AND/OR EL Redesignation Process
  - These can vary by district
  - Should be standardized and include objective criteria including state/district assessment cut scores, etc.
    - Matrix
    - Rubric

- Documentation to evidence student:
  - DID meet the objective criteria for <u>identification</u> as an EL
    - Meaning, for audit purposes, they were reported as EL despite meeting state screener cut scores for English proficient

    or

  - DID NOT meet the objective criteria for <u>redesignation</u>
    - Meaning, for audit purposes, they were reported as EL despite meeting state redesignation ACCESS or Alt. ACCESS cut scores

Cognos Report—ELL Count Funding Factor Report (Student October Count/Data Pipeline Report)

Operational report to help districts check the students meeting ELL Count Funding Factor criteria.

Reminders/Feedback:

2022-2023 ELL funding factor count audit review

- For a first semester kindergarten student, the district administered all four domains of the Screener for Kindergarten and used the "Overall" score to determine language proficiency, rather than the "Oral Language" score.

- In many cases, the student's "Oral Language" score was 4.0 or higher which suggests English speaker. Because no additional documentation (or body of evidence) was provided to support a language proficiency of NEP or LEP, these students were flagged as audit exceptions.

- Approximately 11% of the districts that had students included in the ELL count audit review reported that at least 1 of their sampled students were incorrectly reported as NEP or LEP. As such, these students were flagged as an audit exception.

- Student October Count data respondents, audit contacts and ELD staff are encouraged to work together to ensure accurate reporting of all students reported with a language proficiency of NEP or LEP.

- If a student is newly identified as NEP or LEP (i.e., Year 1 of program), the district is required to screen the student as part of the identification process.
  - If the screener score report supports a language proficiency of NEP or LEP, this is the only documentation that is necessary.

- However,… if the screener score report does NOT support a language proficiency of NEP or LEP, but based on a body of evidence the district identifies the student as an English learner, then the district must ALSO provide:
  - (1) A brief description of its identification process, including (2)rubric and/or other (3) objective criteria by which to evaluate the (4) evidence gathered by the district to support the language proficiency of NEP or LEP.
  - Failure to provide all documentation as described in this scenario resulted in students being flagged as audit exceptions.

- All students newly enrolled and students <u>transferring</u> back to the district must be given the home language survey, and if appropriate, administered a screener.
  - It was not uncommon to have districts that did not administer a new screener for students that withdrew from the district after having previously been identified as an EL. In such cases, if the district did not provide a screener score report (dated within 365 days preceding the pupil enrollment count date), these students were flagged as an audit exception.
  - In some cases, the district did not administer the screener as part of its identification process. In such cases, these students were flagged as an audit exceptions.

- If a student is continuing in program, AND met or exceeded the state's cut scores for redesignation, AND the district continues to report the student with a language proficiency of NEP or LEP, the district must provide:
  - (1) A brief description of its redesignation process, including (2) rubric and/or (3) other objective criteria by which to evaluate the (4) evidence gathered by the district to support the language proficiency of NEP or LEP.
  - Objective criteria may vary by district as it should reflect what the student must demonstrate to show success in reading and writing as compared to English proficient <u>peers</u>.

- In many cases, districts did not provide all required audit documentation which resulted in students being flagged as audit exceptions.

English Language Learner Count Audit & Funding Factor Contacts
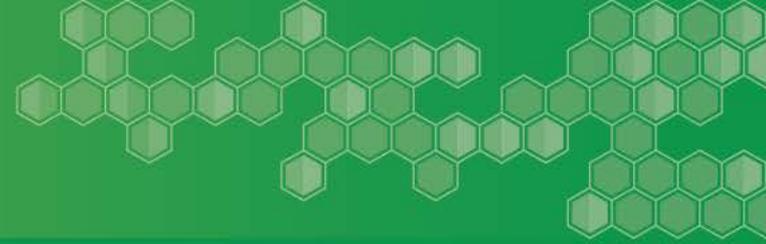
- English Language Learner Count—Audit
  - School Auditing Office
    - audit@cde.state.co.us
  - Rebecca McRee, School Auditing Office Supervisor
    - mcree_r@cde.state.co.us

- English Language Learner Count—Funding Factor
  - Tim Kahle, School Finance Program Director
    - Kahle_t@cde.state.co.us

Questions?

Raise your hand, type into the chat or attend the ELL Count Office Hours on 9/19 at 10am