ELL Program

Mission and Vision

Creating partnerships and pathways to ensure student success

The English Language Learners Program Department works collaboratively with all stakeholders to educate, prepare, and support our diverse student population, as well as their families and communities, to thrive in our global society.
## TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>CONTENT</th>
<th>PAGES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mission and Vision</td>
<td>2</td>
</tr>
<tr>
<td>ELL Program Contact Information</td>
<td>6</td>
</tr>
<tr>
<td>SPS Enrollment Center/World Family Center</td>
<td>7</td>
</tr>
<tr>
<td>Professional Development</td>
<td>8</td>
</tr>
<tr>
<td><strong>ELL Program Information</strong></td>
<td>10</td>
</tr>
<tr>
<td>World Family Center</td>
<td>11</td>
</tr>
<tr>
<td><strong>ELL Program Models</strong></td>
<td>12</td>
</tr>
<tr>
<td>Aligned Sheltered Instruction</td>
<td>12</td>
</tr>
<tr>
<td>Collaborative Model</td>
<td>13</td>
</tr>
<tr>
<td>Newcomer Program (Bilingual Orientation Centers)</td>
<td>15</td>
</tr>
<tr>
<td>Elementary Newcomer Program</td>
<td>15</td>
</tr>
<tr>
<td>Seattle World School</td>
<td>15</td>
</tr>
<tr>
<td>Proficiency Model (Secondary)</td>
<td>16</td>
</tr>
<tr>
<td><strong>ELL and International Programs</strong></td>
<td>18</td>
</tr>
<tr>
<td>World Language Competency-Based Credit</td>
<td></td>
</tr>
<tr>
<td><strong>Migrant Education</strong></td>
<td>19</td>
</tr>
<tr>
<td><strong>Refugee School Impact Grant</strong></td>
<td>22</td>
</tr>
<tr>
<td><strong>Title III Native American Students</strong></td>
<td>25</td>
</tr>
<tr>
<td><strong>Enrolling Students</strong></td>
<td>26</td>
</tr>
<tr>
<td><strong>ELL Instructional Support</strong></td>
<td>27</td>
</tr>
<tr>
<td>Language Proficiency Levels</td>
<td>28</td>
</tr>
<tr>
<td>Instructional Implications of Language Proficiency levels</td>
<td>29</td>
</tr>
<tr>
<td><strong>Staff Roles and Responsibilities</strong></td>
<td>34</td>
</tr>
<tr>
<td>Administrators</td>
<td>34</td>
</tr>
<tr>
<td>General Education/Mainstream/Content Area Teachers</td>
<td>37</td>
</tr>
<tr>
<td>ELD Teachers</td>
<td>41</td>
</tr>
<tr>
<td>Bilingual instructional Assistants</td>
<td>46</td>
</tr>
<tr>
<td>ELL Instructional Coaches</td>
<td>51</td>
</tr>
</tbody>
</table>
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>CONTENT</th>
<th>PAGES</th>
</tr>
</thead>
<tbody>
<tr>
<td>ELL Coaching Support</td>
<td>55</td>
</tr>
<tr>
<td>Coaching Support Options</td>
<td>56</td>
</tr>
<tr>
<td>ELL Walkthrough Tool</td>
<td>57</td>
</tr>
<tr>
<td>Language-Focused Instruction Evidence Collection Tool</td>
<td>59</td>
</tr>
<tr>
<td>Bilingual IA Walkthrough Tool</td>
<td>64</td>
</tr>
<tr>
<td>Bilingual IA Communication Form</td>
<td>67</td>
</tr>
<tr>
<td>Elementary ELL Progress Report</td>
<td>68</td>
</tr>
<tr>
<td>Scheduling Template</td>
<td>69</td>
</tr>
<tr>
<td>Bilingual IA Checklist for Monitoring Student Progress</td>
<td>70</td>
</tr>
<tr>
<td>Web Resources</td>
<td>71</td>
</tr>
<tr>
<td>ELL Program Eligibility, Transfer, and Exit Criteria</td>
<td>73</td>
</tr>
<tr>
<td>ELL Compliance Guidelines</td>
<td></td>
</tr>
<tr>
<td>Eligibility and Placement</td>
<td></td>
</tr>
<tr>
<td>How is ELL eligibility determined?</td>
<td>74</td>
</tr>
<tr>
<td>What are the different categories of EL students?</td>
<td></td>
</tr>
<tr>
<td>What training is required for classroom/content area teachers with ELL students?</td>
<td>75</td>
</tr>
<tr>
<td>What are the elementary service models?</td>
<td></td>
</tr>
<tr>
<td>What are the secondary service models?</td>
<td>75</td>
</tr>
<tr>
<td>What is the role of instructional assistants in ELL service?</td>
<td></td>
</tr>
<tr>
<td>ELL Service Eligibility Process</td>
<td>76</td>
</tr>
<tr>
<td>ELL Assignment Process</td>
<td></td>
</tr>
<tr>
<td>New Student Assignment Protocol</td>
<td>77</td>
</tr>
<tr>
<td>Transfer Process to Newcomer Program (BOC)</td>
<td>77</td>
</tr>
<tr>
<td>Newcomer Program (Bilingual Orientation Centers)</td>
<td>78</td>
</tr>
<tr>
<td>Newcomer Program Eligibility</td>
<td>78</td>
</tr>
<tr>
<td>Transfer Process from Newcomer Program (BOC)</td>
<td>79</td>
</tr>
<tr>
<td>Newcomer Program Assignment Protocol</td>
<td>80</td>
</tr>
<tr>
<td>ELL Service Exit Criteria</td>
<td>81</td>
</tr>
<tr>
<td>Eligibility, Exit, Transfer FAQ</td>
<td>82</td>
</tr>
</tbody>
</table>
TABLE OF CONTENTS

CONTENT

Translation and Interpretation Services

Translation and Interpretation Guidelines
When is translation and interpretation required?
Translation Service Guidelines
Interpretation Service Guidelines
How to access and utilize interpreters for school meetings and activities
Who to Contact
Linguistica Telephone Interpreter Service
How to Pay for Translation and Interpretation Services

Appendix

Title III Native American Student Testing Parent Letter

Home Language Survey
English, Amharic, Arabic, Chinese, Korean, Oromo, Russian, Somali, Spanish, Tagalog, Tigrinya, Vietnamese

Dear Colleague Letter

Notice of Language Assistance
I. State Educational Agency and School District Obligations to EL Students
II. Common Civil Rights Issues
   A. Identifying and Assessing All Potential EL Students
   B. Providing EL Students with a Language Assistance Program
   C. Staffing and Supporting EL Programs
   D. Providing Meaningful Access to ALL Curricular and Extracurricular Programs
      1. Core Curriculum
      2. Specialized and Advanced Courses and Programs
   E. Avoiding Unnecessary Segregation of EL Students
   F. Evaluating EL Students for Special Education Services and Providing Special Education and English Language Service
      1. Individuals with Disabilities Education Act (IDEA)
      2. Section 504 of the Rehabilitation Act (Section 504)
   G. Meeting the Needs of EL Students Who Opt Out of EL Programs or Particular EL Services
   H. Monitoring and EXITing EL Students from EL Programs and Services
   I. Evaluating the Effectiveness of a District’s EL Program
   J. Ensuring Meaningful Communication with Limited English Proficient Parents

Conclusion
Michelle Ota
Program Director
mota@seattleschools.org

Phone: 252-0072  Fax: 252-0078

Mailing Address:
John Stanford Center for Educational Excellence
MS 31-676
P.O. Box 34165, Seattle, WA 98124-1165
SPS Enrollment Center

Main Phone: 206-252-0555 or 206-252-0760
Mailing Address:
John Stanford Center for Educational Excellence
MS 11-161
PO Box 34165, Seattle, WA 98124-1165

World Family Center

Main Phone: 206-252-0555
Mailing Address:
301 21st Avenue E, Seattle, WA 98112
Professional Development

Culturally and Linguistically Responsive Teaching
This 3-hour course focuses on the foundations of language acquisition and includes discussions and activities to illustrate the impact of culture and schema that students and their families carry on the students’ language use and learning in the classroom. Register on ESS.

Scaffolding Academic Language
This series of 3-hour courses focuses on academic language and includes strategies that make content comprehensible and foster meaningful interaction in the classroom, grounded on rigorous, standards-based instruction. Specific OCDE Project GLAD® strategies as well as Constructive Classroom Conversation ideas will be presented. Register on ESS.

Collaboration and Co-teaching
This 3-hour course introduces participants to various collaborative models that are proven effective in supporting the academic growth of students, especially English learners. General education teachers and ELD teachers will explore ways of co-planning and collaboratively delivering focused instruction.

Constructive Classroom Conversations (MOOC–in collaboration with Stanford University)
This 29-hour combination online and in-class course looks closely at student-to-student conversations and addresses ways to improve students' abilities to engage in the types of interactions required in the new CCSS and NGSS. It consists of in-class sessions, where participants are expected to collaborate in teams, and access to online materials, as well as complete assignments. The sessions and assignments are designed for participants who teach or have access to classrooms in which they can gather samples of students’ conversation during lessons and practice skills being learned in class. Attendance in Culturally and Linguistically Responsive Teaching and Scaffolding Academic Language is required and will be offered as pre-sessions for mainstream teachers who do not have an ELL endorsement. Register on ESS.

OCDE Project GLAD® Training - 2-Day Workshop and 4- or 5-Day Demo and Planning
This 37- to 43-hour training introduces participants to the Orange County Department of Education Project Guided Language Acquisition Design Model. Participants learn the theory and research behind Project GLAD® strategies and engage in dialogue around current pedagogy; access strategies that build academic language and literacy for all students, especially English learners, and promote an environment that respects and honors each child’s voice, personal life experiences and beliefs, and values their culture. Additionally, participants are provided follow-up workshops to support them in refining their skills in the use of the strategies, as well as in analyzing student data on literacy growth and engagement. Register on ESS.

ELL: Language Acquisition vs. Disability
This 2-hour training introduces participants on the use of the SPS ELL/Sped Matrix which is a tool for determining student needs, differentiating language acquisition/development needs from special education needs. Participants will gain experience with the ELL/Sped Matrix for differentiating language acquisition from learning disability. Register on ESS.

New ELL Teacher Orientation (required for new ELL teachers)
Completed by Instructional Coaches on an as needed basis, this short course provides the new ELL teacher background information on program compliance requirements, procedures, and Washington State ELP Standards.
Professional Development (cont'd.)

New Bilingual IA Orientation (required for new Bilingual IAs)
This short course focuses on the role of a Bilingual IA in serving the needs of English learners. It includes some strategies in supporting the academic growth of these students.

New to the Profession IA-Tutor Development Series
This series of Professional development sessions focuses on supporting new-to-the-profession Bilingual Instructional Assistants and tutors. Participants will develop knowledge, skills and abilities needed to meet district goals in serving English learners and promote their achievement.

PLC for Teachers of English Learners for Elementary, Middle School and High School Teachers (Formerly TBE Meetings)
This series of PLC meetings throughout the year focuses on topics determined by the teachers and their assigned coaches.

Supporting English Learners in the ELA Adoption (CCC)
This course provides teachers with strategies that support English learner access and engagement in the core ELA curriculum, CCC-Making Meaning.
ELL Program Information
Mission

The mission of the World Family Center is to provide and maintain a student-focused, culturally and linguistically sensitive service for bilingual students, parents, families, and the Seattle schools’ staff.

Our diverse staff interprets and translates, district-wide, for parent conferences, special education assessments, meetings, counseling support, and health services. Our team is committed to working and collaborating with parents, students, community agencies and Seattle school’s staff to help our students achieve academic and personal success.

Seattle World School

Seattle World School is Seattle Public Schools’ culturally and linguistically diverse newcomer school dedicated to supporting newcomer ELL students in an orientation setting and ELL High School students studying towards graduation. It is one of only a few schools nationwide designed as a preliminary educational portal through which immigrant children pass in their quest for academic achievement and full participation in American society.

Some of our goals are to link students and families with programs & agencies that can assist them; to counsel students in awareness of the career choices open to them, and to help them develop healthy self-esteem & positive intercultural relations.

Student Registration
- Language assessment
- Transportation information
- School/Student assignment

Translating
- District-wide information
- Promotional materials

Interpreting
- School conferences
- School interventions
- Home visits
- School public forums
- Services to community agencies

International Transcripts Evaluations
- Foreign high school transcripts

Special Education
- Student assignment support

IEP meetings
- Home visits

Discipline, Truancy, and Retention
- Program eligibility
- Student school assignment

Head Start
- Information
- Enrollment Forms

Outreach Process
- Community resources
- Parental assistance
- Parent/school participation
- Community relations
- Social services help and referrals
- Migrant education
- Seattle World School resources
- Language credit proficiency support
Aligned Sheltered Instruction

What is it?

ELD teachers align their instruction with the content/curriculum objectives being taught in the mainstream classroom. They may use supplemental materials to address these objectives.

What does it look like?

**ELD teachers may provide aligned sheltered instruction in a number of formats:**

- Teaching a small group of students in the mainstream classroom (push-in).
- ELD teacher needs to have ample space to provide instruction. Because ELD teachers emphasize language development, the group needs to be able to talk throughout the instructional period.
- Teaching a small group of students in a separate area outside the classroom (pull-out). ELD teachers who have their own rooms often will teach students in these settings so that they feel free to use instructional strategies that may interfere if used in a mainstream classroom.
- Co-teaching with a mainstream teacher (collaboration). Co-teaching requires additional co-planning time.
- Secondary only: teaching a content area class using SIOP strategies to a class with primarily ELD students.

**Instructional Assistants may provide support in a number of formats:**

- Working with a small group of ELL students or individuals in the mainstream. The instructional assistant should be given information about the lesson objectives prior to working with a group. The instructional assistant supports the student(s) in learning the objective, not necessarily in completing the assignment.

- Small group or individual tutoring of ELL students for pre-teaching, re-teaching, or clarifying, in the first language when necessary, with the lesson plan provided by a certificated teacher. These lessons must be designed by the classroom teacher and shared with the instructional assistant prior to working with the group.

What it does not look like?

- ELD teachers walking around a mainstream classroom ‘checking in’ with students. (lacks instruction)

- ELD teachers working with small groups on content or curriculum unrelated to what students are doing in the mainstream classroom. (lacks alignment)
Aligned Sheltered Instruction (cont'd.)

♦ ELD teachers expected to teach “on the fly” based on what classroom teachers decide to do.
♦ Instructional assistants creating their own lesson plans to work with groups of students.

Instructional assistants working with small groups on content or curriculum unrelated to what students are doing in the mainstream classroom. (lacks alignment)

What it needs to be successful

♦ Ongoing weekly communication including lesson objectives and materials from classroom teachers
♦ Principal support for communication and collaboration
♦ Co-planning time (for teachers interested in a collaborative/co-teaching model)

Collaborative Teaching Model

What is it?

♦ Research shows collaboration is the most effective way of teaching English language learners. Two experts are always better than one!
♦ Combines strengths in new ways to accomplish more for students
♦ Allows for:

⇒ Flexible grouping
⇒ Individualized instruction
⇒ Co-planning, co-teaching, and reflection
⇒ Another set of eyes; more informal assessments
Collaborative Teaching Model (cont'd.)

What does it look like?

♦ ELL service in the mainstream classroom through structured collaboration between the classroom/content teacher and an ELD teacher.

♦ ELD teachers collaborate with a maximum of 3 classroom/content teachers to provide appropriate language scaffolding and individualized instruction. (average 60 - 90 minutes/classroom)

♦ Using the six co-teaching models, the ELD teacher and classroom/content teacher design and deliver targeted, differentiated instruction to students. The six co-teaching models include:

  ⇒ One teach – One Assist
  ⇒ Co-teaching
  ⇒ Station Teaching
  ⇒ Parallel Teaching
  ⇒ One Teach – One Observe
  ⇒ Alternative Teaching

♦ Collaborative classrooms reserve at least half of the seats for ELL students. The rest of the classroom is a heterogeneous mix of students.

Support for Collaborative Teams

♦ Ongoing coaching support at the school for principals and teachers
Newcomer Program
(Bilingual Orientation Center)

What is it?

Seattle’s newcomer programs are designed to jump-start students new to the American school system. Students receive intensive English Language Development support while acclimating to the American culture and schools. The goal is to gain basic English proficiency and transfer at the end of one or two semesters into their neighborhood school with ELD support. SIFE (students interrupted from education) students may stay longer but must have program recommendation to Director for approval.

What does it look like?

The primary mission of the newcomer program is to:

- Maximize basic English language proficiency in a short period of time.
- Orient the students to American customs and Seattle Public Schools culture.
- Continue student growth in academic courses such as LA, math, science, and social studies.

Students receive a full day, intensive ELD instruction. Those enrolling later in the semester often continue until the end of the next semester. Recognizing that students’ learning rates vary, teachers reassess students frequently and adjust the instructional program to ensure the classes are sufficiently challenging.

Elementary Newcomer Programs

At the elementary newcomer program, students are assigned to classrooms through a combination of grade band, compatibility, and English fluency. Using Content Based ESL Instruction, students are instructed in math, reading, writing, social studies and science while participating in all other school wide activities.

Elementary newcomer programs are located at Dunlap Elementary, Hawthorne Elementary, and Northgate Elementary.

Seattle World School
(formerly the Secondary BOC)

At the Seattle World School, secondary students are assigned to English reading and writing, social studies/history, and science classes in accordance with their language proficiency levels. Math placement is in accordance to the students’ computational skills. Pedagogy is aligned to SIOP (Sheltered Instruction Observation Protocol). The Seattle World School offers 3 programs, newcomer middle school, newcomer high school and a general education high school.
Proficiency Model (Secondary Only)

What is it?

The general principle behind the proficiency model is that the higher the student’s level of English language proficiency (BICS and CALP), the more mainstream classes they will be able to take.

The proficiency model is based on systematic English Language Development instruction. According to Saunders and Goldenberg (2008):

“English language development instruction is designed specifically to advance ELLs’ knowledge and use of English in increasingly sophisticated ways. Within the context of the larger effort to help ELLs succeed in school, ELD instruction is designed to help ELLs learn and acquire English to a level of proficiency that maximizes their capacity to engage successfully in academic studies taught in English.”

What does it look like?

Students are placed into multi-grade sheltered language arts classes according to their level of proficiency in English. They take mainstream courses which increase in language demand as they progress from beginning to advanced levels of proficiency according to the ELD standards and/or ELPA21.

- This allows teachers to address the specific language needs of the students while providing grade-level standards-based instruction.
- The classes follow the scope and sequence of language skills and include substantive practice to ensure students develop fluency and accuracy.
- Instruction includes comprehensible input of vocabulary and grammatical structures and patterns, which starts with extensive modeling and practice till mastery is achieved.

Sample Schedule for Secondary Students

<table>
<thead>
<tr>
<th>Level</th>
<th>LA</th>
<th>LA</th>
<th>SS</th>
<th>Science</th>
<th>Math</th>
<th>Elective</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>ELL Reading</td>
<td>ELL Writing</td>
<td>ELL SS</td>
<td>ELL Science</td>
<td>(ELL) Math</td>
<td>Elective</td>
</tr>
<tr>
<td>2</td>
<td>ELL Reading</td>
<td>ELL Writing</td>
<td>ELL SS</td>
<td>Science</td>
<td>Math</td>
<td>Elective</td>
</tr>
<tr>
<td>3</td>
<td>ELL Reading</td>
<td>ELL Writing</td>
<td>SS</td>
<td>Science</td>
<td>Math</td>
<td>Elective</td>
</tr>
<tr>
<td>4</td>
<td>Reading</td>
<td>Writing</td>
<td>SS</td>
<td>Science</td>
<td>Math</td>
<td>Elective</td>
</tr>
</tbody>
</table>
Proficiency Model (cont'd.)

LEVEL 1

Students will attend sheltered classes with literacy across the curriculum stressed. Students will be mainstreamed into at least one non-language intensive elective (art, PE, etc.).

LEVEL 2

Students will attend at least 2 sheltered classes with literacy skills stressed. They may be mainstreamed for some of their content area classes (math, science).

As students progress from lower intermediate to higher intermediate, they will be introduced to an increasing number of mainstream classes which are non-language intensive* (math and science)

LEVEL 3

Students are mainstreamed into every class except for language arts.

LEVELS 4 and 5

Students are mainstreamed completely.

After the student has reached level 4 and is mainstreamed, he or she will receive continued crucial support from the department in the following way:

♦ A certificated staff and a classified staff will become an advisor to the student
♦ Progress will be monitored
♦ Periodic check ins with mainstream teachers
World Language Competency-Based Credit

In spring 2011, Seattle Public Schools adopted a policy and procedure for assessing language proficiency and granting competency-based credits for World Languages. If a student can speak, read, and write a language other than English, then they might want to consider participating in this program. Students may be able to earn from 1-4 high school world language credits. These credits can help meet high school graduation requirements for elective credits and 4-year college admissions requirements for world (foreign) languages.

First, students will be asked to complete a self-assessment to see what level of proficiency they can demonstrate in reading, writing, speaking and listening. Depending on their self-assessment, a student may then take an external assessment to determine their proficiency. It may be on the computer, over the phone and/or through an evaluation of evidence collected in their self-assessment. All assessments will be based on proficiency guidelines from the American Council on the Teaching of Foreign Languages (ACTFL). Credit will be granted if students meet the following levels of proficiency:

- Novice Mid - 1 credit
- Novice High - 2 credits
- Intermediate Low - 3 credits
- Intermediate Mid - 4 credits

Credit will appear on the transcript with a “P” for pass as the grade mark.

Through this process, Seattle Public Schools recognizes and values the language skills students develop in their homes, their community, and previous places they have lived. However, please note that students are also encouraged to continue studying languages after they earn competency-based credits. Language is rich and complex, and the more students know, the stronger they will be. Families are encouraged to seek out further language learning opportunities in the school and beyond.

To learn more about this opportunity please visit:

https://sites.google.com/site/worldlanguagecredits/home

206-252-0691
What is it?

Migrant Education is a federal program (Title I, Part C) that provides funds to local education agencies and public schools to support the unique educational and health needs of Washington’s migrant students. The Migrant Education Program is a set of education-related services for children of migrant families working in Washington State.

Educational Needs of Migrant Students

Migrant students suffer the wrenching effects of dislocation and immersion of new surroundings. Their education is constantly disrupted at critical stages, and schools standards and curriculum do not match well across state lines.

Many migrant students are Hispanic, first and second generation Mexican-Americans. Native Americans can also be identified as migrant students. Eligible students are children from ages 0 to 21 who have moved on their own or with their parents within the past three years to seek or obtain temporary or seasonal work as a principle means of livelihood in activities related to: agriculture, packing/warehouse, forestry, dairy farming, poultry farming, commercial fishing, beef industry and/or shellfish industry.

Additionally, the cumulative effects of poverty, economic pressures, and continuing exposure to health hazards affect migrant students. Many of our migrant children do not have any health care insurance.

Goals

The goal of the Migrant Education Program is to ensure that all migrant students reach challenging academic standards and graduate with a high school diploma (or complete a GED) that prepares them for responsible citizenship, further learning, and productive employment.
Migrant Education Seven Areas of Concern

1. **Educational Continuity**

Because migrant students often are forced to move during the regular school year, students tend to experience a lack of educational continuity. Migrant students experience differences in curriculum, academic standards, homework policies and classroom routines.

2. **Instructional Time**

Mobility impacts the amount of time students spend in class and their attendance patterns. Such decreases in the time students spend engaged in learning leads to lower levels of achievement. Ways to ameliorate the impact of family and mobility and delays in enrollment procedures are essential.

3. **School Engagement**

Migrant students are frequently faced with adjustments to new school setting, making new friends, and social acceptance challenges, which are generally grouped as behavioral, emotional and cognitive.

4. **English Language Development**

English Language Development (ELD) is critical for academic success. In the school setting, ELD focuses on the literacy skills applicable to content area learning.

5. **Educational Support in the Home**

Home environment is often associated with a child's success in school. Many migrant parents value education for their children. However, they may not always know how to support their children. Efforts to inform families are crucial.

6. **Health**

Good Health is a basic need that migrant students often do not attain. They are at greater risk. They are more likely to be uninsured and have difficulties with health care access.

7. **Access to Services**

Since migrant families are not viewed as permanent residents, services become more difficult to obtain.
Services Provided by the Migrant Education program

- supplemental academic programs to assist in the achievement of state academic standards
- instructional training
- health programs
- preschool programs (readiness, transitioning to elementary education)
- family home visiting/ and academic counseling services
- parental involvement
- migrant student data collection
- student leadership opportunities
- summer schools programs (when possible)
- secondary credit accrual and exchange
What is it?

Seattle Public Schools is participating in the federal Refugee School Impact Grant for over 10 years. The purpose of Refugee School Impact Grant (RSIG) funding is to support local school systems that are impacted by significant numbers of newly arrived refugee children (ages 5 to 21 and in the country three years or less) by improving students’ academic performance and social adjustment to schools. In partnership with community based organizations, we currently serve over 50 refugee students and their families. Based on data reflecting student home language and their date of entry into the U.S., there are currently over 100 refugee and immigrant students in the Seattle Public School District.

Our Partner Community Based Organizations

♦ Coalition for Refugees from Burma

Goals

♦ Ensure refugee students’ high academic performance and successful school integration.

♦ Strengthen the skills, knowledge, and competence of refugee parents, schools, and community-based organizations for the benefit of refugee students.
Goal-oriented Activities

For Students:

- Provide activities that increase English proficiency and literacy skills.
- Offer tutorial support to help students understand and complete assignments.
- Provide additional content/academic support.
- Implement programs that orientate students to schools or promote school readiness (e.g. teaching life skills, study skills and school navigation skills).
- Advocate for peer mentors for new arrival refugee students.
- Directly support high school completion through credit retrieval programs or supports for Collection of Evidence, High School and Beyond Plans, and culminating projects.
- Promote high school graduation through programs that develop vocational skills.
- Promote career and post-secondary exploration, or offer internships.
- Employ intervention strategies to monitor students’ academic and social integration progress.

For Families:

- Implement parent/family engagement activities.
- Increase parent/family participation in schools with integrated social and cultural activities.
- Offer interpreter services for parent/teacher meetings and conferences.
- Teach parents how to navigate school system.
- Develop materials to orientate families to school systems.
- Hire liaisons to facilitate home-school communication.
Goal-oriented Activities

**For Community Based Organizations:**

- Increase academic tutoring skills of community-based organization staff.
- Train community-based organization staff on district curriculum.
- Increase access for community-based organization staff to attend school district trainings.

**For Seattle Public Schools:**

- Offer opportunities for school staff to engage in authentic refugee experiences and events. Provide refugee cultural competency training for school staff.
- Provide information about refugee groups to school personnel.
- Train school personnel on creating welcoming environments for refugee families.

**For All:**

- Create mechanisms for problem-solving between parents and schools.
- Facilitate communications between classroom teachers and community-based organization staff to align school and after school supports.
- Provide workshops for parents or community-based organization staff on topics such as: schools’ expectations of parents, school systems, policies and practices, and high school graduation requirements.
Native American students who are identified as "at risk" through their reading MAP SBA scores take the ELPA21 Placement Test. Students who score a Level 1, 2, or 3 on the ELPA21 are eligible to receive Title III funding for professional development of teachers and support materials for eligible students.

These students will show up on ELL eligible Power School reports as English speakers. Native students who qualify for Title III, however, will not receive services through the ELL department. Title III support will be provided through the Native American Education department. For more information contact the Native American Education Program Manager (206)252-0948.

See page ii for parent letter explaining the process of using the annual test for ELL students to qualify Native American students for Title III funding and services.
Registering a student for neighborhood schools

Families will need to provide the following forms and documents to register for their attendance area school.

ADMISSION (REGISTRATION) FORM
Complete all information and sign the form. Attach any court documents relating to guardianship or a parenting plan, if applicable.

CERTIFICATE OF IMMUNIZATION STATUS (CIS)
The State of Washington requires that families use the official CIS form, which must be signed by the parent/guardian.

SPECIAL EDUCATION FORM
For students who have an Individual Education Plan (IEP).

PHOTO ID OF THE PARENT/GUARDIAN REGISTERING THE STUDENT
If faxing a photo I.D., please be sure it will be legible by making a light copy first and then faxing the copy.

TWO ADDRESS VERIFICATION DOCUMENTS
Must contain the parent's name and be dated within the past eight weeks. Examples include current telephone, utility or cable bills; mortgage information; insurance documents; or documents from public agencies, such as courts or DSHS. With a lease for a new address, families will be required to provide additional address verification documents in 4 to 6 weeks.

BIRTH CERTIFICATE (OR SIMILAR DOCUMENT, SUCH AS A PASSPORT) FOR PRE-K, KINDERGARTEN AND 1ST GRADE ONLY.

Contact:

Email
servicecenter@seattleschools.org

Mail
SPS Service Center MS 11-174
Seattle Public Schools PO Box 34165
Seattle, WA 98124-1165

In Person
8:30-4:00 Monday-Friday Seattle Public Schools
John Stanford Center for Educational Excellence
2445 3rd Avenue South (3rd and Lander)
Seattle, WA 98134

For enrollment forms and further information visit:
Determining Language Proficiency Levels
(from Washington State Office of Superintendent of Public Instruction)

All students whose response to the questions on the Home Language Survey is a language other than English must be given the English Language Proficiency Assessment for the 21st Century (ELPA21) Screener.

Every student in Grades K through 12 who has qualified for English Language Development (ELD) services in the State Transitional Bilingual Instructional Program (STBIP) takes the Annual English Language Proficiency Assessment for the 21st Century (ELPA21). Native American students in a Title III program also take the Annual ELPA21, as do students in private schools that accept ELD services. Districts working in partnership with the Office for Civil Rights may be required to assess selected students with the Annual ELPA21. Results of the Annual ELPA21 typically come out in May.

