



COLORADO
Department of Education

Colorado English Learner Obligations & Identification

**Online Schools
December 2020**

**Every student gets
what he or she needs
to succeed, as
opposed to everyone
getting the same thing**

Agenda

- EL Obligations & Requirements
- State EL Identification Procedures



Understanding Federal & State Legal Obligations



1964 Title VI, Civil Rights Act of 1964

1970 Office of Civil Rights (OCR) Memo

1974 Lau v. Nichols (OCR Supreme Court case)

1974 Equal Educational Opportunities Act (EEOA)

1975 Lau Remedies (OCR guidance)

1981 Castaneda v. Pickard (EEOA Supreme Court case)

1982 Plyler v. Doe (OCR Supreme Court case)

Federal Requirements for EL Identification

Every Student Succeeds Act (ESSA), §§1112(e); 3116(b)

Requires recipients of Titles I and III to **identify ELs and notify parents** of the language instruction educational programs available to students.

Lau Remedies, 1975 (Case law, Civil Rights Act 1964)

Specifies approved approaches, methods, and procedures for: **Identifying and evaluating** national origin minority students' English language skills.

State Requirements for EL Identification

English Language Proficiency Act, CRS 22-24-105

Requires districts to **identify** and **report** the number of English Learners (ELs) in the district to the Colorado Department of Education.

Senate Bill 109, CRS 22-24-106

One common assessment to **identify** EL student: W-APT/WIDA Screener, the state mandated placement assessment must be used as one indicator to determine English Language Proficiency (ELP) and if student is an English Learner (EL).

