2024 English Language Learner Count Audit Resource Guide

Fiscal Year 2024-2025

Contents

Disclaimer

When identifying English Learners (ELs) and reporting their English Language Proficiency (ELP) level, districts must follow Colorado's Standardized Requirements and Procedures for the Identification and Redesignation of English learners. For information about Language Instruction Educational Programs (LIEPs) for ELs, please refer to CDE's English Language Development (ELD) Guidebook.

The guidance in this document is not intended to supersede or contradict any program-specific guidance; the intent of this document is to outline documentation requirements that are subject to audit. Further, 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).

Statutory Authority

6.03 Pursuant to Section 22-54-103(6.5)(a), C.R.S., funding eligible pupils are considered English Language Learners if they are reported with a Language Proficiency of Non-English Proficient or Limited-English Proficient as of the applicable count date and are within the five-year services window defined in English Language Proficiency Act (ELPA).

6.03(1) Districts must follow the state's standardized identification and redesignation procedures to identify and redesignate English Language Learners and retain documentation showing these procedures have been followed.

Section 22-54-103, C.R.S., grants the state board authority to "make reasonable rules and regulations necessary for the administration and enforcement" of the Public School Finance Act of 1994.

The Rules for the Administration of the Public School Finance Act of 1994 are published in 1 CCR 301-39.

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

> *You must open your browser to "Colorado Legal Resources" before clicking any link to a statutory reference*

References
SB 21-268
Section 22-54-102(5)(c)

Data Privacy and Security

As a reminder, local education agencies must use secure means when sending Personally Identifiable Information (PII) to CDE. CDE strongly recommends that districts use a secure method if transferring PII between districts, schools, or with other parties. For example, a secure file sharing tool like Syncplicity, or including the PII in a password protected document.

For more information, please visit the Data Privacy and Security website at http://www.cde.state.co.us/dataprivacyandsecurity or contact CDE's Data Privacy Office at dataprivacy@cde.state.co.us

Introduction and Overview

The purpose of the 2024 edition of the ELL Count Audit Resource Guide ("Guide") is to provide helpful information to assist districts in preparing for their ELL Count audit. With the emergence of new technological capabilities, it is recommended whenever possible that districts retain their audit documentation in electronic format.

While this Guide has been developed to conform to state statute and the Code of Colorado Regulations (Administrative Rules), this document is not meant to be comprehensive and is not intended to replace state statute or administrative rules.

All references to "district" or "school district" includes the Charter School Institute (CSI), charter schools, charter school collaboratives, charter school networks, and BOCES. Each organization is encouraged to review all relevant sections of the Guide, state statute, and administrative rules.

Throughout this document, the delta Δ symbol has been used to denote sections where language has been altered or clarified.

English Language Learner Funding Factor Count Background

Each year, all public school districts across the state of Colorado and the Charter School Institute participate in the Student October Count data submission to the Colorado Department of Education (CDE). The purpose of this data collection is to obtain required student-level data as provided for by state statute, including information regarding students' funding eligibility as outlined in the Public School Finance Act of 1994 (Section 22-54-101, C.R.S.). CDE collects this data through the Data Pipeline, with the Data Services Unit of CDE overseeing the collection.

As provided for under SB21-268 **and beginning with fiscal year 2021-2022**, there is an English Language Learner funding factor that is included in the calculated total program funding for each district. This funding factor includes additional funding to districts related to the total number of English learners included in the district's funded pupil count for the current year.

Student October Count data is the primary source used to determine which students are included in the district's English Language Learner Count (ELL Count). Students meeting the following criteria as of the pupil enrollment count date and as reported in the Student October Count data submission will be considered for inclusion in the district's ELL Count:

- Grade level: Kindergarten through 12th grade
- Public School Finance Funding Status (i.e., funding code): 80, 82, 85, 91, 92, 94, 95
- Language Proficiency: 1 NEP (Non-English Proficient); 2 LEP (Limited-English Proficient)

Additionally, the EL students meeting the criteria listed above must also be within the five-year funding window defined in the English Language Proficiency Act (ELPA) in order to be included in the ELL Count.