The ELPA21 Annual Test consists of four subtests:
- Listening
- Reading
- Writing
- Speaking

The ELPA21 uses five performance levels in each of the four domains (Listening, Reading, Writing, Speaking):

(L1) Beginning       (L2) Early Intermediate       (L3) Intermediate       (L4) Early Advanced*   (L5) Advanced*

OSPI has established three categories of proficiency status for ELPA21:

Proficient*: Performance Levels ≥ 4 in all domains

Progressing: Performance Levels fall between the criteria for Proficient and Emerging

Emerging: Performance Levels ≤ 2 in all domains

WELPA is the assessment that predates the ELPA21. The WELPA used only four levels of language proficiency:

(L1) Beginning       (L2) Intermediate       (L3) Advanced       (L4) Transitional*

*Students attaining this level/status exit the ELL program. Federal law requires exited students to be monitored by the ELL department for two years after they exit the program.
Instructional Implications

Students require different amounts of support and scaffolding depending on their language proficiency/performance level. The intention of the information below is to summarize the different performance levels in order to help teachers differentiate instruction and set appropriate learning targets for the bilingual students in their classrooms. *

<table>
<thead>
<tr>
<th>Level</th>
<th>Modality</th>
<th>Domain</th>
<th>Selected Language Practices Identified in the CCSS and NGSS (Student Performance Characteristics)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>Construct Explanations</strong> (ELA, Math, Science)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>Argue from Evidence</strong> (ELA, Math, Science)</td>
</tr>
</tbody>
</table>
| Level 1 | Oral     | LISTENING | • Can begin to guess intelligently at topic.  
• Continues to listen past frustration to make sense of incoming speech | • Can comprehend that speakers disagree by relying on his/her experience in L1 interaction. |
|        |          | SPEAKING | • Can respond to choice questions in which an explanation is presented. | • Can begin to express agreement or disagreement with gestures, basic utterances, memorized chunks, L1, and intonation. |
|        |          | READING | • Can guess intelligently at the topic of written explanations when these are accompanied by illustrations. (K-3)  
• Can identify, follow, and partially comprehend explanatory statements in a text if made aware of the structure of these texts and the markers that characterize explanations (such as causal connectors). (9-12) | • No examples of this practice (K-3)  
• Can identify statements or segments of a text that provide arguments (9-12) |
|        |          | WRITING | • Can reproduce drawings or diagrams of known items or ideas used in class that explain how something works. (K-3)  
• Given a clear example, students can use causes and reasons to explain in writing why something is the case or happened (9-12) | • No examples of this practice (K-3)  
• Can describe an argument by drawing and labeling (9-12) |

**Scaffolding:** Pedagogically, a scaffold is the support offered students so that they can successfully engage in activity beyond their current ability to perform independently. Specific scaffolds temporarily support the development of understandings, as well as disciplinary (and language) practices. Once development takes place, scaffolds are removed and new ones are erected to support new needed developmental work. There are two aspects of pedagogical scaffolding: structure and process.
Instructional Implications

Students require different amounts of support and scaffolding depending on their language proficiency/performance level. The intention of the information below is to summarize the different performance levels in order to help teachers differentiate instruction and set appropriate learning targets for the bilingual students in their classrooms.*

<table>
<thead>
<tr>
<th>Level</th>
<th>Modality</th>
<th>Domain</th>
<th>Selected Language Practices Identified in the CCSS and NGSS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>Construct Explanations</strong> (ELA, Math, Science)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>Argue from Evidence</strong></td>
</tr>
<tr>
<td>Oral</td>
<td>LISTENING</td>
<td></td>
<td>• Can comprehend most teacher explanations if supported by gestures, illustrations, and other scaffolds. (K-3)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• Can understand a speaker’s explanation of ideas, actions, or processes in topics that are known without prior examples (9-12)</td>
</tr>
<tr>
<td>Level 2</td>
<td>SPEAKING</td>
<td></td>
<td>• Can ask questions for clarification about others’ arguments. Can draw from and build upon segments of others’ arguments. (K-3)</td>
</tr>
<tr>
<td>Written</td>
<td></td>
<td></td>
<td>• Can use examples, gestures, pictures, memorized language chunks, and basic language structures (I think xxx) as well as some L1 to make an argument related to subject matter, including claims and reasons/supporting evidence. (9-12)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• Can comprehend written explanations when he/she has knowledge about the topic and can draw from images.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• Are able to relate their understanding to others in their L1.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• Can comprehend written arguments he/she reads when he/she has relevant background knowledge and can draw from accompanying images to support comprehension. May miss details related to reasons/evidence. (9-12)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• Can identify argument and evidence given in a text if provided with support and examples. (K-3)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• Can draw from and build upon basic illustrated written explanations</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• Can plan and express in writing, with the help of relevant examples, explanatory texts about known topics, using appropriate connecting words and phrases. (9-12)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• Can draw from and build upon written arguments and statements presenting evidence if provided with examples. Or model texts.</td>
</tr>
</tbody>
</table>
### Instructional Implications

Students require different amounts of support and scaffolding depending on their language proficiency/performance level. The intention of the information below is to summarize the different performance levels in order to help teachers differentiate instruction and set appropriate learning targets for the bilingual students in their classrooms.

<table>
<thead>
<tr>
<th>Level 3</th>
<th>Modality</th>
<th>Domain</th>
<th>Selected Language Practices Identified in the CCSS and NGSS (Student Performance Characteristics)</th>
</tr>
</thead>
</table>
|         | Oral     | LISTENING | • Can comprehend almost all key points of teacher explanations that are not supported by gestures or other scaffolds.  
• Can comprehend almost all points of disagreement in a discussion. Can distinguish arguments not supported by evidence. (K-3)  
• Can understand teacher and some peer arguments about subject matter if supported by gestures, illustrations, background knowledge, and other scaffolds. (9-12) |
|         | Written  | SPEAKING | • Can draw from and build upon explanations produced by other students, using appropriate disciplinary terminology.  
• Can draw from and build upon others’ arguments and statements that provide evidence using gestures, pictures, memorized language chunks and other communicative strategies. |
|         | Written  | READING | • Can comprehend written explanations of topics covered in class. Will rely less on illustrations. (K-3)  
• Can understand written explanations about unknown topics with appropriate scaffolding. Can relate their understanding to others mostly in English. (9-12)  
• Can comprehend arguments and identify evidence in age-appropriate written texts on topics covered in class or when s/he has relevant background knowledge. Will rely to some degree on illustrations and other graphic materials. |
|         | Written  | WRITING | • Can produce written explanations of processes with the support of examples, can begin to rely less on illustrations.  
• Can write out the arguments and supporting evidence he/she can produce orally. Can continue to draw from and build upon examples. (K-3)  
• Using a model text can create an original argument about a related topic including claims, reasons/evidence, and counterclaims and using developing English. (9-12) |
Instructional Implications

Students require different amounts of support and scaffolding depending on their language proficiency/performance level. The intention of the information below is to summarize the different performance levels in order to help teachers differentiate instruction and set appropriate learning targets for the bilingual students in their classrooms.

<table>
<thead>
<tr>
<th>Level</th>
<th>Modality</th>
<th>Domain</th>
<th>Construct Explanations (ELA, Math, Science)</th>
<th>Argue from Evidence (ELA, Math, Science)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Level 4</td>
<td>Oral</td>
<td>LISTENING</td>
<td>• Can comprehend key points of teacher explanations that are not supported by gestures or scaffold.</td>
<td>• Can comprehend key points of disagreement in a discussion. Can distinguish arguments not supported by evidence.</td>
</tr>
<tr>
<td>Written</td>
<td>SPEAKING</td>
<td>• Can draw from and build upon explanations produced by other students, using specific disciplinary terminology.</td>
<td>• Can draw from and build upon others’ arguments and statements that provide evidence using a variety of language structures and other communicative strategies.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>READING</td>
<td>• Can comprehend written explanations of topics covered in class, relying more on text structure than on illustrations.</td>
<td>• Can comprehend arguments and identify evidence in age-appropriate written texts on topics covered in class, beginning to rely on both text structure and illustrations/graphic materials.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>WRITING</td>
<td>• Can produce written explanations of processes with less support of examples, can rely less on illustrations.</td>
<td>• Can write out the arguments and supporting evidence s/he can produce orally. Can begin to come up with original ideas for his/her arguments and evidence, relying less on examples.</td>
<td></td>
</tr>
</tbody>
</table>

**Scaffolding:** Pedagogically, a scaffold is the support offered students so that they can successfully engage in activity beyond their current ability to perform independently. Specific scaffolds temporarily support the development of understandings, as well as disciplinary (and language) practices. Once development takes place, scaffolds are removed and new ones are erected to support new needed developmental work. There are two aspects of pedagogical scaffolding: structure and process.
Instructional Implications

Students require different amounts of support and scaffolding depending on their language proficiency/performance level. The intention of the information below is to summarize the different performance levels in order to help teachers differentiate instruction and set appropriate learning targets for the bilingual students in their classrooms. *

<table>
<thead>
<tr>
<th>Level</th>
<th>Modality</th>
<th>Domain</th>
<th>Selected Language Practices Identified in the CCSS and NGSS (Student Performance Characteristics)</th>
<th>Construct Explanations (ELA, Math, Science)</th>
<th>Argue from Evidence (ELA, Math, Science)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Level 5</td>
<td>Oral</td>
<td>LISTENING</td>
<td>• Can comprehend teacher explanations that are not supported by gestures or scaffold.</td>
<td>• Can comprehend disagreement in a discussion. Can identify and arguments and supporting evidence.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>SPEAKING</td>
<td>• Can draw from and build upon explanations produced by other students, using specific disciplinary terminology. Can extend ideas being discussed.</td>
<td>• Can draw from and build upon others’ arguments and statements that provide evidence using a variety of language structures and other communicative strategies. Can offer original arguments with supporting evidence.</td>
<td></td>
</tr>
<tr>
<td>Written</td>
<td></td>
<td>READING</td>
<td>• Can comprehend written explanations of topics covered in class, relying more on text structure than on illustrations. Can comprehend texts related to topics covered in class.</td>
<td>• Can comprehend arguments and identify evidence in age-appropriate written texts on topics covered in class, relying on text structure, illustrations/graphic materials, and other text features.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>WRITING</td>
<td>• Can produce written explanations of processes based solely on directions, relying less on illustrations.</td>
<td>• Can write out the arguments and supporting evidence s/he can produce orally. Can come up with original ideas for his/her arguments and evidence, relying less on examples.</td>
<td></td>
</tr>
</tbody>
</table>

Roles and Responsibilities for Building Administrators

Collaboration is a three way process among ELD teachers, IAs and content area/classroom teachers or departments, supported by building administrators. Collaboration means communication with an instructional focus, providing formal and informal data, sharing ELD strategies, and communicating needs and concerns. The purpose of collaboration is to align instruction with mainstream curriculum and content standards. This collaboration is intended to integrate the four strands of language development (listening, speaking, reading, and writing) into content instruction.

To support COLLABORATION, administrators should:

♦ allow time and support formalized structures for collaboration and communication focused on instruction between ELD and mainstream teachers.

♦ attend collaboration meetings to check on student progress and monitor the outcomes of collaboration.

♦ require periodic communication and meetings between IAs and ELD teachers (such as department meetings). Administrators may request copies of meeting notes or communications.

♦ meet regularly with central bilingual coaches to discuss responsibilities. Regular meetings with coaches and/or department heads to discuss instruction, curriculum alignment, assessment and student needs.

♦ assist/support communication for transitions (ELD teachers exchange files and data and dialogue about students leaving BOCs, ELD teachers attend annual risers meeting, accessing the bilingual Power Schools page).

♦ include the IA as part of the bilingual team in building and site activities (MTSS, IEP meetings), as appropriate.

To support effective INSTRUCTION, administrators should:

♦ ensure IAs are in the mainstream classroom for the majority of their day, providing academic support to students with the ELL students having priority support.

♦ support training on differentiated instruction to meet the needs of ELLs for the whole staff. Training would include IAs.

♦ ensure that ELL student needs are included and articulated in C-SIP goals.
Roles and Responsibilities for Building Administrators (cont'd.)

To support effective and efficient ASSESSMENT practices, administrators should:

- discuss the results of assessments with bilingual coaches.
- provide resources to schedule ELPA21 to ensure that the appropriate administration of the ELPA21 occurs (i.e. building test coordinator or counseling department). Administrators may contact Miguel Castro (Data Analyst) with questions about ELPA21.
- require ELD teachers to complete the ELD progress reports and monitor for compliance. At report card time, administrators verify the use of progress reports. (Elementary only)
- create structures to support the use of formative assessment data to inform instruction for all teachers.
- use the district developed ELL Walkthrough Tool and/or Bilingual IA Walkthrough Tool
- ensure that all standardized testing (i.e. SBA, EOC & PSAT) for ELL students occurs in a fair and equitable manner in compliance with test rules and accommodations.

To ensure appropriate SERVICE SCHEDULES, administrators should:

- ensure scheduling is based on student needs.
- monitor compliance with the building's ELD service schedule.
- monitor the time IAs spend out of the classroom for translations to ensure that IA's are not pulled out of the classroom for translations during instructional time, except for interpretation in urgent situations. The first and last half hour of the IA's days are often reserved for translations, interpretation, and collaboration. Possible other support for translation, early release days and PLC.
- ensure the regularly scheduled supervisory duties of IA's are equitable to those of other instructional assistants responsible for supervisory duties. Administrators ensure supervision duties do not interfere with the bilingual instructional assistant’s primary responsibility of providing academic support to ELL students.

Secondary Scheduling:

Once EDGE/INSIDE training completed: Administrators ensure that the bilingual department heads and the counselors use assessment data to schedule students into appropriate proficiency level classes.

Administrators have the final say in all student scheduling decisions.
Roles and Responsibilities for Building Administrators (cont'd.)

Other Responsibilities of Administrators:

♦ monitor and approve the use of bilingual funds and seek input from the ELL staff regarding these funds.

♦ communicate with central office bilingual staff.

♦ monitor mandatory attendance of IA's and ELD teachers at professional developments.

♦ ensure IA's have access to a computer for email and translations.

♦ ensure that evaluation of ELD teachers and IAs follows collective bargaining agreements.

♦ complete the Bilingual Education Services School Plan (in the gold budgeting book) annually in collaboration with ELD teachers and/or department head. The school plan must be submitted to the ELL Program Director.

In providing PROFESSIONAL DEVELOPMENT opportunities, administrators:

♦ can only require IA's to attend meetings and professional development opportunities during their contracted hours.

♦ should provide professional development opportunities based on the C-SIP goals which incorporate the instructional needs of English language learners (in collaboration with district coaches) in building PDs.

♦ should encourage participation of general education staff in workshops on ELL instruction.

♦ should release IAs and elementary ELD teachers to attend mandatory centrally-offered trainings.

♦ should mutually agree upon the use of the IAs and professional development days with each IA.

To support CULTURALLY AND LINGUISTICALLY DIVERSE FAMILIES, administrators should:

♦ employ hiring practices for office staff considering cultural sensitivity.

♦ monitor time IAs are out of classroom for translations and interpretations, ensuring that the IA's primary responsibility is instructional support for ELLs.

♦ participate in parent meetings for ELL students, as needed.

♦ participate in family and community engagement activities.
Roles and Responsibilities for General Ed/Mainstream/Content Area Teachers

Collaboration is a three way process among ELD teachers, IAs and content area/classroom teachers or departments, supported by building administrators. Collaboration means communication with an instructional focus, providing formal and informal data, sharing ELD strategies, and communicating needs and concerns. The purpose of collaboration is to align instruction with mainstream curriculum and content standards. This collaboration is intended to integrate the four strands of language development (listening, speaking, reading, and writing) into content instruction.

To enhance COLLABORATION, general ed/mainstream/content area teachers should:

- collaborate among all instructional staff in order to integrate the four strands of language development (listening, speaking, reading, and writing) into content instruction.
- provide regular communication (outline, objectives) with ELL teachers and IAs.
- co-plan and/or co-teach with ELD teachers.
- exchange resources with ELL staff.
- share information pertaining to students (current, waived, and exited ELLs).
- provide available resources for IAs.
- share scaffolding ideas and instructional strategies with IAs.
- utilize the skills and expertise of IAs to provide targeted instruction for eligible students.
- approve IA created materials or instructional modifications.
- ask for support from ELL coaches, as needed.
- utilize resources, such as professional development, provided by coaches.
- be aware of, search out, and utilize information about transitioning students (from the Seattle World School to Ballard, for example) and provide data and information when a student transitions from their classroom to another.
Roles and Responsibilities for General Ed/Mainstream/Content Area Teachers (cont'd.)

To support effective INSTRUCTION, general ed/mainstream/content area teachers should:

- align instruction with district adopted curriculum standards and content.
- use ELD Standards and Proficiency Levels to differentiate their instruction using these when possible. Available online at: http://www.k12.wa.us/migrantbilingual/pubdocs/ELP/WA-ELP-Standards-K12.pdf
- encompasses all four strands of language development – listening, speaking, reading, and writing.
- be responsible for all instruction of exited and waived ELLs, as these students can not be served by the ELD department.
- use both general education materials and appropriate supplemental materials intended to scaffold the district adopted curriculum.

To support effective and efficient ASSESSMENT practices, general ed/mainstream/content area teachers should:

- be responsible for communicating with ELD teachers and IAs regarding state test support.
- use IAs to support assessments during the IAs regularly scheduled time.
- cooperate with IA’s in monitoring progress for eligible students they serve.
- access assessment information from PowerTeacher, Homeroom, or the Source when they receive new ELL students.
- require students to demonstrate their content knowledge according to their proficiency levels.
- provide input to ELD teachers to fill out the ELD progress reports. Classroom teachers should send home the ELD progress report with the report card. They may make a copy of it to put in student files. (Elementary)
- get data about students from the sheltered instruction classes they are in, or have been in. (Secondary)
Roles and Responsibilities for General Ed/Mainstream/Content Area Teachers (cont'd.)

To ensure appropriate SERVICE SCHEDULES, general ed/mainstream/content area teachers should

♦ work with ELD teachers to see that students are served according to proficiency level.

♦ communicate with ELD and Special Education teachers to ensure students who are SPED/ELL are being served by both programs.

♦ collaborate with ELD teachers about scheduling of state and district assessments, cultural events, team meetings, parent conferences, and/or field trips for ELL students.

♦ request IA support from the ELD department head. (Secondary)

Other Responsibilities of Elementary General Ed/Mainstream/Content Area Teachers:

♦ attend SIT, MDT, IEP, MTSS, and academic team meetings for bilingual students.

♦ committee membership, team representation, and school duties that are proportionate with ELD teachers'.

Other Responsibilities of Secondary Department Heads:

♦ attempt to resolve concerns regarding ELD department. If the issue is not resolved, concerns are reported to administration.

♦ collaborate with content area department heads to resolve recommendations of classroom teachers regarding transitioning ELL students into appropriate classes.

♦ attend SIT, MDT, IEP, MTSS, and academic team meetings for bilingual students, when necessary.

In engaging in PROFESSIONAL DEVELOPMENT, general ed/mainstream/content area teachers:

♦ are encouraged to take Teaching Academic Language Learners, Parts 1 and 2 or demonstrate proficiency in basic ELL pedagogy (through ESL endorsement classes, other professional development).

♦ may attend pertinent training regarding the needs of ELL students.

♦ may work on developing a unified curriculum /curriculum alignment with ELD, where applicable.
Roles and Responsibilities for General Ed/Mainstream/Content Area Teachers (cont’d.)

To support CULTURALLY AND LINGUISTICALLY DIVERSE FAMILIES, general ed/mainstream/content area teachers should:

♦ provide clear communication with families about student programs and progress.

♦ Potential resources for translation and interpretation include: Language Line and Red Cross.) May use telephonic support if in-person interpretation is not possible.

♦ request the assistance of IA’s to interpret, as needed, consistent with IA roles and responsibilities. Any requests for IA support after the work day requires principal approval for IA extra time will come out of building translation budget. Please provide advanced notice.

♦ be responsible for the same parent meetings as ELD educators, when appropriate.

♦ make attempts to provide interpreters for parent/teacher conferences with regard to parent preference. (See Translation and Interpretation Guidelines on p. 76)

♦ advocate for students and their families. This may include contacting community based organizations or working with the school’s family support worker.

General Ed/mainstream/content area teachers are not responsible for:

♦ administrative supervision of IAs. Classroom teachers communicate concerns about IAs first directly with the IA, followed by a notification of the principal or department head.

♦ administering ELPA21.

♦ the responsibilities of a family support worker.
Roles and Responsibilities for ELD Teachers

Collaboration is a three way process among ELD teachers, IAs and content area/classroom teachers or departments, supported by building administrators. Collaboration means communication with an instructional focus, providing formal and informal data, sharing ELD strategies, and communicating needs and concerns. The purpose of collaboration is to align instruction with mainstream curriculum and content standards. This collaboration is intended to integrate the four strands of language development (listening, speaking, reading, and writing) into content instruction.

To enhance COLLABORATION, ELD teachers should:

- share scaffolding ideas with IAs and content area/classroom teachers.
- provide regular communication (outline, objectives) to IAs, team leaders, and instructional council as needed.
- collaborate/communicate when students are transitioning from schools or programs. When students leave the Seattle World School or EB OC, transition into middle school, or transition into high school ELD teachers from each school should collaborate with each other. (See definition for collaboration above). Bilingual coaches and administrators will assist in scheduling time for collaboration.
- share information on incoming bilingual students with classroom/content teachers, including students’ proficiency levels.
- collaborate with principals to provide input regarding the compliant use of bilingual funding.
- provide classroom/content teachers with updated lists of eligible students, waived students, and exited students as needed.
- discuss the academic needs and concerns about waived or exited students with classroom/content teachers.
- provide resources and strategies to classroom/content teachers to work with waived or exited students.
Roles and Responsibilities for ELD Teachers (cont'd.)

To support effective INSTRUCTION, ELD teachers should

- align instruction with district adopted curriculum standards and content.
- use ELD Standards and Proficiency Levels and differentiate their instruction.
- deliver instruction that encompasses all four strands of language development – listening, speaking, reading, and writing. This includes secondary ELD Content classes.
- use both general education materials and appropriate supplemental materials intended to scaffold the district adopted curriculum.
- at the elementary level: offer supplemental instruction. Their instruction may not supplant the instruction of the classroom teacher. Supplanting means the ELD teacher delivers all of the instruction in one of the core content areas (reading, writing, mathematics) for ELL students. Students must receive a portion of instruction for each core content area from the classroom teacher.

To support effective and efficient ASSESSMENT practices, ELD teachers should:

- be responsible for giving all parts of ELPA21 and providing MSP/HSPE support
  - Secondary: The ELD department head coordinates with the counseling department or assessment coordinator to schedule and proctor the ELPA21.
  - Department heads partner with counseling staff on assessments (i.e. - proctoring ELPA21 and MSP/HSPE).
- assess students in the sheltered instruction classes they teach (may include DRA, TC, F&P, running records etc.).
- monitor exited students for two years. This means that ELD teachers share the list of transitional students with administrators and staff to ensure that these students are considered for extra support and intervention.
- access and download ESIS bilingual eligibility report monthly. They share the report with IA's and classroom/content area teachers when there are changes.
- assess and communicate student progress in English language acquisition to content area/classroom teachers.
  - Elementary ELD teachers use ELD progress reports to monitor student progress and communicate with families and classroom teachers. ELD progress reports are filled out with input from classroom teachers and IAs.
Roles and Responsibilities for ELD Teachers (cont'd.)

To ensure appropriate SERVICE SCHEDULING, ELD teachers should:

- ensure that all ELL students are being served according to proficiency level. Larger teams may identify a contact person who will manage schedule changes.
- work in collaboration with bilingual IAs, Admin, and classroom teachers to design a school wide service matrix to be submitted to the school administration and the ELL coach.
- coordinate with special education and classroom/content teachers to ensure students who are SPED/ELL are served by both programs.
- schedule and set agendas for site based meetings with IA's and ELL team.
- work with classroom/content area teachers to share scheduling of ELPA21, SBA/EOC, cultural events, team meetings, parent conferences, and/or field trips for ELL students.
- monitor IA’s schedules in cooperation with administration to ensure all qualified students are served.

Secondary ELD Department Heads:

- use assessment of student levels to guide scheduling decisions.
- work with administration to build master schedule for bilingual department.
- partner with counselors to schedule students.

Other Responsibilities of ELD teachers:

- attend SIT, MDT, IEP, MTSS and academic team meetings for bilingual students. Invite IAs serving the students, as applicable.
- provide consultation and guidance to instructional assistants.
- committee membership and team representation, which are proportionate with classroom teachers.
Roles and Responsibilities for ELD Teachers (cont'd.)

- sign and distribute continuation letters with ELPA21 reports in the fall. *(Elementary)*
- complete the service report twice annually and submit to coaches. *(Elementary)*

Other Responsibilities of Secondary ELD Department Heads:

- partner with the counselor as a liaison for bilingual students.
- attempt to resolve concerns with certificated staff and/or bilingual IA’s in the department. If the issue is not resolved, report concerns to administration about certificated staff and/or bilingual IA.
- monitor the ELL budget.
- recommend and track all extra time.
- oversee documentation of student progress via monitoring files.
- sign continuation letters and give to registrar to distribute.

In engaging in PROFESSIONAL DEVELOPMENT, ELD teachers should:

- attend centrally based ELL department meetings. Attendance is mandatory for all and will be monitored by the ELL Program Manager who will communicate attendance to the building administrator in charge of the ELL department.
- receive training on using ELP standards and administering ELPA21.
- meet with central coaches to follow up on professional development.
- be included in the goals of their school’s C-SIP and the professional development that is required.

To support CULTURALLY AND LINGUISTICALLY DIVERSE FAMILIES, ELD teachers should:

- provide clear communication with families about student programs and progress. Request the assistance of IA's to interpret, as needed, consistent with IA roles and responsibilities. Any requests for IA support after the work day require principal approval for IA extra time. ELD teachers may also contact the SPS Service Center for assistance with interpretation or follow guidelines to use the language line.
Roles and Responsibilities for ELD Teachers (cont'd.)

- request IA’s to make home contact within the guidelines of the IA’s Roles and Responsibilities. Any requests for IA support after the work day require principal approval for IA extra time.

- be responsible for the same parent meetings as classroom/content area teachers and department heads when appropriate.

- advocate for students and their families' rights which may include contacting community based organizations.

- initiate and follow through with requests for translations and interpretations from appropriate source.

**ELD teachers are not responsible for:**

- substituting for classroom teachers *.

- giving DRA, math, and other classroom assessments, except to provide accommodations for ELL students.

- translating documents.

- training or evaluating IA's.

- administrative supervision of IAs (evaluating, hiring, or disciplinary action).

- distributing continuation letters with ELPA21 reports in the Fall. *(Secondary)*

- maintaining “Collection of Evidence”. *(Secondary)*

*In an emergency situation, an ELD teacher may be directed to substitute for a classroom teacher by the building administrator. ELD teacher must comply with this direction, according to the guidelines of the Collective Bargaining Agreement. Requests for substitution should be divided equally among available support staff. Depending on the school budget, ELL teachers are entitled to substitute unavailability compensation.*
Roles and Responsibilities for Instructional Assistants

Collaboration is a three way process among ELD teachers, IAs and content area/classroom teachers or departments, supported by building administrators. Collaboration means communication with an instructional focus, providing formal and informal data, sharing ELD strategies, and communicating needs and concerns. The purpose of collaboration is to align instruction with mainstream curriculum and content standards. This collaboration is intended to integrate the four strands of language development (listening, speaking, reading, and writing) into content instruction.

IAs collaborate with all certificated teachers (content, classroom, and ELD) about ELL students served. Collaboration means periodic (at least once a week) communication, with the purpose of enhancing instruction.

To ensure effective COLLABORATION, Instructional Assistants should:

♦ include in discussions information about students' academic and social progress as well as the types of support students need.

♦ utilize available resources (curriculum maps, curriculum manuals, unit outlines, assignment rubrics, etc.) to prepare for future lessons.

♦ meet with each teacher regularly to discuss future lessons.

♦ consider creating materials or instructional modifications when appropriate. These must be shared with the teacher prior to use with students.

♦ make instructional suggestions to certificated teachers based on observations and interventions

The primary role of a bilingual IA is to provide academic support to students, providing native language support when appropriate. Other responsibilities, such as behavior/discipline issues, student truancy, etc., should minimally interfere with the IA's primary responsibility (but not exclusive responsibility) of providing academic support for eligible students. To support effective INSTRUCTION, instructional assistants should:

♦ provide targeted instruction for eligible students based on teacher direction which could include bilingual or content area/classroom teachers. The classroom/content teacher will be the primary source of direction.
Roles and Responsibilities for Instructional Assistants (cont'd.)

- work with students on classroom lesson objectives to support language acquisition.
- support instruction by way of translating, interpreting, explaining, and providing scaffolding when appropriate.
- provide native language support for academic purposes when necessary.
- at the Secondary level, bring concerns about IA support to attention of the Department Head.
- at the Elementary level, bring concerns about IA support to the attention of the bilingual central staff.

**To support effective and efficient ASSESSMENT practices, Instructional Assistants should:**

- assist certificated teachers during assessments in a supportive capacity.
- assist in monitoring progress for eligible students served. Monitoring means documenting and reporting student progress to share with ELL and mainstream staff.
- regularly discuss student progress with bilingual and content area / classroom teachers and keep current documentation of students served.
- at the Secondary level, maintain monitoring folder.
- at the Elementary level, use the communication tool for students of concern. IAs provide a copy of a feedback form to teachers to document student progress. An additional copy of the form is kept in the IA's binder.
- at the Elementary level, provide input to ELD teacher for ELD progress report.
Roles and Responsibilities for Instructional Assistants (cont'd.)

An IA’s schedule is based on eligible student needs. IAs are expected to be on campus for 7.5 hours. IAs have a 7 hour work day plus a 30 minute duty-free lunch. Two 15 minute breaks are included in the 7 hours.

To ensure appropriate SERVICE SCHEDULING, Instructional Assistants should:

♦ design their schedules in collaboration with the ELD team/department and administrator to ensure all students in the building are served appropriately in consideration of their levels of need.

♦ serve students outside of their language group.

♦ provide, maintain, and follow current service schedules, which are frequently updated to reflect changing student needs. Updated schedules must be submitted to bilingual coaches and school administration.

♦ at the Elementary level, collaborate with bilingual and classroom teachers to create or modify the schedule.

♦ at the Secondary level, collaborate with the ELD department head.

Other Responsibilities of Instructional Assistants:

♦ be assigned to duties (i.e. playground, lunch, bus). Duties are divided equally among those school employees responsible for supervisory duties. (Bilingual IAs should not have more duties than other IAs). These duties must be carried out during the work day and should not interfere with instructional time. The Bilingual IA’s primary responsibility is to provide academic support to bilingual students.

