English Language Development (ELD) Program Requirements

Office of Culturally and Linguistically Diverse Education

Unit of Federal Program Administration

Fall 2016

Outcomes

Participants will develop or enhance their knowledge around English language development program requirements by understanding:

- **Office for Civil Rights (OCR) requirements**
- **Department of Justice (DoJ) requirements**
- **ESEA program requirements**
- **State identification, re-designation, and exit guidance**
- **How to leverage state, local, and supplemental grant funds to support English Language Development (ELD) programs**
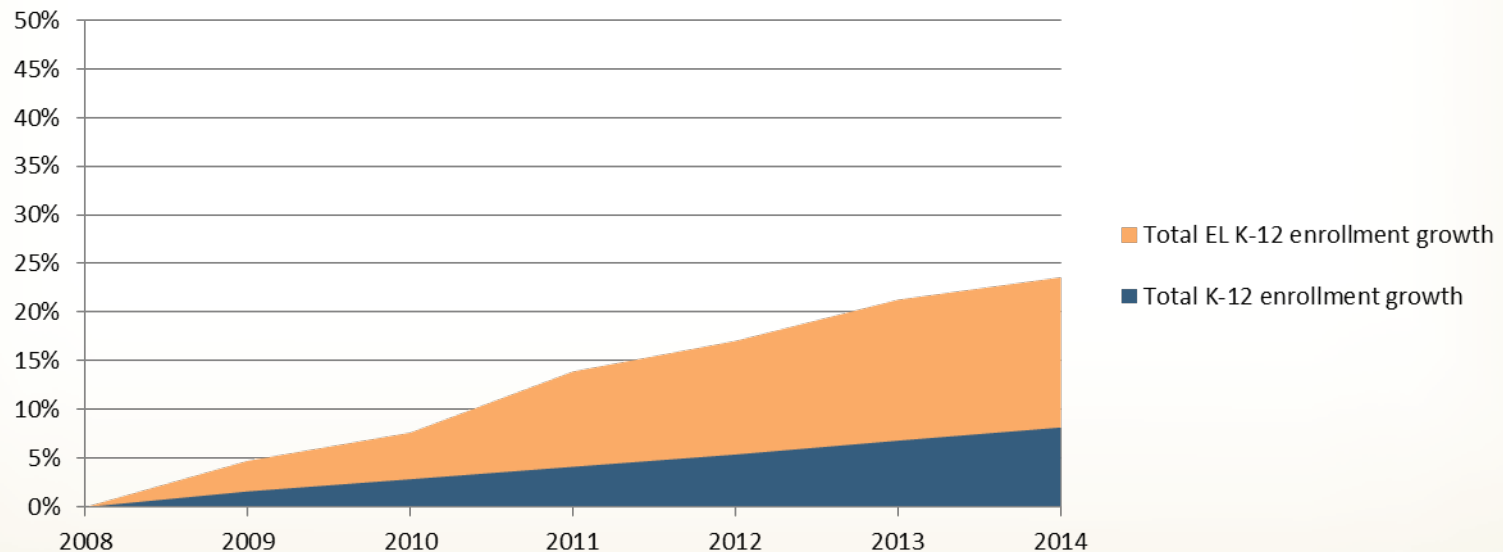
Introductions

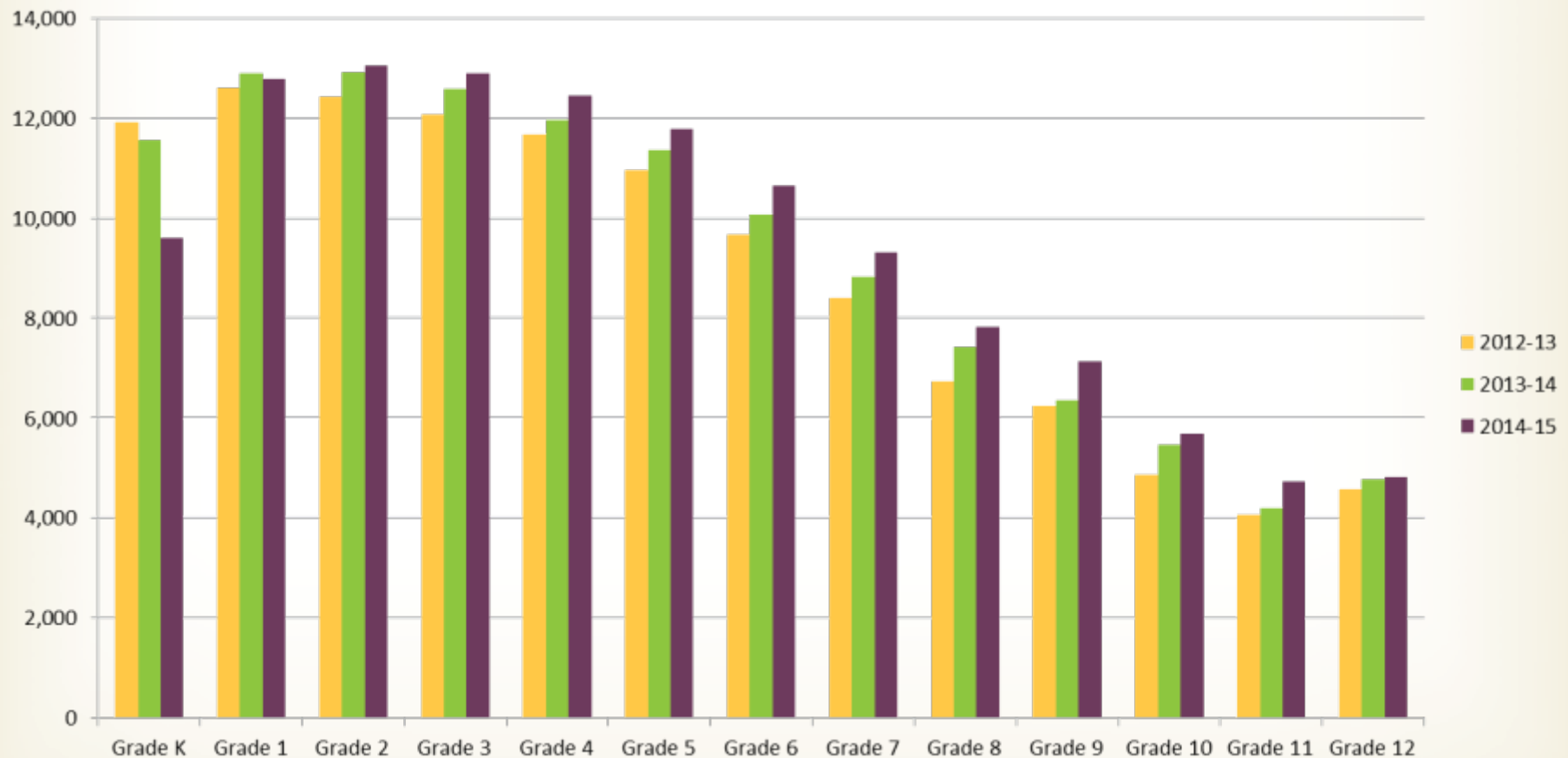- **Introduce yourself**
- **District**
- **Role**

- **What question do you hope to have answered today?**

  or

- **What is/are the most frequently asked question(s) regarding the ELD program or EL learners in your school or district.**

K-12 EL Growth Rate in Colorado 2008-09 through 2014-15

- **Colorado total K-12 enrollment growth rate over the last seven years (2008-2014) = 8.2%**

