

































DEMONSTRATION OF ADEQUATE ENGLISH PERFORMANCE/PROFICIENCY	DEMONSTRATION OF GENERALIZATION OF SKILLS IN CONTENT AREA(S)
<ul style="list-style-type: none"> <li>• District/school review evaluation team in collaboration with student’s IEP team (MTSS/ Progress monitoring teams)</li> <li>• Language Samples (reading, writing, listening, and speaking)</li> <li>• Observation Protocols (ex. District/School, SOLOM, Mondo Oral Language Assessment, etc.)</li> <li>• District Language Proficiency Assessments (ex. IPT, Woodcock Muñoz, LAS, WIDA MODEL, etc.)</li> <li>• Interim Benchmark Assessments</li> <li>• Student Journals</li> <li>• English Language Development Checklists</li> <li>• Student Performance Portfolios</li> <li>• WIDA Speaking and Writing Rubrics</li> <li>• WIDA Alternate Model Performance Indicators</li> <li>• IEP Progress Monitoring Data</li> <li>• Functional Communication Skills/Checklist</li> </ul>	<ul style="list-style-type: none"> <li>• District/school review evaluation team in collaboration with student’s IEP team (RTI/Progress monitoring teams)</li> <li>• Evaluation of Common Grade Level Assessments (formal or informal)</li> <li>• Demonstration of meeting grade-level Extended Evidence Outcomes (EEOs)</li> <li>• District/School Observation Protocols that incorporate a variety of school environments and people</li> <li>• Interim Benchmark Assessments</li> <li>• Student Journals</li> <li>• Achievement/Proficiency Checklists</li> <li>• District/School Assessments</li> <li>• Student Performance Portfolios</li> <li>• READ Act Assessment: Colorado Emergent Literacy Scales (CELS)</li> <li>• WIDA Alternate Model Performance Indicators</li> <li>• IEP Progress Monitoring Data</li> <li>• Functional Communication Skills/Checklist</li> <li>• CMAS-COALT: English Language Arts (ELA), Social Studies, Science, Mathematics</li> </ul> <p><i>* ELA includes two reporting categories, Reading and Writing, which may be considered two individual pieces of evidence.</i></p>

### Monitoring of EL Students

When schools/districts determine EL students are Fluent English Proficient (FEP), they must monitor students’ linguistic and academic progress for two consecutive years (FEP Monitor Year 1 and FEP Monitor Year 2, respectively). If the EL student is not progressing academically as expected, and monitoring suggests persistent or developing language need, schools/districts should consider re-evaluating the student’s English language proficiency level and determine if the student needs additional English Language Development (ELD) program services and provide the appropriate English language development instruction. If the student is re-entered into the ELD program, the school/district must document the reasons why and provide notification in a language the parent understands.

If the EL student continues to make academic progress in year 1 of monitoring, as determined by the school/district, the following school year the student is placed in year 2 of monitoring. Upon completion of two consecutive school years of monitoring, the EL student will be moved to exit status for two consecutive years (FEP Exit Year 1 and FEP Exit Year 2, respectively) in the Colorado Data Pipeline.

**Dually Identified Students:** When schools/districts make a determination that a student is an EL and is placed on an IEP, they must monitor the IEP goals for continued academic progress, as well as the student’s linguistic and academic progress. IEP goals should delineate the mode of communication used by the student in acquiring functional and academic skills. Should monitoring of IEP goals identify persistent or developing language needs, schools/districts should consider re-evaluating the student’s English language proficiency level to determine whether additional ELD program services are necessary and provide documentation in the IEP regarding who will be providing the supports and how the English language supports will be provided.

## References

**Linquanti, R. & Cook, H. G (2015).** [Re-examining Reclassification: Guidance from a National Working Session on Policies and Practices for Exiting Students from English Learner Status.](#) Washington, DC: Council of Chief State School Officers. ([www.wested.org/resources/re-examining-reclassification/](http://www.wested.org/resources/re-examining-reclassification/))

**Molle R., et al. (2016).** [Discerning — and Fostering — What English Learners Can Do With Language: Guidance on Gathering and Interpreting Complementary Evidence of Classroom Language Uses for Reclassification Decisions.](#) Washington, DC: Council of Chief State School Officers. ([www.wested.org/resources/discerning-and-fostering-what-english-learners-can-do-with-language/](http://www.wested.org/resources/discerning-and-fostering-what-english-learners-can-do-with-language/))

## Additional Resources

**National Center on Educational Outcomes.** [Meeting the Needs of ELs with Disabilities in Your State: making EL Exit Decisions](#) ([nceo.info/Resources/publications/OnlinePubs/briefs/brief13/brief13/brief13.html](http://nceo.info/Resources/publications/OnlinePubs/briefs/brief13/brief13/brief13.html))

**U.S Department of Education, 2015, Chapter 6.** [Tools and resources for Addressing English Learners with Disabilities.](#) ([www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html](http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html))

**[Colorado Academic Standards](#)** ([www.cde.state.co.us/standardsandinstruction](http://www.cde.state.co.us/standardsandinstruction))