♦ perform some record keeping and clerical duties directly associated with service of ELL students and program compliance. Clerical duties may include making copies or preparing student materials for lessons. These duties must be carried out during the work day and should not interfere with instructional time.

♦ participate in building/site activities which require a bilingual IA during the work day (i.e. collaboration meetings, SIT teams, IEPs), as appropriate. Participation in building and site activities/meetings are supplementary to the IA’s primary responsibility of providing academic language support. IA’s must notify the classroom teacher if participation in these duties will result in the disruption of classroom services.

♦ participate in meetings and activities outside the work day for extra pay (Cultural nights, IEPs, disciplinary hearings, department meetings, etc.) Principals must pre-approve all extra pay.
Roles and Responsibilities for Instructional Assistants (cont'd.)

♦ attend building ELD department meetings. ELD department meetings should be scheduled during the IA’s work day. If the meeting extends beyond the 7.5 hour day, the IA is entitled to extra time pay. Principals must pre-approve all extra time.

_in engaging in PROFESSIONAL DEVELOPMENT, Instructional Assistants should:_

♦ attend centrally based Bilingual IA department meetings with the ELL Department. Attendance is mandatory for all and will be monitored by the ELL Program Manager who will communicate attendance to the building administrator in charge of the ELL department.

♦ notify classroom teachers and administrators in a timely fashion of professional development workshops and ELL Department meetings that will interfere with classroom services.

♦ attend IA orientation from the ELL Department when they are new to the district.

♦ attend relevant building based professional development during work hours, or outside of work hours for extra pay. Principal must pre-approve all extra pay and principals and IAs must mutually agree upon the use of IA professional development days.*

*SEA/SPS bargaining agreement allows a 7-hour per day employee has 56 hours and an 8-hour day employee has 64 hours of compensated professional development outside of the work day for IAs. Evidence of course completion must be submitted with the extra time form.

_to support CULTURALLY AND LINGUISTICALLY DIVERSE FAMILIES, Instructional Assistants are encouraged to:_

♦ help with family and community engagement during the work day. The first and last half hour of the work day may be the best time to set aside for family communication and interpretation. In order to provide a safe learning environment, interpretations for urgent family/school situations should only minimally interfere with the IA’s academic support schedule during the instructional day.

♦ provide interpretation for families and students who are not eligible for ELL services but such interpretations should only minimally interfere with the IA’s academic support schedule during the instructional day.

♦ help with family and community engagement outside the work day for extra pay (i.e. home visits*). Principal must pre-approve all extra pay.
Roles and Responsibilities for Instructional Assistants (cont'd.)

- participate in parent teacher conferences for eligible students during the work day (up to one hour). IAs may attend parent teacher conferences scheduled outside work day for extra pay. Principal must pre-approve all extra pay. For non-eligible bilingual students: parent teacher conferences should be scheduled outside of the workday.

**Instructional Assistants are not responsible for:**

- formal assessment of students (ELPA21, MAP, SBA, TC running records).
- providing grades.
- substituting for certificated staff *.
- writing lesson plans or creating materials.
- the duties of a family support worker.
- translating or evaluating international report cards.
- the duties of the office staff or secretaries.

*IA’s may be asked to supervise a class when a substitute is not available, during urgent situations for the purpose of providing a safe learning environment. The principal assumes responsibility for the class and the IA can supervise the class. The IA is compensated for the additional responsibilities. It should not always be the same IAs asked to supervise classes.
Roles and Responsibilities for ELL Instructional Coaches

COLLABORATION

Administrator and coach collaboration is essential for positively impacting the instructional core by developing and sustaining site based instructional leadership. Collaboration with administrators should include:

- IAs’, classroom/content teachers’, and ELD teachers’ roles
- responsibilities in the context of the roles and responsibilities document.
- opportunities for differentiated instruction professional development.
- C-SIP goals regarding English language learners.
- structures for collaboration and communication focused on instruction between ELD and mainstream teachers.
- communication for transitions.
- clarification of state and Federal compliance requirements.

Coaches provide content and pedagogical expertise to support instructional staff. Coaches are ambassadors who support the implementation of district initiatives (program models). Professional development coaching is a research based strategy for improving the instruction in the classroom and across the school. ELL coaching at the school level would support and reinforce the concepts taught in professional development sessions. The strategies that ELL instructional coaches use are:

- cycled coaching (a) planning b) observing, modeling or co-teaching c) debriefing) working with ELD teachers, classroom/content teachers and bilingual Instructional Assistants based on current professional development and initiatives.
- regularly scheduled lab sites (model classroom) to facilitate collaborative learning.
- pair two (or more) schools with one coach around a single focus.
- planning - supporting teachers in integrating a language focus into lesson objectives.
- PLCs (including book studies, lesson studies, inquiry process).
- Provide District Wide professional development.

ELL coaches provide systemic curriculum based professional development with common language strategies for all staff (administrators, mainstream/content area teachers, IAs and ELD teachers).
Roles and Responsibilities for ELL Instructional Coaches (cont'd.)

Coaches provide professional development for general ed/mainstream/content area teachers to:

♦ align instruction with district adopted curriculum standards and content.
♦ encompass all four strands of language development – listening, speaking, reading, and writing.
♦ differentiate all instruction of exited and waived ELLs as these students cannot be served by the ELD department.
♦ create lessons with a language focus using both general education materials and appropriate supplemental materials intended to scaffold the district adopted curriculum.
♦ support collaboration and communication between classroom/content teachers, IAs and ELD teachers.
♦ navigate and understand the roles and responsibilities document.

Coaches provide professional development for ELD teachers to:

♦ develop scaffolding ideas.
♦ support and provide tools for regular communication (outline, objectives) with IAs, team leaders, and instructional council, as needed.
♦ provide systematic support for collaboration and communication to occur when students are transitioning from schools or programs. Assist in scheduling time for collaboration when students leave the Seattle World School or EBOC (language academies), rise into middle school, or rise into high school; ELD teachers from each school should collaborate with each other.
♦ provide a structure and tools for ELD teachers to share information on current bilingual students, waived students, and exited students with classroom/content teachers, including students’ proficiency levels.
♦ provide professional development to align instruction with district adopted curriculum standards and content with a language focus/objective. Assist teachers in using both general education materials and appropriate supplemental materials intended to scaffold the district adopted curriculum.
♦ use ELP Standards and Performance Levels to guide differentiation of instruction.
♦ incorporate language focuses into all lessons encompassing the four strands of language development – listening, speaking, reading, and writing. This includes secondary ELD Content classes.
♦ explain the difference between supplemental instruction and supplanting instruction. Supplanting means the ELD teacher delivers all of the instruction in one of the core content areas (reading, writing, mathematics) for ELL students. Students must receive a portion of instruction for each core content area from the classroom teacher. (Elementary)
Roles and Responsibilities for ELL Instructional Coaches (cont'd.)

Coaches provide professional development for instructional assistants to:

- align with professional development offered to classroom/content teachers and ELD teachers.
- monitor students' academic and social progress as well as the types of support students need.
- familiarize with resources such as curriculum maps, unit outlines, assignment rubrics, etc. in order to prepare for future lessons.
- provide a structure (communication tool) to support IAs in meeting regularly with teachers to discuss future lessons.
- provide guidance in choosing or creating materials or instructional modifications that would support EL students according to their proficiency levels. Materials and instructional modifications should be aligned to classroom lesson objectives and support language acquisition.
- identify support to develop the academic language skills of interpreting, explaining, and providing scaffolding, when appropriate.
- clarify the roles and responsibilities of IAs.

To support effective and efficient ASSESSMENT practices, ELL instructional coaches should:

- provide professional development to new teachers and a refresher course for experienced teachers in administering the ELPA21.
- incorporate district wide assessments in coaching and professional development.
- provide professional development on how to assess, interpret, and apply students’ proficiency levels based on Edge/Inside curriculum. (Secondary)

To ensure appropriate SERVICE SCHEDULING, ELL instructional coaches should:

- collect schedules of ELD teachers and instructional assistants to ensure all eligible students are served.
- provide guidance for schools’ master schedules to accommodate ELL program models, state and Federal compliance, and collaboration time.
- schedule time for coaching/school visits (including follow-up), project management, collaborating with coaches in other departments, team meetings, and planning, prepping and implementing professional development.
Roles and Responsibilities for ELL Instructional Coaches (cont'd.)

*Other Responsibilities of ELL instructional coaches:*

- communicate with administrators, ELD teachers and IAs regarding developments in the ELD department.
- maintain sign in sheets at all professional development opportunities.
- support the facilitation of conflict discussions in the context of roles and responsibilities.

*In engaging in PROFESSIONAL DEVELOPMENT, ELL instructional coaches should:*

- attend district coaches’ meetings.
- attend professional development offered by other departments to help align with other departments.
- attend professional development pertinent to department and district initiatives.
- attend professional development on coaching.

*To support CULTURALLY AND LINGUISTICALLY DIVERSE FAMILIES, ELL instructional coaches should:*

- ensure all staff members have the guidelines for interpretation and translation.
- partner with Family and Community Engagement, RSIG, and other departments for community outreach.
- host community events to seek input and share the professional development we are offering.

*ELL instructional coaches are not responsible for:*

- evaluating staff.
- administering the ELPA21 or other student assessments.
- substituting for a teacher.
- playground duties, bus duties, or school meetings: SIT, MDT, etc.
- translations and interpretations.
- teaching students (unless modeling lessons).
- facilitating budget conflicts.
- ordering materials for schools.
ELL Coaching Support
Coaching Support Options

Coach’s observations are non evaluative and cannot be used in your supervisor’s evaluation.

The Tri-Cycle

- Also known as the “three day coaching cycle”
- Coach will plan, observe and debrief a lesson

The Bi-Cycle

- Coach will observe and debrief a lesson using ELL Walkthrough Tool
- May be used to help work on a particular goal (SMART or otherwise)

The Uni-Cycle

- Coach will attend planning meetings or plan a lesson with individual teacher

The Mash-up

- Coach will co-plan and co-teach a lesson

The Project Runway (with or without running commentary)

- Coach will plan and model a lesson
- Coach can add running commentary about teaching moves being used, if requested

The Visitor’s Pass

- Coach will plan a visit to another school or have them come visit you

The Puzzler

- Coach will examine a problem of practice, come up with possible solutions and later revisit to evaluate effectiveness

The Help! I’m Drowning

- Coach will provide temporary help with a workload situation. (scheduling, Power Schools reports etc.)
## Criterion 1 – Centering instruction on high expectations for student achievement.

### Domain 2: Classroom environment

2b. Establishing a Culture for learning

Rich and engaging interactions with academic language in pairs and small groups, i.e. think/pair/share, 10-2, AB partners, expert/cooperative groups

### Domain 3: Instruction

3a. Communicating with students

Clear content objective

Clear language objective

Content linked to student backgrounds and interests

Clear, concise teacher talk

3c. Engaging students in learning

Rich and engaging interactions with content through pair work, small groups, and whole group discussions with scaffolds to ensure ELL participation.

## Criterion 2 – Demonstrating effective teaching practices.

### Domain 3: Instruction

3b. Using questioning and discussion techniques

Opportunities and structures (language frames), provided for students to engage in meaningful interactions and to formulate higher level response (small groups, AB partners, literature circles, etc.)

### Domain 4. Professional Responsibilities

4a. Reflecting on Teaching

Content and language mastery evaluated daily (example: exit tickets aligned to content and language objectives)

## Criterion 3 – Recognizing individual student learning needs & developing strategies to address those needs.

### Domain 1: Planning and preparation

1b: Demonstrating knowledge of students

Understanding of language development needs, cultural backgrounds, and experience of ELL students

### Domain 3: Instruction

3c: Demonstrating flexibility and responsiveness

Fluid grouping and adjustable pacing

Scaffolded instruction according to English proficiency levels and needs

L1 utilized when appropriate

### Student Growth

SG 3.1: Establish Student Growth, SG 3.2: Achievement of Student Growth Goal(s)

Students given opportunities to express academic knowledge
**Criterion 4 - Providing clear and intentional focus on subject matter content and curriculum.**

**Domain 1: Planning and Preparation**

1a. **Demonstrating knowledge of content and pedagogy**
Through the use of scaffolds and differentiated instruction, lessons build conceptual understanding, higher order thinking skills and cognitive structures needed by students (structures to express compare and contrast, etc.)

1c. **Setting instructional outcomes**
- Clear content objectives
- Clear language objectives

1d. **Demonstrating knowledge of resources**
Variety of resources utilized to expand the teacher knowledge and in order to meet the needs of all students (resources from the district, community, etc.)

1e. **Designing coherent instruction**
Clear lesson structure with differentiated activities according to student needs

**Criterion 5 – Fostering and managing a safe, positive environment**

**Domain 2: The classroom environment**

2a. **Creating an environment of respect and rapport**
Teacher uses cultural knowledge to connect and build communication that respects diverse backgrounds

Whole group discussions that ensure ELL participation (structures, gestures for nonverbal responses, use of pair/share, etc.)

2c. **Managing classroom procedures**
Instructional groups ensure ELL participation
Teacher models, explains, reteaches routines and procedures that include use of visuals, gestures, nonlinguistic representation

2d. **Managing student behavior**
Teachers and students take an active role in monitoring their behavior

2e. **Managing physical space**
Public records accessible to ELLs to facilitate understanding (word wall, anchor charts, pictures, graphics)

**Criterion 6 – Using multiple student data elements to modify instruction and improve student learning.**

**Domain 1: Planning and Preparation**

1f. **Designing student assessment**
Modified assessments to meet student linguistic needs (cloze paragraph)

**Domain 3: Instruction**

3d. **Using assessment in instruction**
A variety of feedback and formative assessments used by teachers and students to monitor progress and advance learning (exit tickets, writing rubrics)

**Domain 4: Professional Responsibilities**

4b. **Maintaining accurate records**
Teachers keep track of academic and linguistic progress (ELPA21 subtest growth, CBA, student work samples; oral: rubric; transcription of oral responses or presentation)
## Language-Focused Instruction
### Evidence Collection Tool
Danielson Framework for Teaching Rubrics by Washington State Criteria

**Teacher:** ____________________________

**School:** ____________________________  **Grade:** ____________________________

### Criterion 1 – Centering instruction on high expectations for student achievement.

<table>
<thead>
<tr>
<th>Criterion Descriptors for ELLs</th>
<th>Examples of Evidence</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Domain 2: Classroom environment</strong></td>
<td></td>
</tr>
<tr>
<td>2b. Establishing a Culture for learning</td>
<td></td>
</tr>
<tr>
<td>• Rich and engaging interactions with academic language in pairs and small groups, i.e. think/pair/share, 10:2, AB partners, expert/cooperative groups</td>
<td>• Conversation Analysis Tool ratings of student conversation transcripts</td>
</tr>
<tr>
<td>• Photo of posted content objectives linked to state standards</td>
<td>•</td>
</tr>
<tr>
<td>• Photo of posted language objectives linked to ELPs and state standards</td>
<td>•</td>
</tr>
<tr>
<td>• Observation notes showing funds of knowledge results of home visits infused into instruction</td>
<td>•</td>
</tr>
<tr>
<td>• Clear, concise teacher talk</td>
<td>•</td>
</tr>
</tbody>
</table>

### Criterion 2 – Demonstrating effective teaching practices.

<table>
<thead>
<tr>
<th>Criterion Descriptors for ELLs</th>
<th>Examples of Evidence</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Domain 3: Instruction</strong></td>
<td></td>
</tr>
<tr>
<td>3b. Using questioning and discussion techniques</td>
<td></td>
</tr>
<tr>
<td>• Opportunities and structures (language frames), provided for students to engage in meaningful interactions and to formulate higher level response (small groups, AB partners, literature circles, etc.)</td>
<td>• Examples of language frames</td>
</tr>
<tr>
<td>• Audio clips of student-to-student conversations</td>
<td>•</td>
</tr>
</tbody>
</table>

### Domain 4. Professional Responsibilities

<p>| 4a. Reflecting on Teaching |                       |
| • Content and language mastery evaluated daily (example: exit tickets aligned to content and language objectives) | •                        |</p>
<table>
<thead>
<tr>
<th>Criterion Descriptors for ELLs</th>
<th>Examples of Evidence</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Domain 1: Planning and preparation</strong></td>
<td></td>
</tr>
<tr>
<td>1b: Demonstrating knowledge of students</td>
<td></td>
</tr>
<tr>
<td>• Understanding of language development needs, cultural backgrounds, and experience of ELL students</td>
<td>• Lesson plan shows intentionality in providing opportunities for ELL students with different cultural, language, and academic needs to engage with the content. Included in the plan are teaching strategies and tools for students to access the content, e.g. visual prompts, language/vocabulary cues, ethnic/cultural references when appropriate, etc.</td>
</tr>
<tr>
<td><strong>Domain 3: Instruction</strong></td>
<td></td>
</tr>
<tr>
<td>3e: Demonstrating flexibility and responsiveness</td>
<td></td>
</tr>
<tr>
<td>• Fluid grouping and adjustable pacing</td>
<td></td>
</tr>
<tr>
<td>• Scaffolded instruction according to English proficiency levels and needs</td>
<td>• Analysis of a lesson that lists: Lesson objective, Student success/challenges, Next steps</td>
</tr>
<tr>
<td>• L1 utilized when appropriate</td>
<td></td>
</tr>
<tr>
<td>• Awareness and incorporation of additional resources and staff</td>
<td></td>
</tr>
<tr>
<td><strong>Student Growth</strong></td>
<td></td>
</tr>
<tr>
<td>SG 3.1: Establish Student Growth,</td>
<td></td>
</tr>
<tr>
<td>• Growth appropriate to English proficiency level and English Language Development Standards</td>
<td>• Baseline data from CAT rating of student conversation transcript</td>
</tr>
<tr>
<td></td>
<td>• Pre-tests</td>
</tr>
<tr>
<td>SG 3.2: Achievement of Student Growth Goal(s)</td>
<td></td>
</tr>
<tr>
<td>• Growth appropriate to English proficiency level and English Language Development Standards</td>
<td>• Multiple analysis (using CAT) of student conversation transcripts</td>
</tr>
<tr>
<td></td>
<td>• Exit tickets using words and/or graphic representation of learning</td>
</tr>
<tr>
<td><strong>Criterion 4 - Providing clear and intentional focus on subject matter content and curriculum.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Domain 1: Planning and Preparation</strong></td>
<td></td>
</tr>
<tr>
<td>1a. Demonstrating knowledge of content and pedagogy</td>
<td></td>
</tr>
<tr>
<td>• Through the use of scaffolds and differentiated instruction, lessons build conceptual understanding, higher order thinking skills and cognitive structures needed by students (structures to express compare and contrast, etc.)</td>
<td>•</td>
</tr>
</tbody>
</table>
### 1c. Setting instructional outcomes

- **Clear content objectives**
  - Lesson plan states lesson objective linked to CCSS and written in language that students can understand

- **Clear language objectives**
  - Lesson plan states language objective linked to ELPS and written in language that students can produce

### 1d. Demonstrating knowledge of resources

- Teacher actively seeks knowledge of students’ level of development, backgrounds, cultures, skills, language proficiency, interests and special needs from a variety of sources

### 1e. Designing coherent instruction

- Formative assessment results in teacher offering specific differentiated instruction in the classroom that has a clear structure
  - Video clip or observation notes of a lesson showing a series of connected learning activities where students are engaged in high level cognitive activity (e.g. asking clarifying questions/providing ideas during a discussion, working on projects, etc…)

### Criterion 5 – Fostering and managing a safe, positive environment

<table>
<thead>
<tr>
<th>Domain 2: The classroom environment</th>
<th>Examples of Evidence</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>2a. Creating an environment of respect and rapport</strong></td>
<td></td>
</tr>
<tr>
<td>- Teacher uses cultural knowledge to connect and build communication that respects diverse backgrounds</td>
<td></td>
</tr>
<tr>
<td>- Whole group discussions that ensure ELL participation (structures, gestures for nonverbal responses, use of pair/share, etc.)</td>
<td>Lesson plans, observation notes, and/or video clips showing turn and talk / pair share / numbered heads together / and group conversation opportunities throughout the lesson</td>
</tr>
<tr>
<td>- Environment that reflects students backgrounds</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2c. Managing classroom procedures</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>- Procedures and rules are culturally sensitive and respects cultural norms</td>
<td></td>
</tr>
<tr>
<td>- Instructional groups ensure ELL participation</td>
<td>Lesson plans, observation notes, and/or video clips showing groupings for partnerships for multiple learning purposes (heterogeneous, homogeneous, etc)</td>
</tr>
<tr>
<td>- Teacher models, explains, re-teaches routines and procedures that include use of visuals, gestures, nonlinguistic representation</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2d. Managing student behavior</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>- Clear, concise teacher talk</td>
<td></td>
</tr>
<tr>
<td>Use of visuals, gestures, on linguistic representation</td>
<td></td>
</tr>
<tr>
<td>Grouping that encourages interaction</td>
<td></td>
</tr>
</tbody>
</table>

2e. Managing physical space

| Public records are accessible to ELLs with pictures, graphics and language they can understand | Examples of charts used or photos of charts posted showing learning targets, thinking routines, visual representations, concepts and vocabulary relevant to what students are learning |
| Interacting with word walls and anchor charts | 
| Physical space that encourages student interaction | 

Criterion 6 – Using multiple student data elements to modify instruction and improve student learning.

<table>
<thead>
<tr>
<th>Criterion Descriptors for ELLs</th>
<th>Examples of Evidence</th>
</tr>
</thead>
</table>
| **Domain 1: Planning and Preparation**

1f. Designing student assessment

- Formative assessments created are aligned with instruction-outcomes
- Assessment methodologies are adapted for individual students

**Domain 3: Instruction**

3d. Using assessment in instruction

- Regular feedback provided to student on their output (e.g., language, content, work)
- Assessment of student comprehension and learning of all lesson objectives (e.g., spot checking, group response) throughout the lesson
- Students are aware of and/or contribute to assessment criteria/process

**Domain 4: Professional Responsibilities**

4b. Maintaining accurate records

- Systems created to inform instruction and students of their progress on a regular basis
- Rubrics are developed with success indicators, narrative description of assignments and expectations, standards-based grading
- Learning logs
- Rubrics
- Self-assessments

Criterion 7– Communicating and collaborating with parents and school community.

<table>
<thead>
<tr>
<th>Criterion Descriptors for ELLs</th>
<th>Examples of Evidence</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Domain 4: Professional Responsibilities</strong></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>4c. Communicating with families</th>
<th>4d. Participating in a Professional Community</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Communication with students and families are culturally relevant and appropriate</td>
<td>• Monthly classroom letters with parent initials</td>
</tr>
<tr>
<td>• Translated letters</td>
<td>• Documentation of interview with families indicating what their learning targets are for their student(s)</td>
</tr>
<tr>
<td>• Phone call logs</td>
<td>•</td>
</tr>
<tr>
<td>• Communicates and collaborates with students, families, community organizations about learning goals and targets</td>
<td>•</td>
</tr>
<tr>
<td>• Shares information about the happenings of the school, classroom and instructional programs clearly with students, families and community organizations</td>
<td>•</td>
</tr>
<tr>
<td>• Communicates and collaborates with students, families, community organizations about learning goals and targets</td>
<td>•</td>
</tr>
<tr>
<td>• Shares information about the happenings of the school, classroom and instructional programs clearly with students, families and community organizations</td>
<td>•</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Criterion 8—Exhibiting collaborative and collegial practices focused on improving instructional practice and student learning.</strong></td>
<td><strong>Domain 4: Professional Responsibilities</strong></td>
</tr>
<tr>
<td><strong>Criterion Descriptors for ELLs</strong></td>
<td><strong>Examples of Evidence</strong></td>
</tr>
<tr>
<td><strong>4d. Participating in a Professional Community</strong></td>
<td></td>
</tr>
<tr>
<td>• Teacher participates collaboratively in an educational community to improve ELL instructional practice and impact student learning</td>
<td>• Copies of meeting notes and/or action plans showing participation in PLCs with colleagues, emphasizing ELL instructional practices that impact student learning</td>
</tr>
<tr>
<td>• Copies of meeting notes and/or action plans showing participation in grade level team planning meetings</td>
<td>•</td>
</tr>
<tr>
<td><strong>4e. Growing and Developing Professionally: Enhancement of content knowledge and pedagogical skill</strong></td>
<td></td>
</tr>
<tr>
<td>• The teacher advances the knowledge and practice of teaching as a profession within the educational community to impact student learning</td>
<td>• Copies of certificates or clock hour forms showing attendance in professional development, trainings, or workshops to meet annual professional goals (as described in the professional growth plan)</td>
</tr>
<tr>
<td>• Teachers remain current by taking courses, reading professional literature, and remaining current on the evolution of thinking regarding ELL instruction</td>
<td>•</td>
</tr>
<tr>
<td>• Copies of meeting notes and/or action plans showing attendance and participation in grade level team planning meetings</td>
<td>•</td>
</tr>
<tr>
<td><strong>4f. Showing Professionalism: Teacher demonstrates professionalism in service both to ELL students and the profession</strong></td>
<td></td>
</tr>
<tr>
<td>• Teaching at the highest level of performance</td>
<td>• Copies of yearly and updated service matrix turned in to the ELL Department</td>
</tr>
<tr>
<td>• Interactions with both students and colleagues are professional</td>
<td>•</td>
</tr>
<tr>
<td>• The teacher consistently fulfills ELL district mandates regarding policies and procedures</td>
<td>•</td>
</tr>
</tbody>
</table>
## Bilingual IA Walkthrough Tool

**Date:** ________________    **Bilingual IA:**_______________________

**Content Area:**_______________________  **School:** ______________________

### Clear Teaching Point (Teacher Directed)

<table>
<thead>
<tr>
<th>Obs</th>
<th>Not Obs</th>
<th>N/A</th>
<th>Comments</th>
</tr>
</thead>
</table>

**Indicators:**
- Focuses on content objective, language objective as provided by the teacher
- Checks for student understanding, during and at the end of the lesson

### Rigorous, standards-based content instruction appropriately scaffolded for language proficiency level

<table>
<thead>
<tr>
<th>Obs</th>
<th>Not Obs</th>
<th>N/A</th>
<th>Comments</th>
</tr>
</thead>
</table>

**Indicators:**
- Questioning leads students to higher level thinking regardless of language proficiency; allows students time for reflection and justification of their responses (refer to Levels of Questioning document)
- Content skills and cognitive strategies support students in step-by-step learning of required academic skills
- Strategically uses student native language to support student academic growth
Differentiation/targeted instruction and assessment for ELLs

<table>
<thead>
<tr>
<th>Indicators:</th>
<th>Obs</th>
<th>Not Obs</th>
<th>N/A</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Uses the appropriate voice volume level for each of the different student interactions below...</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Works 1-on-1 or in small groups providing direct instruction as planned by the teacher</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Circulates among ELL students in the classroom during independent work time, providing 1-on-1 support</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Provides side-by-side language or academic support to pre-identified (by gen. ed. teacher, ELD teacher, Bilingual IA) ELL students during a mini-lesson/lecture</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Models thinking strategies and/or language interaction with the teacher during a mini-lesson – e.g.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Connect to prior knowledge</strong>: This reminds me of __________. (person, place, thing, experience) I have heard, experienced, or read something about _____ before.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Generate questions</strong>: I wonder__________. What will happen if _________. Why might ___ be connected to _____?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Visualize</strong>: I can (see, hear, feel, taste, touch) ________ in my mind. I can feel what the character is feeling. (emotion) I can see all the parts fitting together.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Infer</strong>: Because ________ happened, I think that ________ will happen. If this section fits here, then this part must fit here. (on working with some illustration)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Synthesize</strong>: I think this book is really about ________. The deeper meaning of the text as a whole is _______. Themes, lessons, etc. The whole article talks about ______.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Determine importance</strong>: I think this part will be very important to understanding this story, article, letter, textbook, etc. because ______.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Monitor ongoing understanding</strong>: I am not sure what I just read. It is not making sense in my head so I need to reread. OR I don’t know what that word is (or paragraph is about) but I don’t think it interferes with my understanding of the story or text as a whole. I’ll keep reading.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Collects and organizes written on-going formative assessment data on language and academic growth of ELL students</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Explicit attention to academic language

<table>
<thead>
<tr>
<th>Indicators:</th>
<th>Obs.</th>
<th>Not Obs.</th>
<th>N/A</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Focuses on content specific vocabulary (e.g. photosynthesis) as specified by the teacher</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Provides students with the linguistic function and form required for students to perform a task and meet the academic objective (e.g. compare/contrast and the sentence structure needed to do this task), as specified by the teacher</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Provides students with clear, concise directions, using the students’ native language as needed</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Provides students intentional, focused, explicit corrective feedback</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Provides opportunities for students to practice and engage meaningfully with academic language (partner talk, think-pair-share)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Use of public records

<table>
<thead>
<tr>
<th>Indicators:</th>
<th>Obs.</th>
<th>Not Obs.</th>
<th>N/A</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Utilizes classroom public records with pictures, graphics, and language ELL students can understand</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Refers to word walls and anchor charts while working 1-on-1 or in small groups to help ELL students make use of classroom public records</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Integrates 4 language skills

<table>
<thead>
<tr>
<th>• Listening</th>
<th>• Speaking</th>
<th>• Reading</th>
<th>• Writing</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Obs.</th>
<th>Not Obs.</th>
<th>N/A</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Bilingual IA Communication Form

IA: _______________________________

Student(s)  ______________________________________________________

Week of: ________________________ Teacher: ___________________________

<table>
<thead>
<tr>
<th>Type of Support:</th>
<th>Teaching Objectives: (&quot;student[s] will be ___primary language ___homework help able to&quot;)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>___classroom support ___small group</td>
</tr>
</tbody>
</table>

Teaching Moves:  

Student Learning

The student understood

ALL  _____________________________________________________________

MOST SOME VERY LITTLE NONE

Evidence:

Scaffolds/strategies used:

Brainstorming  Venn Diagram Story Map KWL chart  Think Aloud

Oral Cloze

Feedback / Questions / Next Steps

Bilingual IA support focuses on three points:

1) making content comprehensible
2) encouraging interaction and language use
3) building thinking skills
**Elementary ELL Progress Report**

**What parents see (sample is ungraded)**

<table>
<thead>
<tr>
<th>Key for English language Learners</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Beginning</td>
</tr>
<tr>
<td>3 Advanced</td>
</tr>
<tr>
<td>* Not evaluated at this time</td>
</tr>
</tbody>
</table>

**English Language Learners**

<table>
<thead>
<tr>
<th>1</th>
<th>LISTENING: Understands spoken English</th>
<th>2</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>SPEAKING: English Verbal Skills</td>
<td>*</td>
<td>*</td>
</tr>
<tr>
<td></td>
<td>Vocabulary</td>
<td>*</td>
<td>*</td>
</tr>
<tr>
<td></td>
<td>Grammar</td>
<td>*</td>
<td>*</td>
</tr>
<tr>
<td></td>
<td>Fluency</td>
<td>*</td>
<td>*</td>
</tr>
<tr>
<td></td>
<td>English Language Learners Progress</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>+ Significant / Steady - Minimal</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Progress report is available on PowerSchools. Translations of entire report can be printed out via PowerSchools.
### Scheduling Template

<table>
<thead>
<tr>
<th>Days of Service</th>
<th>{Name}</th>
<th>{Role – Teacher or IA}</th>
<th>{School}</th>
</tr>
</thead>
</table>

#### Teaching Time & place

<table>
<thead>
<tr>
<th>Planning time*</th>
<th>Teacher</th>
<th>Student Name</th>
<th>Grade</th>
<th>Proficiency Level</th>
<th>ELD Subject</th>
<th>Class Subject</th>
</tr>
</thead>
</table>

|                |         |              |       |                   |             |               |
|                |         |              |       |                   |             |               |
|                |         |              |       |                   |             |               |
|                |         |              |       |                   |             |               |
|                |         |              |       |                   |             |               |
Bilingual IA Checklist for Monitoring Student Progress

Student progress files should contain the following:

_____ Progress towards graduation [High school only]

_____ Academic history

_____ Grades (current)

_____ Parent notification of student continuation in the Transitional Bilingual Program

_____ ELPA21 results

_____ Communication with staff

_____ Communication with parents
SharePoint

A SharePoint site is a Web site that provides a central storage and collaboration space for documents, information, and ideas. A SharePoint site is a tool for collaboration, just like a telephone is a tool for communication, or a meeting is a tool for decision making. A SharePoint site helps groups of people (whether work teams or social groups) share information and work together. For example, a SharePoint site can help you:

- Coordinate projects, calendars, and schedules.
- Discuss ideas and review documents or proposals.
- Share information and keep in touch with other people.
- SharePoint sites are dynamic and interactive -- members of the site can contribute their own ideas and content as well as comment on or contribute to other people's.