- **Colorado EL total K-12 enrollment growth rate over the last seven years (2008-2014) = 23.6%**
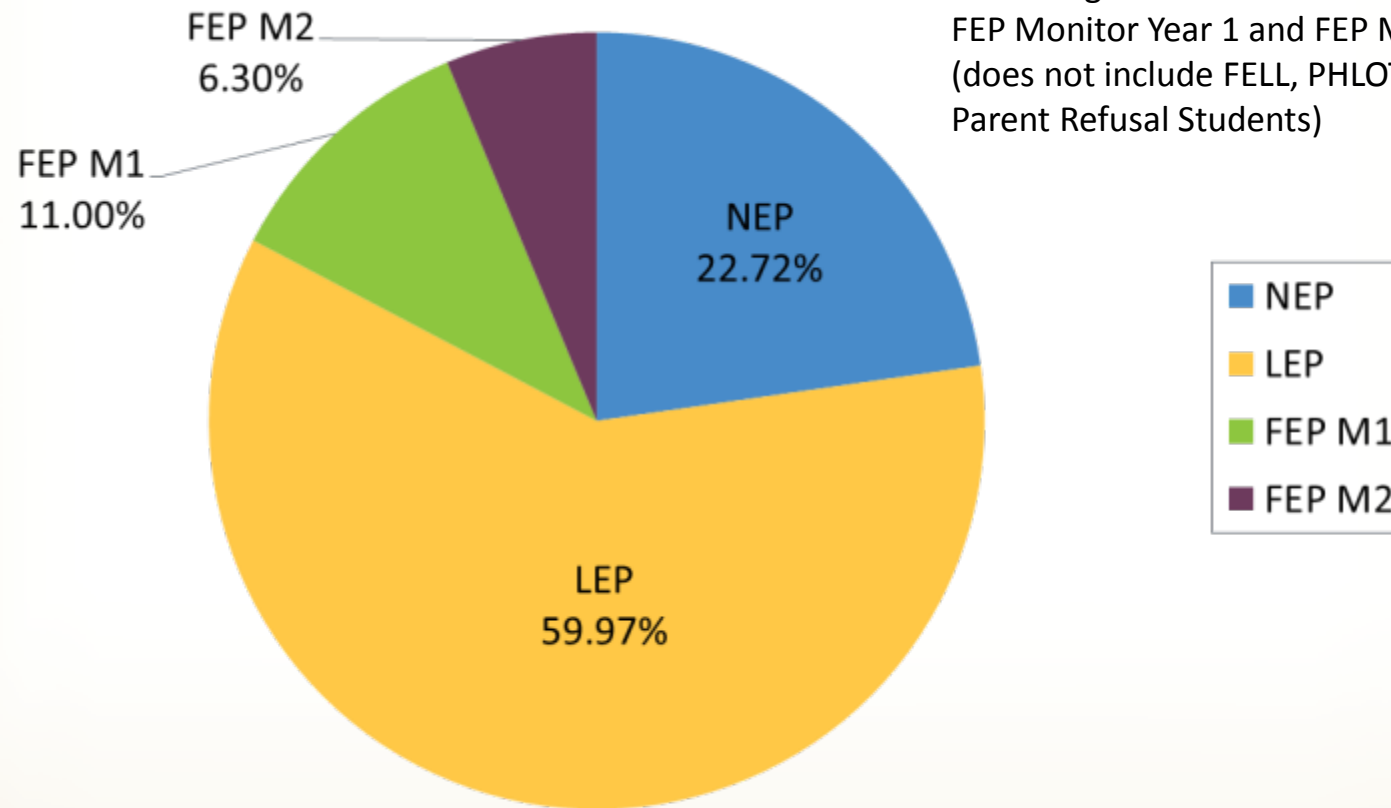
EL Population Growth by Grade 2012-13 to 2014-15

Updated by Office of Data, Program Evaluation, and Reporting (June 2016); Data Source: 2012-2013 through 2014-2015 Student October (NEP, LEP, FEP Monitor Year 1 and 2 only, excluding parent refusals; excludes students with missing or duplicate SASIDs; excludes students with discrepant ESL and bilingual codes)

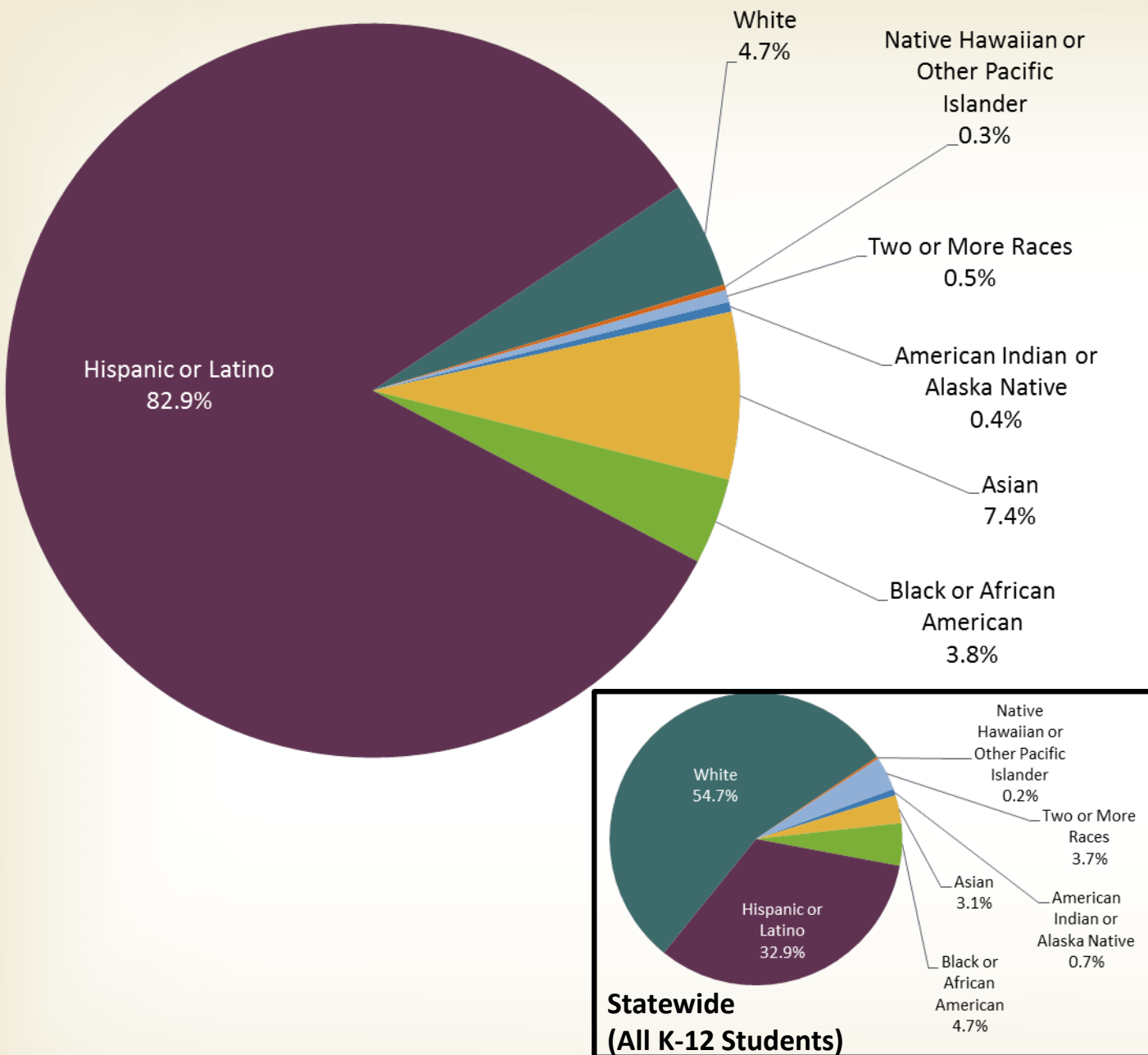# Total Number of English Learners (ELs) in Grades K-12 in Colorado*

	NEP/LEP (Non-English Proficient / Limited English Proficient)	FEP M1 (Fluent English Proficient Monitor Year 1)	FEP M2 (Fluent English Proficient Monitor Year 2)	Total ELs (NEP, LEP, FEP M1/M2)	FEP Exited (Exited Program)	FELL (Former EL)
2008-2009	82,432	10,127	6,707	99,266	23,555	--
2009-2010	88,526	6,777	8,685	103,988	24,129	--
2010-2011	92,359	8,655	5,839	106,853	26,531	--
2011-2012	96,079	9,349	7,649	113,077	25,797	--
2012-2013	98,254	9,373	8,563	116,190	27,326	989
2013-2014	102,294	9,855	8,244	120,393	29,454	910
2014-2015	101,439	13,500	7,734	122,673	30,357	1,235

*Numbers do not include parent refusals. If included, the total number for 2014-2015 would be 126,120.