Colorado EL
Identification
Procedures
for SY 20-21

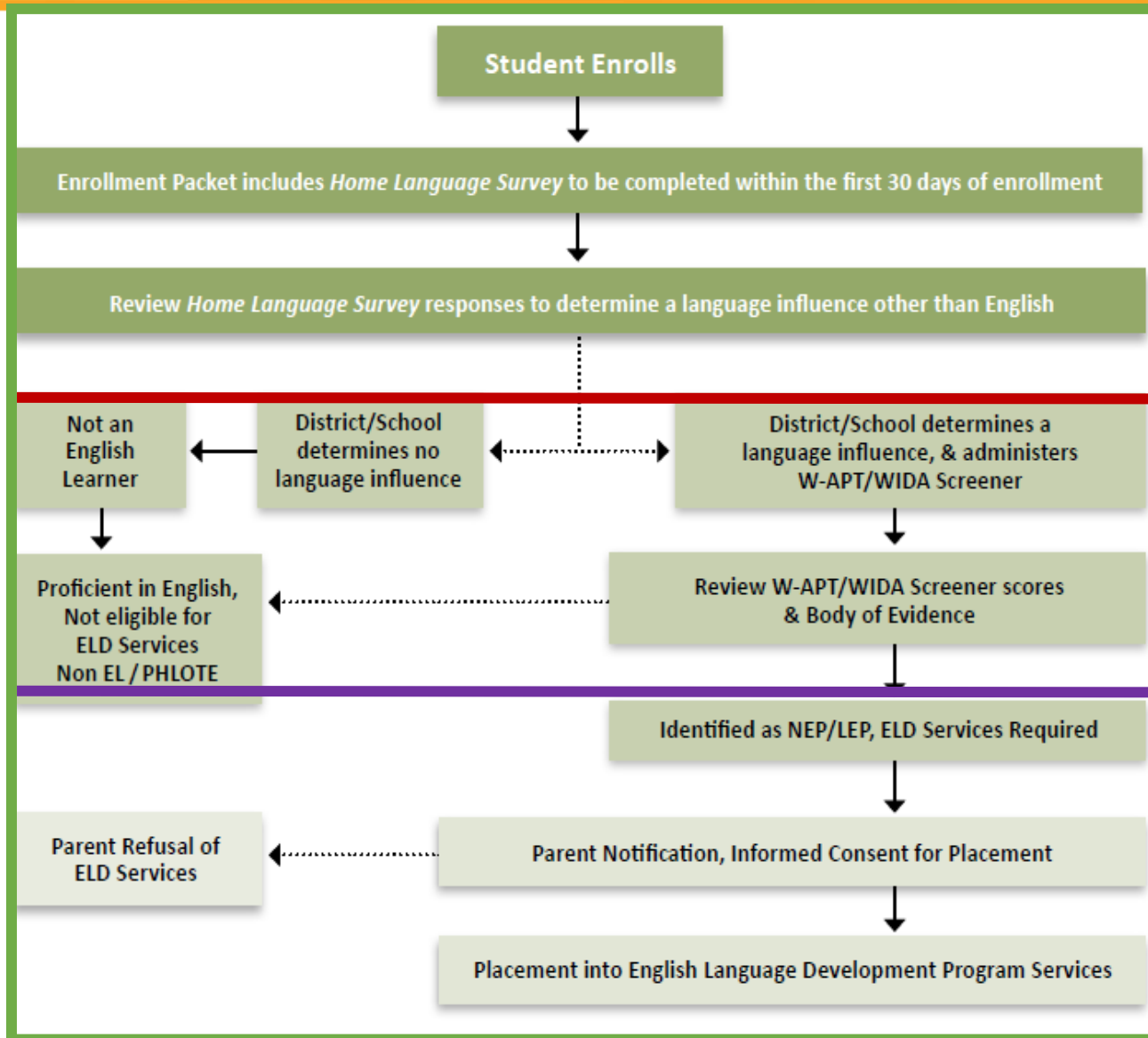


Colorado English Learner Identification



[EL Identification Procedures](http://www.cde.state.co.us/cde_english/identification-placement) can be found at www.cde.state.co.us/cde_english/identification-placement

Standardized Identification Procedures



District determines if there is a language influence

Identified as an English Learner



Home Language Survey (HLS)

Required by law



Given to all new-to district students



Tool used to determine language influence



Three required questions (OCR & DOJ)



Completed within 30 days (2 weeks after October count)