**The site now has:**

- the Code Translated for the Report Cards
- a folder for the Translation and Interpretation Guidelines
- a folder for the Monthly Reports

**As a member of the ELL Program SharePoint group, you can:**

- Participate in the SharePoint site at:
  https://seattleschools.sharepoint.com/sites/communities/ELL/ELLIntProg

**Standards**

- WA state ELP Standards
  http://www.k12.wa.us/MigrantBilingual/pubdocs/ELP/WA-ELP-Standards-K12.pdf

- Common Core Standards for English language Arts
  http://www.corestandards.org/ELA-Literacy/

- Common Core Standards For Mathematics
  http://www.k12.wa.us/Mathematics/pubdocs/CCSSI_MathStandards.pdf

- Next Generation Science Standards
  http://www.nextgenscience.org/get-to-know
In order to support teacher job-alike collaboration, Seattle Public Schools has created Schoology groups by grade level (elementary) and content area (secondary). Schoology groups are designed to foster collaboration, communication and support for teachers across the district. They are hosted by district content specialists. Each group contains the following:

- A calendar of professional development events relevant to content area and grade level. PLEASE NOTE: Links to sign up for sessions in ESS and instructions for securing substitutes can be found in the calendar events.
- Folders for shared resources, including Scope and Sequence documents, standards, and planning resources.
- Space for ongoing collaboration and sharing, including spaces to share your work and engage in discussions with colleagues.

**How to join the ELL group and other content area/grade level groups:**

1) Go to your Schoology home page. If you have not yet logged in to Schoology, you may log in with your district email and password using the link from the district Schoology page.

2) Select the “Groups” menu at the top of your screen and click on the word “Join” at the bottom of the menu bar. When prompted, enter the access code for the group you want to join.

3) Below are the ELL groups access codes:
   - K-5 ELL 8QSW-ZXJG6J
   - High School ELL Teachers CZDH7-K37H6

4) Click the link to find the access codes for all Seattle Public Schools groups:
ELL Program

Eligibility, Transfer, and Exit Criteria

SEATTLE PUBLIC SCHOOLS
Eligibility and Placement

How is ELL eligibility determined?

- All students enrolling in Seattle schools identify the language their child first learned and the language mostly used at home. Students whose primary language other than English and/or speak another language at home are then given a language placement test. This test is the English Language Proficiency Assessment for the 21st Century Screener (EPLA21).
- In addition to the placement test upon entry to the district, students are annually assessed with the Annual ELPA21 to determine eligibility.
- Students receive a score on the ELPA21 indicating their proficiency level: Emerging and Progressing (eligible for ELL services) and Proficient (monitored, no longer eligible)

What are the different categories of EL Students? What is required for each category?

**BOC:** Students who are new to the country are eligible for the Bilingual Orientation Center (Elementary) and the Seattle World School (Secondary). Students must place in the Emerging status on the ELPA21 Screener and be a recent arrival to the country.

**SIFE:** Students with Interrupted Formal Education. The definition of SIFE for Seattle School District is a compilation of criteria taken from New York, Indiana and Minnesota.
- Students who have entered the US after 2nd grade
- Students are preliterate in their native language
- Students who have 2 years or less of formal education in their country
- Students who have suffered some sort of traumatic experience due to social and political events

**ELL Eligible:** Students qualify for ELL services. Students must receive support from an ELL teacher and/or a bilingual instructional assistant and/or an hourly who is supported by an ELL Coach. The level of support is determined by the students’ proficiency level.

**Native American Students under Title III:** Native American students are identified as academically at risk through their reading Smarter Balance scores. A parent notice is sent home notifying families of the additional support. A student then takes the placement ELPA21 screener. Students who score a Emerging and Progressing on the ELPA21 are eligible. Title III support is provided through the Native Education department.

**Waived:** Students qualify for ELL services, but their parent/guardian chooses to waive services. By law, students are still required to receive appropriate language development support from the classroom teacher.

**Eligible Exited TBIP Students:** Students have met Proficiency on the English Language Proficiency Assessment. Students must be monitored on their academic progress for at least two years to ensure that: the students have not been prematurely exited; any academic deficits they incurred as a result of participation in the ELL program have been remedied; and that the students are meaningfully participating in the standard instructional program comparable to their never-EL peers. The ELP teacher does not provide direct support to students, but may consult with the classroom teacher and other specialists.
**Migrant:** Eligible students have moved on their own or with their parents within the past three years to seek or obtain temporary or seasonal work as a principal means of livelihood. Migrant students may or may not be qualified for ELL services. Migrant services include supplemental instructional programs, health services, and family support.

**What training is required for classroom/content teachers with ELL students?**

- All classroom/content teachers are encouraged to take the *Culturally and Linguistically Responsive Teaching* and *Scaffolding Academic Language* (minimum of 6 hrs).

**What are the elementary service models?**

- **Aligned Sheltered Instruction:** ELL teachers provide support aligned to the mainstream curriculum and ELP standards. Services may be provided through pull-out or push-in support.

- **Collaborative ELL Model:** ELL teachers and classroom teachers are required to attend the ELL collaborative institute. ELL teachers collaborate with a MAXIMUM of 2 teachers. Each collaborative partnership co-teaches for 60-90 minutes daily. Collaborative partnerships receive 1 hour of weekly co-planning time.

**What are the secondary service models?**

- **Proficiency Model:** Students are placed into multi-grade (9-12) sheltered Language Arts classes according to their level of proficiency in English. They take mainstream courses which increase in language demand as they progress from beginning to advanced levels of proficiency according to the ELP standards and/or ELPA21.

- **Collaborative ELL Model:** Augments the proficiency model. Where staffing supports, ELL teacher partners with mainstream teacher to deliver content to students focusing on content objectives based Common Core Standards and language objectives.

**What is the role of instructional assistants in ELL service?**

- Instructional Assistants collaborate with all certificated teachers (content, classroom, and ELD) about multilingual students served. Collaboration means periodic (at least once a week) communication, with the purpose of enhancing instruction.

- The primary role of a bilingual IA is to provide academic support to qualified ELL students, providing native language support when appropriate. Our students speak 129 different languages and therefore it is necessary for Bilingual instructional assistants to serve across language groups.
All incoming students, who indicate a language other than English is spoken at home, must be assessed to determine eligibility for ELL services.

English language proficiency assessments determine a student’s eligibility for English language development services. The English Language Proficiency for the 21st Century (ELPA21) Screener determines student eligibility for SPS ELL services.

- **Online enrollment; families may enroll from any computer.**
  - Students will receive their assigned school via email.

- **The student's Home Language Survey indicates a language other than English spoken at home.**
  - The student will be flagged for language assessment.
  - The student's English language proficiency is assessed using the ELPA21 Screener.

- **ELPA21 results come back from the state in 7 days.**
  - Students placing at the *Emerging* or *Progressing* status are identified as eligible for ELL services.

- **The parent/guardian is informed of the student's eligibility for services.**
  - The parent/guardian can ACCEPT or WAIVE ELL services.

- **If the parent/guardian ACCEPTS ELL services, the student receives ELL services.**
  - If the parent WAIVES services, the student DOES NOT receive ELL services.

- **The student takes the annual ELPA21 to determine continuation of eligibility for ELL services or exit from the ELL Program.**
  - Students placing at the *Proficient* status are exited.
New Student Assignment Protocol

1. The family registers online and gets assigned to a neighborhood school.
2. Once there is a school assignment, the student gets flagged for the ELPA21 screener if the parents identified that the child knows a language other than English.
3. The student arrives at the assigned neighborhood school to get enrolled in classes and start attending.
4. The ELL department runs a report weekly of all students enrolled and are flagged for ELPA21 screener.
5. The ELL department contacts the neighborhood school about students who need to be tested.
6. The ELL department assigns a tester or the school’s ELL instructional coach to do the testing at the school OR requests one of the school’s ELL Program staff to do the testing if they voluntarily agreed to test.
7. The student gets tested at the school.
8. OSPI sends the ELPA21 Screener results to the ELL department within the range of two to seven days.
9. If the student qualifies for the ELL Program, the ELL department notifies the school’s ELD teacher(s) of the eligibility.
10. A letter from the Director is also sent to the family explaining the Newcomer program.
11. The parents can either agree to receive ELL services or waive ELL services.

Transfer Process to Newcomer Program (BOC)

1. If the student qualifies for the Newcomer Center (BOC), the ELL department notifies the school’s ELD teacher(s) of the eligibility.
2. The neighborhood school’s staff communicates with the family about the new qualification and possible reassignment and asks for an agreeable transfer date if applicable. If the neighborhood school cannot communicate with the family about the possible change in assignment, they contact Narcita Eugenio @ 206-252-0773 so that the ELL department can communicate with the family.
3. The family either agrees with the new placement and transfer date or chooses to stay at the neighborhood school.
4. If the family chooses to stay at the neighborhood school, the student receives ELL services from the ELL program staff at the school.
5. If the family decides to go to the BOC, enrollment changes the student’s placement at the agreed upon date, and a new student enrollment report is generated.
6. The neighborhood school calls the BOC site to give a heads up that a new student is coming and any other relevant information they may have.
7. The enrollment report will flag transportation.
8. The neighborhood school informs the family that a new transportation assignment to the EBOC site may take up to 10 days to be set up. The family can call transportation @ 206-252-0900 to check if needed. The neighborhood school staff supports the family in this process.
9. The BOC site gets notification from transportation for the student.
10. The BOC site coordinates transportation routes/assignment for the student.
11. The BOC site communicates all transportation information, including confirmed routes, with the family.
Newcomer Program Eligibility

Placement

Student placement is determined by experience with US school systems, ELPA21 test scores AND family or guardian preference. Students may be deemed eligible to attend a BOC/Seattle World School if they are:

- new to the US with less than 1 year attendance in ANY US school
- designated a level 1 or beginning student according to the ELPA21 Placement Test
- beyond first semester of Kindergarten year

In very rare cases, if a student enters the district with special circumstances that do not fit the normal profile qualifiers, a careful assessment of the situation will be made to determine the best educational setting for the student.

Transfer Criteria

The following criteria are used for transitioning students from the BOC/Seattle World School:

- length of time in the BOC/Seattle World School
- current English proficiency
- the opportunity of siblings to stay together
- seat availability throughout the district

Students are not expected to be meeting grade level standards when exiting the EBOC/Seattle World School. Students exiting the EBOC will need ongoing, intensive support at the ELD Center school to meet grade level expectations.
Transfer Process from Newcomer Program (BOC)

✦ The assumption is that students with more than one semester of experience in the Newcomer program will transfer at the semester change.

✦ Families of students not ready to transfer are contacted by the BOC (Bilingual Orientation Center) site/Seattle World School staff and informed in writing of the issues.

✦ Grade adjustments, if they are necessary, must be made prior to the parents completing the Choice Forms.

✦ Choice Forms will be provided by the SPS Service Center for each BOC site/Seattle World School student, with appropriate choices highlighted in advance.

✦ All transfer related forms must be available to the family, the BOC/Seattle World School site, the receiving school and the SPS Service Center.

✦ Portfolios and copies of the academic progress report must be readied to accompany transferring students.

✦ Students who present their transcripts far enough in advance of their reassignment will have them evaluated at the Seattle World School.

✦ The SPS Service Center staff will work in tandem with the BOCs and Seattle World School to provide timely and accurate data on student placements and school transportation information.
I. Initial Assignment: Parents of K-5 students (with exception of those residing in West Seattle region) are given the option for their children to attend the Newcomer Program if they satisfy the following conditions:

A. They have attended a school in the U.S. for 180 days or less (consistent with current language)

B. They place in the Emerging status on the ELPA21 Screener

C. Kindergarteners who satisfy the above qualifications will be assigned to their neighborhood school if they enroll in Seattle Public Schools before the second semester. Newcomer Program qualified kindergartners entering into the school district during the months of December and January will be eligible to attend the Newcomer Program.

D. They are identified as Students with Interrupted Formal Education (SIFE); have a two year gap in education in their home country.

II. Reassignment of Students to Newcomer Program

A. Schools are welcome to inform parents to consider reassignment to a Newcomer Program. However, they must complete the following steps before presenting this choice to parents.

B. If a SIT process has been requested for the child in consideration of possible referral to Special Education or Behavior Plan, that process needs to be completed at the neighborhood school prior to the new school assignment. (no exceptions will be made on this)

C. Neighborhood school staff, prior to proposing transfer to a Newcomer Program, needs to provide the following:

1. Documentation of a meeting with ELL teacher, classroom teacher, and building administrator to determine that the child is not making adequate progress due to English language issues, rather than academic or behavior issues. In the USA assessment profile is given to the student to assess the four domains of English proficiency.

2. Documentation that appropriate ELL strategies have been used and interventions have been conducted, and that the child is not making progress comparable with that of ELL peers. Attachment to be created listing ELL strategies, interventions, dates, student data.

3. Documentation that parents are informed by ELL teacher of characteristics of the Newcomer Program setting, including eventual exit and modified curriculum.

*ELL Director approval is required before reassignment can be made.
The English Language Proficiency Assessment for the 21st Century (ELPA21) is used to determine English language levels and student eligibility for English language services. Currently, this is the only assessment of reading, writing, speaking, and listening knowledge and skills used in Washington State for English language proficiency for English language learners (ELLs).

There are two tests:

**The ELPA21 Screener** is used to determine initial English language levels and student eligibility for ELL services. The Screener is given to all students who has an identified language other than English in either question #2 or question #3 on the Home Language Survey:

Question #2  “What language did your child learn first?”
Question #3  “What language does your child use most at home?”

**The ELPA21 Annual Test** is given to all students who qualify for ELL services with the Screener to determine whether the student is eligible to continue to receive ELL services or exit from the program.

All students eligible for language support services according to the ELPA21 Screener must be given the annual ELPA21 test until they reach the *Proficient* status on the annual test. Once a student reaches *Proficient* on the ELPA21 Annual Test, they no longer qualify for language support services.
How are ELL students placed in Seattle Schools?

- Students are placed according to the new assignment plan.
- All schools offer ELL services.
- Students who qualify for the newcomer program (see eligibility criteria) attend one of the four regional elementary BOCs (Northgate, Hawthorne, Dunlap) or the Seattle World School (formerly the Secondary Bilingual Orientation Center).

I have a student who I suspect may be eligible for services but was never tested. Can I request that the student be evaluated to see if he/she qualifies for services?

Yes. The home language survey may not indicate that the student speaks a language other than English. You may request that the parents complete a new home language survey and then submit it to Narcita Eugenio (MS31-676). Students cannot be assessed for bilingual services unless the home language survey indicates they speak a language other than English.

Can a family waive services and then change their mind?

Yes. Parents have the right to waive services for their students. They also have the right to change their minds. Contact the SPS Service Center or Narcita Eugenio @ 252-0773 to complete the process of removing the waiver.

When is a student eligible to attend the Newcomer Program?

In order for a student to be eligible to attend the newcomer program they must meet the following criteria:

- new to the US with less than 1 year attendance in ANY US school
- designated a level 1 or beginning student according to the ELPA21 Placement Test
- beyond first semester of Kindergarten year

Can a family waive services to the newcomer program and still receive ELL services at another school?

Yes. However, we encourage students who are eligible for the BOC to take advantage of this unique program which provides support for students entering into their new culture.

Can a struggling student reenter the program after he/she has exited?

No. However, exited students must be monitored for two years after they exit the program.
Translation and Interpretation Services
Translation and Interpretation Guidelines

These guidelines pertain to school generated documents that address academic support and compliance, school site events, and documents for the general public. Interpreters and translation terms are currently used indiscriminately, in professional terms, interpreters translate orally and translators produce written documents.

**Interpretation is the process by which the spoken word is used to transfer meaning between languages.** Interpretation is much more difficult than it might appear to monolingual speakers. Interpreters must have excellent memory, processing, and auditory skills and be able to accurately convey meaning at a rapid pace. Many words or concepts simply cannot be re-said literally in other languages because they might not exist.

**Translation is the process of transferring ideas expressed in writing from one language to another.** Translators must have a superior understanding of the grammatical and idiomatic nuances of two languages. In many cases, a larger number of words need to be used to write in foreign languages than in English, to convey the same meaning.

Interpretation and translation services are available in the following languages. These are the main language groups identified by the District according to the bilingual student population:

<table>
<thead>
<tr>
<th>Amharic</th>
<th>Chinese</th>
<th>Arabic</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oromo</td>
<td>Somali</td>
<td>Spanish</td>
</tr>
<tr>
<td>Tagalog</td>
<td>Tigrigna</td>
<td>Vietnamese</td>
</tr>
</tbody>
</table>

The English Language Learners Program will coordinate translation services intended for District-wide distribution and for interpretation and translation services for program-related communications to ELL students and families.

See flow chart on ELL [Sharepoint](#).

**When is translation and interpretation required?**

Federal regulations require all critical communication with families be conducted in both English and the home language. For those languages in which we do not have translations, we are to make a sincere effort to provide oral communication in the home language.

Narcita Eugenio, staffed in the ELL Department, oversees translation services intended for District-wide distribution. Call 252-0773.

The ELL Department is responsible for interpretation and translation services provided for program-related communications to ELL students and families.

The Special Education department is responsible for interpretation services at IEP meetings. If the student is dual identified, both ELL and Special Education will pay.

Most schools have a classified extra time budget for translation and interpretation purposes. If you have an hourly ELL employee please Contact: Narcita Eugenio at 206-252-0773 or email: neugenio@seattleschools.org
Translation Service Guidelines

♦ Carefully review the document to be translated.
♦ Start the translation process at least 2 weeks before documents are needed.
♦ Read documents to be translated carefully. Double-check document for timeliness and relevance to bilingual families. Make sure the material is written in concise, clear language, avoiding jargon, idioms, and technical language. If you need to use acronyms such as PTSA, MSP, ASAP, make sure they are defined.
♦ Bear in mind that translated documents usually increase in size because some English terms cannot be translated literally in other languages. A larger number of words may be needed to convey the intended meaning. Some English words or American concepts do not exist in other languages/cultures.
♦ All documents to be translated need to be in electronic form, WORD format.
♦ Consider using School Messenger for short messages and announcements whenever possible.

Interpretation Service Guidelines

Please request Interpreters and Bilingual Family Center staff four weeks in advance for purposes not limited to the following:

♦ IEP conferences
♦ Parent/Teacher conferences or parent meetings
♦ Emergencies involving services to bilingual families
♦ Graduation issues
♦ Truancy, disciplinary, and intervention meetings
♦ Home visits (also see Flight schools below)

How to access and utilize interpreters for school meetings and activities

♦ Start the process of looking for an interpreter as soon as you schedule the activity or meeting. At least 2 weeks advanced notice is preferred. Remember, bilingual staff might not be available every day.
♦ Always select district trained staff. Do not ask students, family members or whoever happens to be available to interpret, i.e. the custodial staff or a person visiting the school.
♦ Contact bilingual staff in your building for interpretation availability first.

If your school staff is not available for interpretation, IA’s from other buildings can be asked. Contact other Bilingual IA’s by using the updated Bilingual Staffing List sent periodically from ELL Program to schools or go to https://seattleschools.sharepoint.com/sites/communities/ELL/ELLIntProg
If IA’s from other buildings are being requested during the workday, it is important that principals are included in this process.

Allocate time (at least 15 minutes) before the meeting or event to meet with the interpreter and discuss the goals and purpose of the meeting or activity. Let the interpreter know the most important information you want to convey during the meeting or activity and provide the information in writing, if possible.

During the event or meeting ask the person conducting the meeting or the presenters to use short and clear phrases, avoid jargon and idioms, provide concrete examples and stick to the subject. This person should maintain eye contact with the family or community members, NOT with the interpreter. Side conversations need to be limited, as the interpreter is obliged to interpret all spoken communication at the meeting.

Persons conducting the meeting or speaking should pause frequently after complete thoughts so that the interpreter can do his/her job and not forget what to say.

After the meeting, take a few minutes to debrief with the interpreter and get his/her perspective on the process and the outcome of the meeting or activity.

Who to Contact

For translation and interpretation services intended for District-wide distribution:
Contact the ELL Department, Seattle Public Schools, 252-0070

For program-related communications to ELL students and families:
Contact Narcita Eugenio for ELL and International Programs, 252-0773

For site-specific translations and interpretations:

Contact bilingual staff in your building for translation availability. To translate into foreign alphabets, a limited number of site licenses will be purchased and installed on computers at sites to be determined.

If bilingual staff in your school is not available for needed translation, IA’s from other buildings can be asked. Contact other bilingual IA’s by using the updated Bilingual Staffing List sent by e-mail periodically from Bilingual Services to schools or check https://seattleschools.sharepoint.com/sites/communities/ELL/ELLIntProg

If you cannot locate a building staff person to translate your document, please call Narcita Eugenio, 252-0773.

For languages not served by Seattle Public Schools’ staff, please use Linguística Telephone Interpreter Access. Directions for using this service is on the next page.
Another option for languages not served by Seattle Public Schools’ staff is the **Linguistica Telephone Interpreter Access**. This resource may be used for short (about 15-20 minutes) interpretations.

- For ELL Eligible Students:
  1. **Dial (866) 908-5744**
     
     Press “2” to immediately connect with a **Spanish interpreter**.
     Press “3” for **all other languages**.
  2. You will be asked to provide the following information:
     - Account Number (11213)
     - Your School Code
     - Your Full Name
  3. Hold as operator connects you to your interpreter.  
     (Conferencing option is available upon request.)
  4. 5. Begin conversation.

- For Students Not Eligible for ELL Services:
  1. **Dial (866) 908-5744**
     
     Press “2” to immediately connect with a **Spanish interpreter**.
     Press “3” for **all other languages**.
  2. You will be asked to provide the following information:
     - Account Number (11170)
     - Your School Code
     - Your Full Name
  3. Hold as operator connects you to your interpreter.  
     (Conferencing option is available upon request.)
  4. 5. Begin conversation.

**How to Pay for Translation and Interpretation Services**

**Approval is required from either Department of Communications or ELL & International Programs for translations intended for program-wide or district-wide distribution.** The requesting department or program is responsible for costs incurred for translation or interpretation services.

**Site specific translations**

Access your school or department budget. All Center Schools (ELL/IP sites) are required to have classified extra time set aside for translation and interpretation purposes. The Special Education Department materials budget may be used for translation and interpretation services.
Date

To the Parent/Guardian of:

Greetings,

Using our Seattle School District enrollment information, your student has been identified as Native American or Alaskan Native, and possibly eligible for newly authorized supplementary academic support services.

These support services are under the Title III grant program and we will be seeking funding to increase Native student success and achievement in reading and language arts (literacy). We have reviewed Native student assessment data and have identified those students who might qualify for supplementary services.

Beginning March 30th, we will begin administering the Washington Language Assessment to determine eligibility. We are required by the Office of the Superintendent of Public Instruction, to test all students who may be eligible for services.

Historically, this funding has been utilized to provide academic support for English Language Learners, but we have recently learned that Native American and Alaskan Native students may also qualify.

Based on testing results and the number of students who qualify, a grant proposal will be submitted, and if approved, the funding will be used to create new district services targeted to increase literacy achievement for Native students and high quality instruction for teachers in effective practices with Native students in literacy.

Please know that the Washington State Language Proficiency test WILL NOT affect your student’s academic scores, it is solely used to assess need for services and to obtain grant funding. Testing times range from 30 minutes to two hours.

Sincerely,

Michelle Ota
Program Director, ELL and International Programs
206-252-0072
mota@seattleschools.org

Huchousedah Native American Education Program
John Stanford Center for Educational Excellence 2445 3rd Avenue South 98134
Mailing Address: MS 31-529 PO Box 34165 Seattle, WA 98124-1165
Tel: 206.252.0948; www.seattleschools.org
Home Language Survey—English

Office of Superintendent of Public Instruction (OSPI)
Home Language Survey

The Home Language Survey is given to all students enrolling in Washington schools.

<table>
<thead>
<tr>
<th>Student Name:</th>
<th>Grade:</th>
<th>Date:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Parent/Guardian Name ____________________ Parent/Guardian Signature ____________________

Right to Translation and Interpretation Services
Indicate your language preference so we can provide an interpreter or translated documents, free of charge, when you need them.

1. In what language(s) would your family prefer to communicate with the school?

   ____________________

All parents have the right to information about their child’s education in a language they understand.

Eligibility for Language Development Support
Information about the student’s language helps us identify students who qualify for support to develop the language skills necessary for success in school. Testing may be necessary to determine if language supports are needed.

2. What language did your child learn first?

   ____________________

3. What language does your child use the most at home?

   ____________________

4. What is the primary language used in the home, regardless of the language spoken by your child?

   ____________________

5. Has your child received English language development support in a previous school? Yes___ No___ Don’t Know___

Prior Education
Your responses about your child’s birth country and previous education:
- Give us information about the knowledge and skills your child is bringing to school.
- May enable the school district to receive additional federal funding to provide support to your child.

6. In what country was your child born?

   ____________________

7. Has your child ever received formal education outside of the United States? (Kindergarten – 12th grade) Yes___ No___

   If yes: Number of months: ______________

   Language of instruction: ______________

8. When did your child first attend a school in the United States? (Kindergarten – 12th grade)

   Month Day Year

This form is not used to identify students’ immigration status.

Thank you for providing the information needed on the Home Language Survey. Contact your school district if you have further questions about this form or about services available at your child’s school.

Note to district: This form is available in multiple languages on http://www.k12.wa.us/BilingualBilingualHomeLanguage.aspx. A response that includes a language other than English to question #2 or question #3 triggers English language proficiency placement testing. Responses to questions #1 or #4 of a language other than English could prompt further conversation with the family to ensure that #2 and #3 were clearly understood. “Formal education” in #7 does not include refugee camps or other unaccredited educational programs for children.

Forms and Translated Material from the Bilingual Education Office of the Office of Superintendent of Public Instruction are licensed under a Creative Commons Attribution 4.0 International License.
## Home Language Survey—Amharic

<table>
<thead>
<tr>
<th>Name:</th>
<th>Father’s Name:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Question 1:</th>
<th>Description</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Note to Districts:** This form is available in multiple languages on [https://www.k12.wa.us/MigrantBilingual/Homelanguage.aspx](https://www.k12.wa.us/MigrantBilingual/Homelanguage.aspx). A response that includes a language other than English to question #2 or question #3 triggers English language proficiency placement testing. Responses to questions #3 or #4 of a language other than English could prompt further conversation with the family to ensure that #2 and #3 were clearly understood. "Formal education" in #7 does not include refugee camps or other unaccredited educational programs for children.
<table>
<thead>
<tr>
<th>العدد</th>
<th>السؤال</th>
<th>الجواب</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>ما اللغة التي تتعلمها طفلك أولاً؟</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>ما اللغة التي يستخدمها طفلك غالباً في المنزل؟</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>ما اللغة التي تحدثها طفلك؟</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>هل سيق أن تلقي طفلك دعمًا لتطوير اللغة الإنجليزية في أي مدرسة سابقة؟</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>في أي دولة وُلد طفلك؟</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>هل لدى طفلك علمًا عمليًا خارج الولايات المتحدة من قبل؟</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>إن تأتي الإجابة &quot;نعم&quot;، عدد السنوات: عدد اللغة:</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>من موسم واحد إلى آخر، طفلك مدرسة في الولايات المتحدة؟</td>
<td></td>
</tr>
</tbody>
</table>

**Note to district:** This form is available in multiple languages on [http://www.k12.wa.us/MigrantBilingual/Nonrelanguage.page](http://www.k12.wa.us/MigrantBilingual/Nonrelanguage.page). A response that includes a language other than English to question #2 OR question #3 triggers English language proficiency placement testing. Responses to questions #1 or #4 of a language other than English could prompt further conversation with the family to ensure that #2 and #3 were clearly understood. "Formal education" in #7 does not include refugee camps or other unaccredited educational programs for children.