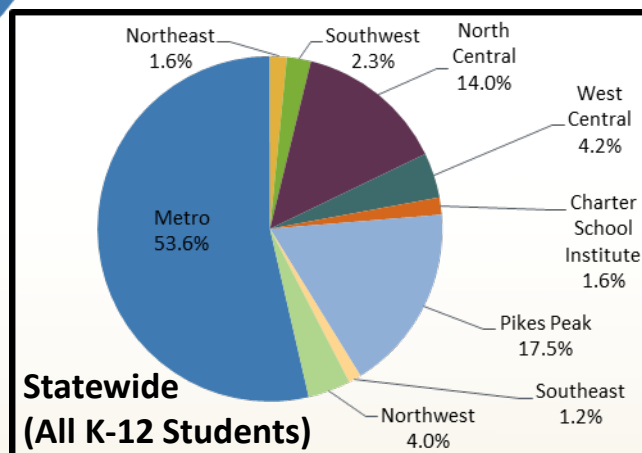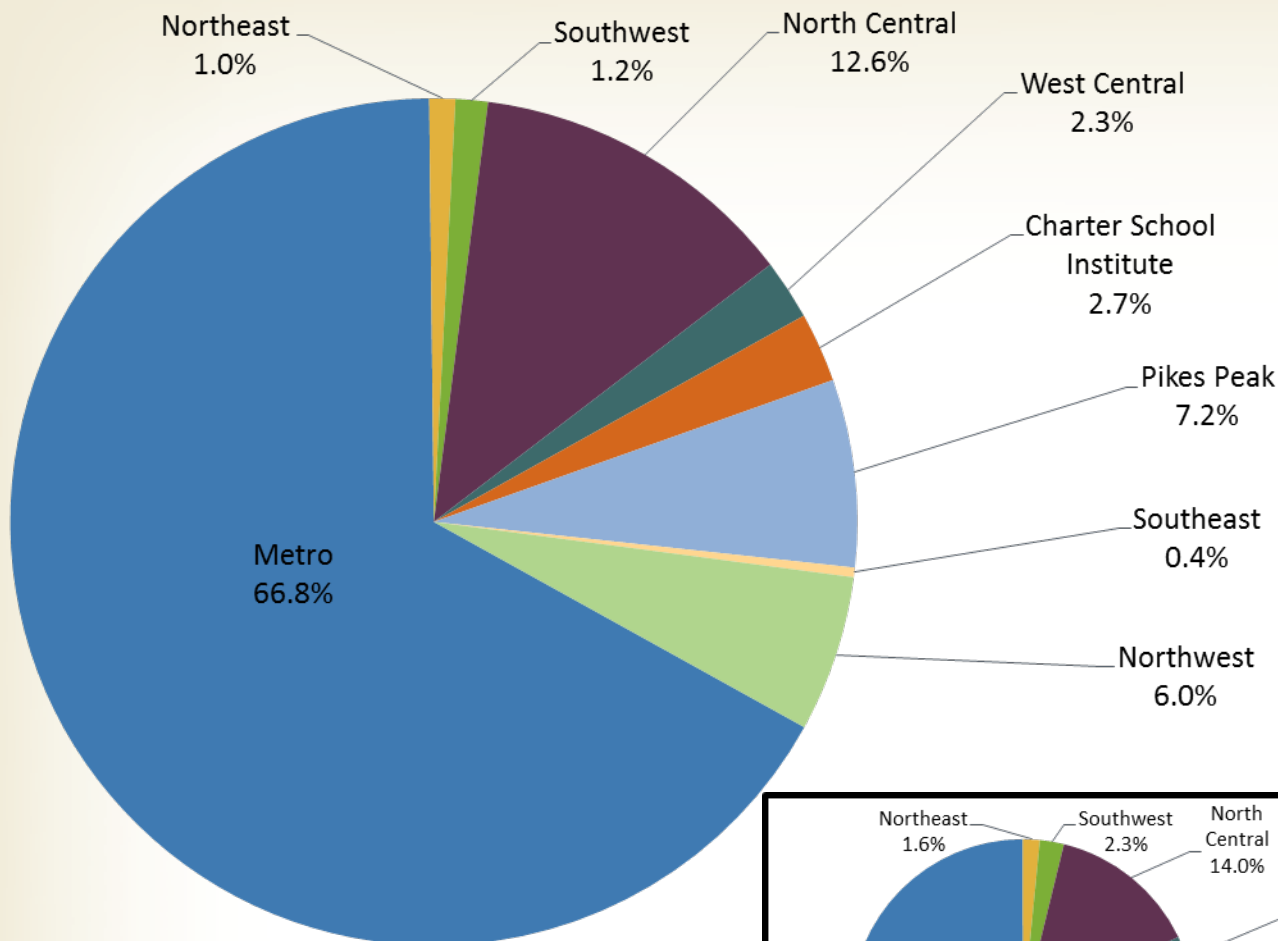# English Proficiency Levels for ELs (Grades K-12) 2014-2015

Percentages based on Subtotal of NEP, LEP, FEP Monitor Year 1 and FEP Monitor Year 2 (does not include FELL, PHLOTE, Exited, or Parent Refusal Students)

FEP M2
6.30%

FEP M1
11.00%

NEP
22.72%

LEP
59.97%

Legend:
- NEP
- LEP
- FEP M1
- FEP M2

ELs (Grades K-12) by Ethnicity 2014-2015

Updated by Office of Data, Program Evaluation, and Reporting (June 2016); Data Source: 2014-2015 Student October (NEP, LEP, FEP Monitor Year 1 and 2 only, excluding parent refusals; excludes students with missing or duplicate SASIDs; excludes students with discrepant ESL and bilingual codes)

K-12 EL Geographic Distribution by Region 2014-2015

Metro region composed of 19 school districts/BOCES

Main pie chart:
- Northeast 1.0%
- Southwest 1.2%
- North Central 12.6%
- West Central 2.3%
- Charter School Institute 2.7%
- Pikes Peak 7.2%
- Southeast 0.4%
- Northwest 6.0%
- Metro 66.8%

Statewide (All K-12 Students) pie chart:
- Northeast 1.6%
- Southwest 2.3%
- North Central 14.0%
- West Central 4.2%
- Charter School Institute 1.6%
- Pikes Peak 17.5%
- Southeast 1.2%
- Northwest 4.0%
- Metro 53.6%

Top 20 Home Languages Spoken by Colorado ELs (Grades K-12)

Rank	Colorado (2014-15)			Nation (2013-14)	
	Language	Number of ELs	Percent of ELs	Language	Number of ELs
1	Spanish	102,571	88.00%	Spanish	3,770,816
2	Vietnamese	2,091	1.79%	Arabic	100,461
3	Arabic	1,877	1.61%	Chinese	99,943
4	Russian	1,181	1.01%	Vietnamese	80,283
5	Chinese, Mandarin	1,137	0.98%	Haitian/Haitian Creole	35,467
6	Somali	993	0.85%	Somali	25,278
7	Amharic	921	0.79%	Tagalog	24,370
8	Nepali	882	0.76%	Hmong	23,473
9	Korean	687	0.59%	Portuguese	10,102
10	French	616	0.53%	Bengali	9,371
11	Hmong	529	0.45%	Russian	9,111
12	Karen, Pa'o	450	0.39%	Navajo	8,914
13	Burmese	422	0.36%	Urdu	8,438
14	German, Standard	365	0.31%	Yupik languages	6,629
15	Tagalog	346	0.30%	Polish	5,347
16	Tigrigna	346	0.30%	Karen languages	5,195
17	Chinese, Yue	340	0.29%	Korean	5,011
18	Swahili	286	0.25%	Marshallese	4,327
19	Hindi	264	0.23%	Creoles and pidgins, Portuguese-based (Other)	3,893
20	Japanese	252	0.22%	Nepali	3,633

In 2014-15, English learners (ELs) had 251 home or primary languages other than English.

