

**Core
Function**

**Process for Identifying
and Monitoring**

**Effective
Practice**

**The process for identification of ELs is
standardized.**

Success Indicator PR04: School staff complete identification, screening, and parental notification of eligible students within 30 days of enrollment at the beginning of the school year, and within 2 weeks of enrollment once school is underway. (5897)

Overview: School staff communicate information on this process to families in the home language.

Federal law requires that ELs are identified within a certain timeframe. While this timeframe can create certain challenges for school leadership, the benefits to students and teachers are well-documented. With structured systems, schools can enhance their ability to identify ELs in an accurate and efficient manner. Additionally, by creating standardized practices that emphasize clear communication and collaboration between ESL staff, special education staff, and parents, ELs are more likely to receive the most support services that best address their needs.

Questions: What is the mandated timeframe for identifying ELs? What are the benefits and challenges of completing identification within this designated timeframe?

What is the mandated timeframe for identifying ELs?

LEAs are required to inform parents of their child's identification as an EL within the first 30 days after enrollment or within 14 days of enrollment if a student enrolls after the first day of school (Every Student Succeeds Act, 2015). This timeframe is mandated by Title III of the Every Student Succeeds Act, which reauthorized the Elementary and Secondary Education Act of 1965.

What are the benefits and challenges of completing identification within this designated timeframe?

In order to complete the ELL identification process swiftly and accurately within the federally mandated timeframe, it is critical that schools have the necessary systems in place.

Initial Identification

The U.S. Department of Education (U.S. DOE) recommends that local education agencies (LEAs) and schools regularly reacquaint themselves with their state education agency's (SEA) policies on the home language survey (HLS) and initial assessment requirements. Because some states do not require that a specific HLS or assessment are used, school leaders must make sure that the tools they use adhere to the SEA's standards. Additionally, the U.S. DOE advises LEAs to translate the HLS into every language that is represented in the local and school communities. Furthermore, for some situations oral translations of the HLS are preferred to written translations. In these cases, it is strongly suggested that LEAs create a uniform script that is read aloud by an individual who is fluent in the dominant home language (Linguanti & Bailey, 2014). Finally, school staff should provide training to faculty members who will be administering and interpreting the HLS to enhance the survey's validity (Wixom, 2015).

Access to Interpreters (to Communicate with Families)

Breiseth, Robertson, & Lafond (2015) point out that there is often difficulty establishing clear lines of communication between schools and parents of potential ELs. The authors note that school administrators and faculty are often monolingual, and thus cannot speak the same language as the parents they are trying to contact. Breiseth et al. contend that schools should refrain from using students as translators, a sentiment which the U.S. Department of Justice (DOJ) echoed in a 2008 settlement agreement with the Worcester School District (U.S. Department of Justice, 2008). To bridge this language gap, Houk (2005) recommends that schools hire a diverse staff linguistically that is representative of the languages spoken in the local community. However, Breiseth et al. note that even this can be problematic, as bilingual teachers may be pulled away from instructional time to serve as translators.

The aforementioned 2008 settlement agreement between the DOJ and the Worcester School District provides a clear outline for when and how Local Education Agencies (LEAs) should make the services of translators available. Specifically, the settlement requires that all forms, including HLS and student placement information, be translated into major languages. If the form needs to be translated into a non-major language, this can happen in either written or oral form. Additionally, the settlement states that a translator should be present at any conference between an LEA and a non-English speaking parent, as long as the LEA has a reasonable amount of time to acquire this service.

The 2008 settlement agreement also recommends that LEAs follow a specific framework for obtaining and disseminating the contact information of local translators. First, the DOJ suggests that LEAs compile a list of employees and contractors who are qualified to serve as translators. Next, the DOJ advises that LEAs post these listings in well-trafficked areas of each school where parents can easily come across and obtain the information. Furthermore, the DOJ states that LEAs should apprise teachers and support staff of how they can obtain this information, and when they should contact a translator. Finally, the DOJ posits that this list of translators should be updated on a yearly basis.

Structure for Language Assessment

In its English Learner Tool Kit, the U.S. DOE (2016) recommends that school leadership have clear procedures in place for other components of initial EL identification as well. For example, test administrators need to be appointed and trained according to the requirements of the assessment tool that is being utilized. School faculty should complete the necessary training modules well in advance of administering LEP (limited English proficient) assessments. Furthermore, because a great deal of screening takes place at the start of the school year, summer professional development sessions should be used in part to inform teachers of LEP assessment guidelines and to ensure that a sufficient number of faculty have successfully completed the training. Additionally, the U.S. DOE asserts that policy needs to be created and shared with staff regarding the storing and sharing of assessment data. Finally, school leadership needs to create a clear system for communicating with parents that takes into account the unique nature of each family's language profile.

Coordination with Other Assessments

Another challenge presented by this mandated timeframe is in regards to the amount of information that schools may or may not have available to them. For instance, students with IEPs (Individualized Education Programs) are entitled to accommodations in taking their initial assessment (ELPA21, 2016; WIDA, 2015). However, schools often don't have IEP testing completed within this timeframe, and they may be missing important documentation regarding new students' special education and ELL status. This is not only problematic for testing, but also for determining what language support services a student needs (Robertson, Sanchez-Lopez, & Breiseth, 2014).

To combat this challenge, Robertson et al. (2014) recommends that ESL and special education personnel collaborate in assessing the student's needs and – if needed – creating an IEP. The authors note that input from ESL faculty is particularly important because special education evaluation tools have largely been developed for native English speakers. Thus, the efficacy of many special education assessment tools is not as high when they are used to evaluate ELs. By creating a system where ESL and special education faculty work together, Robertson et al. contend that multiple professional perspectives

and varying types of assessment data can be shared and considered in determining the EL's needs.

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