Forms and Translated Material from the Bilingual Education Office of the [Office of Superintendent of Public Instruction](http://www.k12.wa.us) are licensed under a [Creative Commons Attribution 4.0 International License](http://creativecommons.org/licenses/by/4.0/).
Home Language Survey—Chinese

<table>
<thead>
<tr>
<th>學生姓名</th>
<th>年級</th>
<th>日期</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>家長/監護人姓名</th>
<th>家長/監護人簽名</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>筆語及口語服是的權利</th>
</tr>
</thead>
<tbody>
<tr>
<td>說明您的語言偏好，我們才能免費提供符合您需求的口譯員或翻譯文件。</td>
</tr>
</tbody>
</table>

1. 您的家人偏好使用哪種語言與學校溝通？

2. 您的孩子最先學習哪種語言？

3. 您的孩子在家中最常使用哪種語言？

4. 不管您的孩子說的語言，家中主要使用哪種語言？

5. 您的孩子在前一所學校是否接受過英語發展輔導？是__否__ 不知道__

<table>
<thead>
<tr>
<th>以往教育</th>
</tr>
</thead>
</table>

6. 您孩子的出生國家？

7. 您的孩子是否曾在美國境外接受正式教育？(幼稚園–12年級) 是 __ 否__
   若回答是：月數： ______________
   教學語言： ______________

8. 您的孩子何時首次就讀美國學校？(幼稚園–12年級) ______________
   年 __ 月 __ 日

感謝您提供家中語言調查需要的資料，若您對本表或您孩子的學校提供的服務有任何疑問，請聯絡您的學區。

Note to district: This form is available in multiple languages on [http://www.k12.wa.us/MigrantBilingual/HomeLanguage](http://www.k12.wa.us/MigrantBilingual/HomeLanguage). A response that includes a language other than English to question #2 or question #3 triggers English language proficiency placement testing. Responses to questions #1 or #4 of a language other than English could prompt further conversation with
<table>
<thead>
<tr>
<th>학생명:</th>
<th>학년:</th>
<th>날짜:</th>
</tr>
</thead>
<tbody>
<tr>
<td>학부모/보호자명</td>
<td>학부모/보호자 서명</td>
<td></td>
</tr>
</tbody>
</table>

변역 및 통역 서비스 관리
선호하시는 언어를 알려주시면 필요하실 때 저희가 무료로 통역 서비스를 제공해 드릴 수 있습니다.

1. 어떤 언어로 가족이 학교와 의사소통하길 원하십니까?

언어 개발 지원 혜택성
학생 언어에 대한 정보는 성공적으로 학교 생활을 하기 위해 언어 스킬 개발의 지원을 받을 수 있는지 여부를 확인할 수 있도록 해줍니다. 언어 지원이 필요한 지 여부를 판단하기 위해 테스트가 필요할 수도 있습니다.

2. 아이가 처음 배운 언어가 무엇입니까?

3. 집에서 아이가 주로 사용하는 언어는 무엇입니까?

4. 아이가 사용하는 언어와 관계없이 집에서 사용하는 주요 언어가 무엇입니까?

5. 아이가 이전 학교에서 영어 개발 지원을 받았습니까? 
예 아니오 모르겠음

이전 교육
아이의 출생 국가 및 이전 교육에 대한 귀하의 답변은:
- 학교에서 아이의 지식 및 스킬에 대한 정보를 저희에게 제공하며,
- 아이를 지원할 수 있도록 교육구에서 추가 자금을 학교에 지원할 수 있게 해줄 수 있습니다.

출생 국가의 언어를 확인하는 데 사용되지 않습니다.

홈 언어 설문 조사에서 필요한 정보를 제공해주셔서 감사합니다. 본 양식에 대한 또한 아이 학교에서 제공하는 서비스에 대해 질문이 있으시면 교육구에 연락주시기 바랍니다.
Home Language Survey—Oromo

Qajeelejama Hawaasaaw Waajjira Xiyyeeefannaa Olaanaa
Qo’annoo Afaan Manaa

Qo’annoo Afan Manaa barattota manneen barnootaa Washington keessa hundaaf kennama.

Maqaa Barataa: 

Kutaa: 

Guyyaa:

Miraa Tajaajilawwan Hilkaaaf Turjumaanaaf
Akkx turjumaana ykn galme hiikamee isinii dhiiyesinuuuf filmusta afaanii keessan eeraa, yoo kannen kan barbaadan ta’e ammo, kanfaltii gaaftamuu.

Maatii hundumtu afaan hubachu danda’anii waa’e barnootaaijoollee isaanii irratti odefannoo arqachuuf mirqa qabu.

1. Maatiin kee afaan(oota) kamii mana barnootaa waliin dubbachuuf barbaaduu?

Margaarsa Daqaagina Afaaniiif Uulaa Gutuu
Baratoonni ogumaawaa afaanii mana barnootaatiif barbaachisan akka qabaanaatiif gargaaruuuf kam isaanii gahumaa akka qabu adda baasuuuf odefannoo wa’a’e afaan barataa nu gargaara.

2. Mucaan kee afaan kamii jaalqaba barate/baratteetee?

3. Mucaan kee manatti irra caala afaan kamiti fayyadamaa/fayyadami?

4. Afaan mana keessaatti itti fayyadamtaan kamii, kan Mucaan keessan mana keessaatti ittiin dubbatuun waa qabatee?

5. Mana barumsaa isa duraatti mucaan kee qarqaarsa daqaaginta afaan Inqlizi arqatee/tte jiraa/jirtii? Eeyeen__Lakki____Hinbeeku____

Barnootaa Duraa
Waa’e biyya dhalkaatafi barnoota duraa mucaan keetiirrii deebiwwaan kee:
• Waa’e beekumsaafi ogummaa mucaan kee mana barnootatti fidu irratti odefannoo nuf kenni.
• Mucaan keetiif gargaarsa kenneef bulchisoonii mana barumsaa akka gargaarsa federaaallaa dabalataa argatu ni dandeessa ta’a.

Uunkaa kunis sadarkaa godaansa barataa adda baasuuuf itti hin fayyadamaa.

6. Mucaan kee biyya kamiti dhalate/tte?

7. Ameerkaaalaa mucaan kee barnoota idilee barate jiraa/jirtii? (olmaa da‘ammnitiiti – kutaa 12th) __Eeyeen____Lakkii____

Eeyeen yoo ta‘e: Lakkoofsa J’ooatat: Afaan ittiin barate:


J’aa__Guyyaa__Bara____

Odefannoo Qo’annoo Afaan Manaa irratti barbaadamuu kennu keessanii galatoomaa. Waa’e uunkaa kanaarratti ykn tajaajilawwan mana barumsaa mucaan keeti kennaman irratti gaaffii yoo qabaattan, bulchiinu mana barnootaa keessan qunaamaa.

Note to district: This form is available in multiple languages on http://www.k12.wa.us/MigrantBilingual/HomeLanguage.aspx. A response that includes a language other than English to question #2 OR question #3 triggers English language proficiency placement testing. Responses to questions #1 or #4 of a language other than English could prompt further conversation with the family to ensure that #2 and #3 were clearly understood. “Formal education” in #7 does not include refugee camps or other unaccredited educational programs for children.

Forms and Translated Material from the Bilingual Education Office of the Office of Superintendent of Public Instruction are licensed under a Creative Commons Attribution 4.0 International License.
Home Language Survey—Russian

Управление инспектора государственных школ (Office of Superintendent of Public Instruction, OSPI)
Анкета о языке домашнего общения

Анкета о языке домашнего общения выдается всем поступающим в школы штата Вашингтон.

<table>
<thead>
<tr>
<th>Имя и фамилия учащегося:</th>
<th>Класс:</th>
<th>Дата:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Имя и фамилия родителя/опекуна __________________________ Подпись родителя/опекуна __________</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Право на услуги письменного и устного перевода
Укажите предпочитаемый язык, чтобы при необходимости мы могли бесплатно предоставить вам устного переводчика или переведенные документы.

Право на поддержку развития языковых навыков
Информация о языке учащихся поможет выявить тех, кто имеет право на поддержку развития языковых навыков, необходимых для успешной учебы. Для определения потребности в языковой поддержке может понадобиться тестирование.

Полученное ранее образование
Информация о стране рождения ребенка и полученном им ранее образовании.

Благодарим за заполнение анкеты о языке домашнего общения. С вопросами по этой форме или по услугам, предлагаемым в школе вашего ребенка, обращайтесь в свой школьный округ.

Note to district: This form is available in multiple languages on http://www.k12.wa.us/MigrantBilingual/HomeLanguage.aspx. A response that includes a language other than English to question #2 OR question #3 triggers English language proficiency placement testing. Responses to questions #1 or #4 of a language other than English could prompt further conversation with the family to ensure that #2 and #3 were clearly understood. "Formal education" in #7 does not include refugee camps or other unaccredited educational programs for children.

Forms and Translated Materials from the Bilingual Education Office of the Office of Superintendent of Public Instruction are licensed under a Creative Commons Attribution 4.0 International License.
Home Language Survey—Somali

<table>
<thead>
<tr>
<th>Magaca Ardayga:</th>
<th>Fasalka:</th>
<th>Taariikhda:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Magaca Waalid/Ilaaliye</td>
<td>Saxeexa Waalid/Ilaaliye</td>
<td></td>
</tr>
</tbody>
</table>

**Xuquuqada Turjumaadda iyo Adeegyada Af-celinta**
Cadddee luqadaada aad doorbiddo si aan ku siin karno turjumaama ama dhukumeniy Smith urjumadda oo lagu magacaas luqadda ay ugu fara ah oo igu talin karaan ah, marka aad u baahato.

1. Luqaddaas waxay xaqiiyey jecelaa lahayeen inaad kula hadlii duquiso?

2. Maxay tahay luqadda ilmahaagoo ugu barty ugu horayn?

3. Maxay tahay luqadda ilmahaagoo ugu isticmaal inta ugu badan guuriga?

4. Maxay tahay luqadda koowaad ee laqo isticmaal qorqiga, iyadoo aan loo eegayn luqadda ay ku hadlii ilmahaagoo?

5. Miyuu ilmahaagu ku helay taageerada kobcinta luqadda Inqiriisida duquisiili hore? Haa _____ Maya_____ Ma aqaan

**Waxabarashad Kahor**
Jawaabahaaga ku saabsan wadanka uu ku dhaxay ilmahaagoo iyo waxabarasho hore:
- Na si maculumaad ku saabsan aqnoon iyo xirfadaha ilmahaagoo uu keenay duquisiga.
- Waxay awoodi karaan duquisiga degmadu inuu helo maalilyadheer federal oo dheeraad ah is uuu u siyo taageero ilmahaaga.

Foomkanka looma isticmaan in lagu muujiiyo xaaladda mujaahinimo ee ardayda.

6. Waddankeye ayuu ilmahaagoo ku dhashay?

7. Miyuu ilmahaagoo waxaagaa ku helay waxbarashada tooska ah meel ka baksan Maraykanka? (Barbaarinta - fasalka 2nd) _____Haa _____Maya

Haddii ay tahay ha: Tirada bilaha: ____________
Luqadda waxbarashada: ____________

8. Goorma ayuu ilmahaagoo ugu horayn tagay duquis Maraykanka?
(Barbaarinta - fasalka 2nd)

Bisha Maalinta Sannadka

*Note to district:* This form is available in multiple languages on [www.k12.wa.us/MigrantBilingual/HomeLanguage.aspx](http://www.k12.wa.us/MigrantBilingual/HomeLanguage.aspx). A response that includes a language other than English to question #2 or question #3 triggers English language proficiency placement testing. Responses to questions #1 or #4 of a language other than English could prompt further conversation with the family to ensure that #2 and #3 were clearly understood. “Formal education” in #7 does not include refugee camps or other unaccredited educational programs for children.

[License](https://creativecommons.org/licenses/by/4.0/)
Home Language Survey—Spanish

<table>
<thead>
<tr>
<th>Nombre del alumno:</th>
<th>Grado:</th>
<th>Fecha:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nombre del padre, madre o tutor legal</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Firma del padre, madre o tutor legal</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Derecho a los servicios de traducción o interpretación**

Indique el idioma de su preferencia para que podamos brindarle un intérprete o documentos traducidos, sin cargo alguno, cuando los necesite.

<table>
<thead>
<tr>
<th>Requisitos para recibir apoyo en capacitación de idiomas</th>
</tr>
</thead>
<tbody>
<tr>
<td>La información sobre el idioma del alumno nos ayuda a identificar a los alumnos que requieren los requisitos para recibir apoyo para formar las habilidades de idioma necesarias para tener éxito en la escuela. Es posible que se necesite hacer una evaluación para determinar si se requiere ayuda con el idioma.</td>
</tr>
<tr>
<td>1. ¿En qué idioma prefiere su familia comunicarse con la escuela?</td>
</tr>
<tr>
<td>2. ¿Qué idioma aprendió su hijo primero?</td>
</tr>
<tr>
<td>3. ¿Qué idioma utiliza más su hijo en casa?</td>
</tr>
<tr>
<td>4. ¿Cuál es el idioma principal que se utiliza en casa, independientemente del idioma que habla su hijo?</td>
</tr>
<tr>
<td>5. ¿Ha recibido su hijo apoyo en capacitación del idioma inglés en una escuela anterior? Sí ___ No ___ No sé ___</td>
</tr>
</tbody>
</table>

**Educación previa**

Sus respuestas sobre el país de nacimiento de su hijo y su educación previa:
- Brindemos información sobre el conocimiento y las aptitudes que su hijo trae a la escuela.
- Esto puede ayudar a que el distrito escolar reciba fondos federales adicionales para brindarle apoyo a su hijo.

Este formulario no se utiliza para identificar la situación migratoria de los alumnos.

| 6. ¿En qué país nació su hijo? |
| 7. ¿Alguna vez ha recibido su hijo educación formal fuera de Estados Unidos? (Kindergarten – 12.º grado) Sí ___ No ___ |
| Si la respuesta es Sí: Número de meses: Idioma de formación: |
| 8. ¿Cuándo asistió su hijo por primera vez a la escuela en Estados Unidos? (Kindergarten – 12.º grado) |
| Mes ___ Día ___ Año ___ |

Gracias por brindarnos la información necesaria en la Encuesta de Idiomas en el Hogar. Póngase en contacto con su distrito escolar si tiene más preguntas sobre este formulario o sobre los servicios que ofrece la escuela de su hijo.

*Note to district: This form is available in multiple languages on [http://www.k12.wa.us/MigrantBilingual/HomeLanguage.aspx](http://www.k12.wa.us/MigrantBilingual/HomeLanguage.aspx). A response that includes a language other than English to question #2 or question #3 triggers English language proficiency placement testing. Responses to questions #1 or #4 of a language other than English could prompt further conversation with the family to ensure that #2 and #3 were clearly understood. "Formal education" in #7 does not include refugee camps or other unaccredited educational programs for children.*
Home Language Survey—Tagalog

<table>
<thead>
<tr>
<th>Pagkakaroen ng Estudyante</th>
<th>Grade:</th>
<th>Petsa:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pangalan ng Magulang</td>
<td></td>
<td>Lagda ng Magulang</td>
</tr>
</tbody>
</table>

**Karapatan sa mga Serbisyo sa Pagasalain at Interpreting**
Banggitin ang mas gusto mong wika upang makapa-biyah kami ng interpreter o mga dokumentong isinalin sa iyong wika, nang walang bayad, kapag kailangan mo ang mga ito.

1. Anong (mga) wika ang gustong gamitin ng inyong pamilya sa pakikipag-ugnayan sa paaralan?

2. Anong wika ang unang natutuhan ng iyong anak?

3. Anong wika ang pinakamadalas na ginaamit ng iyong anak sa tahanan?

4. Anong pangunahing wika ang ginagamit sa inyong tahanan, kahit ano pa ang wika na sinasalita ng iyong anak?

5. Nakatanggap ba ang iyong anak ng suporta sa pagsulon sa wikang Ingles sa dati niyang paaralan? Oo___ Hindi___ Hindi Alam___

**Pagging Karapat-dapat sa Suporta sa Pagsulog sa Wika**
Ang impormasyon tungkol sa wika ng estudyante ay tumutulong sa amin na matukoy ang mga estudyante na kwalipikado para sa suporta sa pagsulong sa mga kasanayan sa wika na kailangan para magtagumpay sa paaralan. Maaaring kailanganin ang test o paagsusuri para matiyak kung kailangan ang mga suporta sa wika.

6. Sa anong bansa isinilang ang iyong anak?

7. Nakatanggap ba ng normal na edukasyon ang iyong anak sa labas ng United States? (Kindergarten – 12th grade) Oo ___ Hindi

Kung oo: Bilang ng buwan: ___________
Wika sa pagtuturo: ___________

8. Kailan unang pumasok sa paaralan sa United States anq iyong anak? (Kindergarten – 12th grade)

Buwan Araw Taon

Salamat sa pagbibigay ng impormasyon kailangan sa Survey sa Wika sa Tahanan. Makipag-ugnayan sa iyong school district kung mayroon ka pang katanungan tungkol sa form na ito o tungkol sa mga serbisyong na available sa paaralan ng iyong anak.

*Note to district: This form is available in multiple languages on [http://www.k12.wa.us/MigrantBilingual/HomeLanguageSurvey.htm](http://www.k12.wa.us/MigrantBilingual/HomeLanguageSurvey.htm). A response that includes a language other than English to question #2 or question #3 triggers English language proficiency placement testing. Responses to questions #2 or #4 of a language other than English could prompt further conversation with the family to ensure that #2 and #3 were clearly understood. "Formal education" in #7 does not include refugee camps or other unaccredited educational programs for children.*
Home Language Survey—Tigrinya

<table>
<thead>
<tr>
<th>ከም ምላለር</th>
<th>ከለ ምላለር</th>
<th>ከአት ምላለር</th>
</tr>
</thead>
<tbody>
<tr>
<td>ከም ምላለር</td>
<td>ከለ ምላለር</td>
<td>ከአት ምላለር</td>
</tr>
</tbody>
</table>

1. ቞ይታታ ከለ ምላለር የለ ምላለር ከአት ምላለር

2. ቞ይታታ ከለ ምላለር የለ ምላለር ከአት ምላለር

3. ቞ይታታ ከለ ምላለር የለ ምላለር ከአት ምላለር

4. ቞ይታታ ከለ ምላለር የለ ምላለር ከአት ምላለር

5. ቞ይታታ ከለ ምላለር የለ ምላለር ከአት ምላለር

6. ቞ይታታ ከለ ምላለር የለ ምላለር ከአት ምላለር

7. ቞ይታታ ከለ ምላለር የለ ምላለር ከአት ምላለር

8. ቞ይታታ ከለ ምላለር የለ ምላለር ከአት ምላለር

**Note:** This form is available in multiple languages on [language��org](http://language点org). A response that includes a language other than English in question 12 may contain information about the students' home language proficiency and placement needs. Responses in question 12 or 14 of a language other than English could prompt further communication with the family to ensure that the family has verified that these responses are correct.

Form and translated material from the Multilingual Education Office of the Office of Superintendent of Public Instruction, licensed under Creative Commons Attribution 4.0 International License.
Home Language Survey—Vietnamese

Văn Phòng Giám Đốc Giảng Dạy Công Lập (OSPI)
Khảo Sát Ngôn Ngữ Ở Nhà
Bảng Khảo Sát Ngôn Ngữ Ở Nhà được trao cho tất cả học sinh ghi danh tại các trường ở Washington.

Tên Học Sinh: ____________________  Lớp: ____________________  Ngày: ____________________

Tên Phụ Huynh/Người Giám Hộ ____________________  Chữ Ký Phụ Huynh/Người Giám Hộ ____________________

Quyền Nhận Được Dịch Vu Phifen
Dịch và Thông Dich
Chữ biêt ngôn ngữ của quý vị để chúng tôi có thể cung cấp miễn phí thông dịch viênc hoặc các văn bản đã được dịch khi quý vị cần.

1. Gia dinh của quý vị muốn giao tiếp với nhà trường bằng (những) ngôn ngữ nào?
   __________________________________________________________

2. Con của quý vị đã học ngôn ngữ nào đầu tiên?
   __________________________________________________________

3. Con của quý vị sử dụng ngôn ngữ nào nhiều nhất ở nhà?
   __________________________________________________________

4. Ngôn ngữ chính nào được sử dụng ở nhà, không kể ngôn ngữ mà con của quý vị nói?
   __________________________________________________________

5. Con của quý vị có từng nhận được hỗ trợ để phát triển ngôn ngữ tiếng Anh ở trường học trước đây không?
   Có _____ Không _____ Không biết ______

Điều Kiện để Nhận Được Hỗ Trợ Phát Triển Ngôn Ngữ
Thông tin về ngôn ngữ của học sinh giúp chúng tôi xác định các học sinh đủ điều kiện được hỗ trợ để phát triển các kỹ năng ngôn ngữ cần thiết cho sự thành công trong trường học.
Việc kiểm tra có thể cần thiết để quyết định nếu việc hỗ trợ ngôn ngữ là cần thiết.

Giáo Dục Trước Đầy
Những câu trả lời của quý vị về đất nước mà con của quý vị đã sinh ra và về việc giáo dục trước đây:
- Cho chúng tôi thông tin về kiến thức và kỹ năng mà con quý vị dem tới trường.
- Có thể cho phép khi học chương trình được kinh phí bổ sung của liên bang để cung cấp hỗ trợ cho con của quý vị.
Mẫu đơn này không được sử dụng để xác định tình trạng nhập cư của học sinh.

6. Con của quý vị đã sinh ra ở nước nào?
   __________________________________________________________

7. Con của quý vị có bao giờ nhận được giáo dục chính quy ở ngoài Hoa Kỳ hay không? (Mẫu giáo – Lớp 12)
   Có _____ Không _____
   Nêu rõ: Bao nhiêu tháng: ____________________
   Năm: ____________________

8. Con của quý vị lần đầu tiên đi học tại Hoa Kỳ khi nào?
   (Mẫu giáo – Lớp 12)
   Tháng: ____________________  Ngày: ____________________  Năm: ____________________

Cấm on quý vị đã cung cấp thông tin cần thiết trên bảng Khảo Sát Ngôn Ngữ Ở Nhà. Hãy liên hệ khi học chương
của quý vị nếu quý vị có thêm câu hỏi về mẫu đơn này hoặc về các dịch vụ hiện có tại trường học của con quý vị.

Note to district: This form is available in multiple languages on http://www.132.wa.gov/MigrantBilingual/HomeLanguageSurvey.aspx. A response that includes a language other than English to question #2 OR question #3 triggers English language proficiency placement testing. Responses to questions #1 or #4 of a language other than English could prompt further conversation with the family to ensure that #2 and #3 were clearly understood. "Formal education" in #7 does not include refugee camps or other unaccredited educational programs for children.

Forms and Translated Material from the Bilingual Education Office of the Office of Superintendent of Public Instruction are licensed under a Creative Commons Attribution 4.0 International License.
Dear Colleague:

Forty years ago, the Supreme Court of the United States determined that in order for public schools to comply with their legal obligations under Title VI of the Civil Rights Act of 1964 (Title VI), they must take affirmative steps to ensure that students with limited English proficiency (LEP) can meaningfully participate in their educational programs and services.\(^1\) That same year, Congress enacted the Equal Educational Opportunities Act (EEOA), which confirmed that public schools and State educational agencies (SEAs) must act to overcome language barriers that impede equal participation by students in their instructional programs.\(^2\)

Ensuring that SEAs and school districts are equipped with the tools and resources to meet their responsibilities to LEP students, who are now more commonly referred to as English Learner (EL) students or English Language Learner students, is as important today as it was then. EL students are now enrolled in nearly three out of every four public schools in the nation, they constitute nine percent of all public school students, and their numbers are steadily increasing.\(^3\)

It is crucial to the future of our nation that these students, and all students, have equal access to a high-quality education and the opportunity to achieve their full academic potential. We applaud those working to ensure equal educational opportunities for EL students, as well as the many schools and communities creating programs that recognize the heritage languages of EL students as valuable assets to preserve.

The Office for Civil Rights (OCR) at the U.S. Department of Education (ED) and the Civil Rights Division at the U.S. Department of Justice (DOJ) share authority for enforcing Title VI in the education context. DOJ is also responsible for enforcing the EEOA. (In the enclosed guidance, Title VI and the EEOA will be referred to as “the civil rights laws.”) In addition, ED administers the English Language Acquisition, Language Enhancement, and Academic Achievement Act, also known as Title III, Part A of the Elementary and Secondary Education Act of 1965, as amended (ESEA) (Title III).\(^4\) Under Title III, ED awards grants to SEAs, which, in turn, award Federal funds through sub grants to school districts in order to improve the


education of EL students so that they learn English and meet challenging State academic content and achievement standards. 5

The Departments are issuing the enclosed joint guidance to assist SEAs, school districts, and all public schools in meeting their legal obligations to ensure that EL students can participate meaningfully and equally in educational programs and services. 6 This guidance provides an outline of the legal obligations of SEAs and school districts to EL students under the civil rights laws. 7 Additionally, the guidance discusses compliance issues that frequently arise in OCR and DOJ investigations under Title VI and the EEOA and offers approaches that SEAs and school districts may use to meet their Federal obligations to EL students. The guidance also includes discussion of how SEAs and school districts can implement their Title III grants and sub grants in a manner consistent with these civil rights obligations. Finally, the guidance discusses the Federal obligation to ensure that LEP parents and guardians have meaningful access to district- and school-related information. We hope that you will find this integrated guidance useful as you strive to provide EL students and LEP parents equal access to your instructional programs.

As we celebrate the fortieth anniversaries of Lau and the EEOA and the fiftieth anniversary of Title VI, we are reminded of how much progress has been achieved since these milestones and how much work remains to be done. We look forward to continuing this progress with you.

Sincerely,

/s/  Catherine E. Lhamon  
Assistant Secretary for Civil Rights  
U.S. Department of Education  

/s/  Vanita Gupta  
Acting Assistant Attorney General for Civil Rights  
U.S. Department of Justice

5 20 U.S.C. §§ 6821(a), 6825(a); see also 34 C.F.R. § 200.1(b), (c) (explaining distinction between content standards and achievement standards).

6 The terms “program,” “programs,” “programs and services,” and “programs and activities” are used in a colloquial sense and are not meant to invoke the meaning of the terms “program” or “program or activity” as defined by the Civil Rights Restoration Act of 1987 (CRRA). Under the CRRA, which amended Title VI, Title IX of the Education Amendments of 1972 (Title IX), and Section 504 of the Rehabilitation Act of 1973 (Section 504), the term “program or activity” and the term “program,” in the context of a school district, mean all of the operations of a school district. 42 U.S.C. § 2000d-4(a)(2)(B); 20 U.S.C. § 1687(2)(B); 29 U.S.C. § 794(b)(2)(B).

7 As applied to Title VI, this guidance is consistent with and clarifies previous Title VI guidance in this area including: U.S. Department of Health, Education, and Welfare, Office for Civil Rights, Identification of Discrimination and Denial of Services on the Basis of National Origin (May 25, 1970), reprinted in 35 Fed. Reg. 11,595 (July 18, 1970) (1970 OCR Guidance) (the great majority of programs and functions assigned to ED at its creation in 1980 were transferred from HEW); OCR, The Office for Civil Rights’ Title VI Language Minority Compliance Procedures (December 1985) (1985 OCR Guidance); and OCR, Policy Update on Schools’ Obligations Toward National-Origin Minority Students with Limited-English Proficiency (September 1991) (1991 OCR Guidance). These guidance documents are available at http://www2.ed.gov/about/offices/list/ocr/ellresources.html. This guidance clarifies these documents and does so consistent with legal developments since 1991. When evaluating compliance under the EEOA, DOJ applies EEOA case law as well as the standards and procedures identified in this guidance, which are similar to those identified in OCR’s previous Title VI guidance.
Notice of Language Assistance

Notice of Language Assistance: If you have difficulty understanding English, you may, free of charge, request language assistance services for this Department information by calling 1-800-USA-LEARN (1-800-872-5327) (TTY: 1-800-877-8339), or email us at: Ed.Language.Assistance@ed.gov.

Aviso a personas con dominio limitado del idioma inglés: Si usted tiene alguna dificultad en entender el idioma inglés, puede, sin costo alguno, solicitar asistencia lingüística con respecto a esta información llamando al 1-800-USA-LEARN (1-800-872-5327) (TTY: 1-800-877-8339), o envíe un mensaje de correo electrónico a: Ed.Language.Assistance@ed.gov.

給英語能力有限人士的通知: 如果您不懂英語，或者使用英語有困難，您可以要求獲得向大眾提供的語言協助服務，幫助您理解教育部資訊。這些語言協助服務均可免費提供。如果您需要有關口譯或筆譯服務的詳細資訊，請致電1-800-USA-LEARN (1-800-872-5327) (聽語障人士專線：1-800-877-8339), 或電郵: Ed.Language.Assistance@ed.gov.

給英語能力有限人士的通知: 如果您不懂英語，或者使用英語有困難，您可以要求獲得向大眾提供的語言協助服務，幫助您理解教育部資訊。這些語言協助服務均可免費提供。如果您需要有關口譯或筆譯服務的詳細資訊，請致電1-800-USA-LEARN (1-800-872-5327) (聽語障人士專線：1-800-877-8339), 或電郵: Ed.Language.Assistance@ed.gov.