State of the State

State of the State 2015:

https://www.cde.state.co.us/cde_english/elau_pubsresources

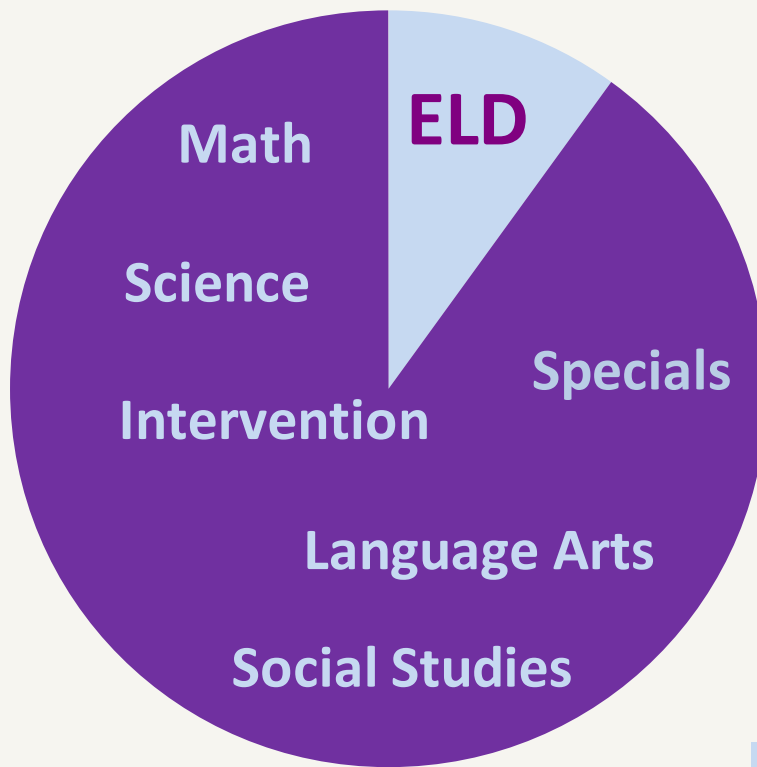**Data Contact:**

Nazanin Mohajeri-Nelson

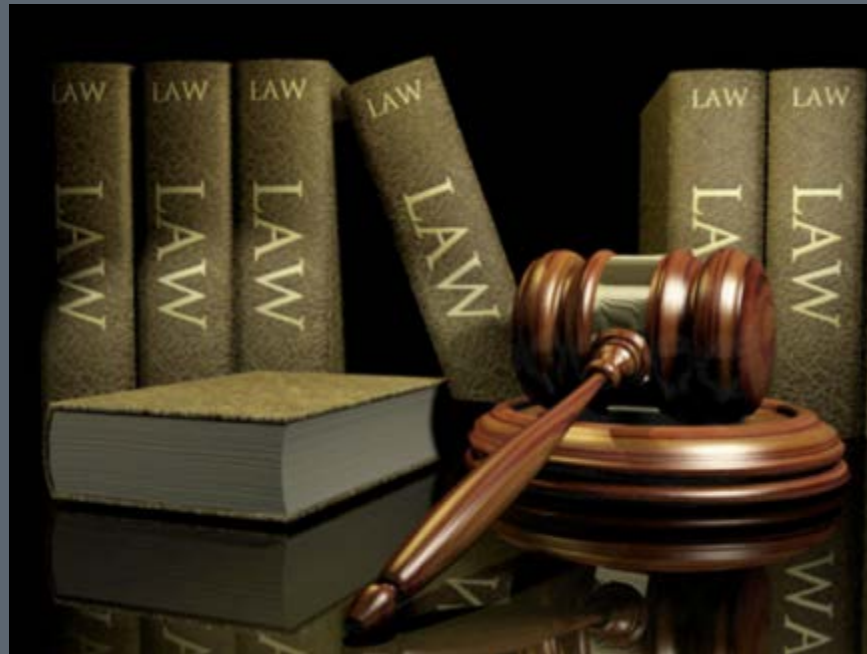Director of Data, Program Evaluation and Reporting

mohajeri-nelson_n@cde.state.co.us

School Day of an English Learner

Pie chart categories: Math, Science, Intervention, ELD, Specials, Language Arts, Social Studies

Legend: ELD Time — Non-ELD Time

Understanding Office for Civil Rights and Department of Justice Requirements

OCR and DoJ Laws

- **Title VI of the Civil Rights Act of 1964**
- **Office for Civil Rights May 25, 1970 Memo**
- **Lau v. Nichols – 414 U.S 563 (1974)**
- **Equal Educational Opportunities Act of 1974**
- **The Lau Remedies (1975)**
- **Castañeda v. Pickard (1981)**
- **Plyler v. Doe : Right to Attend Free Public School (1982)**

Freedom to Talk

https://vimeo.com/133969433

Title VI of the Civil Rights Act of 1964

- **Prohibits discrimination based on race, color or national origin**
- **May not be excluded in any program or activity receiving federal financial assistance**

Office for Civil Right's May 25, 1970 Memorandum

- **Requires school districts to take affirmative steps to rectify language deficiencies**

- **Prohibits assignment to special education classes based on English language skills**

- **Requires parent notification of school activities**

- **Forbids specialized programs for LEP (for federal purposes this is a synonym for EL) students to operate as an educational dead-end or permanent track**
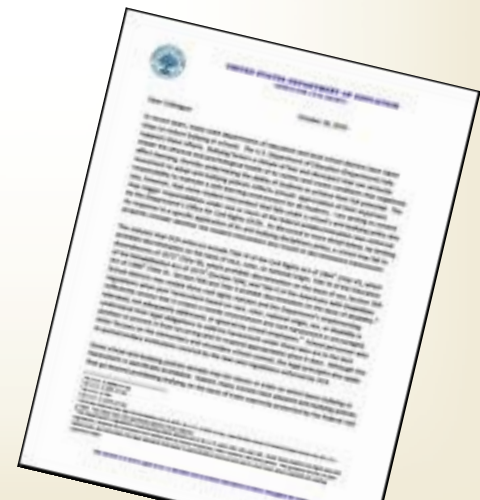
Lau v. Nichols – 414 U.S 563 (1974)

Lau v. Nichols – 414 U.S 563 (1974)

- **A civil rights case that was brought by Chinese American ELs in San Francisco, California**

- **Students claimed that lack of linguistically appropriate accommodations (e.g. educational services in English) effectively denied the Chinese students equal educational opportunities on the basis of their ethnicity**

- **The US Supreme Court in 1974 ruled in favor of the students, thus expanding rights of students nationwide with limited English proficiency**

Lau v. Nichols – 414 U.S 563 (1974)

"There is no equality of treatment merely by providing students with the same facilities, textbooks, teachers, and curriculum; for students who do not understand English are effectively foreclosed from any meaningful education."
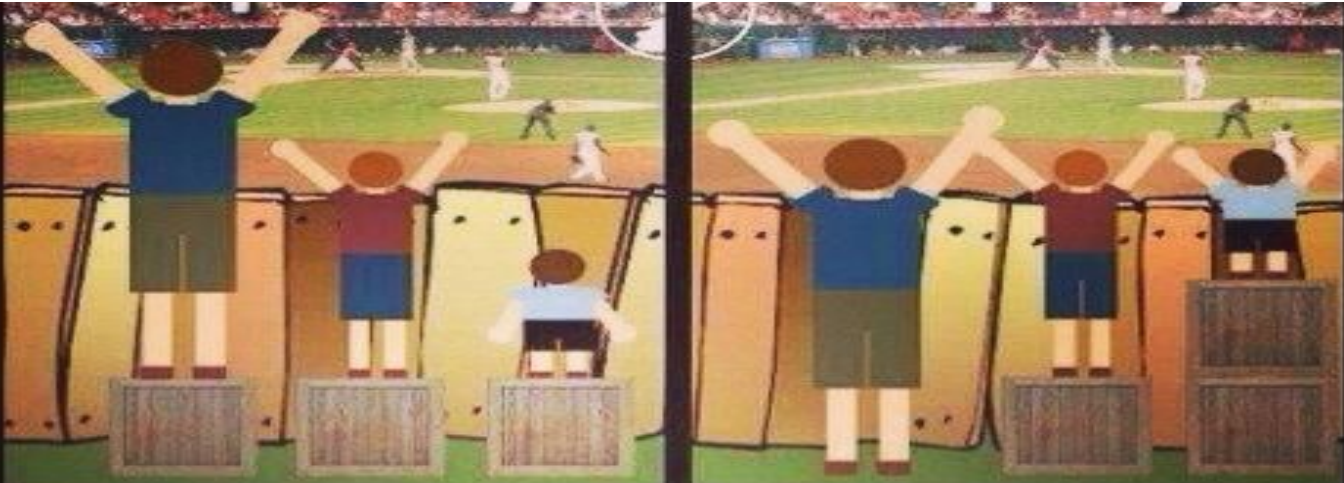

"Imposition of a requirement that before a child can effectively participate in an educational program he must already have acquired those basic skills is to make a mockery of public education."