Please note that the English Language Learner Count/funding factor is separate from the categorical per-pupil funding districts received under the English Language Proficiency Act (ELPA). For more information about ELPA, *please visit:* http://www.cde.state.co.us/cde_english/elpa.

Pupil Enrollment Count Date

The pupil enrollment count date is October 1 of each year, unless that date falls on a Saturday, Sunday, or major religious holiday. If the pupil enrollment count date falls on a Saturday, Sunday, or major religious holiday, the pupil enrollment count date will be the following school day.

The determination of the pupil enrollment count date shall not be affected by a district's decision to not have school on the pupil enrollment count date.

2024 Pupil Enrollment Count Date: <u>Tuesday, October 1, 2024</u>

When reporting English language proficiency within the 2024 Student October Count data submission, the district should report the student's level as of the pupil enrollment count date.

Throughout this Guide, in the event a district or school has been granted an alternative count date, said date should be used wherever "pupil enrollment count date" is referenced.

Δ Annual Audit Review 2024-2025

Beginning with the 2024-2025 school year, the audit review process for data submitted during 2024 Student October Count data collection, including English Language Learner (ELL) funding factor count data, has changed. The new process is described [Annual Audit Review Guidance document](#) that is available on the [School Auditing Office's Pupil Count](#) website. As part of the Annual Audit Review, all districts must complete the [ELL Count Audit Questionnaire](#) (Form AUD-110) and **submit** it to the School Auditing Office via Syncplicity **no later than December 11, 2024**.

In an effort to ensure accurate reporting of those data fields associated with the determination of each district's total program funding, the School Auditing Office will conduct an Annual Audit Review of each district's Student October Count data, including the fields used in identifying the district's English Language Learner (ELL) funding factor count. These reviews will determine which districts will be flagged for an expanded audit review. Expanded audits associated with the district's ELL funding factor count will require districts to upload student level documentation to support the sampled students' reported English language proficiency of Non-English Proficient (NEP) and Limited-English Proficient (LEP).

With the emergence of new technological capabilities, districts should be prepared to provide all audit documentation in electronic format. Districts should further be prepared to provide source documentation in addition to any standard reports when requested by an auditor. Each district shall retain complete documentation supporting any certification made to CDE or any other data given to CDE for purposes of administering the Public School Finance Act of 1994 until audited by CDE, or until five years from the certification due date, whichever comes first.

Districts must retain all required documentation until audited by CDE or until five years from the certification due date (November 10), whichever comes first.

Expanded Audit- Sampling Process Overview

If a district has been selected for an expanded audit review as a result of the Annual Audit Review process, prior to selecting a random sample of students who were included in the district's ELL Count , the School Auditing Office will determine if CDE has been provided with **prior-year** WIDA ACCESS assessment scores at or above CDE's proficiency cut points for redesignation eligibility. (WIDA ACCESS is the collective name for WIDA's suite of summative English Language Proficiency (ELP) assessments, including: ACCESS for ELLs, Kindergarten ACCESS, and Alternate ACCESS. WIDA ACCESS is taken annually by English learners in Kindergarten through Grade 12.)

CDE baseline proficiency cut points for redesignation:
- ACCESS for ELLs: 4.0 Overall and 4.0 on Literacy
- Alternate ACCESS: P1 Overall and P1 on Literacy*

* Δ Pause for Standard Setting and Analysis: please note, for students who took Alternate ACCESS during January-February 2024, CDE will release redesignation criteria in the Fall of 2024 after the standard setting is completed for the new Alternate ACCESS Assessment. At this time, CDE guidance is to continue LIEP instruction into the 2024-25 school year.