Уведомление для лиц с ограниченным знанием английского языка: Если вы испытываете трудности в понимании английского языка, вы можете попросить, чтобы вам предоставили перевод информации, которую Министерство Образования доводит до всеобщего сведения. Этот перевод предоставляется бесплатно. Если вы хотите получить более подробную информацию об услугах устного и письменного перевода, звоните по телефону 1-800-USA-LEARN (1-800-872-5327) (служба для слабослышащих: 1-800-877-8339), или отправьте сообщение по адресу: Ed.Language.Assistance@ed.gov.
Dear Colleague Letter: English Learner Students and Limited English Proficient Parents

TABLE OF CONTENTS

I. State Educational Agency and School District Obligations to EL Students

II. Common Civil Rights Issues

A. Identifying and Assessing All Potential EL Students

B. Providing EL Students with a Language Assistance Program

C. Staffing and Supporting an EL Program

D. Providing Meaningful Access to All Curricular and Extracurricular Programs

  1. Core Curriculum

  2. Specialized and Advanced Courses and Programs

E. Avoiding Unnecessary Segregation of EL Students

F. Evaluating EL Students for Special Education Services and Providing Special Education and English Language Services

  1. Individuals with Disabilities Education Act (IDEA)

  2. Section 504 of the Rehabilitation Act (Section 504)

G. Meeting the Needs of EL Students Who Opt Out of EL Programs or Particular EL Services

H. Monitoring and Exiting EL Students from EL Programs and Services

I. Evaluating the Effectiveness of a District’s EL Program

J. Ensuring Meaningful Communication with Limited English Proficient Parent

Conclusion

---

8 The Departments have determined that this document is a “significant guidance document” under the Office of Management and Budget’s Final Bulletin for Agency Good Guidance Practices, 72 Fed. Reg. 3432 (Jan. 25, 2007), available at www.whitehouse.gov/sites/default/files/omb/fedreg/2007/012507_good_guidance.pdf. This and other policy guidance is issued to provide recipients with information to assist them in meeting their obligations, and to provide members of the public with information about their rights, under the civil rights laws and implementing regulations that the Departments enforce. The Departments’ legal authority is based on those laws and regulations. This guidance does not add requirements to applicable law, but provides information and examples to inform recipients about how the Departments evaluate whether covered entities are complying with their legal obligations. If you are interested in commenting on this guidance, please send an e-mail with your comments to OCR@ed.gov and education@usdoj.gov, or write to the following addresses: Office for Civil Rights, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202, and the Educational Opportunities Section, Civil Rights Division, U.S. Department of Justice, 950 Pennsylvania Avenue, NW, PHB, Washington, D.C. 20530.
I. State Educational Agency and School District Obligations to EL Students

SEAs and school districts share an obligation to ensure that their EL programs and activities comply with the civil rights laws and applicable grant requirements. Title VI prohibits recipients of Federal financial assistance, including SEAs and school districts, from discriminating on the basis of race, color, or national origin. Title VI’s prohibition on national origin discrimination requires SEAs and school districts to take “affirmative steps” to address language barriers so that EL students may participate meaningfully in schools’ educational programs.

The EEOA requires SEAs and school districts to take “appropriate action to overcome language barriers that impede equal participation by [their] students in [their] instructional programs.”

In determining whether a school district’s programs for EL students comply with the civil rights laws, the Departments apply the standards established by the United States Court of Appeals for the Fifth

---

9 See Department of Education Title VI regulations: 34 C.F.R. § 100.4(b) (every application by a State or State agency for continuing Federal financial assistance “shall . . . provide or be accompanied by provision for such methods of administration for the program as are found by the responsible Departmental official to give reasonable assurance that the applicant and all recipients of Federal financial assistance under such program will comply with all requirements imposed by or pursuant to this [Title VI] regulation”); id. § 80.40(a) (“[g]rantees must monitor grant and sub grant supported activities to assure compliance with applicable Federal requirements and that performance goals are being achieved.”); id. §§ 76.500, 76.770 (requiring SEAs to have procedures “necessary to ensure compliance with applicable statutes and regulations,” including non-discrimination provisions of Title VI). See also Department of Justice Title VI regulations: 28 C.F.R. § 42.105 (a)(1) (“[e]very application for Federal financial assistance [to carry out a program] to which this subpart applies, and every application for Federal financial assistance to provide a facility shall . . . contain or be accompanied by an assurance that the program will be conducted or the facility operated in compliance with all requirements imposed by or pursuant to this subpart.”); id.

§ 42.410 (“[e]ach state agency administering a continuing program which receives Federal financial assistance shall be required to establish a Title VI compliance program for itself and other recipients which obtain Federal assistance through it. The Federal agencies shall require that such state compliance programs provide for the assignment of Title VI responsibilities to designated state personnel and comply with the minimum standards established in this subpart for Federal agencies, including the maintenance of records necessary to permit Federal officials to determine the Title VI compliance of the state agencies and the sub-recipient.”).

10 Any Federal agency, such as the Department of Education or Justice, that provides Federal funds to an SEA or school district may initiate a compliance review to ensure compliance with, or investigate a complaint alleging a violation of, Title VI and its implementing regulations. DOJ also may initiate a Title VI suit if, after notice of a violation from a Federal funding agency, a recipient of Federal funds fails to resolve noncompliance with Title VI voluntarily and the agency refers the case to DOJ. Furthermore, DOJ coordinates enforcement of Title VI across Federal agencies and can participate in private litigation involving Title VI.

11 Lau, 414 U.S. at 566-67 (affirming 1970 OCR Guidance and stating that where inability to speak and understand the English language excludes national origin-minority group children from effective participation in the educational program offered by a school district, Title VI requires that the district take affirmative steps to rectify the language deficiency to open its instructional program to these students); 34 C.F.R. §100.3(b)(1), (2).

12 20 U.S.C. § 1703(f) (“No State shall deny equal educational opportunity to an individual on account of his or her race, color, sex, or national origin, by . . . the failure by an educational agency to take appropriate action to overcome language barriers that impede equal participation by its students in its instructional programs”). After providing notice of an EEOA violation, DOJ may institute a civil action if an SEA or school district has not taken “appropriate remedial action” within a reasonable time. Id.

§§ 1706, 1710. DOJ also has the authority to intervene in private EEOA cases. Id. § 1709.
Circuit more than 30 years ago in *Castañeda v. Pickard.* Specifically, the Departments consider whether:

1) The educational theory underlying the language assistance program is recognized as sound by some experts in the field or is considered a legitimate experimental strategy;

2) The program and practices used by the school system are reasonably calculated to implement effectively the educational theory adopted by the school; and

3) The program succeeds, after a legitimate trial, in producing results indicating that students’ language barriers are actually being overcome within a reasonable period of time.

The Departments also apply *Castañeda’s* standards when evaluating an SEA’s compliance with the civil rights laws. Even if an SEA does not provide educational services directly to EL students, SEAs have a responsibility under the civil rights laws to provide appropriate guidance, monitoring, and oversight to school districts to ensure that EL students receive appropriate EL services. For example, to the extent that SEAs select EL instructional program models that their school districts must implement or otherwise establish requirements or guidelines for such programs and related practices, these programs, requirements, or guidelines must also comply with the *Castañeda* requirements.

In addition, Title III requires SEAs and school districts that receive funding under Title III sub grants to provide high-quality professional development programs and implement high-quality language instruction education programs, both based on scientifically-based research, that will enable EL students to speak, listen, read, and write English and meet challenging State standards. Not all school districts

---

14 Throughout this guidance, “school district” or “district” includes any local educational agency (LEA) that is a recipient of Federal financial assistance directly from ED or indirectly through an SEA or LEA, including public school districts, public charter schools, and public alternative schools. 42 U.S.C. § 2004d-4a (incorporating 20 U.S.C. §7801(26)). “School district” and SEA also include, respectively, any LEA or SEA as defined by the EEOA. 20 U.S.C. § 1720(a), (b) (incorporating 20 U.S.C. §7801(26), (41)). In some cases, an SEA and LEA may be the same entity. (Hawaii and Puerto Rico are two examples.)

15 684 F.2d 989 (5th Cir. 1981); see *United States v. Texas*, 601 F.3d 354, 366 (5th Cir. 2010) (reaffirming and applying the *Castañeda* test); see 1991 OCR Guidance ("In view of the similarity between the EEOA and the policy established in the 1970 OCR memorandum, in 1985 OCR adopted the *Castañeda* standard for determining whether recipients’ programs for LEP students complied with the Title VI regulation.").

16 *See, e.g., Horne v. Flores*, 557 U.S. 433, 439 (2009) ("The question at issue in these cases is not whether [the State of] Arizona must take ‘appropriate action’ to overcome the language barriers that impede ELL students. Of course it must."); *Texas*, 601 F.3d at 364-65 (applying EEOA to SEA); *United States v. City of Tonkers*, 96 F.3d 600, 620 (2d Cir. 1996) (“The EEOA also imposes on states the obligation to enforce the equal-educational- opportunity obligations of local educational agencies [LEAs].”); *Gomez v. Illinois State Bd. of Educ.*, 811 F.2d 1030, 1042-43 (7th Cir. 1987) (holding that SEAs set “general guidelines in establishing and assuring the implementation of the state’s [EL] programs” and that “§ 1703(f) requires that [SEAs], as well as [LEAs], . . .ensure that the needs of LEP children are met”); *Idaho Migrant Council v. Bd. of Educ.*, 647 F.2d 69, 71 (9th Cir. 1981) (holding that an SEA “has an obligation to supervise the local districts to ensure compliance” with the EEOA); *see also supra note 9* (quoting regulations regarding SEAs’ obligations as recipients of any Federal funds to oversee sub grantees).

17 20 U.S.C. §§ 6823(b)(2), 6825(c)(1),(2), 6826(d)(4). Currently, all SEAs receive Federal funds under Title III, Part A because they all have an approved plan. See *id.* §§ 6821, 6823. SEAs may reserve no more than 5 percent of the funds for certain State-level activities, and no more than 15 percent of the funds for sub grants to school districts that have experienced a significant increase in the number or percentage of immigrant children. *Id.* §§ 6821(b)(2), 6824(d)(1). When referring to Title III, Part A sub grants to school districts, this guidance is referring to the portion of Federal funds (which must be at least 80 percent of the total) that must be provided to school districts based on the population of EL students in each district. *Id.* § 6824(a). For more information on Title III grants, see [http://www2.ed.gov/programs/sfpp/index.html](http://www2.ed.gov/programs/sfpp/index.html).
that enroll EL students receive such sub grants from their SEA under Title III, Part A. Some school districts have too small a population of EL students to meet the minimum sub grant requirement and are not members of a consortium of districts that is receiving a sub grant. Nonetheless, several key school district requirements for recipients under Title III that are discussed in this letter are also required by Title I of the ESEA, which has no such minimum sub grant requirement.

Title III, Part A funds must be used to supplement other Federal, State, and local public funds that would have been expended absent such funds. Because the civil rights laws require SEAs and school districts to take appropriate action to overcome language barriers for EL students, Title III, Part A funds may not be used to fund the activities chosen to implement an SEA’s or school district’s civil rights obligations.

Thus, SEAs and school districts can use these funds only for activities beyond those activities necessary to comply with Federal civil rights obligations. It is important to remember, however, that the legal obligations of an SEA and a school district under Title VI and the EEOA are independent of the amount or type of State or Federal funding received. Thus, for example, any change to State funding dedicated to EL programs and services, including State limitations on funding after a child has received EL services for a specified period of time, does not change an SEA’s or school district’s Federal civil rights obligations to EL students.

Title III also contains its own non-discrimination provision, which provides that a student shall not be admitted to, or excluded from, any federally assisted education program on the basis of a surname or language-minority status. In addition, SEAs and school districts that receive funding under Title III are required to regularly determine the effectiveness of a school district’s program in assisting EL students to attain English proficiency and meet challenging State academic content and student academic

---

17 20 U.S.C. §§ 6824(b), 6871.

18 This includes the requirement that school districts annually assess EL students for English proficiency, id. §§ 6311(b)(7) (Title I), 6823(b)(3)(C) (Title III); the provision of specific written notices for parents of EL students, id. §§ 6312(g)(1)-(3) (Title I), 7012(a)-(d) (Title III); prohibitions on discrimination on the basis of surname and language-minority status, id. §§ 6312(g)(5) (Title I), 7012(f) (Title III); and provisions regarding adequate yearly progress, id. §§ 6311(b)(2)(C)(v)(II)(dd), 6311(b)(3)(C)(ix)(III) (Title I), 6842(a)(3)(A)(iii) (Title III).

19 20 U.S.C. § 6825(g).

20 Id. §§ 6312(g)(5) (Title I), 7012(f) (Title III).
achievement standards. SEAs have a responsibility to assess whether and ensure that school districts receiving Title III sub grants comply with all Title III requirements.

II. Common Civil Rights Issues

Through OCR’s and DOJ’s enforcement work, the Departments have identified several areas that frequently result in noncompliance by school districts and that SEAs at times encounter while attempting to meet their Federal obligations to EL students. This letter offers guidance on these issues and explains how the Departments would evaluate whether SEAs and school districts met their shared obligations to:

A. Identify and assess EL students in need of language assistance in a timely, valid, and reliable manner;

B. Provide EL students with a language assistance program that is educationally sound and proven successful;

C. Sufficiently staff and support the language assistance programs for EL students;

D. Ensure EL students have equal opportunities to meaningfully participate in all curricular and extracurricular activities, including the core curriculum, graduation requirements, specialized and advanced courses and programs, sports, and clubs;

E. Avoid unnecessary segregation of EL students;

F. Ensure that EL students with disabilities under the Individuals with Disabilities Education Act (IDEA) or Section 504 are evaluated in a timely and appropriate manner for special education and disability-related services and that their language needs are considered in evaluations and delivery of services;

G. Meet the needs of EL students who opt out of language assistance programs;

H. Monitor and evaluate EL students in language assistance programs to ensure their progress with respect to acquiring English proficiency and grade level core content, exit EL students from language assistance programs when they are proficient in English, and monitor exited students to ensure they were not prematurely exited and that any academic deficits incurred in the language assistance program have been remedied;

21 Id. § 6841(b)(2) (requiring every school district receiving Title III, Part A funds to engage in a self-evaluation every two years and provide it to the SEA to determine the effectiveness of and improve the LEA’s programs and activities).

22 Id. §§ 6823(b)(3)(C) & (D), (b)(5), 6841(b)(3), 6842; see also supra note 9 (quoting regulations regarding SEA’s obligations as recipient of any Federal funds to oversee sub grantees).
I. Evaluate the effectiveness of a school district’s language assistance program(s) to ensure that EL students in each program acquire English proficiency and that each program was reasonably calculated to allow EL students to attain parity of participation in the standard instructional program within a reasonable period of time; and

J. Ensure meaningful communication with LEP parents.

This guidance also provides a non-exhaustive set of approaches that school districts may take in order to meet their civil rights obligations to EL students. In most cases, however, there is more than one way to comply with the Federal obligations outlined in this guidance.

In addition to the common civil rights issues discussed in this guidance with respect to EL student programs, Federal law also prohibits all forms of race, color, national origin, sex, disability, and religious discrimination against EL students. For example, among other requirements, SEAs, school districts, and schools:

- Must enroll all students regardless of the students’ or their parents’ or guardians’ actual or perceived citizenship or immigration status;
- Must protect students from discriminatory harassment on the basis of race, color, national origin (including EL status), sex, disability, or religion;
- Must not prohibit national origin-minority group students from speaking in their primary language during the school day without an educational justification; and
- Must not retaliate, intimidate, threaten, coerce, or in any way discriminate against any individual for bringing civil rights concerns to a school’s attention or for testifying or participating in any manner in a school, OCR, or DOJ investigation or proceeding.

---

23Castañeda, 648 F.2d at 1011; see discussion infra in Part II. I, “Evaluating the Effectiveness of a District’s EL Program.”


25More information about the legal obligations to address discriminatory harassment under the Federal civil rights laws is available in OCR’s Dear Colleague Letter: Harassment and Bullying (Oct. 26, 2010), available at www.ed.gov/ocr/letters/colleague-201010.pdf. DOJ shares enforcement authority with OCR for enforcing these laws and can also address harassment on the basis of religion under Title IV of the Civil Rights Act of 1964.

26See, e.g., Rubio v. Turner Unified Sch. Dist. No. 402, 453 F. Supp. 2d 1295 (D. Kan. 2006) (Title VI claim was stated by a school’s prohibition on speaking Spanish). EL students, like many others, often will feel most comfortable speaking in their primary language, especially during non-academic times or while in the cafeteria or hallways.

27More information about the legal obligations concerning the prohibition against retaliation under the Federal civil rights laws is available in the Department of Education’s Dear Colleague Letter: Retaliation (Apr. 24, 2013) available at www.ed.gov/ocr/letters/colleague-201304.html. See also 34 C.F.R. § 100.7(e) (Title VI); 34 C.F.R. § 106.71 (Title IX) (incorporating 34 C.F.R. §100.7(e) by reference); 34 C.F.R. § 104.61 (Section 504)
Although these issues are outside the primary focus of this guidance, the Departments strongly encourage SEAs and school districts to review these and other non-discrimination requirements to ensure that EL students, and all students, have access to equal educational opportunities.

**A. Identifying and Assessing All Potential EL Students**

One of the most critical “affirmative steps” and “appropriate action[s]” that school districts must take to open instructional programs to EL students and to address their limited English proficiency is to first identify EL students in need of language assistance services in a timely manner.\(^{28}\) School districts must provide notices within thirty days from the beginning of the school year to all parents of EL students regarding the EL student’s identification and placement in a language instruction educational program.\(^ {29}\) School districts must, to the extent practicable, translate such notices in a language that the parent can understand.\(^ {30}\) If written translations are not practicable, school districts must offer LEP parents free oral interpretation of the written information.\(^ {31}\) In light of these obligations and the duty to timely identify all EL students, school districts will need to assess potential EL students’ English proficiency and identify non-proficient students as EL as soon as practicable and well before the thirty-day notice deadline.

Most school districts use a home language survey (HLS) at the time of enrollment to gather information about a student’s language background (e.g., first language learned, language the student uses most often, and languages used in the home). The HLS identifies those students who should be referred for an English language proficiency (“ELP”) assessment to determine whether they should be classified as EL students, who are entitled to language assistance services. Students initially identified by an HLS or other means for English proficiency testing are often referred to as those with a Primary or Home Language Other than English (PHLOTE).

School districts must have procedures in place to accurately and timely identify PHLOTE students and determine if they are EL students through a valid and reliable ELP assessment.\(^ {32}\)

\(^{28}\)See supra text accompanying notes 9-11 (discussing Title VI, its regulations and guidance, and Lau) and note 12 (discussing the EEOA).

\(^{29}\)20 U.S.C. §§ 6312(g)(1) (Title I), 7012(a) (Title III).

\(^{30}\)Id. §§ 6312(g)(2) (Title I), 7012(c) (Title III).

\(^{31}\)See 67 Fed. Reg. 71,710, 71,750 (2002). This obligation is consistent with Title VI and EEOA obligations of school districts to ensure meaningful communication with LEP parents. See discussion infra in Part II. J, “Ensuring Meaningful Communication with Limited English Proficient Parents.”

ELP assessments must assess the proficiency of students in all four domains of English (i.e., speaking, listening, reading, and writing). The Departments recognize that some SEAs and school districts use ELP assessments for entering kindergarten PHLOTE students that evaluate listening, speaking, pre-reading, and pre-writing.

- Example 1: To expedite appropriate placements of EL students, many school districts have parents complete an HLS and assess PHLOTE students’ English proficiency levels before school starts. Some school districts have parents complete an HLS before classes commence, and then test PHLOTE students within a week of when classes start to minimize the disruption caused by possible changes in EL students’ placements.

Some examples of when the Departments have identified compliance issues in the areas of EL student identification and assessment include when school districts: (1) do not have a process in place to initially identify the primary or home language of all enrolled students; (2) use a method of identification, such as an inadequate HLS, that fails to identify significant numbers of potential EL students; (3) do not test the English language proficiency of all PHLOTE students, resulting in the under-identification of EL students; (4) delay the assessment of incoming PHLOTE students in a manner that results in a denial of language assistance services; or (5) do not assess the proficiency of PHLOTE students in all four language domains (e.g., assessing the students in only the listening and speaking domains and as a result missing large numbers of EL students).

In their investigations, the Departments consider, among other things, whether:

- School districts have procedures in place for accurately identifying EL students in a timely, valid, and reliable manner so that they can be provided the opportunity to participate meaningfully and equally in the district’s educational programs; and

- When SEAs mandate the manner in which school districts identify and/or assess EL students, the state-imposed mechanism meets the requirements described in this section.


See 1991 OCR Guidance; Rios, 480 F. Supp. at 23-24 (finding the school district’s bilingual program to violate Title VI and the EEOA in several areas including identifying EL students by testing their listening and vocabulary skills but “not measur[ing] reading or writing skills in English” and explaining that the “district has the obligation of identifying children in need of bilingual education by objective, validated tests conducted by competent personnel”); Keyes, 576 F. Supp. at 1518-19 (noting that “emphasis on the acquisition of oral English skills for LEP students is another cause for concern” as “reading and writing skills are also necessary...[for] parity in participation”); see also 20 U.S.C. § 7801(25) (classifying as LEP under the ESEA students born outside the U.S. or who are non-native English speakers and who have “difficulties in speaking, reading, and writing”);


For the purposes of this document, “listening” and “understanding” are interchangeable terms. Congress has often referred to “listening” as one of the “four recognized domains.” 20 U.S.C. § 6823(b)(2) (Title III); see also id. § 6841(d)(1) (Title III). But see id. §§ 6826(d)(4) (Title III) (“comprehend”), 7801(25) (“understanding”). ED likewise has referred to the domain as “listening” in several more recent documents regarding EL students. See, e.g., 2008 NOI for Title III, 73 Fed. Reg. 61828, 61829 n.5 (Oct. 17, 2008); 34 C.F.R. § 200.6(b)(3)(i). By contrast, OCR has historically used the term “understanding” to describe the domain described in the text as “listening.”
B. Providing EL Students with a Language Assistance Program

When EL students are identified based on a valid and reliable ELP test, school districts must provide them with appropriate language assistance services. Language assistance services or programs for EL students must be educationally sound in theory and effective in practice; however, the civil rights laws do not require any particular program or method of instruction for EL students.35 Students in EL programs must receive appropriate language assistance services until they are proficient in English and can participate meaningfully in the district’s educational programs without language assistance services.

EL programs must be designed and reasonably calculated to enable EL students to attain both English proficiency and parity of participation in the standard instructional program within a reasonable length of time.36 Each EL student’s English proficiency level, grade level, and educational background, as well as language background for bilingual programs, must be considered to determine which EL program services are appropriate for EL students. For example, some school districts have designed programs to meet the unique needs of EL students whose formal education has been interrupted in their country of origin (perhaps due to dislocation, war, disease, famine, or other situations resulting in missed educational instruction).

35Castañeda, 648 F.2d at 1009-10. Some common EL programs for learning English that are considered educationally sound in theory under Castañeda’s first prong include:

- English as a Second Language (ESL), also known as English Language Development (ELD), is a program of techniques, methodology, and special curriculum designed to teach EL students explicitly about the English language, including the academic vocabulary needed to access content instruction, and to develop their English language proficiency in all four language domains (i.e., speaking, listening, reading, and writing). ESL instruction is usually in English with little use of the EL students’ primary language(s).

- Structured English Immersion (SEI) is a program designed to impart English language skills so that the EL student can transition and succeed in an English-only mainstream classroom once proficient. All instruction in an immersion strategy program is in English. Teachers have specialized training in meeting the needs of EL students (e.g., an ESL teaching credential and/or SEI training), and have demonstrated strong skills in promoting ELD and SEI strategies for ensuring EL students’ access to content.

- Transitional Bilingual Education (TBE), also known as early-exit bilingual education, is a program that utilizes a student’s primary language in instruction. The program maintains and develops skills in the primary language while introducing, maintaining, and developing skills in English. The primary purpose of a TBE program is to facilitate the EL student’s transition to an all-English instructional program, while the student receives academic subject instruction in the primary language to the extent necessary.

- Dual Language Program, also known as two-way or developmental, is a bilingual program where the goal is for students to develop language proficiency in two languages by receiving instruction in English and another language in a classroom that is usually comprised of half primary-English speakers and half primary speakers of the other language.

In school districts or schools where the number of EL students is small, EL students still must receive language assistance services; however, the EL program may be less formal. Additional EL programs not mentioned above may also meet civil rights requirements.

36Castañeda, 648 F.2d at 1011.
To provide appropriate and adequate EL program services based on each EL student’s individual needs, and to facilitate transition out of such services within a reasonable time period, a school district will typically have to provide more EL services for the least English proficient EL students than for the more proficient ones. In addition, districts should provide designated English Language Development (ELD)/English as a Second Language (ESL) services for EL students at the same or comparable ELP levels to ensure these services are targeted and appropriate to their ELP levels.

- Example 2: A beginner-level EL student in a transitional bilingual education (TBE) program who is a primary Spanish speaker may receive 80 percent of her core instruction in Spanish and two periods of ESL per day. As her English proficiency increases to an intermediate level, the district may decrease the percentage of her core instruction that she receives in Spanish by transitioning her to one content class in Spanish, one period of ESL, and sheltered content classes\(^{37}\) in English with non-EL students.\(^{38}\)

- Example 3: A beginner-level EL student may receive two periods of ELD instruction per day, EL-only sheltered content classes in social studies and language arts, and sheltered content classes in math and science with both EL and non-EL students. As his English proficiency increases to a high intermediate level, he transitions into a daily period of ELD targeted to his lack of English proficiency in writing, and sheltered content classes with EL and non-EL students.

- Example 4: A school district enrolls EL students at the high school with a range of English proficiency levels and years of study in the EL program. Recognizing that different EL students have different needs, the district creates EL-only ELD classes that appropriately target the English proficiency levels of students and the specific needs of long-term EL students. These ELD courses, which EL students take in addition to grade-level English, are designed to provide language development services with an emphasis on advanced academic vocabulary and expository writing. The EL students also receive integrated ELD instruction in

---

\(^{37}\)This guidance uses the term “sheltered content classes” to mean Sheltered English Instruction, which is an instructional approach used to make academic instruction in English understandable to EL students. Sheltered instructional approaches assist EL students in developing grade-level content area knowledge, academic skills, and increased English proficiency. In sheltered content classes, teachers use a wide range of instructional strategies to make the content (e.g., math, science, social studies) comprehensible to EL students while promoting their English language development (e.g., connecting new content to student’s prior knowledge, scaffolding, collaborative learning, and visual aids).

\(^{38}\)This guidance uses the term “non-EL” students to mean both “former-EL” students and “never-EL” students. “Former EL” students are those who were identified as EL or enrolled in an EL program, but then met the criteria for exiting EL status. “Never-EL” students are those who have never been identified as EL or never enrolled in an EL program. This group includes PHLOTE students who test “proficient” in English on the valid and reliable assessment - i.e., the Initially Fluent English Proficient (IFEP). Students who were identified as EL students but whose parents opted them out of EL programs are either “EL” or “former-EL” students (depending on whether they meet the criteria that would have been necessary for them to exit EL status), not “Never-EL” students.
their grade-level content classes from content-certified teachers who are adequately trained in ELD and sheltering techniques.

Some examples of when the Departments have identified compliance issues include when school districts: (1) exclude kindergarteners, or EL students with scheduling conflicts, from their EL program; (2) supplement regular education instruction with only aides who tutor EL students as opposed to teachers adequately trained to deliver the EL program; (3) fail to offer an EL program to a certain subset of EL students, such as students with disabilities or students speaking particular languages; (4) stop providing language assistance services when EL students reach higher levels of English proficiency but have not yet met exit criteria (including proficiency on a valid and reliable ELP assessment); or (5) fail to address the needs of EL students who have not made expected progress in learning English and have not met exit criteria despite extended enrollment in the EL program.

In their investigations, the Departments consider, among other things, whether:

- **Schools provide all EL students with language assistance services that address their level of English language proficiency and give them an equal opportunity to meaningfully and equally participate in the district’s programs;**

- **Each language assistance program for EL students that a school district provides meets the Castañeda standards described throughout this document; and**

- **When SEAs mandate the manner in which school districts provide EL programming, the State-imposed requirements meet the standards described in this subsection.**

### C. Staffing and Supporting EL Programs

School districts have an obligation to provide the personnel and resources necessary to effectively implement their chosen EL programs. This obligation includes having highly qualified teachers to provide language assistance services, trained administrators who can evaluate these teachers, and adequate and appropriate materials for the EL programs.

At a minimum, every school district is responsible for ensuring that there is an adequate number of teachers to instruct EL students and that these teachers have mastered the skills necessary to effectively teach in the district’s program for EL students. If formal qualifications have been established,

---

39SEAs that receive ESEA Title I funds, which is currently all SEAs, must ensure that all teachers in core academic subjects, including teachers of EL students, are “highly qualified.” 20 U.S.C. § 6319(a). Being highly qualified means (1) holding at least a bachelor’s degree, (2) obtaining full State certification or licensure, and (3) demonstrating subject-matter competency. Id. § 7801(23). If an SEA or school district uses a sheltered instruction model for serving EL students that includes core academic subjects (e.g., “ESL math” or “ESL science”), the teacher must be adequately trained in the sheltering techniques, meet any State requirements for EL teachers, and be highly qualified in the core academic subject (e.g., math or science) as well. If the only English teacher of record is the EL teacher, that teacher must be highly qualified in English as well. In addition, teachers in school districts that receive funds under Title III must be fluent in English and any other language used for instruction, including having written and oral communications skills. See id. § 6826(c); Castañeda, 648 F.2d at 1013 (requiring teachers who are trained and qualified to deliver the type of language support instruction required by the chosen EL program(s)).
e.g., the SEA requires authorization or certification to teach in particular EL programs, or a school district generally requires its teachers in other subjects to meet formal requirements, a school district must either hire teachers who already have the necessary formal qualifications to teach EL students or require that teachers already on staff be trained or work towards attaining the necessary formal qualifications and obtain the formal qualifications within a reasonable period of time.

In some instances, however, SEA endorsements or other requirements may not be rigorous enough to ensure that teachers of EL students have the skills necessary to carry out the school district’s chosen EL program. For example, in *Castañeda*, the SEA and school district considered teachers qualified to teach in a bilingual EL program once they had completed a 100-hour training designed to provide instruction in bilingual education methods and had a 700-word Spanish-language vocabulary. Because many of the teachers who completed the specified training were found to be unable to teach effectively in a Spanish bilingual program, the court required the SEA and school district to improve training for bilingual teachers and to develop adequate methods for assessing the qualifications of teachers who completed the training.  

As *Castañeda* recognizes, SEAs, through their guidance and monitoring responsibilities, must also have procedures in place for ensuring that districts have adequately trained teachers to implement their EL programs. This is especially true when the design of particular EL program(s) is required by the State. For example, if a State requires a specific bilingual education program, both the SEA and its school districts must ensure teachers are sufficiently trained so that they can effectively deliver the program.  