Activity

Explaining
Equity and Equality

Equality = SAMENESS

Equality is about SAMENESS, it promotes fairness and justice by giving everyone the same thing.

BUT it can **only work IF everyone starts from the SAME place,** in this example equality only works if everyone is the same height.

Equity = FAIRNESS

EQUITY is about FAIRNESS, it's about making sure people get access to the same opportunities.

Sometimes our differences and/or history, can create barriers to participation, so we must **FIRST ensure EQUITY** before we can enjoy equality.

Equal Educational Opportunities Act of 1974

- **Denial of equal educational opportunity prohibited**

- **Prohibits discrimination against faculty, staff and students, including racial segregation of students.**

- **Requires school districts to take action to overcome barriers to students' equal participation**

The Lau Remedies (1975)

- **Specifies approved approaches, methods, and procedures for:**
- **"Identifying and evaluating national origin minority students' English language skills;**
- **Determining appropriate instructional treatments;**
  - Deciding when LEP (federal definition) children were ready for mainstream classrooms;
  - Determining the professional standards to be met by teachers of language minority children."

Castañeda v. Pickard (1981)

- **Roy Castañeda, father of two Mexican-American children, filed suit against the Raymondville Independent School District (RISD) in Texas**
- **Mr. Castañeda claimed that the RISD:**
  - was discriminating against his children because of their ethnicity
  - classroom was segregated, based on criteria that were both ethnically and racially discriminating
  - failed to establish sufficient bilingual education programs, which would have aided his children in overcoming the language barriers that prevented them from participating equally in the classroom

Castañeda v. Pickard (1981)

- **Castañeda argued that there was no way to sufficiently measure the Raymondville Independent School District's approach to overcoming language barriers, as required in Lau v. Nichols (1974)**

- **August 17, 1978, the court ruled in favor of the RISD, stating they had not violated any of the Castañeda children's constitutional or statutory rights.**

- **Castañeda filed for an appeal, arguing that the Federal Court made a mistake in its ruling.**

- **In 1981 the United States Court of Appeals for the Fifth Circuit ruled in favor of the Castañedas**

Castañeda v. Pickard (1981)

Formulated three-prong test to measure compliance with the Equal Education Opportunities Act requirement of "appropriate action."

1. **Theory** – Sound Educational Theory/Research based
2. **Practice** –Implemented effectively and with fidelity (transform theory into practice) "with resources for personnel, instructional materials, and space."
3. **Results** – Use of evaluation tools/plan to determine effectiveness

Plyler v. Doe (1982)

The US Supreme Court struck down a state statute denying funding for education to unauthorized immigrant children and simultaneously struck down a municipal school district's attempt to charge unauthorized immigrants an annual $1,000 tuition fee for each undocumented immigrant student to compensate for the lost state funding.

Plyler v. Doe (1982)

ACCESS FOR ALL

- **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

OCR/DoJ Guidance and Resources

- **Office for Civil Rights Reading Room**
  http://www2.ed.gov/about/offices/list/ocr/publications.html

- **Department of Justice Website**
  http://www.justice.gov/

- **Joint Dear Colleague letter (Jan 7, 2015)**
  https://www2.ed.gov/about/offices/list/ocr/letters/colleague-el-201501.pdf

- **English Learner Toolkit – OELA**
 **http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html**

Understanding ESEA Program Requirements

ESEA Program Requirements

- **Ensure that EL students develop English proficiency based on state expectations and meet the same academic content and achievement standards that all children are expected to meet**

- **Provide high quality, research based, language instruction educational programs that are effective in increasing English proficiency and academic achievement of LEP students**

- **Provide high quality, researched based professional development to teachers, administrators and other school/community based organizations, of sufficient intensity and duration**
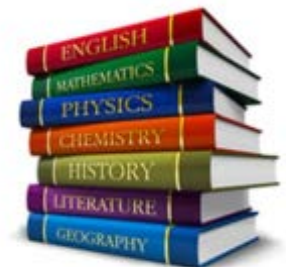
ESEA Program Requirements

- **Provide parental notification as to why their child is in need of placement in a specialized language instruction program**

- **All notifications must be in an understandable and uniform format, and to the extent practicable in a language the parent can understand**

- **Involve EL parents in the decision-making process of Title I school wide and targeted assistance and Title III programs**

- **Describe how parental and community participation in LEP programs will be promoted**

ESEA Program Requirements

- **Assure consultation with teachers, researchers, administrators, parents and other stakeholders in planning for and use of Title funds**

- **For 2016-17, Title III Districts/Consortia must continue to implement the Title III Improvement plan, if identified under Title III Accountability.**

Title I ~ Statement of Purpose

Purpose of Title I funds are to ensure that all children receive a "*fair, equal, and significant opportunity* to obtain a high-quality education and reach, at a minimum, proficiency on challenging State academic achievement standards and state academic assessments...."

...by "meeting the educational needs of low-achieving children in our Nation's highest-poverty schools, *limited English proficient children*, migratory children, children with disabilities, Indian children, neglected or delinquent children, and young children in need of reading."

- 20 U.S.C. 6301 §1001(2)

Title I-A Local Education Agency (LEA) Plans

- **Must include provisions for services for limited English proficient children, explaining how the LEA will coordinate and integrate such services**
  - 20 U.S.C. 6301 §1112(b)(E)(ii)

Title I Models: School-wide (SW) and Targeted Assistance (TA)

- **Title I services to LEPs must be supplemental in School-wide Programs.**
  - 20 U.S.C. 6301 §1114(a)(2)(B)
- **LEPs are eligible for Title I Targeted Assistance programs.**
  - 20 U.S.C. 6301 §1115(B)(2)(a)

Title III Family/Community Engagement

- **Section 3302(e)**
- **Each Title III grantee shall implement an effective means of outreach to parents of limited English Proficient children to inform such parents of how they can –**
  - Be involved in the education of their children
  - Be active participants in assisting their children learn English, achieve at high academic levels and to meet the same challenging State academic and achievement standards as all children are expected to meet.

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

Parent Notification Requirements

Sections 1112(g) and 3302(c)

- **For all ESEA required parent notifications:**
  - Notifications must be in an understandable and uniform format, and *to the extent practicable, in a language that the parent can understand.*

Serving ELs in Title I Programs

- **Title I services required for LEP children**
  - 20 U.S.C. 6301 §1001(2)
- **Assessment, accountability, and reporting requirements**
  - 20 U.S.C. 6301 §1111(b)(2)(C)(v)(II)(dd)
  - 20 U.S.C. 6301 §1111(b)(3)(C)(ix)(III) & (x)
  - 20 U.S.C. 6301 §1111(b)(6) & (7)
- **LEA plans must include provisions for coordinating and integrating services to LEPs**
  - 20 U.S.C. 6301 §1112(b)(E)(ii)
- **Parent notification requirements**
  - 20 U.S.C. 6301 §1112(g)(1) - (5)
- **Title I services to LEPs must be supplemental in Schoolwide Programs**
  - 20 U.S.C. 6301 §1114(a)(2)(B)
- **LEPs are eligible for Title I Targeted Assistance programs**
  - 20 U.S.C. 6301 §1115(B)(2)(a)
- **Parental Involvement requirements**
  - 20 U.S.C. 6301 §1118(a)(2)(a) & (f)

Understanding Colorado Program Requirements

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
      - WIDA Screener will be mandatory Summer 2017
    - **ACCESS for ELLs/ACCESS 2.0** – annual assessment to measure English language proficiency

Colorado House Bill 14-1298 – English Language Proficiency Act

- **House Bill 14-1298, passed in May 2014, repeals and re-enacts, with amendments, the English Language Proficiency Act (ELPA)**