**[Colorado English Language Proficiency Standards](#)** at ([www.cde.state.co.us/coenglangprof](http://www.cde.state.co.us/coenglangprof))

**[Colorado Instructional Standards and Adaptations for Students with a Disability](#)** ([www.cde.state.co.us/cdesped/instructionalstandards](http://www.cde.state.co.us/cdesped/instructionalstandards))

**Council of Chief State School Officers, [English Learners with Disabilities Guide](#)** ([www.ccsso.org/sites/default/files/2017-11/CCSSO%20ELSWD%20Guide\\_Final%2011%2011%202017.pdf](http://www.ccsso.org/sites/default/files/2017-11/CCSSO%20ELSWD%20Guide_Final%2011%2011%202017.pdf))

*(See Appendix A)*





# Appendix A

## Data Collection, Paperwork and Record Keeping

This appendix provides specific information about how to collect and maintain adequate data. It can serve either as a starting blueprint for districts without a collection system, or to fine tune a data collection system already in place.

To help all students succeed, it is necessary to track student progress, interventions and their effectiveness and any resulting modifications to programs accurately. *There are three major elements of a good data collection system: a well constructed and flexible database, which generates information for comparison tables, which in turn generates the evaluation report.* It is critical that the system be designed from the outset to be inclusive of all students and able to accommodate information not typically included when keeping records only on native English speakers. This may include language proficiency levels, dates of entry and exit to the program, number of months in program, program type, access to primary language development, etc.

The first step in building a data collection system is to thoroughly understand the requirements of the evaluation plan itself (what the data will be used for): what data elements need to be tracked, who the stakeholders are and what their interests are, what systems are currently in place that needs to be interfaced with, and what resources are available. The development process for the data collection and management system should take into account a long range view of how the system needs to function in the future. The ideal circumstance is for the developer of the data management system to understand and follow the whole process from beginning to end, from the design of the evaluation plan through the development of the database fields down to the construction of the paper data collection instruments. The developer of the data management system also needs to be aware that changes will need to be made in the system (database and collection instruments) on an ongoing basis and allow for that in the construction process.

### Purposes of Data Collection and Management

- To make data readily accessible and able to be analyzed quickly through computer automation. In the Federal EL resource materials, the authors noted that “most of the data needed should be already be available in the district’s records for students generally.” However, data that is available in paper records is not the same thing as data that is usable, retrievable, or analyzable, especially if needed quickly.
- To evaluate student progress, program effectiveness, and staff training over time to identify longitudinal trends in these areas.
- To help analyze the results of federal, state, and district assessments.
- To assist with both regional and federal Office for Civil Rights (OCR) submissions.
- To assist with English Language Proficiency Act (ELPA) and Migrant counts.
- To assist with grant applications.
- To monitor student progress means being able to disaggregate data along the multiple dimensions that impact EL student progress.
- To refer students for GT services or consider MTSS support.



## Basic Principles

- Design an evaluation plan that determines the database fields, table organization, paper/computerized collection instruments, and timelines.
- Build the data collection system keeping in mind future as well as current needs, such as language backgrounds, length of time in program, description of services received, prior academic preparation, continuous or interrupted presence in district.
- Develop the system to accommodate changes, so other personnel can both use and revise the system as staff and procedures change.
- Plan to continually work back and forth between the evaluation plan, database, tables, and paper/computerized collection instruments in order to keep improving and revising the data management system. (This is where the distinction between FEP—(never LEP) and FLEP—FEP (formerly LEP) becomes important, while not required by federal or state law, it's inclusion can allow districts to keep more accurate track of program effectiveness while at the same time providing classroom teachers who receive FLEP students greater insight into potential continuing academic challenges resulting from both linguistic and cultural factors as they continue to develop higher order cognitive skills.)
- Construct the evaluation report as a stationary word processing template with capability to expand the tables, add in the new year's data, and edit the conclusions; this facilitates doing a yearly evaluation report.
- Develop a user-friendly system and solicit input from the people using it.
- Think “data-driven, thorough, accurate, and error-free.”
- Plan for capacity to both aggregate and disaggregate data, especially by EL status; include all students in district on database. In the Federal EL resource materials, a guiding question is, “Are data systems maintained that permit EL and former EL students to be compared to the population generally?”
- Maintain data in a consistent place and format. Plan to train building secretaries and/or other appropriate staff as to process, timelines, forms, etc.
- Build the capacity to revise the system on an ongoing basis without losing prior data.
- Assign one person to do the data input to ensure accuracy. Larger districts may need more data specialists. Regardless of the size of the district, however, data entry training is essential.

## Database Design Concepts

- Use full capabilities of the computer to automate and validate routine data entry (error-checks, value fields, strict validation, date ranges, etc.).
- Use full capabilities of the computer to automate and simplify common queries, use calculation formulas to define critical groups.
- Keep database as simple as possible and still be able to do the job required, so that it can be easily modified by later personnel.
- Develop using all standard features of a standard database product; good documentation of database development process necessary—although a more narrow-use product might be used, the district should explore whether that product is flexible and can be modified in-house.