In identifying a district's sample of students for review, the School Auditing Office will include students who meet one of the following criteria:
- Students who have been newly identified as ELs (new to K-12)
- Students previously identified as EL but are new to district and identified as an EL in their current district (i.e., transferring from another district)
- Students who remain enrolled in the same district as prior school year and who continue to be identified as an EL, and whose WIDA ACCESS scores exceed the cut points for redesignation

The documentation provided at the time of the expanded audit should be compiled from the district's already-existing body of evidence; districts should not have to create new documentation specifically for ELL Count purposes.

For the students in the sampled population, the documentation review process will follow the steps below:

First, CDE will determine whether the student is newly identified as an EL (this includes students transferring from another district) or if the student has remained enrolled in the same district as the prior school year and continues to be identified as an EL.

Students newly identified as an English learner (whether new to K-12 or transferring from another district):
1) CDE will review the WIDA Screener or Screener for Kindergarten documentation (administered within 365 days preceding the pupil enrollment count date of the current year) to determine whether the student's scores support an English language proficiency level of NEP or LEP.
   a. If a student enrolls with the district after the start of the school year, determination must occur within two weeks of the student's enrollment. Therefore, if the Screener was administered after the pupil enrollment count date, the district must also upload an enrollment history for the student showing that the screener was administered within 2 weeks following enrollment.
2) For students whose Screener scores do not support an English language proficiency level of NEP or LEP, CDE will review further documentation (as appropriate) to determine whether those students qualify for ELL Count funding.

Students who remain enrolled in the same district as prior school year and who continue to be identified as an EL:

1) CDE will review the WIDA ACCESS scores from the prior school year that were provided by the third-party assessment vendor.

2) For students whose WIDA ACCESS scores exceed the CDE cut points for redesignation, CDE will review further documentation (as appropriate) to determine whether those students qualify for ELL Count funding.

These documents are described in more detail in the following section.

Audit Documentation Requirements

At the time of an expanded audit, districts must be prepared to provide documentation evidencing English language proficiency for a sample of funded students reported as NEP or LEP as of the pupil enrollment count date. The documentation provided at the time of an expanded audit should be compiled from the district's already-existing body of evidence (i.e., districts should not be creating new documentation specifically for ELL Count audit purposes).

WIDA Screener score report

For students newly identified as an English learner (whether new to K-12 or transferring from another district) in the second semester of 1st grade through 12th grade, the district should be prepared to provide a WIDA Screener Score Report.

The WIDA Screener assessment is available in both paper and online formats; some districts may use a combination of these formats to assess a student's English language proficiency. **The WIDA Screener must be administered within 365 days preceding the pupil enrollment count date of the current year.** The WIDA Screener is appropriate for all students in the second semester of 1st grade through grade 12. (For example, if the district reports a student with an English language proficiency level of NEP or LEP in the 2024 Student October Count data collection, the district should provide a WIDA screener score report administered between October 2, 2023 and October 1, 2024.)

Paper Format

This assessment will be delivered using a student response booklet, and the student's raw score data will be entered into the WIDA Score Calculator. Upon submission, the Score Calculator will calculate the student's Proficiency Level and a report can be generated using the "Printer Friendly Version" button. **This generated report may be submitted at the time of audit to the School Auditing Office for students included in the ELL Count sample.**

Sample Paper WIDA Screener Score Report

Online Format

This assessment will be delivered online through WIDA Assessment Management System (AMS) software and the writing and speaking domains will be scored locally. "Batch Download" (formerly On-Demand Reports) are generated locally and may be accessed by logging into the WIDA AMS. To access student reports, log in to WIDA AMS, select Download Individual Student Reports, and then Batch Download from the landing page. Within Batch Download, select Screener Score Report. For detailed instructions regarding searching for students and creating reports, please refer to the WIDA Screener Test Administration Manual. **The PDF report for a single student or a bulk export of WIDA Screener scores generated out of the WIDA AMS may be submitted at the time of audit to the School Auditing Office for students included in the ELL Count sample**.