Previous ELPA	"New" ELPA
One ELPA Program	Three ELPA Programs: ELPA, PD/Support Excellence Award
No PD Support Program	PD Support Program to provide effective PD and expand programs for ELs
No Excellence Award	Award for districts and charters with high growth and achievement for ELs
Two years of funding for eligible K-12 ELs	Five years of funding for eligible K-12 ELs
Funding for NEP and LEP	Funding for NEP, LEP, FEP M1 and FEP M2
Based on current year Student October Count	Based on previous year Student October Count

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

Colorado House Bill 14-1298 – English Language Proficiency Act

- **ELPA Program**
  - $18,785,784 for 16-17
  - Funding code 3140
  - Administer and implement evidence-based English language development programs
  - Identify and assess English learners
  - 75% should be used to provide services to NEP and LEP students
  - 25% should be used to provide services to FEP M1 and FEP M2
  - 100% distributed to charter schools for eligible ELs

Colorado House Bill 14-1298 – English Language Proficiency Act

- **ELPA Professional Development and Support Program**
  - $27,000,000 for 16-17
  - Provide effective professional development activities related to teaching English learners for all educators who may work with English learners
  - Expand programs to assist English learners in achieving greater content proficiency
  - Offset the cost of annually reporting the number of English learners who exit the English language proficiency program
  - 75% should be used to provide services to NEP and LEP students
  - 25% should be used to provide services to FEP M1 and FEP M2
  - 100% distributed to charter schools for eligible ELs

Colorado House Bill 14-1298 – English Language Proficiency Act

- **ELPA Excellence Award**
  - $500,000 for 16-17 to be distributed to 10 districts and 10 charters
  - Highest English language development and academic growth among English learners
  - Highest academic achievement for English learners who transition out of the English language proficiency program
  - For 16-17 Awards, CDE is determining what data and method to use to identify awardees.

Colorado House Bill 15-1323
Changes to Assessments in Public Schools

- **Allows for more flexibility in testing English learners in their native language**
  - Districts may administer the state assessment in a language other than English for up to 5 years to a student who is an English language learner. (Previously, students who participated in an English Language Proficiency program for more than 3 years were ineligible to take these assessments.)
  - Pending ESSA State Accountability plan
    - Colorado would not be required to include the English language arts scores of English learners who are in the first 24 months of being enrolled in the U.S. in calculating achievement of the performance indicators for accountability purposes.*
    - A student who is an English language learner who has been enrolled in a school for fewer than 12 months is not required to take the English language arts assessments.*

# Understanding State Identification, Redesignation, and Exit Guidance

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**
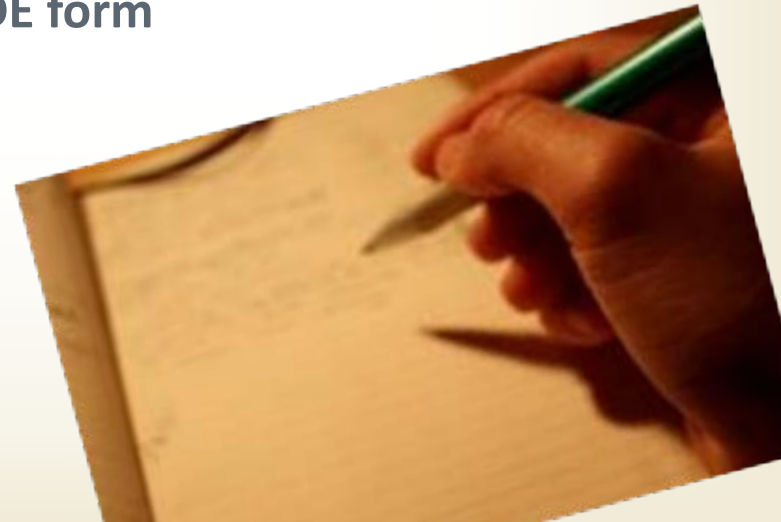
Three (3) questions <u>must</u> be asked.....

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?

- **Culturally competent district/school staff that have been trained in the school or district identification process**
  - Counselor
  - Administrator
  - Teacher
  - Administrative assistants
  - Other personnel

State Requirements

- **English Language Proficiency Act (ELPA), CRS 22-24-101**
  - Requires all Colorado districts, Charter School Institute, and facility schools to identify ELs

- **Senate Bill 109, CRS 22-24-106**
  - One common assessment to identify EL student
    - **W-APT®/WIDA Screener** - state mandated placement assessment must be used as one indicator to determine English language proficiency and if student is

Requirements for W-APT® /WIDA Screener 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

Body of Evidence: Determining if Student is an English Learner

- **W-APT®/WIDA Screener**
- **Family Interview**
- **Student Academic Record**
- **Local school or district assessment**
- **Informal assessment**
- **Student Profile**
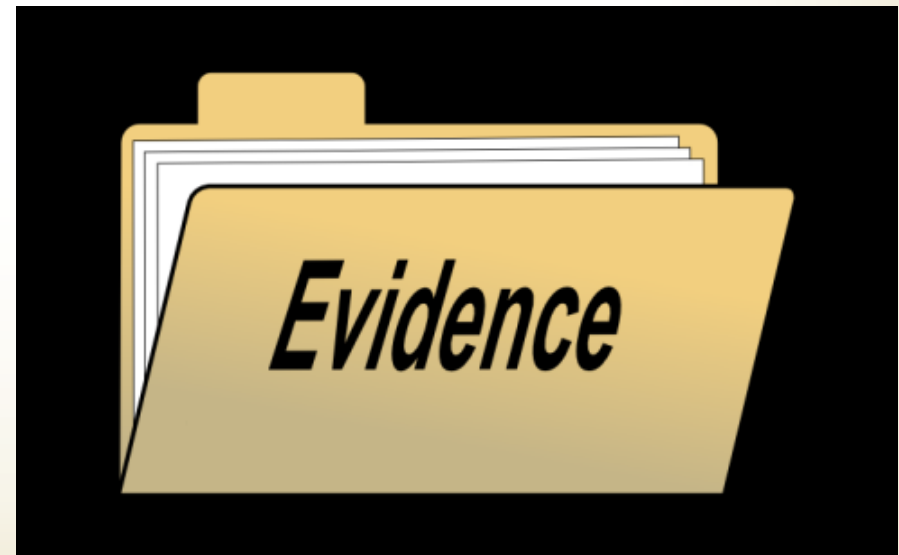
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  - How program will meet the educational strengths of the child
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  - Exit requirements for programs/graduation rates for secondary students
  - Parents right to opt out of program services
  - Children with disability/IEP

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

ACCESS for ELLs®/ACCESS 2.0

- **Senate Bill 109**

  - Established one common English Language Proficiency Assessment –ACCESS for ELLs® /ACCESS 2.0

  - ALL identified NEP and LEP students are required to participate in the ACCESS for ELLs® administration annually (even if not served in program because of parent refusal)

  - Coordination with DAC and ELD Director/Coordinator imperative

http://www.leg.state.co.us/2002a/inetcbill.nsf/billcontainers/5FC3C9C533C2716287256B3C0059EE95/$FILE/109_enr.pdf

ACCESS for ELLs 2.0

- **Fall 2016 Trainings (Coming Soon)
http://www.cde.state.co.us/assessment/trainings**

- **WIDA website
https://www.wida.us/assessment/access20-prep.aspx**

- **Temporary Contact Will Morton**

Morton_w@cde.state.co.us

303.866.6997

- **Contact Heather Villalobos – Pavia
Villalobos-Pavia_h@cde.state.co.us**
303.866.6118

What is Redesignation?