SEAs and school districts that provide EL teacher training are also responsible for evaluating whether their training adequately prepares teachers to implement the EL program effectively. To meet this obligation, school districts need to ensure that administrators who evaluate the EL program staff are adequately trained to meaningfully evaluate whether EL teachers are appropriately employing the training in the classroom and are adequately prepared to provide the instruction that will ensure that the EL program model successfully achieves its educational objectives.

---

40 *Castañeda*, 648 F.2d at 1005, 1013.

41 *Id.* at 1012-13 (directing the district court to “require both [the State and school district] to devise an improved in-service training program [for bilingual teachers] and an adequate testing or evaluation procedure to assess the qualifications of teachers completing this program”); *Castañeda v. Pickard*, 781 F.2d 456, 470-72 (5th Cir. 1986) (reviewing State and district changes and finding teachers adequately trained); see also supra notes 9, 12, 14 & 15.

42 *Castañeda*, 648 F.2d at 1012-13.

43 To implement an EL program effectively, there must be a meaningful evaluation of whether the teachers who deliver the program are qualified to do so. See *Castañeda*, 648 F.2d at 1013. This includes ensuring that those tasked with evaluating the instruction of EL program teachers, such as principals, are qualified to do so. See *Rios*,
• Example 5: An SEA receives complaints that teachers who acquired the State’s ESL endorsement do not have some of the skills needed for effective ESL instruction. In response to the complaints, the SEA surveys ESL-endorsed teachers in the State and the administrators who evaluate them to identify areas where the teachers need additional training and support. The SEA develops teacher training supplements specific to those identified needs, requires the trained teachers to deliver an ESL lesson as part of the SEA evaluation of whether teachers mastered the training’s content, and provides training for administrators on how to evaluate teachers on appropriate ESL instruction.

• Example 6: Because a school district does not have a sufficient number of principals with the State’s bilingual credentials to evaluate teachers of its bilingual classes, the school district uses bilingual-credentialed district-level administrators to accompany English-only-speaking principals to bilingual classroom evaluations.

• Example 7: A school district with a Structured English Immersion program, consisting of ESL and sheltered content instruction, does not have a sufficient number of either qualified ESL-licensed teachers to provide ESL services or qualified content area teachers who are adequately trained to shelter content for EL students. The school district creates an in-service training on sheltering techniques, requires all core content teachers to successfully complete the training within two years, and requires a quarter of its new hires to obtain an ESL license within two years of their hiring date.

In addition to providing qualified teachers, school districts must also provide EL students with adequate resources and, if appropriate, qualified support staff. For example, EL students are entitled to receive appropriate instructional materials in the EL program, including adequate quantities of English language development materials available at the appropriate English proficiency and grade levels and appropriate bilingual materials for bilingual programs. If the Departments find that a school district’s materials are inadequate and/or not appropriate for its EL students, the Departments expect the district to obtain sufficient, appropriate materials in a timely manner.

Paraprofessionals, aides, or tutors may not take the place of qualified teachers and may be used only as an interim measure while the school district hires, trains, or otherwise secures enough qualified teachers to serve its EL students. And if a school district uses paraprofessionals to provide language assistance services to EL students that supplement those provided by qualified teachers, it may do so only if

480 F. Supp. at 18, 23-24 (district’s bilingual program violated the EEOA based on findings that included using administrators who were not bilingual and lacked relevant training to evaluate bilingual teachers).

44 Castañeda, 648 F.2d at 1013 (explaining that bilingual aides cannot take the place of bilingual teachers and may be used only as an interim measure while district makes concerted efforts to secure a sufficient number of qualified bilingual teachers within a reasonable period of time).
the paraprofessional is trained to provide services to EL students and instructs under the direct supervision of a qualified teacher.\footnote{20 U.S.C. § 6319(c)-(g).}

Some examples of when the Departments have identified compliance issues in staffing and resourcing an EL program include when school districts: (1) offer language assistance services based on staffing levels and teacher availability rather than student need; (2) utilize mainstream teachers, paraprofessionals, or tutors rather than fully qualified ESL teachers for ESL instruction; or (3) provide inadequate training to general education teachers who provide core content instruction to EL students.

In their investigations, the Departments consider, among other things, whether:

- \textit{School districts provide qualified staff and sufficient resources, including adequate and appropriate materials, to effectively implement their chosen program, and if they lack either, they are taking effective steps to obtain them within a reasonable period of time;}\footnote{Castañeda, 648 F.2d at 1011.}
- \textit{School districts regularly and adequately evaluate whether EL program teachers have met the necessary training requirements, and if not, ensure that they meet them in a timely manner;}\footnote{Id.; see also supra notes 9, 12, 14, & 15.}
- \textit{A school district’s training requirements adequately prepare EL program teachers and administrators to effectively implement the district’s program and provide supplemental training when necessary;} and
- \textit{SEAs ensure, through guidance, monitoring, and evaluation, that school districts have qualified teachers to provide their EL programs to all EL students.}

\textbf{D. Providing Meaningful Access to All Curricular and Extracurricular Programs}

To be able to participate equally and meaningfully in instructional programs, EL students have to acquire English proficiency and recoup any deficits that they may incur in other areas of the curriculum as a result of spending extra time on ELD.\footnote{Castañeda, 648 F.2d at 1011; see also supra notes 9, 12, 14, & 15.} Thus, SEAs and school districts share a dual obligation to provide EL students language assistance programs as well as assistance in other areas of the curriculum where their equal participation may be impaired by academic deficits incurred while they were learning English.\footnote{Id.; see also supra notes 9, 12, 14, & 15.} This dual obligation requires school districts and SEAs to design and implement EL programs that are reasonably calculated to enable EL students to attain both English proficiency and parity of participation in the standard instructional program within a reasonable period of time.\footnote{Id.; see also supra notes 9, 12, 14, & 15.}
In addition to ensuring EL students have access to the core curriculum, SEAs and school districts must provide EL students equal opportunities to meaningfully participate in all programs and activities of the SEA or school district—whether curricular, co-curricular, or extracurricular. Such programs and activities include pre-kindergarten programs, magnet programs, career and technical education programs, counseling services, Advanced Placement and International Baccalaureate courses, gifted and talented programs, online and distance learning opportunities, performing and visual arts, athletics, and extracurricular activities such as clubs and honor societies.

1. Core Curriculum

During their educational journey from enrollment to graduation, EL students are entitled to instruction in the school district’s core curriculum (e.g., reading/language arts, math, science, and social studies). This includes equal access to the school’s facilities, such as computer, science, and other labs or facilities, to ensure that EL students are able to participate meaningfully in the educational programs. Meaningful access to the core curriculum is a key component in ensuring that EL students acquire the tools to succeed in general education classrooms within a reasonable length of time.

One way to meet this obligation is to provide full access to the grade-appropriate core curriculum from the start of the EL program while using appropriate language assistance strategies in the core instruction so that EL students can participate meaningfully as they acquire English. In adapting instruction for EL students, however, school districts should ensure that their specialized instruction (e.g., bilingual or sheltered content classes) does not use a watered-down curriculum that could leave EL students with academic deficits when they transition from EL programs into general education classrooms. Such specialized instruction should be designed such that EL students can meet grade-level standards within a reasonable period of time. School districts also should place EL students in age-appropriate grade levels so that they can have meaningful access to their grade-appropriate curricula and an equal opportunity to graduate.

- Example 8: In a transitional bilingual program, an EL student who is taught math in Spanish should have access to the same math curriculum as her non-EL peers in general education classrooms. Similarly, a science class using sheltered instruction for EL students should

49 34 C.F.R. § 100.1-2; 20 U.S.C. § 1703(f).

50 The Departments recognize that students with interrupted formal education (SIFE students), especially in the higher grades, may be below grade level in some or all subjects when they enter a school district, and that some school districts provide appropriately specialized programs to meet their needs. The Departments would not view such programs as offering inappropriately watered-down instructional content where the program is age-appropriate, the content of the instruction relates to the core curriculum and is credit-bearing toward graduation or promotion requirements, and SIFE students have the opportunity to meet grade-level standards within a reasonable period of time. However, it would be inappropriate for a district to place high school-aged SIFE students in middle or elementary school campus programs because this would not permit SIFE students to meet high school grade-level standards and graduation requirements within a reasonable amount of time and the placements would not be age-appropriate.
offer the same content and the same access to laboratories as the general education science class. And while a ninth-grade EL student with interrupted formal education may need targeted help in math to catch up to his grade-level math curriculum, his EL program should provide access to that curriculum and not be restricted to an elementary-grade math curriculum.

Alternatively, school districts may use a curriculum that temporarily emphasizes English language acquisition over other subjects, provided that any interim academic deficits in other subjects are remedied within a reasonable length of time.\textsuperscript{51} If districts choose to temporarily emphasize English language acquisition, they retain an obligation to measure EL students’ progress in core subjects to assess whether they are incurring academic deficits and to provide assistance necessary to remedy content area deficits that were incurred during the time when the EL student was more focused on learning English.\textsuperscript{52} To ensure that EL students can catch up in those core areas within a reasonable period of time, such districts must provide compensatory and supplemental services to remedy academic deficits that the student may have developed while focusing on English language acquisition.

Similarly, SEAs must ensure through guidance and monitoring that school districts’ EL programs (whether state-mandated or not) are designed to enable EL students to participate comparably in the core curriculum within a reasonable time period and that school districts timely remedy any academic deficits resulting from focusing on English language acquisition.\textsuperscript{53}

For an EL program to be reasonably calculated to ensure that EL students attain equal participation in the standard instructional program within a reasonable length of time, if an EL student enters the ninth grade with beginner-level English proficiency, the school district should offer EL services that would enable her to earn a regular high-school diploma in four years.\textsuperscript{54} In addition, EL students in high school, like their never-EL peers, should have the opportunity to be competitive in meeting college entrance requirements. For example, a school district should ensure that there are no structural barriers within the

\textsuperscript{51} See Castañeda, 648 F.2d at 1011 (“[A] curriculum, during the early part of [EL students’] school career, which has, as its primary objective, the development of literacy in English . . . [is permissible] even if the result of such a program is an interim sacrifice of learning in other areas during this period” provided “remedial action is taken to overcome the academic deficits” incurred during participation in this curriculum in ways that enable the “students’ equal participation in the regular instructional program.”).

\textsuperscript{52} See id. at 1011-14 (recognizing that school districts may choose to “focus [] first on the development of English language skills and then later provid[e] . . . students with compensatory and supplemental education to remedy deficiencies in other areas which they may develop during this period” “so long as the schools design programs which are reasonably calculated to enable these students to attain parity of participation in the standard instructional program within a reasonable length of time after they enter the school system.”).

\textsuperscript{53} See supra notes 9, 12, 14 & 15; see also 20 U.S.C. § 6841 (Title III requires LEAs to provide SEAs with an evaluation including, among other things, the number and percentage of children in programs and activities attaining English proficiency at the end of each school year; and SEAs to use the LEA’s evaluation to determine the effectiveness of and improve the LEA’s programs and activities).

\textsuperscript{54} See Castañeda, 648 F.2d at 1011 (requiring that districts “design programs which are reasonably calculated to enable [EL] students to attain parity of participation of the standard instructional program within a reasonable length of time after they enter the school system”).
design of its academic program that would prevent EL students who enter high school with beginner-level English proficiency from graduating on time with the prerequisites to enter college.

To meet their obligation to design and implement EL programs that enable EL students to attain English proficiency and equal participation in the standard instructional program, school districts must use appropriate and reliable evaluation and testing methods that have been validated to measure EL students’ English language proficiency and knowledge of the core curriculum. Only by measuring the progress of EL students in the core curriculum during the EL program can districts ensure that students are not incurring “irreparable academic deficits.” If EL students are receiving instruction in a core content subject in their primary language, the school’s assessments of their knowledge of that content area must include testing in the primary language.

- Example 9: A district has a Structured English Immersion (SEI) program, in which 20 percent of its EL students receive only part of their grade K-3 social studies and science curricula in their intensive ESL courses while the other 80 percent of EL students received their full grade-level science and social studies curricula in sheltered classes with non-EL students. The district finds that the 20 percent are not performing as well as the 80 percent on the third-grade assessments in social studies and science or on the annual ELP test. In light of this data, the district provides intensive, supplemental instruction in science and social studies during the school day to the lower-performing 20 percent of EL students when they start fourth grade. To further address their academic deficits, their period of designated ESL incorporates grade-level science and social studies texts in ESL exercises focused on the reading and writing domains. The district also adjusts its SEI program so that when EL students in grades K-3 reach an intermediate level of English proficiency, they transition out of the second period of ESL incorporating only some science and social studies into the sheltered classes of the full science and social studies curricula with non-EL students.

---

55 Id. at 1014.

56 Id. (holding that it was not appropriate to test EL students in a bilingual program with only English language achievement tests and that “[t]he progress of . . . students in these other areas . . . must be measured by means of a standardized test in their own language because no other device is adequate to determine their progress vis-à-vis that of their English speaking counterparts”). SEAs must provide reasonable accommodations on assessments administered to EL students, including, to the extent practicable, providing assessments in the language most likely to yield accurate data on what such students know and can do in academic content areas. 20 U.S.C. § 6311(b)(3)(C)(ix)(III). SEAs also must make every effort to develop academic assessments in languages other than English that are needed and are not already available, id. § 6311(b)(6), and SEAs may not unduly postpone assessing EL students in reading/language arts in English, id. § 6311(b)(3)(C)(x).
In their investigations, the Departments consider, among other things, whether:

⇒ SEAs and districts design and implement EL programs that are reasonably calculated to enable EL students to attain both English proficiency and parity of participation in the standard instructional program within a reasonable period of time;

⇒ SEAs and districts provide EL programs that ensure EL students’ access to their grade-level curricula so that they can meet promotion and graduation requirements;

⇒ SEAs and districts provide EL students equal opportunities to meaningfully participate in specialized programs – whether curricular, co-curricular, or extracurricular; and

⇒ A school district’s secondary program establishes a pathway for EL students to graduate high school on time and EL students have equal access to high-level programs and instruction to prepare them for college and career.

2. Specialized and Advanced Courses and Programs

School districts may not categorically exclude EL students from gifted and talented education (GATE) or other specialized programs such as Advanced Placement (AP), honors, or International Baccalaureate (IB) courses. Unless a particular GATE program or advanced course is demonstrated to require proficiency in English for meaningful participation, schools must ensure that evaluation and testing procedures for GATE or other specialized programs do not screen out EL students because of their limited English proficiency.57 If a school district believes that there is an educational justification for requiring proficiency in English in a particular GATE or other advanced program, the Departments consider a school district’s proffered rationale to assess whether it constitutes a substantial educational justification and, if so, to determine whether a school could use comparably effective alternative policies or practices that would have less of an adverse impact on EL students.58

- Example 10: An EL student demonstrates advanced math skills in the classroom but does not perform well on English language diagnostic tests. The student’s math teacher recommends the student for the gifted math program. The school uses a different testing method, such as a non-verbal assessment or a math-only test with EL testing accommodations, to give the student an opportunity to demonstrate his or her readiness for entrance into the gifted math program.

- Example 11: A school requires at least a B+ math average and an overall B average to enroll in AP Calculus. The school learns that some interested EL students cannot take AP Calculus because they lack an overall B average due to their limited English proficiency. So that more EL students can take this course, the school drops the overall B average requirement for all

57 1991 OCR Guidance; 34 C.F.R. § 100.3(b)(1), (2).

58 Id.
students because it is not necessary to meaningful participation in AP Calculus.

Some examples of when the Departments have identified compliance issues in this area include when schools: (1) schedule EL language acquisition services during times when GATE programs meet; (2) exclude EL students from all components of a GATE program, even though proficiency in English is not necessary for a meaningful participation in a math, science, or technology component of the GATE program; (3) use arbitrarily high admissions criteria in English for a GATE math program that causes the exclusion of EL students who could meet the math requirement but not the arbitrarily high English requirement; or (4) solicit teacher recommendations of students for gifted programs from all teachers except teachers of EL program classes.

In their investigations, the Departments consider, among other things, whether:

⇒ SEAs’ or school districts’ gifted evaluation and testing procedures screen out EL students because of their limited English proficiency when participation in particular gifted programs does not require proficiency in English; and

⇒ SEAs and school districts monitor the extent to which EL and former EL students are referred for and participate in gifted and talented education programs, as well as honors and Advanced Placement courses, as compared to their never-EL peers.

E. Avoiding Unnecessary Segregation of EL Students

EL programs may not unjustifiably segregate students on the basis of national origin or EL status. While EL programs may require that EL students receive separate instruction for a limited period of time, the Departments expect school districts and SEAs to carry out their chosen program in the least segregative manner consistent with achieving the program’s stated educational goals. Although there may be program-related educational justifications for providing a degree of separate academic instruction to EL students, the Departments would rarely find a program-related justification for instructing EL and non-EL students separately in subjects like physical education, art, and music or for separating students during activity periods outside of classroom instruction (i.e., during lunch, recess, assemblies, and extracurricular activities).

In determining whether an SEA or school district is unnecessarily segregating EL students, the Departments examine whether the nature and degree of segregation is necessary to achieve the goals of an educationally sound and effective EL program. As discussed more thoroughly in Part II.H below, school districts should not retain EL students in EL programs for periods longer or shorter than necessary

59 See 1991 OCR Guidance; Castañeda, 648 F.2d at 998 n.4 (“We assume that the segregation resulting from a language remediation program would be minimized to the greatest extent possible and that the programs would have as a goal the integration of the Spanish-speaking student into the English language classroom as soon as possible.”).
to achieve the program’s educational goals; nor should districts retain EL students in EL-only classes for periods longer or shorter than required by each student’s level of English proficiency, time and progress in the EL program, and the stated goals of the EL program.

- Example 12: The goals of a Spanish transitional bilingual education program are to teach EL students English and grade-level content in Spanish so that they do not fall behind academically as they transition to literacy in English and more content classes in English over time. This program may segregate beginner-level EL students for their ESL instruction and their content classes that are taught in Spanish. As the EL students acquire higher levels of English proficiency, the program should transition them from EL-only content classes in Spanish to integrated content classes in English with continuing primary language or other support needed to access the content.

In evaluating whether the degree of segregation is necessary in EL programs, the Departments consider whether entry and exit into a segregated EL program model are voluntary, whether the program is reasonably designed to provide EL students comparable access to the standard curriculum as never-EL students within a reasonable length of time, whether EL students in the program have the same range and level of extracurricular activities and additional services as do students in other environments, and whether the district at least annually assesses the English proficiency and appropriate level of language assistance services for its EL students and determines their eligibility to exit from the EL program based on valid and reliable exit criteria.

Some districts use newcomer programs as a bridge to general education classrooms. Districts operating newcomer programs or schools should take particular care to avoid unnecessary segregation. For example, it is unlikely the Departments would find a violation in the area of EL student segregation by a school district that offers a voluntary newcomer EL program with self-contained EL programs for a limited duration (generally for one year) so long as it schedules the newcomer EL students’ nonacademic subjects, lunchtime, and recess with non-EL students; encourages newcomer EL students to participate in integrated after-school activities; and evaluates their English proficiency regularly to allow appropriate transitions out of the newcomer EL program throughout the academic year.

Some examples of when the Departments have found compliance issues involving segregation include when school districts: (1) fail to give segregated EL students access to their grade-level curriculum, special education, or extracurricular activities; (2) segregate EL students for both academic and non-academic subjects, such as recess, physical education, art, and music; maintain students in a language assistance program longer than necessary to achieve the district’s goals for the program; and (4) place EL students in more segregated newcomer programs due to perceived behavior problems or perceived special needs.
In their investigations, the Departments consider, among other things, whether:

⇒ **SEAs and school districts educate EL students in the least segregative manner consistent with the goals of the educationally sound and effective program selected by the SEA or the district; and**

⇒ **SEAs’ monitoring of school districts’ EL programs assesses whether the programs unnecessarily segregate EL students and, if so, rectifies this noncompliance.**

**F. Evaluating EL Students for Special Education Services and Providing Special Education and English Language Services**

The Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act of 1973 (Section 504) address the rights of students with disabilities in the education context. The Department of Education’s Office of Special Education Programs, a component of ED’s Office of Special Education and Rehabilitative Services, administers the IDEA. OCR and DOJ share authority for enforcing Section 504 in the educational context, and DOJ coordinates enforcement of Section 504 across Federal agencies.

SEAs and school districts must ensure that all EL students who may have a disability, like all other students who may have a disability and need services under IDEA or Section 504, are located, identified, and evaluated for special education and disability-related services in a timely manner. When conducting such evaluations, school districts must consider the English language proficiency of EL students in determining the appropriate assessments and other evaluation materials to be used. School districts must not identify or determine that EL students are students with disabilities because of their limited English language proficiency.

School districts must provide EL students with disabilities with both the language assistance and disability-related services to which they are entitled under Federal law. Districts must also

---


61 Any Federal agency, such as the Department of Education or Justice, that provides Federal funds to an SEA or school district may initiate a compliance review to ensure compliance with, or investigate a complaint alleging a violation of, Section 504 and its implementing regulations. DOJ may also initiate a Section 504 or IDEA suit if, after notice of a violation from the Federal funding agency, a recipient of Federal funds fails to resolve noncompliance with Section 504 or IDEA voluntarily and the agency refers the case to DOJ. Furthermore, DOJ can participate in private litigation involving Section 504 or IDEA.

62 The term “disability-related services” is intended to encompass either special education and related services provided to children with disabilities who are eligible for services under the IDEA or regular or special education and related aids and services provided to qualified students with disabilities under Section 504.
inform a parent of an EL student with an individualized education program (IEP) how the language instruction education program meets the objectives of the child’s IEP.63

The Departments are aware that some school districts have a formal or informal policy of “no dual services,” i.e., a policy of allowing students to receive either EL services or special education services, but not both. Other districts have a policy of delaying disability evaluations of EL students for special education and related services for a specified period of time based on their EL status.64 These policies are impermissible under the IDEA and Federal civil rights laws, and the Departments expect SEAs to address these policies in monitoring districts’ compliance with Federal law. Further, even if a parent of an EL student with a disability declines disability-related services under the IDEA or Section 504, that student with a disability remains entitled to all EL rights and services as described in this guidance.65

1. Individuals with Disabilities Education Act (IDEA)

The IDEA requires SEAs and school districts to, among other things, make available a free appropriate public education (FAPE) to all eligible children with disabilities.66 Under the IDEA, FAPE means, among other things, special education and related services at no cost to parents provided in conformity with the student’s IEP.67

Under the IDEA, school districts must also identify, locate, and evaluate all children who may have disabilities and who need special education and related services, regardless of the severity of their disabilities.68 A parent or a school district may initiate a request for an initial evaluation

63 20 U.S.C. §§ 6312(g)(1)(A)(vii) (Title I), 7012(a)(7) (Title III). If the parent is LEP, this information must be in a language the parent understands. See discussion infra in Part II. J, “Ensuring Meaningful Communication with Limited English Proficient Parents.”

64 The court in Mumid v. Abraham Lincoln High School, 618 F.3d 789 (8th Cir. 2010), cert. denied, 131 S. Ct. 1478 (2011), rejected a private claim that such a policy was intentional national origin discrimination in violation of Title VI. The EEOA does not require proof of intentional national origin discrimination to establish a violation of section 1703(f), see Castaneda, 648 F.2d at 1004, and the court in Mumid assumed that such a policy would violate the EEOA, but did not reach the merits of that claim for other reasons. Mumid, 618 F.3d at 795-96. The court’s discussion of Title VI was limited to a private right of action and did not discuss the Federal government’s enforcement of Title VI or the other statutes discussed in this section.

65 For more information regarding EL students with disabilities and Title III, see the Department of Education’s Questions and Answers Regarding Inclusion of English Learners with Disabilities in English Language Proficiency Assessments and Title III Annual Measurable Achievement Objectives, available at http://www2.ed.gov/policy/speced/guid/idea/memosdeltrs/q-and-a-on-elp-swd.pdf. Among other matters, this guidance addresses requirements for including EL students with disabilities in the annual ELP assessment, including providing appropriate accommodations or alternate assessments when necessary.

66 20 U.S.C. §§ 1412(a)(1),1413(a)(1); 34 C.F.R. §§ 300.101-300.102, 300.201.

67 20 U.S.C. § 1401(9); 34 C.F.R. § 300.17.

68 20 U.S.C. §§ 1412(a)(3), 1413(a)(1); 34 C.F.R. §§ 300.111, 300.201. Under the IDEA, a child with a disability means a child evaluated as having an intellectual disability, a hearing impairment (including deafness), a speech or language impairment, a visual impairment (including blindness), a serious emotional disturbance (referred to in IDEA as emotional disturbance), an orthopedic impairment, autism, traumatic brain injury, other health impairment, a specific learning disability, deaf-blindness, or multiple disabilities, and who, by reason thereof, needs special education and related services. 20 U.S.C. § 1401(3); 34 C.F.R. § 300.8. See infra note 77 for the definition of an individual with a disability under Section 504.
to determine if a child is a child with a disability under the IDEA. A school district must ensure that assessments and other evaluation materials used to evaluate a child with a disability are “provided and administered in the child’s native language or other mode of communication and in the form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to so provide or administer.” This is true even for those EL students whose parents have opted their children out of EL programs. A student cannot be determined to be a child with a disability if the “determinant factor” is limited English proficiency and if the student does not otherwise meet the definition of a “child with a disability” under the IDEA.

- Example 13: A teacher thinks that a Spanish-speaking EL student with beginner level English has a learning disability. She would like to have the student evaluated for a disability, but believes that the student must complete one year in the EL program or achieve intermediate proficiency in English before being evaluated for a disability or receiving special education and related services. She is incorrect. The principal explains to her that if she believes the student has a disability, the school district must seek parental consent for an initial evaluation and once consent is granted must evaluate the student in a timely manner. After the parents consent, the district arranges for a bilingual psychologist to conduct the evaluation in Spanish, given the EL student’s ELP level and language background.

Once a school district determines that an EL student is a child with a disability under the IDEA and needs special education and related services, the school district is responsible for determining, through the development of an IEP at a meeting of the IEP Team (which includes the child’s parents and school officials), the special education and related services necessary to make FAPE available to the child. As part of this process, the IDEA requires that the IEP team consider, among other special factors, the language needs of a child with limited English

---

69 34 C.F.R. § 300.301(b). Once parental consent, as defined in 34 C.F.R. § 300.9, is obtained, the evaluation must be conducted within 60 days from the date that parental consent is received, or if the SEA has established a timeframe within which the evaluation must be conducted, within the State-established timeframe. 34 C.F.R. § 300.301(c)(1); see also 34 C.F.R. §§ 300.300-300.311.

70 34 C.F.R. § 300.304(c)(1)(i); 20 U.S.C. § 1414(b)(1)(ii). For the purposes of this document, native language and primary language are interchangeable terms. In determining whether an EL student is a child with a disability under the IDEA, the school district must draw upon information from a variety of sources (e.g., aptitude and achievement tests and social and cultural background), and ensure that all of this information is documented and carefully considered. 34 C.F.R. § 300.306(c)(1).

71 See discussion infra in Part II. G, “Meeting the Needs of EL Students Who Opt Out of EL Programs or Particular EL Services.”

72 20 U.S.C. § 1414(b)(5); 34 C.F.R. § 300.306(b)(1)(iii)-(b)(2).

73 20 U.S.C. § 1414(b)(4); 34 C.F.R. §§ 300.306(c)(2) and 300.323(c). For more information about IEPs, see 20 U.S.C. § 1414(d) and 34 C.F.R. §§ 300.320-300.324.
proficiency as those needs relate to the child’s IEP. The IDEA requires that the IEP team include participants who have the requisite knowledge of the child’s language needs. To ensure that EL children with disabilities receive services that meet their language and special education needs, it is important for members of the IEP team to include professionals with training, and preferably expertise, in second language acquisition and an understanding of how to differentiate between the student’s limited English proficiency and the student’s disability. Additionally, the IDEA requires that the school district “take whatever action is necessary to ensure that the parent understands the proceedings of the IEP team meeting, including arranging for an interpreter for parents with deafness or whose native language is other than English.”

2. Section 504 of the Rehabilitation Act (Section 504)

Section 504 is a Federal law that prohibits disability discrimination by recipients of Federal financial assistance. Section 504 covers not only students with disabilities who have been found to be eligible for services under the IDEA but also students with disabilities who are not IDEA-eligible, but meet Section 504’s broader definition of disability. As is true under the IDEA, Section 504 requires school districts to provide FAPE to qualified students with disabilities in a school district’s jurisdiction, regardless of the nature or severity of the student’s disability. Under Section 504, depending on the individual needs of the student, FAPE can include special education and related aids and services or can consist of regular education with related aids and services that are designed to meet

---

74 20 U.S.C. § 1414(d)(3)(B)(ii); 34 C.F.R. § 300.324(a)(2)(ii). IEP Teams also must consider this special factor in the review and revision of IEPs. 34 C.F.R. § 300.324(b)(2).

75 The Departments are aware that some States are using joint EL and IEP teams effectively to determine appropriate services for eligible students.

76 34 C.F.R. § 300.322(e); see also id. §§ 300.9, 300.503(c)(1)(ii), 300.612(a)(1). Under Title VI and the EEOA, for an LEP parent to have meaningful access to an IEP or Section 504 plan meeting, it also may be necessary to have the IEPs, Section 504 plans, or related documents translated into the parent’s primary language. For information on the separate Title VI obligations of school districts to communicate with LEP parents, see infra Part II. J, “Ensuring Meaningful Communication with Limited English Proficient Parents.”

77 A person with a disability under Section 504 is an individual who has a physical or mental impairment that substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such an impairment. 29 U.S.C. § 705(9)(B), (20)(B) (as amended by the Americans with Disabilities Act Amendments Act of 2008); 34 C.F.R. § 104.3(j). For additional information on the broadened meaning of disability after the effective date of the 2008 Amendments Act, see OCR’s 2012 Dear Colleague Letter and Frequently Asked Questions document, available at www.ed.gov/ocr/letters/colleague-201109.html, and www.ed.gov/ocr/docs/dcl-504faq-201109.html. With respect to public elementary and secondary educational services, a student with a disability is “qualified” under Section 504 if he or she is of an age during which students without disabilities are provided such services; of any age during which it is mandatory under State law to provide such services to students without disabilities; or is a person to whom a State is required to provide FAPE under IDEA. 34 C.F.R. § 104.3(j)(2).