WiDA®

WIDA Screener - Online

Score Report

Test Date: 09/21/2016   Test Administrator/Scorer:

Student Information
First Name: Remus   Last Name: Lupin
Birthdate: 03/10/1960   Current Grade: 06
State ID: School: DRC Use Only - Sample School
District: DRC Use Only - Sample District WI   State: WI
Home Language(s):

This report provides information about the student's scores on the WIDA Screener. The WIDA Screener is designed to provide a snapshot of an English Language Learner's general English language proficiency. This test is based on the WIDA English Language Development Standards and is used as one criterion to determine a student's eligibility for English Language services. Please refer to state policy for making decisions about a student's eligibility for English Language services.

Scores are reported as Language Proficiency Levels. Proficiency Levels (PLs) are reported as whole numbers for the Language Domain Scores and the Composite Scores are reported to the whole PL or half PL.

Language Domain Scores	Proficiency Level
Listening	4.0
Speaking	6.0
Reading	3.0
Writing	6.0
Composite Scores	**Proficiency Level**
Oral Language	5.0
Literacy	5.0
Overall*	5.0

*Overall Score is calculated only when all four domains have been assessed. NA: Not available

12/04/2017

Sample Online WIDA Screener Score Report

Accessing WIDA Screener Online Student Score Reports

Student Score Reports may be generated on demand after the Speaking and Writing scores have been submitted. Access to reports is controlled by the Interactive Reporting permission. This permission is automatically granted to personnel at the district level, who may choose to assign it to others as appropriate.

To access student reports, log in to WIDA AMS, select Download Individual Student Reports, and then Batch Download from the landing page. Within Batch Download, select Screener Score Report. You must filter by State, Registration Window, District, School, and Language before selecting Display Students. Registration Name is an optional filter. A list of students who meet the filter criteria displays in the Students table. You may further filter the results by using the search bar in the table. Select the students whose reports you wish to view and choose to open or download their PDF reports. You may select all students on the page by selecting the checkbox in the column header. Δ If you are already working within WIDA AMS, you can also access student reports by selecting Reporting Services in My Applications. From there, you can access Batch Download and follow the steps outlined above. (Source: WIDA Screener Online TAM, 2024).

WIDA Screener for Kindergarten Score Reports

The WIDA Screener for Kindergarten is a paper-based assessment to identify potential EL students. It should be administered to students in kindergarten or first-semester 1st grade. Refer to the Helpful Hints section in this Guide for appropriate grade level domain administration.

Individual student scores sheets should not be submitted at the time of audit. Please provide official WIDA Score Reports as a PDF.

Individual student score sheets must be entered into the WIDA Screener for Kindergarten Score Calculator: add student scores to the online calculator to produce a printable, savable PDF score report. **These are the PDF reports that will be submitted at the time of audit.** For detailed instructions regarding how to create reports, please refer to the Screener for Kindergarten Test Administration Manual.

Sample WIDA Screener for Kindergarten Score Report

Further Documentation

In the event that WIDA ACCESS scores or WIDA Screener score reports do not demonstrate an English Language Proficiency level of NEP or LEP, it will be necessary for districts to provide further documentation to demonstrate ELL Count eligibility. The documentation required to demonstrate funding eligibility will differ depending on whether the student is newly identified as an EL by the reporting district (including students who have transferred from another district) or continuing to be identified as an EL:

Students new to a district or students newly identified as ELs (whether new to education or transferring from another district):

All students who are newly identified as English learners by their reporting district <u>must</u> have been given a WIDA Screener or Screener for Kindergarten that was administered within 365 days preceding the pupil enrollment count date to be eligible for NEP or LEP status.