- **Legal term used when an English learner's (EL's) English language proficiency (ELP) label changes from Limited English Proficient(LEP) to Fully English Proficient (FEP) Monitor Year 1 (M1)***

- **Designation determined through valid and reliable language and academic assessments and documented through a body of evidence and observation**

- **The state mandated English language proficiency assessment, ACCESS for ELLs, is used to initiate a student's redesignation from LEP to FEP Monitor Year 1.**

- **When ACCESS for ELLs assessment data is not available, local assessment data can be used to initiate the alternate redesignation process.**

Redesignation 16-17

ACCESS for ELLs Assessment Data to Initiate Redesignation Process
5 Overall AND
5 Literacy on Tier B or C

At least one piece of local data to confirm fluent English proficiency aligned with the CELP Standards	At least one piece of local data that confirms grade level proficiency in reading	At least one piece of local data that confirms grade level proficiency in writing

Redesgination 16-17
Use ONLY when ACCESS for ELLs data is unavailable

Local Assessment Data to Initiate Alternate Redesignation Process		
Evidence aligned to CAS to show:		
Grade level proficiency in reading AND		
Grade level proficiency in writing		
A piece of evidence aligned to the CELP Standards to confirm fluent English proficiency in the language domains of speaking, reading, writing, and listening	Additional evidence to confirm grade level academic content proficiency	Additional evidence to confirm grade level academic content proficiency

Body of Evidence (BOE)

- **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.**

Body of Evidence (BOE)

Language Proficiency	Grade Level Academic Content Proficiency
• District Review Committee Evaluation	• District Review Committee Evaluation
• Proficiency on each language domain of ACCESS for ELLs	• Evaluation of Common Grade Level Assessments (formal or informal)
• Language Samples (reading, writing, listening, and speaking)	• Demonstration of Meeting Grade Level Expectations (GLEs) and Prepared Graduate Competencies (PGCs)
• Observation Protocols (ex. SOLOM, Mondo Oral Language Assessment, etc.)	• Observation Protocols
• District Language Proficiency Assessments (IPT, Woodcock Muñoz, LAS, WIDA MODEL, etc.)	• District Content-specific Proficiency Assessments
• Interim Benchmark Assessments	• Interim Benchmark Assessments
• Student Journals	• Student Journals
• English Language Development Checklists	• Achievement/Proficiency Checklists
• Student Performance Portfolios	• District Assessments
• WIDA Speaking and Writing Rubrics	• Student Performance Portfolios
	• READ Act Assessments

FEP Monitor 1 and 2 Status

- **Only two consecutive years of monitoring**
- **Must still receive classroom differentiated instruction and assessment, if needed**
- **At the end of each monitor year, student progress should be evaluated, using district determined criteria**
- **Must be monitored to ensure progress toward exit status**
- **After two consecutive years of monitoring:**
  - Exit Status or
  - Reenter LEP status and ELD program

Status

- **Upon completion of two consecutive years of monitoring, a student is eligible be exited formally from an ELD program**

- **Exit students no longer need formal English language development programming**

- **District should establish exit criteria**
  - At a minimum, meets state redesignation guidance

- **If student is struggling after being exited, school may use Multi–Tiered Systems of Support (MTSS) process to place student back in services, if needed.**

Redesignation/Exit Activity

- **With a partner, share your district/school redesignation and exit processes:**
- **How were they developed?**
  - How frequently are they modified?
- **What additional data is used to confirm fluent English and grade level proficiency?**
- **Who is part of this process? District? School?**
- **Is there a need to modify your processes? Why?**
- **What similarities/differences do you see across districts?**

16-17 Resdesignation/Exit Guidance

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

Case Scenarios

Scenario 1

- **A student enrolls in the district. Their parents are speaking a language other than English. Parent fills out district form and indicates that English is the only language used/spoken in the home. Is the student eligible for ELD services? Why or why not?**

Scenario 2

- **A student enrolls from a neighboring district. This student has been through the identification process in the previous district.**
  - What is the current/new district's obligation in the identification process?
  - What if the student re-enrolls in the first district within one school year? What is the process?

Scenario 3

- **A school district provides English learners a second reading intervention in addition to their regular English language arts class. Has this district implemented an ELD program/service that is adequate to meet the English language development needs of English learners?**

Scenario 4

- **A school district has bilingual paraprofessionals/teaching assistants who provide pull-out ELD services, after-school tutoring, summer school program and/or Title I intervention classes. Has this district implemented an ELD plan that is adequate to meet the English language development needs of English learners?**

Scenario 5

- **A school district has a research based ELD program service plan. District teachers have received extensive professional development on 'Struggling Readers' and 'Vocabulary Development'. State and local assessments indicate low performance for English learners as well as their English speaking peers. Has this district implemented an ELD plan that is adequate to meet the English language development needs of English learners?**

Scenario 6

- A school district has an ELD plan that addresses the needs of English learners. The district only serves 80% of identified NEP and LEP students, as there are not adequate numbers of teachers to serve all students. Has this district implemented an ELD plan that is adequate to meet the English language development needs of English learners?

Scenario 7

- **A district serves NEP and LEP English learner students at the elementary level, but in middle school only NEP students are receiving ELD instruction in a Newcomer program. All other students are mainstreamed and teachers are trained in SIOP strategies. Has this district implemented an ELD plan that is adequate to meet the English language development needs of English learners?**

What comes up in your district/school?

- **At your table/partner develop three scenarios that are frequently asked in your schools/district?**

- **Write three scenarios on chart paper. Be sure to leave space for soliciting responses.**

Understanding How to Leverage State, Local, and Supplemental Grant Funds to Support English Language Development (ELD) Programs

Leveraging Resources to Support ELD Programming

Per Pupil Revenue (PPR)
PPR At-Risk funding

Local/District Funds

English Language Proficiency Act (ELPA)

ESEA/NCLB Title 1

ESEA/NCLB Title III

Competitive Grants
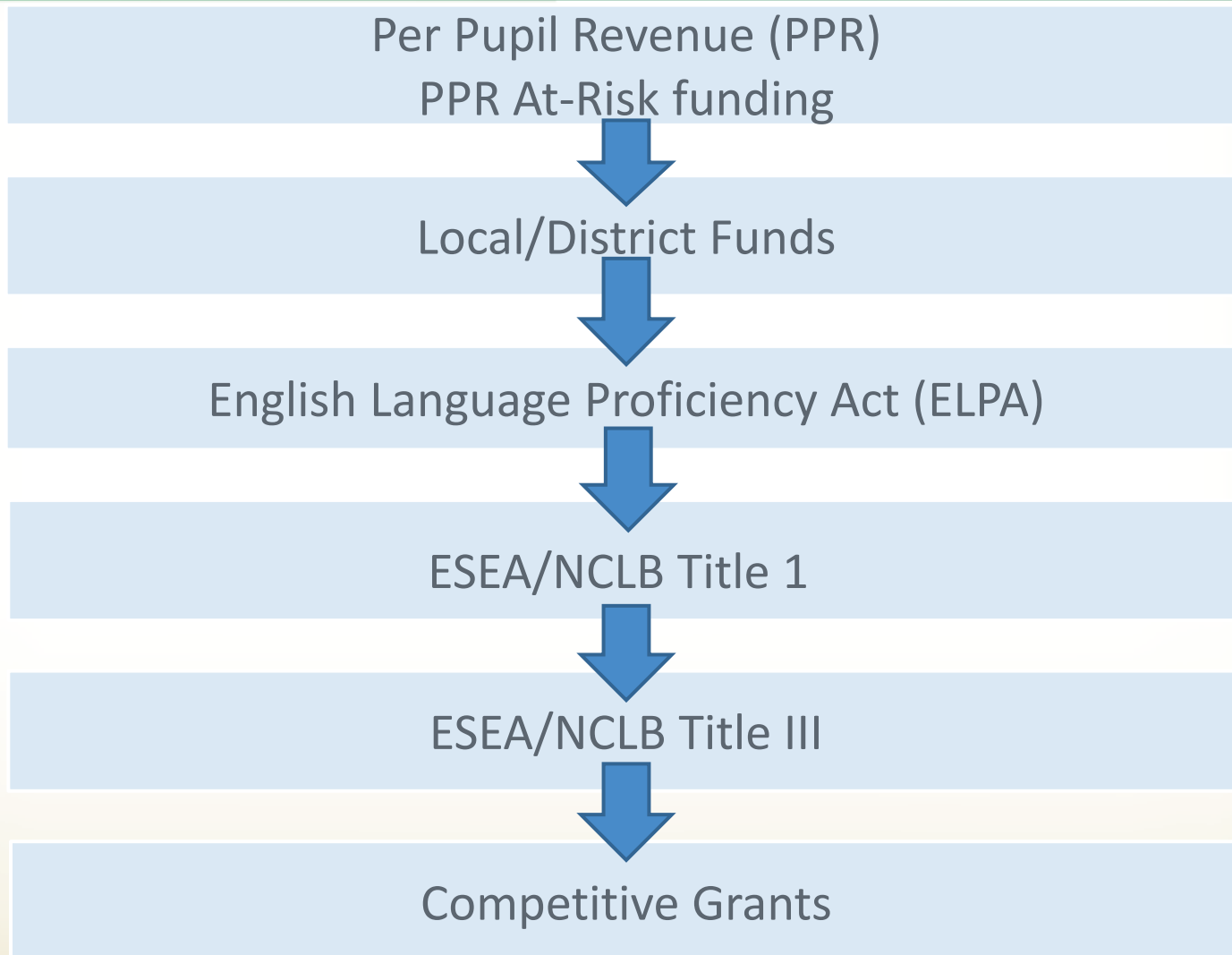
Supplement, Not Supplant

