



Illinois State Board of Education

Professional Development Modules: English Learner Tool Kit

Chapter 1—Identification of All English Learners

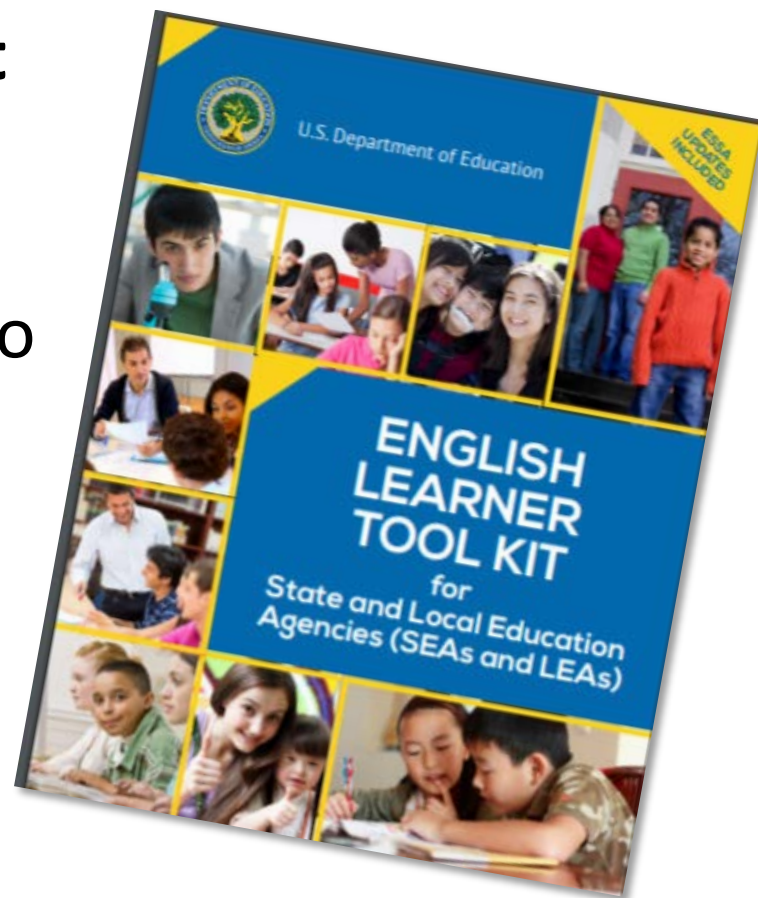
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Purpose

The **Professional Development Modules: English Learner Tool Kit** is a series of presentations intended to provide guidance to help local education leaders meet their legal obligations to English learners (ELs) and enhance existing EL practices to meet the needs of all EL students, parents, and families.





English Learner Tool Kit Topics

1. **Identifying All ELs**
2. Language Assistance Programs
3. Staffing and Supports
4. Meaningful Access
5. Inclusive Environment
6. ELs With Disabilities
7. ELs Who Opt Out of Programs
8. Monitoring and Exiting EL Programs
9. Evaluation of EL Programs
10. Ensuring Meaningful Communication With Limited-English-Proficient Parents



Significant Legal History

- [Title VI of the Civil Rights Act, 1964](#)
 - Prohibits discrimination on the grounds of race, color, or national origin by recipients of federal financial assistance.
 - The Title VI regulatory requirements have been legally interpreted to prohibit **denial of equal access to education** because of a language-minority student's limited proficiency in English.



Significant Legal History

- [Lau v. Nichols Court Case](#), 1974
 - Case dealt with San Francisco school system's failure to provide English language instruction to 1,800 students of Chinese ancestry.
 - U.S. Supreme Court unanimously ruled that a lack of supplemental instruction for ELs denies them a **meaningful** opportunity to participate in the education program, which violates the Civil Rights Act of 1964.



Significant Legal History

- [Equal Educational Opportunities Act \(EEOA\), 1974](#)
 - Prohibits states from denying equal educational opportunity to an individual on account of his or her race, color, sex, or national origin.
 - The statute specifically prohibits states from **denying equal educational** opportunity by the failure of an education agency to take appropriate action to overcome language barriers that impede equal participation by its students in its instructional programs.

“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.”

—*Justice William Douglas*





Legal Obligations

- U.S. Department of Education's Office of Civil Rights (OCR) and the U.S. Department of Justice (DOJ) share enforcement authority.
- Issued joint guidance in 2015 to help states, districts, and schools meet legal obligations to ELs.
- Guidance identifies [10 common civil rights issues for EL students](#).





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Identifying All English Learners

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English Learner Tool Kit

Chapter 1: Identifying Potential English Learners

KEY POINTS

- LEAs must identify in a timely manner EL students in need of language assistance services.
- The home language survey (HLS) is the most common tool used to identify potential ELs.
- An HLS must be administered effectively to ensure accurate results.





English Learner Tool Kit

Chapter 1: Identifying Potential English Learners

KEY POINTS:

- Local education agencies (LEAs) must identify in a timely manner EL students in need of language assistance services.
- The Home Language Survey (HLS) is the most common tool used to identify potential ELs.
- The HLS must be administered effectively to ensure accurate results.