OCR and DOJ Home Language Survey

3 Approved Questions

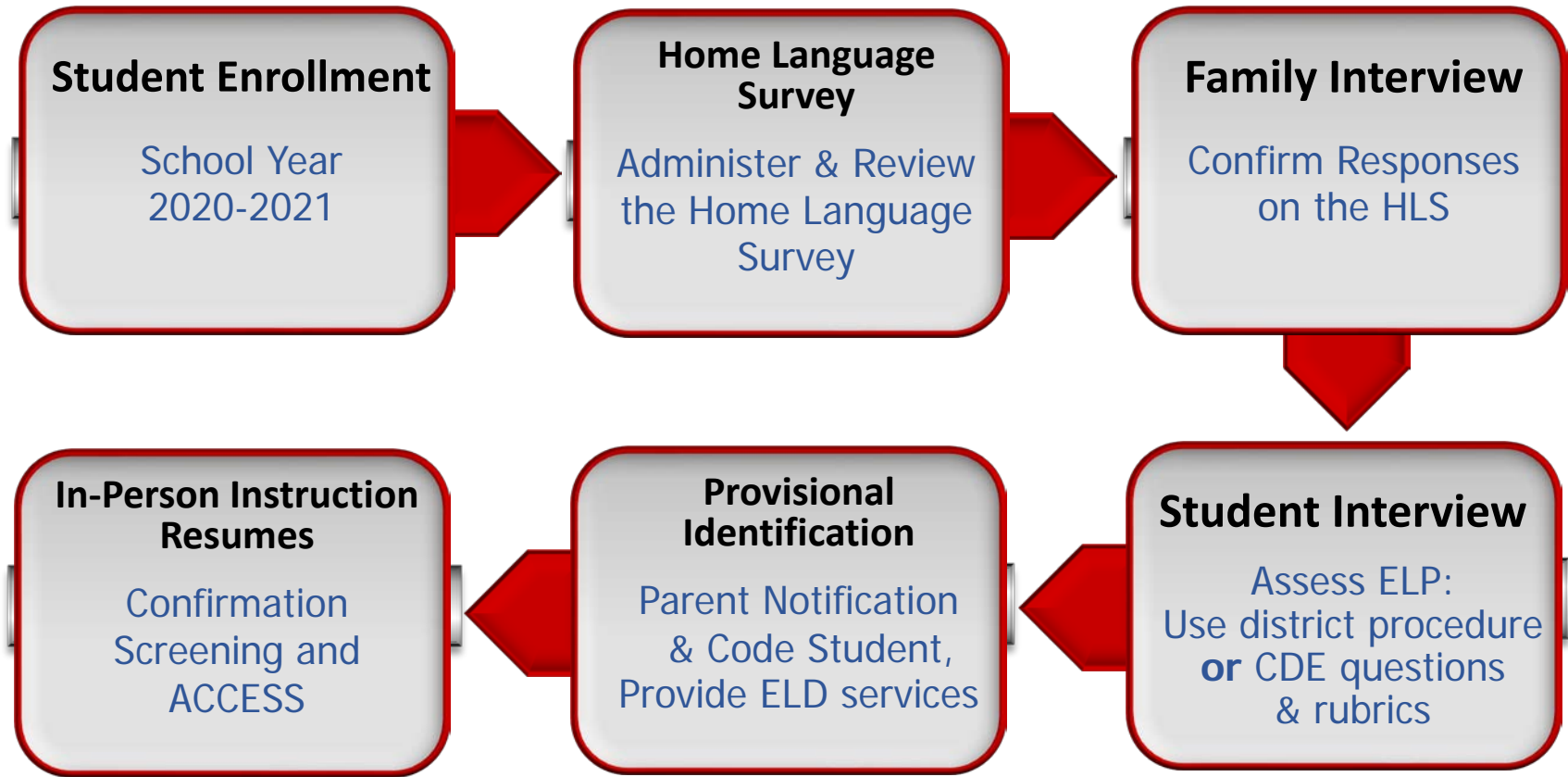


What is the primary language used in the home, regardless of the language spoken by the student?

What is the language most often spoken by the student?

What is the language that the student first acquired

Provisional Identification Procedures Interim for SY 2020-2021



Districts that are subject to settlement agreements or consent decrees relating to English learners must seek guidance from the district's legal counsel as to whether the provisional procedures would be consistent with the terms of the applicable agreement/decrees.