Questions to consider for Title III use of funds:

- **How are language instruction educational program services provided/funded for all EL students?**

- **What services/programs does the district offer to meet Lau v. Nichols (US Supreme Court Case, 1974) requirements?**

- **Is the LEA required to provide the service/activity based on federal (OCR), state, or local law aside from Title III?**

- **Was the program/service previously funded with state, local and/or federal funds?**

Supplement, Not Supplant

The First Test of Supplanting:

Required by Law

CDE assumes supplanting exists if –

A grantee(LEA) uses Title III funds to provide services that the LEA is required to make available under state or local laws, or other federal laws.

The Second Test of Supplanting:

Prior Year

CDE assumes supplanting exists if –

A grantee(LEA) uses Title III funds to provide services that the LEA provided in the prior year with state, local or other federal funds.

This assumption can be rebutted.

Program Evaluation and Use of Data

EL Data Dig Tool Development

- **Historical Context**
  - Why was the tool created?
  - How was it created?
- **Intended Use**
  - Gather the recommended data and look for patterns and trends in ELs' language development and academic performance
    - Data should be supplemented with other local data
    - Statewide data is provided for context setting
      - Most meaningful analyses will be looking at the local longitudinal trends and patterns

Data To Be Used	Terms

1) Student Level Biographical or Demographic Data
2) District Level Data
    a. EMH Level
    b. Grade Level
3) School Level Data
4) State Assessments
    a. PARCC[1]
        i. English Language Arts
        ii. Math
    b. CMAS[2]
        i. Science
        ii. Social Studies
    c. CSAP/TCAP (prior to 2015)
        i. Reading
        ii. Writing
        iii. Math
        iv. Science
    d. READ Act data
        i. i-Ready
        ii. PALS / PALS Español
        iii. STAR
        iv. NWEA CPAA
        v. Pearson Peabody Picture Vocabulary Test
        vi. TVIP
        vii. VRMT-III
        viii. DIBELS
        ix. Woodcock-Munoz LS
    e. Language Proficiency Assessments
        i. CELA/Access
5) Colorado Growth Model Data (SGP, MGP, AGP)[3]
6) Local Assessments
7) Perception Data (Parent, Student, or Staff Surveys)
8) Classroom observations
9) Identification and Program Data (how long students have been identified as EL; which students receive EL programming or support; and type of programming EL students are receiving)
	ACCESS = Assessing Comprehension and Communication in English State-to-State
	AGP = Adequate Growth Percentile
	CELA = Colorado English Language Assessment
	CMAS = Colorado Measure of Academic Success
	CSAP = Colorado State Assessment Program
	ELD = English Language Development
	EL = English Learner
	EMH = Elementary, Middle, High
	FEP = Fluent English Proficient
	IEP = Individual Education Plan
	LEP = Limited English Proficient
	M1/2 = Monitor Year 1 or Monitor Year 2
	MGP = Median Growth Percentile
	N = Number
	NEP = Not English Proficient
	PARCC = Partnership for Assessment of Readiness for College and Careers
	SGP = Student Growth Percentile
	TCAP = Transitional Colorado Assessment Program
	  US = Unsatisfactory
	  PP = Partially Proficient
	  P = Proficient
	  A = Advanced

Structure of the Tool

List of Data to be Used

Acronyms Used in the Tool

Followed by guiding questions and recommended analyses

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[1] Use of local data, if available, is recommended for trend analyses until multiple years of PARCC results are available for analyses. The 2015 PARCC results should be used at the local level for informational purposes only and not yet for evaluating program impact.

[2] Using CMAS science and social studies results at the elementary and middle school levels are recommended as there are two years of data now.

[3] ACCESS growth data is available for analyses and recommended for analyzing student growth on language performance. However, at this time, content growth data is only available for earlier years (i.e., TCAP reading, writing, and math growth from 2014 and earlier).

EL Data Dig Tool

- **EL Data Dig How to Manuals:**

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

- **Technical Assistance and Support**
  - upon request

Evaluating Programs for ELs

- **How does your district/school evaluate the effectiveness of programs that serve ELs?**

- **What data do you use?**

- **Who is involved in the evaluation process?**

- **How often does evaluation occur?**

- **How does it lead to changes/modifications to programs and services for ELs?**

ELD Program Rubrics Development

- **Historical Context**
  - Why was the tool created?
  - How was it created?
- **Purpose is to focus on strengths, challenges, effectiveness, and potential new activities across 9 components and their rubrics**
  - District Self-Assessment/Diagnostic
  - Annual District Improvement Planning
  - Annual District ELD Program Planning and Budgeting
  - Annual District ELD Program Evaluation

Note: The ELD Program Rubrics are not used for compliance or monitoring. They are intended to be a support tool for districts.

ELD Program Rubrics

ELD Program Rubric
DISTRICT-LEVEL
Scoring Summary:

Place an X along the continuum to indicate the district's current level of implementation of system-wide practices that are inclusive and supportive of English Learners (ELs). Include the date when you reviewed the rubric and use a different color for each date reviewed.

Date				
Component	Emerging	Developing	Operationalizing	Optimizing
Systemic Processes and Procedures	◄··►			
Human Resources	◄··►			
Research Based ELD Program	◄··►			
Collaborative Leadership	◄··►			
Fiscal Resources	◄··►			
Family and Community Partnering (Parent/Community Involvement)	◄··►			
Ongoing Evaluation of ELD Program	◄··►			
Teaching and Learning	◄··►			
Organizational Culture	◄··►			

ELD Program Rubrics

- **ELD Program Rubrics**
  http://www.cde.state.co.us/fedprograms/eld-program-rubric

- **Technical Assistance and Support, on request**

Office of CLDE Statewide Support

- **Webinars**
  http://www.cde.state.co.us/cde_english/webinars

- **Professional Learning Opportunities**
  http://www.cde.state.co.us/cde_english/professionaldevelopment

Resources

- **Office of Culturally and Linguistically Diverse Education** http://www.cde.state.co.us/cde_english
- **Colorado English Language Proficiency (CELP) Standards:** http://www.cde.state.co.us/coenglangprof/statestandards
- **State of the State 2015:**

  https://www.cde.state.co.us/cde_english/elau_pubsresources
- **EL Data Dig Tool and User Guide:** http://www.cde.state.co.us/cde_english/elau_pubsresources
- **Guidebook on Designing, Delivering and Evaluating Services for English Learners:** http://www.cde.state.co.us/cde_english/the-el-guidebook-guidebook-on-designing-delivering-and-evaluating-services-for-english

Resources

- **ACCESS for ELLs**
  - WIDA Assessments Page https://www.wida.us/assessment/ACCESS/
  - CDE Assessment Unit http://www.cde.state.co.us/assessment/ela
  - Assessment Trainings http://www.cde.state.co.us/assessment/Trainings.asp
- **English Language Proficiency Act (ELPA):** http://www.cde.state.co.us/cde_english/elpa
- **Title III website** http://www.cde.state.co.us/fedprograms/tiii/tiii
- **Title I Regulations and Guidance** http://www.cde.state.co.us/fedprograms/ti/a_regsandguidance
- **ELD Program Rubrics** http://www.cde.state.co.us/fedprograms/eld-program-rubric

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