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Illinois-Specific Guidance on Identifying All English Learners

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Two Critical Steps in the Identification of English Learners

1. Districts shall administer the HLS for every new student enrolling in a public school.
2. Districts shall administer an individual screener for English language proficiency to each student identified as a potential EL through the HLS.



Illinois Example Home Language Survey

The state requires the district to collect a Home Language Survey for every new student. This information is used to count the students whose families speak a language other than English at home. It also helps to identify the students who need to be assessed for English language proficiency. Please answer the questions below and return this survey to your child’s school.

Student name: _____

1. **Is a language other than English spoken in your home?** Yes ___ No ___

What language? _____

2. **Does your child speak a language other than English?** Yes ___ No ___

What language? _____

If the answer to either question is yes, the law requires the school to assess your child’s English language proficiency.

Parent/guardian signature

Date



Home Language Survey Process

The HLS is to be completed by the parents/guardians of all students entering a school district in a language they understand

Answer is "Yes" to either question on the HLS:
Student is a potential EL

Conduct Illinois State Board of Education (ISBE)-prescribed screener for English language proficiency and notify parents of the results within 30 days

Answer is "No" to both questions on the HLS:
Student is not a potential EL

No screening for English language proficiency required



Preschool English Proficiency Screening

- ISBE recommends the use of Ballard & Tighe's Pre-IPT Oral for assessing English language proficiency (ELP) in preschool for children ages 3 and up.
- **Preschool screening for ELP procedures:**
 - Consult **family** on child's English language experience
 - Be **culturally and linguistically** appropriate
 - Be **age and developmentally** appropriate
 - Be **research-based**
 - Include **multiple observations**
 - Use **multiple measures** and methods
 - Be conducted by **qualified staff** with background in preschool education and second-language acquisition



K–12 English Proficiency Screening

Grade	Required Screening	Domains Included	Minimum Score for English Proficiency
Kindergarten semester 1	WIDA MODEL	<ul style="list-style-type: none"> • Listening • Speaking 	5.0 oral composite
Kindergarten semester 2– first-grade semester 1	WIDA MODEL	<ul style="list-style-type: none"> • Listening • Speaking • Reading • Writing 	5.0 overall composite + 4.2 literacy
First-grade semester 2– 12th grade	WIDA Screener	<ul style="list-style-type: none"> • Listening • Speaking • Reading • Writing 	5.0 overall composite



ELP Screening Exceptions

ACCESS for ELLs results for the previous school year are available

Screening results from within the last 12 months are available

Exceptions

Student previously demonstrated proficiency on screening or ACCESS for ELLs

Student was previously not identified as an EL **and** met reading and math standards on most recent state or nationally normed assessment



After the ELP Screening



If a student meets ELP criteria on the screener, EL services/program are not required. The parents should be informed of the screening results.



Placement Notification

- Letter in English and **student's home language**
- Sent within **30 days of the beginning of the school year** or **14 days of enrollment**
- Explain how the EL program will **support the student**
- **Notification of the right to withdraw** the student from the program or choose different EL services, if offered





Pause and Reflect

- ❑ What is our district's/school's current process for identifying EL students, including preschool students?
- ❑ What is our district's/school's current process for notifying families of EL placement?
- ❑ In what ways do our processes meet all state requirements?
- ❑ Beyond the legal requirements, how might our processes be made more clear and supportive to students and families?





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Additional Resources to Consider From the English Learner Tool Kit

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Identification Tools

Home Language Survey

HLS examples help the LEA ensure that all students receive the education services they need.



Background Resources

- Fact sheet on the responsibilities of school districts
- Fact sheet answering common questions about the rights of limited-English-proficient parents and guardians
- Original OCR/DOJ guidance in the “Dear Colleague” letter
- Translations into multiple languages
- All available at:
<https://www2.ed.gov/about/offices/list/ocr/ellresources.html>
- Companion tool kit from the U.S. Department of Education’s Office of English Language Acquisition:
<https://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html>



Identification Resources

- Illinois home language survey examples and translations:
<https://www.isbe.net/Pages/English-Learners-Forms-and-Notifications.aspx>
- Illinois notification letter examples and translations:
<https://www.isbe.net/Pages/Parent-Notification-of-Enrollment-Requirements.aspx>

Further Reading

- Abedi, J. (2009). English language learners with disabilities: Classification, assessment, and accommodation issues. *Journal of Applied Testing Technology*, 10, 2. Retrieved from <http://www.testpublishers.org/assets/documents/Special%20issue%20article%202.pdf>
- Bailey, A. (2011, February). Lessons from AZ's EL identification issues: How guidance could strengthen process. *NCLB Advisor*, 5–8. Retrieved from http://eveaproject.com/doc/A%20%20Bailey%27s%20Piece%209_26_11%20SO.pdf
- Bailey, A., & Kelly, K. (2010). *ELPA validity evaluation: Creating enhanced Home Language Survey instruments*. Retrieved from <http://www.eveaproject.com/doc/HomeLanguageSurveyInstrument.pdf>