- Develop in-house where developer is also primary user.
- Develop a multi-year database to track data longitudinally to compare the same data elements from one year to the next.
- Consider whether a cross-platform database is needed; think through advantages and disadvantages of networking.
- Plan for security.
- Plan for consistent backups of the database; keep clean clones of any district-built databases.
- Output layouts provide means to view data in understandable form. Database users should be able to build layouts as needed. Examples of output layouts:
  - spring testing lists for annual language proficiency testing including prior proficiency levels in both English and the other language, school, grade, languages spoken, home language survey information.
  - EL students, comparing standardized test scores, progress reports, and CMAS test scores with language level.
  - EL exit students who are failing any core subjects, including which subjects are low, what programs are currently in place with amount of service time, any follow-up initiated.

## Model Data Collection Process

### Legal Underpinnings

In 1982, the U.S. Supreme Court ruled in *Plyler v. Doe* [457 U.S. 202 (1982)] that undocumented children and young adults have the same rights as U.S. citizens and permanent residents to attend public primary and secondary schools. Like other children, undocumented students are required under state laws to attend school until they reach a legally mandated age. As a result of the *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 differently to verify residency;
- engage in any practices that “chill” or hinder 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 as a requirement for admission to school, as this may expose undocumented status.

Even with recent changes in immigration laws, students without social security numbers should be assigned a number generated by the school. Adults without social security numbers who are applying for a free lunch and/or breakfast program for a student need only state on the application that they do not have a social security number.

Changes in the F-1 (Student) Visa Program **do not** change the *Plyler* rights of undocumented children. These changes apply only to students who apply for a student visa from outside the U.S. and are currently in the U.S. on an F-1 visa.

Also, the Family Educational Rights and Privacy Act (FERPA) prohibits schools from providing any outside agency—including the Immigration and Customs Enforcement (ICE)—with any information from a child’s school file that would



expose the student's undocumented status without first getting permission from the student's parents. The only exception is if an agency gets a court order—known as a subpoena—which parents can then challenge. Schools should note that even requesting such permission from parents could act to “chill” a student's *Plyler* rights.

Finally, school personnel—especially building principals and those involved with student intake activities—should be aware that they are under no legal obligation to enforce U. S. immigration laws.

**Identification of PHLOTE students (Primary or Home Language Other Than English)**—A Home Language Survey/Questionnaire (HLS/HLQ) is a required part of the registration packet for all new students and is maintained in the cumulative file for all students in the district. A designated person who has thorough knowledge of the English language proficiency programs being used by the school/district as well as the ability to interpret data and information found in a body of evidence is responsible for reviewing the home language questionnaire upon registration of the student and immediately forwarding those identified as PHLOTE to the LIEP department. Students are considered PHLOTE if there is any influence of another language in the home; students who learn a second language in an academic setting are not considered PHLOTE.

**Assessment of PHLOTE students, determination of LEP/EL status**—All students determined to be PHLOTE are assessed using the English version of a language survey to ascertain whether they can speak, read, write, or understand the English language. The test publisher's criteria is used to decide which of those students are identified as EL. Timelines for this process are in place, with new students tested upon enrollment and continuing students tested yearly (generally in the spring). Language proficiency test reports are retained in the cumulative files with a copy in the ESL/Bilingual files. The language assessment scores are also entered on the database.

**Program Placement for EL students**—Program placement is made by a district-designated person or team. This information is collected for each grading period, is entered on the database, and can be correlated with the training of the various service providers. The way the information is collected can vary by grade level (class schedules at secondary level, service delivery forms at elementary, etc.). A summary of program placements can also be printed out and maintained over consecutive years in both the cumulative and ESL/Bilingual files. Services, and documentation of services, continue every grading period until the student meets the exit criteria.

**Parental Notification**—Students who are identified as LEP have a legal right to receive instruction tailored to their needs. Parents of EL-identified students must receive notification of participation in a Title I, Part A-funded language instruction educational program under Title III of the ESEA, annually, not later than 30 days after the beginning of the school year for children identified before the beginning of the year or within the first two weeks of a child being placed in a language instruction program.

**Identification and monitoring EL exit students**—As “trigger” for Redesignation a student must score a 4.0 Composite and 4.0 Literacy score on the ACCESS for ELLs. 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/success/grade-level proficiency as well as growth to English language proficiency. For more information on [EL Redesignation](#) and monitoring EL exit students visit [www.cde.state.co.us/cde\\_english/redesignation](http://www.cde.state.co.us/cde_english/redesignation).

**Documentation of additional information**—Additional information can also be included. This information is collected on an ongoing basis as it becomes available, and is entered in the database.



# Notes

A series of horizontal dashed lines for taking notes, spanning the width of the page.



[Office of Culturally and Linguistically Diverse Education](#)

1560 Broadway, Suite 1100  
Denver, Colorado 80202  
[www.cde.state.co.us/cde\\_english/contactus](http://www.cde.state.co.us/cde_english/contactus)