For ELL Count funding eligibility, districts must provide:
- WIDA Screener or Screener for Kindergarten score report dated within 365 days prior to the pupil enrollment count date
    - Exception: If a student enrolls with the district after the start of the school year, determination must occur within two weeks of the student's enrollment. Therefore, if the Screener was administered after the pupil enrollment count date, the district must also upload an enrollment history for the student showing that the screener was administered within 2 weeks following enrollment.
- Documentation describing the district's process for identifying students with an English language proficiency level of NEP or LEP
- A scoring rubric with cut scores or other <u>objective</u> criteria (e.g., ratings, levels, or other measurables) that clearly indicates what conditions must be met for a student's language proficiency level to be designated NEP or LEP
- Evidence supporting the NEP or LEP identification, based on the district's process and qualifying criteria

Students who remain enrolled in the same district as the prior school year and who continue to be identified as an EL:
- Documentation describing the district's process for redesignating students (with a previously-reported English language proficiency level of NEP or LEP) out of LIEP program
- A scoring rubric with cut scores or other <u>objective</u> criteria (e.g., ratings, levels, or other measurables) that clearly indicates what conditions must be met for a student to be redesignated out of LIEP program
- Evidence supporting that the student did <u>not</u> meet the district's criteria for redesignation (despite WIDA ACCESS scores that demonstrate an English language proficiency level other than NEP or LEP)

Districts must ensure their EL identification and redesignation procedures and associated criteria for EL identification and redesignation are documented and that the criteria contain data that clearly demonstrates the rationale for identification or non-redesignation. **At the time of audit, failure to provide documentation which sufficiently demonstrates a student's eligibility for ELL Count funding may result in an audit adjustment.**

For support with EL identification, LIEP program, and/or redesignation from LIEP program, please contact [CDE's Office of CLDE](http://www.cde.state.co.us/cde_english/contactus) (http://www.cde.state.co.us/cde_english/contactus).

Helpful Hints

- When administering the Screener for Kindergarten, the following are true when determining English language proficiency:
    - For first-semester kindergarten students, districts should administer only the listening and speaking domains, and use only the "Oral" score to determine the student's English language proficiency.
        - For audit purposes, any "Oral" score of 4.0 or greater will require further documentation for review.
    - For second-semester kindergarten students and first-semester 1st grade students, districts should administer all four domains (listening, speaking, reading, and writing), and use the "Overall" score to determine the student's English language proficiency.

- For audit purposes, any "Overall" score of 4.0 or greater will require further documentation for review.
- When administering the WIDA Screener, the following is true when determining English language proficiency:
  - For second-semester 1st grade students through 12th grade students, districts should administer all four domains, and use the "Overall" and "Literacy" scores to determine the student's English language proficiency.
    - For audit purposes, any "Overall" and "Literacy" scores of 4.0 or greater will require further documentation for review.

English Language Learner Count Audit Documentation Flowchart

Funded Student Coded as NEP/LEP in Year 1-5

New EL Identification in District (Year 1 or Transfer)

Was a Screener administered on or within 365 days prior to count day? — **No** → Not Eligible for NEP or LEP Status

Yes ↓

Does the score support a language proficiency level of NEP/LEP? — **No** →

Yes ↓

✓ Score report for WIDA Screener, or Screener for Kindergarten, dated within 365 days prior to the pupil enrollment count date

✓ 1) WIDA Screener, or Screener for Kindergarten, score report dated within 365 days prior to the pupil enrollment count date
AND
✓ 2) Documentation describing district NEP or LEP identification process
AND
✓ 3) Cut scores/objective criteria for identification
AND
✓ 4) Evidence that the student met the identification criteria

Continuing EL Identification (Years 2-5)

Does CDE have WIDA ACCESS assessment data from the prior year on record? — **No** → Not Sampled – No Audit Documentation Required

Yes ↓

Does the WIDA ACCESS score on record support redesignation? — **No** → Not Sampled – No Audit Documentation Required

Yes ↓

Was the WIDA ACCESS administered by the same district reporting the student as NEP/LEP this year? — **No (New to District)** →

Yes ↓

✓ 1) Documentation describing district redesignation process
AND
✓ 2) Cut scores/objective criteria for redesignation
AND
✓ 3) Evidence that the student did not meet the redesignation criteria