ESSA Requires Parent Notification Letter

ELP Screening and Placement

Language Instruction Educational Program

LIEP Alignment to CAS

Exiting Requirements & Graduation Rates

Parent Opt-Out Decision

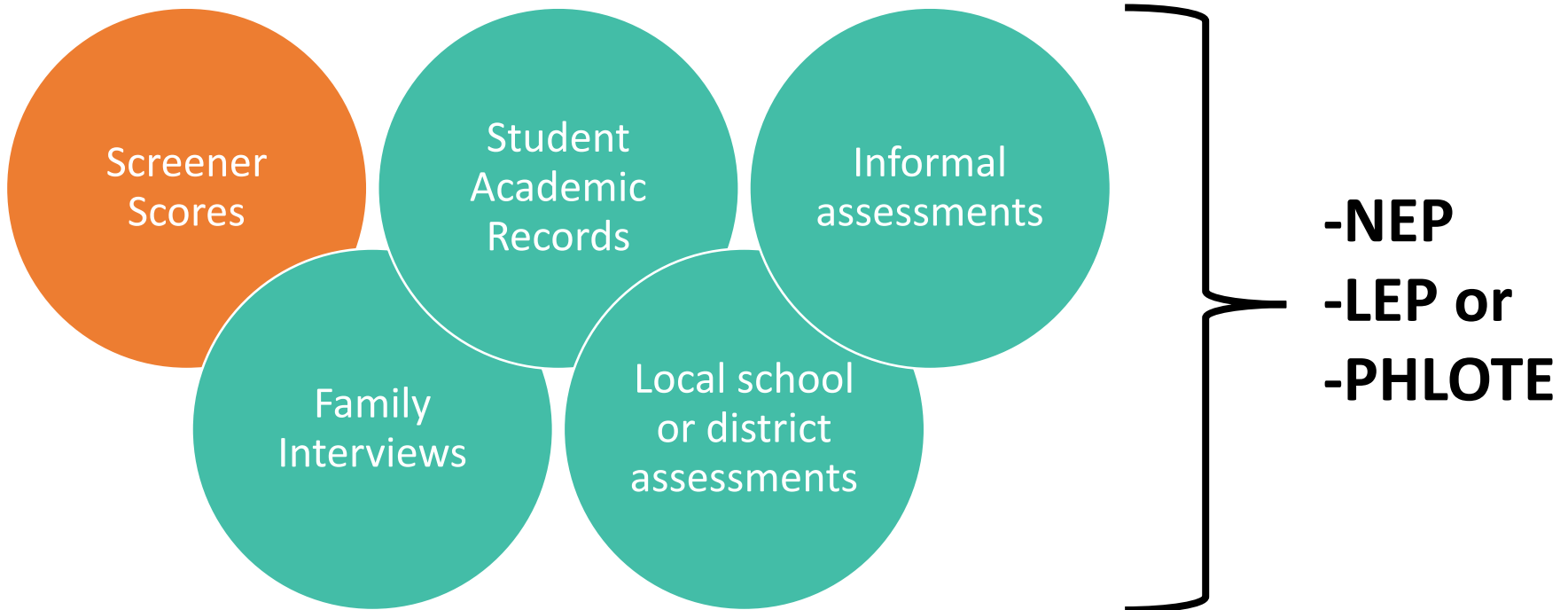
Meeting Goals of IEP Services, if applicable



[Parent Notification Letter Sample](http://www.cde.state.co.us/cde_english/identification-placement) can be found at
www.cde.state.co.us/cde_english/identification-placement

Determining if Student is an English Learner

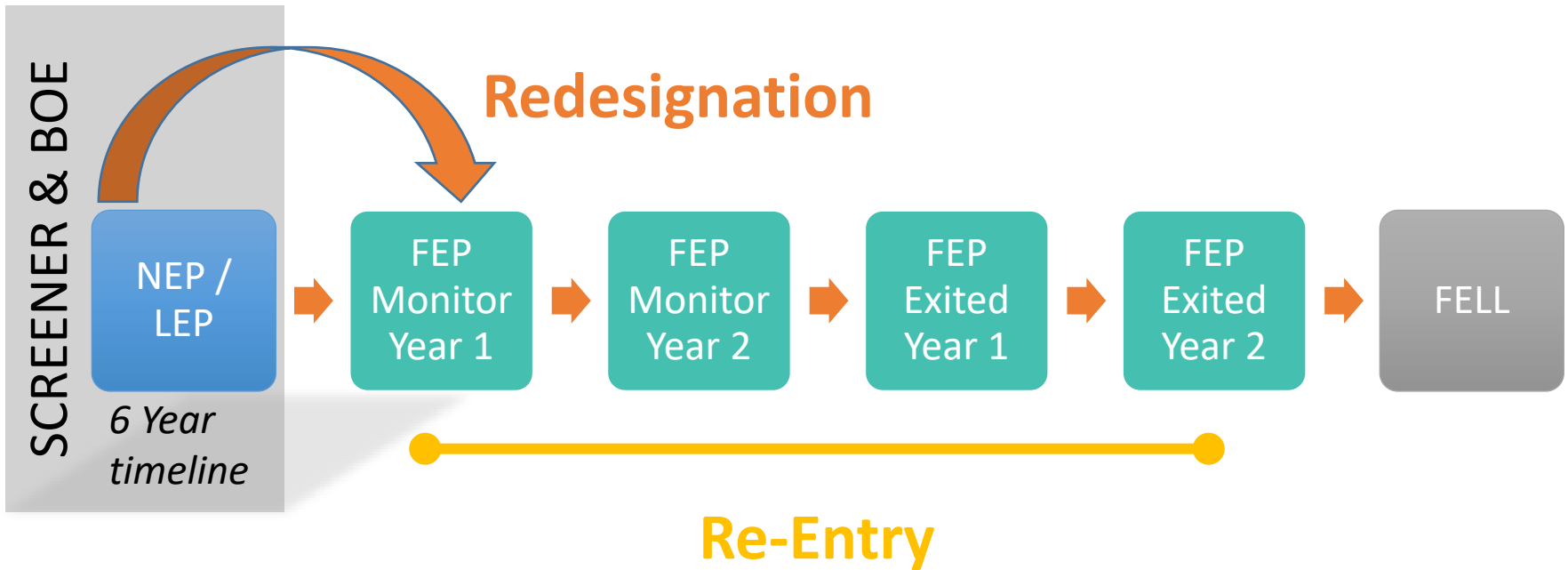
Use **Screener Scores** and **BOE** to consider confirming or refuting ELD programs/services:



NEP/LEP students are enrolled in ELD programs/services. LEAs have the flexibility to choose the EL services and programs that meet civil rights requirements and best meet the needs of their EL population. PHLOTE students are not eligible or enrolled in ELD programs/services. [OELA Toolkit, Chapter 2](https://ncela.ed.gov/files/english_learner_toolkit/2-OELA_2017_language_assist_508C.pdf) (ncela.ed.gov/files/english_learner_toolkit/2-OELA_2017_language_assist_508C.pdf)

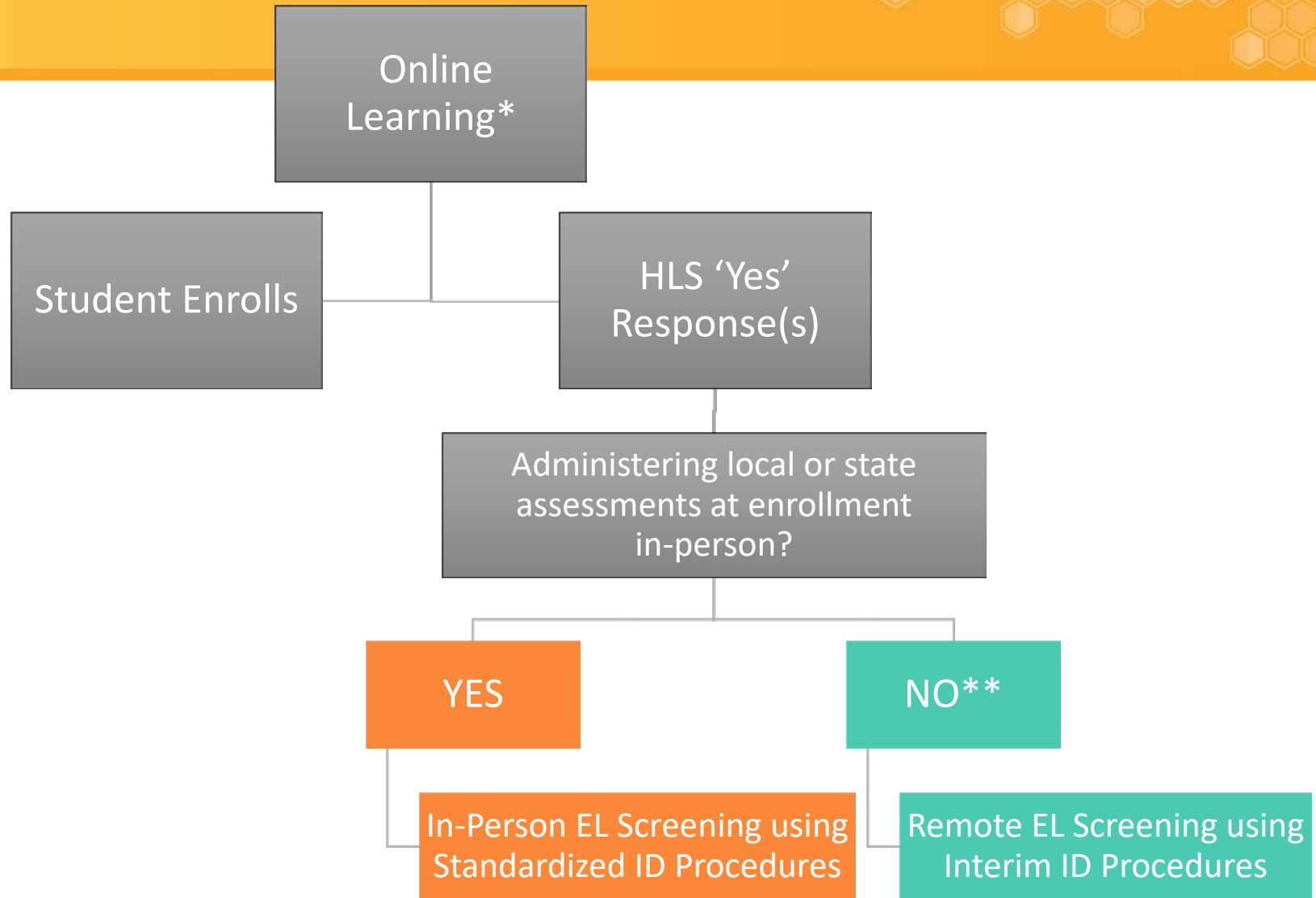


English Learner State Proficiency Progression



*All identified NEPs & LEPs take annual ELP assessment, ACCESS/ALT. ACCESS.
Parent/family may opt-out of ELD services but not annual ELP testing.*

Online Instructional Programs (*Not Due to COVID-19)



***Online Learning disrupted due to COVID-19 pandemic*



Sections 1112(e)(3) and 3113(b)(2) of ESEA

Require that students be identified for **EL status** within 30 days of enrollment in a school in a state. For students who enroll after the beginning of the school year, the district, school, or charter school must send the required parent notice within two weeks of a student being placed in a Language Instruction Educational Program (LIEP).

[USED Fact Sheet](http://www2.ed.gov/documents/coronavirus/covid-19-el-factsheet.pdf) can be found at
www2.ed.gov/documents/coronavirus/covid-19-el-factsheet.pdf

All students provisionally identified as an English learner in SY 19-20 (Mar, Apr, May) and SY 20-21 take ACCESS for ELLs in 2021



Questions



Office of CLDE Distance Learning Guidance

- Integrate learning in authentic ways: thematic approaches across content; inquiry-, problem-, project-based learning; multiple opportunities and multiple formats to demonstrate content knowledge
- Find natural opportunities for language development: games, sports, conversations, songs, tv, environmental text
- Promote and nurture collaboration among ELD and core content/grade level educators: providing time to collaborate, plan, and create connected lessons and instruction

[Distance Learning Guidance for English Learners](#) can be found at

www.cde.state.co.us/cde_english/coloradodistancelearningguidanceforenglish-learners



Teaching Multilingual Learners Online

[Memberships and Programs](#) < [International School Consortium](#) < [International Newsletter: October 2020](#) < Teaching Multilingual Learners Online

WIDA as an organization does not advocate for or endorse any of these technologies for instruction. Schools, districts and states are responsible for making choices about appropriate and applicable technologies and products.

Since many schools are moving to online instruction, WIDA reached out to educators in the WIDA International School Consortium to identify some of the unique opportunities and challenges for multilingual learners in online environments. Some international educators have been teaching online for more than a month, and we have framed these insights around the 2019 WIDA Guiding Principles of Language Development.

- Many thanks to Esther Bettney and Tan Huynh for their contributions.
- Join the conversation to share your insights and [continue the discussion online](#).