78 34 C.F.R. §§ 104.33-104.36. OCR shares responsibility with DOJ in the enforcement of Title II of the Americans with Disabilities Act of 1990, which is a Federal law prohibiting disability discrimination in the services, programs, and activities of State and local governments (including public school districts), regardless of whether they receive Federal financial assistance. 42 U.S.C. § 12132. Violations of Section 504 that result from school districts’ failure to meet the obligations identified in this guidance also constitute violations of Title II. 42 U.S.C. § 12201(a). Covered entities also must comply with Title II requirements.
the individual educational needs of the student as adequately as the needs of nondisabled students are met. While Section 504 and the IDEA are separate statutes that contain different requirements, as reflected in ED’s regulations, one way to meet the requirements of Section 504 FAPE is to implement an IEP developed in accordance with the IDEA.79

As with evaluations under the IDEA, Section 504 evaluations of EL students must measure whether an EL student has a disability and not reflect the student’s lack of proficiency in English. When administering written or oral evaluations to determine whether an EL student has a disability under Section 504, school districts must administer those evaluations in an appropriate language to avoid misclassification.80 This is true even for those EL students whose parents have opted their children out of EL programs.81 Prior to evaluating an EL student, school districts should, to the extent practicable, gather appropriate information about a student’s previous educational background, including any previous language-based interventions.82

- Example 14: An EL student whose parents declined her school’s EL services appears to be falling behind at school. The school decides to conduct an evaluation to determine if she has a disability under Section 504 and needs disability-related services, and obtains consent from the student’s parents. Although the parents have opted out of the school’s EL program, the principal nonetheless ensures that the student’s language needs are considered during the evaluation process, including whether the evaluations should be conducted in the student’s native language and whether they should be administered orally or in writing to help ensure that the evaluation determines whether the student has a disability rather than that the student has limited English proficiency.

- Example 15: An EL high school student recently transferred into his current school district and appears to be struggling in all of his classes. After consulting with his teachers and obtaining consent from his parents, the school district decides that it will evaluate the student to determine if he has a disability under Section 504 and needs special education or related aids and services. Prior to initiating the evaluation, the school district asks the student and his parents about the schools he attended before arriving in the school district and about his experience in those schools. The school district also obtains and reviews records from these previous schools and learns that the student’s ELP was previously assessed, that he was determined to be a native Spanish speaker, and that he was provided

79 34 C.F.R. § 104.33(b)(2).

80 Cf. 20 U.S.C. § 1414(b)(3)(A)(ii); 34 C.F.R. § 300.304(c)(1)(ii); see also 34 C.F.R. pt. 104, App. A at number 25, discussion of § 104.35 (recognizing that Title VI requires evaluations in the primary language of the student).

81 See discussion infra in Part II. G, “Meeting the Needs of EL Students Who Opt Out of EL Programs or Particular EL Services.”

82 In conducting the evaluation and making placement decisions, school districts must draw upon information from a variety of sources (e.g., aptitude and achievement tests and social and cultural background). 34 C.F.R. § 104.35(c) (school district “shall . . . draw upon information from a variety of sources”).
EL services, but was not evaluated to determine if he needed special education or related aids and services. The school district determines that its disability evaluation of this student should be provided in Spanish.

Some examples of when the Departments have identified compliance issues regarding EL students with disabilities eligible for services under Section 504 or the IDEA include when school districts: (1) deny English language services to EL students with disabilities; (2) evaluate EL students for special education services only in English when the native and dominant language of the EL student is other than English; (3) fail to include staff qualified in EL instruction and second language acquisition in placement decisions under the IDEA and Section 504; or (4) fail to provide interpreters to LEP parents at IEP meetings to ensure that LEP parents understand the proceedings.

When the Departments conduct investigations, compliance reviews, or monitoring activities to determine if an SEA or school district has met its obligations under the civil rights laws and to provide FAPE to an EL student with a disability, the Departments consider, among other things, whether:

⇒ The evaluations used to determine whether an EL student has a disability were conducted in the appropriate language based on the student’s needs and language skills, and whether the special education and EL services were determined in light of both the student’s disability and language-related needs;

⇒ The disability determination of an EL student was based on criteria that measure and evaluate the student’s abilities and not the student’s English language skills;

⇒ The EL student was promptly evaluated for disability-related services, or whether there was an impermissible delay on account of his or her EL status and/or level of English proficiency;

⇒ Language assistance services and disability-related services are provided simultaneously to an EL student who has been evaluated and determined to be eligible for both types of services; and

⇒ The individualized plans for providing special education or disability-related services address EL students’ language-related needs.

G. Meeting the Needs of EL Students Who Opt Out of EL Programs or Particular EL Services

Although school districts have an obligation to serve all EL students, parents have a right to decline or opt their children out of a school district’s EL program or out of particular EL services within an
EL program.\textsuperscript{83} For example, parents may choose to enroll their child in ESL classes, but decline to enroll their child in EL-only bilingual content classes. School districts may not recommend that parents decline all or some services within an EL program for any reason, including facilitating scheduling of special education services or other scheduling reasons. A parent’s decision to opt out of an EL program or particular EL services must be knowing and voluntary.\textsuperscript{84} Thus, school districts must provide guidance in a language parents can understand to ensure that parents understand their child’s rights, the range of EL services that their child could receive, and the benefits of such services before voluntarily waiving them.\textsuperscript{85}

During an investigation, the Departments consider whether a parent’s decision to opt out of an EL program or particular EL services was knowing and voluntary. If a school district asserts that a parent has decided to opt out their child, the Departments will examine the school district’s records, including any documentation of the parent’s opt-out decision and whether the parent signed such documentation. Appropriate documentation is important to support school districts’ assertions and for the Departments to evaluate school districts’ legal compliance.

The Departments’ past investigations have found high numbers of EL students whose parents have opted them out of EL programs or particular services within an EL program due to problematic district practices such as school personnel steering families away from EL programs, or providing incorrect or inadequate information to parents about the EL program, particular services within the program, or their child’s EL status. The Departments have also found noncompliance where school personnel have recommended that families decline EL programs due to insufficient space in such programs or because school districts served only EL students with a basic or emerging level of English. Parents have also been found to have opted their children out of EL programs because the school district did not adequately address parental concerns expressed about the quality of the EL program, their lack of confidence in the EL program offered because the school district was not able to demonstrate the effectiveness of its program, or their belief that their child did not need EL services.

If parents opt their children out of an EL program or specific EL services, the children retain their status as EL students, and the school district remains obligated to take the “affirmative

\textsuperscript{83} Cf. 34 C.F.R. § 100.3(b)(1), (2); see also 20 U.S.C. §§ 6312(g)(1)(A)(viii) (Title I), 7012(a)(8) (Title III).

\textsuperscript{84} Although not directly related to EL services, courts have found in other areas that a waiver must be informed and/or knowing as well as voluntary. See, e.g., \textit{Town of Newton v. Rumery}, 480 U.S. 386, 393 (1987) (any waiver of statutory right of action must “be the product of an informed and voluntary decision”); \textit{Alexander v. Gardner-Denver Co.}, 415 U.S. 36, 52 n.15 (1974) (waiver must be “voluntary and knowing”).

\textsuperscript{85} Parental notification of these rights must “be in an understandable and uniform format and, to the extent practicable, provided in a language that the parent can understand.” 20 U.S.C. §§ 6312(g)(2) (Title I), 7012(c) (Title III). This means that whenever practicable, written translations of printed information must be provided to parents in a language that they understand; but if written translations are not practicable, SEAs and school districts must ensure parents are provided oral interpretations of the written information. See 67 Fed. Reg. 71,710, 71,750 (2002). This obligation is consistent with Title VI and EEOA obligations of school districts to ensure meaningful communication with LEP parents, discussed in Part II. J “Ensuring Meaningful Communication with Limited English Proficient Parents.”
steps” required by Title VI and the “appropriate action” required by the EEOA to provide these EL students access to its educational programs. Thus, the Departments expect school districts to meet the English-language and other academic needs of their opt-out EL students under the civil rights laws. To ensure these needs of opt-out EL students are being met, school districts must periodically monitor the progress of students who have opted out of EL programs or certain EL services. If an EL student who opted out of the school district’s EL programs or services does not demonstrate appropriate growth in English proficiency, or struggles in one or more subjects due to language barriers, the school district’s affirmative steps include informing the EL student’s parents of his or her lack of progress and offering the parents further opportunities to enroll the student in the EL program or at least certain EL services at any time.

- **Example 16:** A student is tested and determined to be an EL student. The parent initially refuses EL program services because the parent believes her child speaks fluent English. After the first quarter, the student’s teacher contacts the parent to discuss that the EL student is struggling with reading and writing assignments despite her strong English-speaking skills. The teacher offers a period of ELD and sheltered content classes, explaining how both can improve the student’s proficiency in reading and writing. The parent accepts the ELD services and agrees to reevaluate the placement at the end of the school year.

If the school district’s monitoring of the opt-out EL student shows the student is struggling but the parent continues to decline the EL program or services, the school district should take affirmative and appropriate steps to meet its civil rights obligations. School districts may accomplish this in a variety of ways. One such way would be providing adequate training to the opt-out EL student’s general education teachers on second-language acquisition and ELD to ensure the student’s access to some language acquisition supports.

- **Example 17:** At the beginning of the school year a kindergarten student is tested and determined to be EL. The parent declined Title III and English language services that were offered in segregated classes attended by EL students only. Although the student’s parents opted the child out of EL-specific services, the school recognizes that the student continues to struggle in English. The school responds by training the kindergarten teacher to use ELD strategies in the EL student’s regular, integrated classroom.

Further, opt-out EL students must have their English language proficiency assessed at least annually to gauge their progress in attaining English proficiency and to determine if they are still in need of and legally entitled to EL services. There is no assessment exemption for students who do not

---

86 School districts also retain their EL obligations to a student even if parents opt their child out of IDEA or Section 504 services.

87 See 1991 OCR Guidance; 20 U.S.C. § 1703(f) (requiring SEAs and LEAs to take appropriate action to overcome individual students’ language barriers that impede their equal participation in the agencies’ instructional programs).
receive EL services.\textsuperscript{88} Once opt-out EL students meet valid and reliable criteria for exiting from EL status, the district should monitor their progress for at least two years, as it does with other exited EL students (see Part II. H immediately below).

In their investigations, the Departments consider, among other things, whether:

\begin{itemize}
  \item School districts encourage parents or students to accept the EL services offered and respond appropriately when parents decline any or all EL services;
  \item School districts maintain appropriate documentation demonstrating that a parent made a voluntary, informed decision to decline EL services; and
  \item SEAs and school districts explore the causes of high opt-out rates for EL services, address any underlying cause(s) of opting out, and ensure that the academic and English language proficiency needs of the EL students who have opted out are being met.
\end{itemize}

**H. Monitoring and Exiting EL Students from EL Programs and Services**

School districts must monitor the progress of all of their EL students in achieving English language proficiency and acquiring content knowledge. Monitoring ensures that EL students are making appropriate progress with respect to acquiring English and content knowledge while in the EL program or, in the case of opted-out EL students, in the regular educational setting.

With respect to monitoring EL students’ acquisition of content knowledge, school districts must at a minimum validly, reliably, and annually measure EL students’ performance in academic content areas, including through tests in a language other than English where appropriate as stated in Part II.D above.\textsuperscript{89} School districts should also establish rigorous monitoring systems that include benchmarks for expected growth in acquiring academic content knowledge during the academic year and take appropriate steps to assist students who are not adequately progressing towards those goals. SEAs also have a role to play in ensuring EL students acquire content knowledge by monitoring whether school districts are providing EL students with meaningful access to grade-appropriate core content instruction andremedying any content deficits in a timely manner.\textsuperscript{90}

With respect to monitoring EL students’ acquisition of English proficiency, SEAs must develop ELP standards to inform EL programs, services, and assessments that are derived from the four domains of speaking, listening, reading, and writing, and that are aligned to the State’s content

---

\textsuperscript{88} All students who meet the definition of LEP under the ESEA, see 20 U.S.C. § 7801(25), must be tested annually with a State-approved ELP assessment. \textit{Id.} §§ 6311(b)(7) (Title I), 6823(b)(3)(D) (Title III), 6826(b)(3)(C) (Title III).

\textsuperscript{89} \textit{Castañeda}, 648 F.2d at 1014 (“Valid testing of student’s progress in these areas is, we believe, essential to measure the adequacy of a language remediation program” and requiring that a district’s assessments of the progress of LEP students in a subject taught in their primary language must include testing in the primary language).

\textsuperscript{90} \textit{Id.} at 1011; see also \textit{Gomez}, 811 F.2d at 1042; \textit{Idaho Migrant Council}, 647 F.2d at 71; \textit{supra} notes 9, 14 & 15.
standards. SEAs must also ensure that school districts implement these ELP standards. In addition, SEAs and school districts must ensure the annual ELP assessment of all EL students in these domains and monitor their progress from year to year. Because Title III requires that the annual ELP assessment be valid and reliable, the ELP assessment must be aligned to the SEA’s ELP standards. Thus, in monitoring EL students’ acquisition of English, their performance on the annual ELP assessment and their progress with respect to the ELP standards during the school year should inform their instruction.

- Example 18: Some school districts choose to create forms for their ESL and content teachers to use to monitor EL students each quarter. These forms include the students’ grades in each subject, scores on district and State assessments and standardized tests, and the teachers’ comments on an EL student’s strengths and weaknesses in each of the four language domains and each academic subject. When the monitoring form of an intermediate EL student reflects difficulties in social studies and writing papers, an ESL teacher suggests sheltering strategies and writing rubrics to the social studies teacher to assist the EL student.

With respect to exiting EL students from EL programs, services, and status, a valid and reliable ELP assessment of all four language domains must be used to ensure that all K-12 EL students have achieved English proficiency. To demonstrate proficiency on the ELP assessment, EL students must have either separate proficient scores in each language domain (i.e., a conjunctive score) or a composite score of “proficient” derived from scores in all four language domains. Whether a conjunctive or composite “proficient” score is used, the score must meet two criteria. The ELP assessment must meaningfully measure student proficiency in each of the language domains, and, overall, be a valid and reliable measure of student progress and proficiency in English. A composite “proficient” score must be a valid and reliable measure that demonstrates sufficient student performance in all required domains to consider an EL student to have attained proficiency in English. The “proficient” score, whether conjunctive or composite, must be set at a level that enables students to effectively participate in grade-level content instruction in English without EL services. Evidence demonstrating each of the foregoing requirements should be available if the Departments request it.

While SEAs may include additional objective criteria related to English proficiency to decide if an EL student who scores proficient on the ELP assessment is ready for exit or requires additional language assistance services, these additional criteria may not serve as a substitute for a proficient conjunctive or composite score on a valid and reliable ELP assessment.

---


92 20 U.S.C. §§ 6311(b)(7) (Title I), 6823(b)(3)(C), (D) (Title III).


94 See 2008 Title III NOI at 61832-61833 (explaining the requirements of an ELP assessment in all four domains and how “proficiency” may be demonstrated using a composite or a conjunctive score); see also supra note 33.
After students have exited an EL program, school districts must monitor the academic progress of former EL students for at least two years to ensure that: the students have not been prematurely exited; any academic deficits they incurred as a result of participation in the EL program have been remedied; and they are meaningfully participating in the standard instructional program comparable to their never-EL peers. When a school district’s monitoring of an exited EL student indicates that a persistent language barrier may be the cause of academic difficulty because general education and remediation services have proven inadequate, school districts should re-test the student with a valid and reliable, grade-appropriate ELP test to determine if there is a persistent language barrier and must offer additional language assistance services where needed to meet its civil rights obligations. In no case should re-testing of an exited student’s ELP be prohibited. If the results of the re-testing qualify the student as EL, the school district must reenter the student into EL status and offer EL services. If the student is reentered into EL services, school districts should document the bases for the reentry and the parents’ consent to such reentry.

- Example 19: School districts throughout the State found that a longitudinal cohort analysis shows that EL students who completed and exited the EL program are not able to meaningfully participate in regular education classes comparable to their never-EL peers. The State revises its criteria for exiting EL students from EL programs to ensure that the criteria are valid and reliable and require proficiency in the four domains. The district then provides teachers and staff with training on revised exit criteria and procedures. The district takes additional steps to improve the EL program’s services.

Some examples of when the Departments have identified compliance issues regarding the exiting of EL students include when school districts: (1) exit intermediate and advanced EL students from EL programs and services based on insufficient numbers of teachers who are qualified to deliver the EL program; (2) prematurely exit students before they are proficient in English, especially in the specific language domains of reading and writing; (3) fail to monitor the progress of former EL students; or (4) fail to exit EL students from EL programs after EL students demonstrate (or could have demonstrated if assessed) proficiency in English.

In their investigations, the Departments consider, among other things, whether:

- **School districts monitor the progress of all of their EL students, including opt outs, in achieving English language proficiency and acquiring content knowledge**;
- **SEAs monitor whether school districts’ programs enable EL students to acquire English, content knowledge, and parity of participation in the standard instructional program**;

---

95 Title III requires that school districts monitor for two years the progress made by exited ELs on content and achievement standards. 20 U.S.C. § 6841(a)(4). Exiting these students from EL status is not the same concept as the treatment of “former” EL students under Title I for accountability purposes. States are permitted to include the scores of former EL students on State content assessments in the LEP subgroup for up to two accountability determination cycles. 34 C.F.R. § 200.20(f)(2).
⇒ SEAs develop and ensure that school districts implement objective ELP standards that define EL status and inform EL programs, services, and assessments;

⇒ School districts monitor EL student progress to establish benchmarks for expected growth and to assist students who are not adequately progressing towards those goals;

⇒ SEAs and school districts do not exit students from EL programs, services, and status until EL students demonstrate English proficiency on a valid and reliable ELP assessment; and

⇒ School districts monitor, for at least two years, the academic progress of students who have exited an EL program to ensure that the students have not been prematurely exited, any academic deficits they incurred resulting from the EL program have been remedied, and they are meaningfully

I. Evaluating the Effectiveness of a District’s EL Program

As noted above, when evaluating a school district’s or SEA’s EL program(s) for compliance, the Departments consider whether the program succeeds, after a legitimate trial, in producing results that indicate that students’ language barriers are actually being overcome. In other words, the Departments look at whether performance data of current EL, former EL, and never EL students demonstrates that the EL programs were in fact reasonably calculated to enable EL students to attain parity of participation in the standard instructional program within a reasonable length of time. For a school district or SEA to make such a determination, as a practical matter, a district must periodically evaluate its EL programs, and modify the programs when they do not produce these results.96 Continuing to use an EL program with a sound educational design is not sufficient if the program, as implemented, proves ineffective.

Generally, success is measured in terms of whether the particular goals of a district’s educationally sound language assistance program are being met without unnecessary segregation. As previously discussed, those goals must include enabling EL students to attain within a reasonable period of time, both (1) English proficiency and (2) meaningful participation in the standard educational program comparable to their never-EL peers.97 The Departments will not view a program as successful unless it meets these two goals. If an EL program is not effective, the district must make appropriate programmatic changes reasonably calculated to enable EL students to reach these two goals. Some EL programs have additional goals such as exiting students within a set number of years. While the Departments review longitudinal data to determine if those goals are being met by the particular program, neither school districts nor SEAs may exit an EL student from EL status or services based

96 Castañeda, 648 F.2d at 1014-15; 1991 OCR Guidance; 20 U.S.C. § 6841(b)(2) (requiring every school district receiving Title III, Part A funds to engage in a self-evaluation every two years and provide it to the SEA).

97 An EL program may have other goals such as bicultural goals or maintaining primary language literacy.
on time in the program if the student has yet to achieve English proficiency.

To assess whether an EL program is succeeding in overcoming language barriers within a reasonable period of time, school districts must consider accurate data that permit a comprehensive and reliable comparison of how EL students in the EL program, EL students who exited the program, and never-EL students are performing on criteria relevant to participation in the district’s educational programs over time. ⁹⁸

Meaningful EL program evaluations include longitudinal data that compare performance in the core content areas (e.g., valid and reliable standardized tests in those areas), graduation, dropout, and retention data for EL students as they progress through the program, former EL students, and never-EL students. ⁹⁹ When evaluating the effectiveness of an EL program, the performance of EL students in the program and former EL students who exited the program should be compared to that of never-EL students. While the data need not demonstrate that current EL students perform at a level equal to their never-EL peers, a school district’s data should show that EL students are meeting exit criteria and are being exited from the program within a reasonable period of time, and that former EL students are participating meaningfully in classes without EL services and are performing comparably to their never-EL peers in the standard instructional program. To assess whether the EL program sufficiently prepared EL students for more demanding academic requirements in higher grades, the Departments expect districts to evaluate these data not only at the point that students exit EL services, but also over time. ¹⁰¹

- **Example 20:** A district conducts a longitudinal cohort analysis that examines the percentage of beginner-level EL students who complete and successfully exit EL program services within four years, five years, and at other intervals. The district also compares the performance of the exited EL students and their never-EL peers on the standardized reading, math, science, and social studies tests in grades 3, 5, 8, and 10, as well as their retention-in-grade, drop out, and graduation rates. The district considers whether it is possible

---

⁹⁸ See, e.g., Castañeda, 648 F.2d at 1011, 1014 (discussing student achievement scores under the third prong); Flores, 557 U.S. at 464 n.16 (“[An] absence of longitudinal data in the record precludes useful comparisons.”); Texas, 601 F.3d at 371 (discussing achievement scores, drop-out rates, retention rates, and participation rates in advanced courses, and the need for longitudinal data, under prong three); Keyes v. Denver Sch. Dist. No. 1, 576 F. Supp. 1503, 1519 (D. Colo. 1983) (expressing concern over high drop-out rates of Hispanic students).

⁹⁹ See Horne, 557 U.S. at 464 n.16 (“[An] absence of longitudinal data in the record precludes useful comparisons.”); Texas, 601 F.3d at 371 (discussing Castañeda’s third prong and noting that without an analysis of “longitudinal data . . . the comparisons made, and conclusions reached in making them, are unreliable”).

¹⁰⁰ See Horne, 557 U.S. at 467 (“Among other things, the Court of Appeals referred to ‘the persistent achievement gaps documented in [Nogales]’ AIMS test data’ between ELL students and native speakers, but any such comparison must take into account other variables that may explain the gap. In any event, the EEOA requires ‘appropriate action’ to remove language barriers, § 1703(f), not the equalization of results between native and nonnative speakers on tests administered in English – a worthy goal, to be sure, but one that may be exceedingly difficult to achieve, especially for older EL students.” (citation omitted)).

¹⁰¹ See id. at 464 n.16 (“[An] absence of longitudinal data in the record precludes useful comparisons.”).
to attribute earlier exits and disparate performance data of exited EL students in the content areas to a specific program design, teacher training, or differences in programming across grade levels. The district disaggregates the average rate of EL program exit and the average standardized test performance by program, school, content areas, years in EL programs, and grade to determine which EL programs and services require modification.

- **Example 21:** Some school districts have updated or modified their existing data systems for the purpose of collecting and analyzing complete and accurate information about EL and former EL student data relative to never-EL student data. Such data include standardized tests, district assessments, participation in special education and gifted programs, enrollment in AP classes, and graduation, drop-out, and retention-in-grade rates. For example, when a district’s four-year longitudinal cohort analysis data revealed higher drop-out rates for EL students and exited EL students than never-EL students, the district revised its grade 6-12 ESL curriculum with the help of its ESL teachers and mandated more training for secondary sheltered content instructors.

In addition, as stated in sections II.D and H above, school districts must monitor EL students’ progress from grade to grade so that districts know whether the EL program is causing academic content area deficits that require remediation and whether EL students are on track to graduate and have comparable opportunities to their never-EL peers to become college- and career-ready. Other important indicators of program success include whether the achievement gap between EL students and never-EL students is declining over time and the degree to which current and former EL students are represented in advanced classes, special education services, gifted and talented programs, and extracurricular activities relative to their never-EL peers.

In their investigations, the Departments consider, among other things, whether:

- **SEAs and school districts monitor and compare the academic performance of EL students in the program and those who exited the program over time, relative to that of their never-EL peers; and**

- **SEAs and school districts evaluate EL programs over time using accurate data and timely modify their programs when they are not meeting the standards discussed herein.**

### J. Ensuring Meaningful Communication with Limited English Proficient Parents

Limited English Proficient (LEP) parents are parents or guardians whose primary language is other than English and who have limited English proficiency in one of the four domains of language proficiency (speaking, listening, reading, or writing). School districts and SEAs have an obligation to ensure meaningful communication with LEP parents in a language they can understand and to adequately notify LEP parents of information about any program, service, or activity of a school district or SEA that is called to the attention of non-LEP parents. At the school and district levels, this
essential information includes but is not limited to information regarding: language assistance programs, special education and related services, IEP meetings, grievance procedures, notices of nondiscrimination, student discipline policies and procedures, registration and enrollment, report cards, requests for parent permission for student participation in district or school activities, parent-teacher conferences, parent handbooks, gifted and talented programs, magnet and charter schools, and any other school and program choice options.\textsuperscript{102}

School districts must develop and implement a process for determining whether parents are LEP and what their language needs are. The process should be designed to identify all LEP parents, including parents or guardians of children who are proficient in English and parents and guardians whose primary language is not common in the district. For example, a school district may use a student registration form, such as a home language survey, to inquire whether a parent or guardian requires oral and/or written communication in a language other than English. The school’s initial inquiry should, of course, be translated into languages that are common in the school and surrounding community so that that the inquiry is designed to reach parents in a language they are likely to understand. For LEP parents who speak languages that are less common at a particular school, the school may use a cover page explaining in those languages how a parent may receive oral interpretation of the form and should offer interpreters to ensure parents accurately report their language communication needs on the form. Schools may also use other processes reasonably calculated to identify LEP parents, and should identify the language needs of LEP parents whenever those needs become apparent. It is important for schools to take parents at their word about their communication needs if they request language assistance and to keep in mind that parents can be LEP even if their child is proficient in English.

SEAs and school districts must provide language assistance to LEP parents effectively with appropriate, competent staff – or appropriate and competent outside resources.\textsuperscript{103} It is not sufficient for the staff merely to be bilingual. For example, some bilingual staff and community volunteers may be

\textsuperscript{102} In addition to the general requirement under the civil rights laws described in the text, LEP parents are also entitled to translation and interpretation of particular information under Titles I and III and the IDEA, as noted supra in Parts II. A, F.1, and G.

\textsuperscript{103} Some school districts have used web-based automated translation to translate documents. Utilization of such services is appropriate only if the translated document accurately conveys the meaning of the source document, including accurately translating technical vocabulary. The Departments caution against the use of web-based automated translations; translations that are inaccurate are inconsistent with the school district’s obligation to communicate effectively with LEP parents. Thus, to ensure that essential information has been accurately translated and conveys the meaning of the source document, the school district would need to have a machine translation reviewed, and edited as needed, by an individual qualified to do so.

Additionally, the confidentiality of documents may be lost when documents are uploaded without sufficient controls to a web-based translation service and stored in their databases. School districts using any web-based automated translation services for documents containing personally identifiable information from a student’s education record must ensure that disclosure to the web-based service complies with the requirements of the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g(b), and its implementing regulations at 34 C.F.R. Part 99. For more information on this issue, please review the "Protecting Student Privacy While Using Online Educational Services" guidance found at http://ptac.ed.gov/sites/default/files/Student%20Privacy%20and%20Online%20Educational%20Services%20%28February%202014%29.pdf.
able to communicate directly with LEP parents in a different language, but not be competent to interpret in and out of English (e.g., consecutive or simultaneous interpreting), or to translate documents. School districts should ensure that interpreters and translators have knowledge in both languages of any specialized terms or concepts to be used in the communication at issue. In addition, school districts should ensure that interpreters and translators are trained on the role of an interpreter and translator, the ethics of interpreting and translating, and the need to maintain confidentiality.

- Example 22: A district captures parents’ language needs on a home language survey and stores these data electronically in its student information system. The district analyzes the parent language data to identify the major languages, translates essential district-level documents into the major languages, assists schools with translating essential school-level documents into the major languages and other languages, and stores these translated documents in a database that all schools can access electronically. For less common languages, the district ensures that LEP parents are timely notified of the availability of free, qualified interpreters who can explain district- and school-related information that is communicated in writing to parents. The district also canvasses the language capabilities of its staff, creates a list of staff who are trained and qualified to provide interpreter and/or translation assistance, contracts out for qualified interpreter and translation assistance in languages that are not represented on this list, and trains all schools on how to access these services.

Some examples of when the Departments have found compliance issues regarding communication with LEP parents include when school districts: (1) rely on students, siblings, friends, or untrained school staff to translate or interpret for parents; (2) fail to provide translation or an interpreter at IEP meetings, parent-teacher conferences, enrollment or career fairs, or disciplinary proceedings; (3) fail to provide information notifying LEP parents about a school’s programs, services, and activities in a language the parents can understand; or (4) fail to identify LEP parents.

In their investigations, the Departments consider, among other things, whether:

- SEAs and school districts develop and implement a process for determining whether parents are LEP, and evaluate the language needs of these LEP parents;
- SEAs and school districts provide language assistance to parents or guardians who indicate they require such assistance;
- SEAs and school districts ensure that LEP parents have adequate notice of and meaningful access to information about all school district or SEA programs, services, and activities; and
- SEAs and school districts provide free qualified language assistance services to LEP parents.
Conclusion

We look forward to working with SEAs and school districts to ensure their services for EL students provide those students with a firm foundation for success in their schools and careers. We also encourage SEAs and school districts to reevaluate policies and practices related to their EL programs in light of this guidance to ensure compliance and improve access to educational benefits, services, and activities for all students.

Together, through our collaborative efforts, the Departments, SEAs, and school districts can help ensure that all EL students receive equal educational opportunities and that the diversity they bring to our nation’s schools is valued.

Thank you for your efforts to meet the educational needs of EL students. If you need technical assistance, please contact the OCR office serving your State or territory by visiting www.ed.gov/OCR or by calling 1-800-421-3481. Please also visit the Departments’ websites to learn more about our EL-related work, available at www.ed.gov/ocr/ellresources.html and www.justice.gov/crt/about/edu/documents/classlist.php#origin.