WIDA Guiding Principle 1

Multilingual learners' languages and cultures are valuable resources to be leveraged for schooling and classroom life; leveraging these assets and challenging biases help develop multilingual learners' independence and encourage their agency in learning.

- **What teachers can do:** Provide choices and multiple pathways for students that use multilingualism

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Previous Newsletters

2020

[October](#)

[September](#)

[August](#)

[July](#)

[June](#)

[May](#)

[April](#)

[Teaching Multilingual Learners Online](#) can be found at
wida.wisc.edu/memberships/isc/newsletter/teaching-multilingual-learners-online



Assessment Best Practices Documents

- [WIDA Assessment Best Practices During COVID-19](https://wida.wisc.edu/about/news/covid-19-response-and-updates)
(wida.wisc.edu/about/news/covid-19-response-and-updates)
- [Considerations ACCESS for ELLs Test Administration in 2021](http://www.cde.state.co.us/assessment/accesscovidguidance)
(www.cde.state.co.us/assessment/accesscovidguidance)

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Thank You

Please email us with any questions ~ Have a great day!



ELD Programming



School and District Obligations: ELD Programming

Notify	Notify parents of Identification, ELD programming options, and progress
Teach	Schools must explicitly teach English language to English learners using an evidence-based ELD program
Access	ELs must be able to access core content (consider challenges during remote learning)
Assess	ELP levels must be assessed annually
Identify	ELD programs must identify outcomes and performance expectations across the continuum of English language development and attainment
Provide	Provide equal opportunities to meaningfully participate in all programs (curricular, co-curricular, extra-curricular)
Develop	When developing IEPs for ELs, schools must use a robust body of evidence for IEP referral
Provide	Provide EL students with disabilities with both language assistance and disability-related services

Programs that employ specific techniques, methodologies and curriculum that explicitly teach ELs about the English language, including the academic language needed to access content instruction, and **to develop their English language proficiency** in all four language domains (i.e., speaking, listening, reading, and writing).

[OCR Developing Programs for English Language Learners: Legal Background](http://www2.ed.gov/about/offices/list/ocr/ell/legal.html)

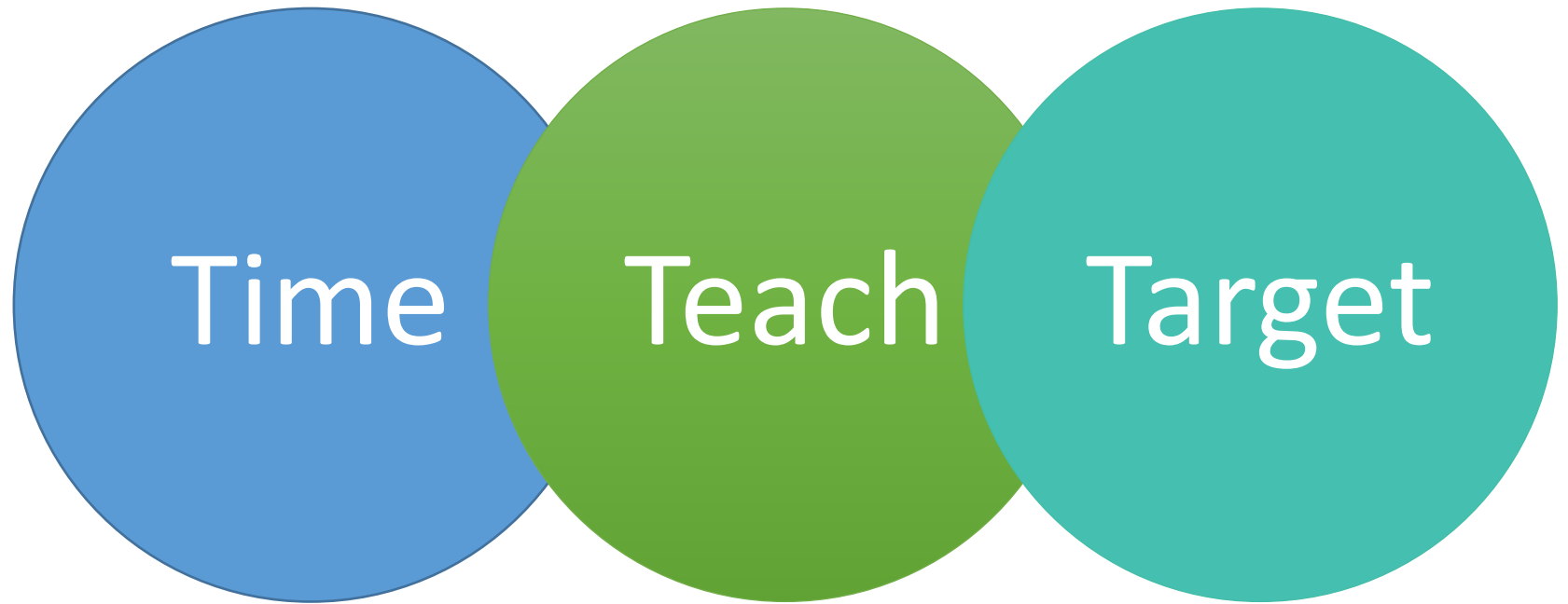
(www2.ed.gov/about/offices/list/ocr/ell/legal.html)

[U.S. Department of Education OCR Programs for English Learners](http://www2.ed.gov/about/offices/list/ocr/ell/edlite-glossary.html)

(www2.ed.gov/about/offices/list/ocr/ell/edlite-glossary.html)

To provide **dedicated** English language development instruction is to develop solid English language foundation needed to fully engage in academic and real-life situations by **increasing** student's **communicative competence** in speaking, listening, reading, writing, and thinking.

ELD Instruction Components



What ELD is.....

- Explicit language instruction
 - Differentiated based on the language proficiency levels of the students
- Dedicated and targeted time
- The objective of the lessons is centered around English language skills and development
- Aligned to CELP Standards
- Reflected in master schedule

What ELD isn't.....

- Literacy intervention
- Translated texts in content classes
- Full-day program separate from non-EL peers
- An elective
- A class that takes the place of core curriculum
- A class outside of the regularly scheduled school day

Common ELD Program Models

Two-Way
Bilingual

Late/Early Exit
Bilingual

Push-in/Pull-
Out ELD

Sheltered
Content
Courses

Co-Teaching

Newcomer
Program

ELD Program Model(s) Selection

Best Practices and Recommendations

Research/Evidence Based ELD Program



- Curriculum and Resources
- Necessary Staffing
- Professional Development
- Expected Outcomes

Identify school/Network Staff to Implement Processes



- Identification
- Assessment
- Redesignation
- Professional Development
- Observation/Evaluation of Instructional Staff

ELD Program Implementation Staffing Considerations

Provide the **staff** necessary to implement the chosen program properly within a reasonable period of time

Provide ELD and grade-level/content instructional staff (teachers, coaches, teacher assistants) **adequate training and professional development** to implement the selected ELD program(s)

Regularly and adequately **evaluate** whether content and ELD teachers have the necessary understanding and skills to meet the needs of the EL students in the selected program

ELD Plan Recommendation

Articulates programs and services in writing

Articulates expectations of district, school, individuals

Supports transparency in district and school vision and expectations

Serves as a roadmap for ELD program(s) outcomes

Guides district, school, community in implementation

Accountability at all levels

Stepping-Stone Trajectories for Attaining English Language Proficiency



Proficiency Level Trajectory	Timeline	Relation to Redesignation Eligibility Criteria
Level 1 increasing to Level 2+	1 Year	6-year timeline to achieve redesignation eligibility criteria
Level 2 increasing to Level 3+	2 Years	
Level 3 increasing to Level 4+	3 Years	
Level 4 staying at Level 4+	1 Year	If scoring at/above redesignation eligibility criteria, maintain performance level
Level 5 staying at Level 5+	1 Year	



Questions

