



ENGLISH LEARNER UPDATES

COMBINED FEDERAL PROGRAMS MEETING

DECEMBER 6 – 7, 2018 | WASHINGTON, DC



ENTRANCE AND EXIT PROCEDURES FOR ENGLISH LEARNERS

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OBJECTIVES

During this session, participants will:

- Understand the statutory requirements for entrance and exit of English learners (ELs) from language instruction educational programs (LIEP); and
- Hear information from State peers regarding examples of entrance and exit procedures.



AGENDA

- Review Federal statutory requirements
- Review Reporting requirements
- State example 1
- State example 2



PRESENTERS

- Amy Bae, Office of Special Education and Rehabilitative Services
- Millie Bentley-Memon, Office of State Support
- Brenda Calderon, Office of State Support





Entrance and Exit Procedures



REQUIREMENTS FOR ENTRANCE AND EXIT PROCEDURES

- Under Section 3113(b)(2) of the ESEA, as amended by the ESSA, each State educational agency (SEA) receiving a Title III, Part A State formula grant must establish and implement standardized statewide entrance and exit procedures for ELs and
 - Conduct timely and meaningful consultation with local educational agencies (LEAs) representing the geographic diversity of the State.
- The requirement that the procedures be “statewide” means they must be consistently applied across the State.



TIMELINE BY WHICH ELS MUST BE IDENTIFIED

- Under section 3113(b)(2) of the ESEA, a student who may be an EL must be assessed for such status within 30 days of enrollment in a school in the State.
 - An SEA should also have procedures in place to identify in a timely manner ELs who may not have been identified during this initial identification period.
 - An SEA should make every effort to identify students who are ELs as soon as possible in order to provide timely support for students who may be in need of language services.
- Each LEA that uses funds under either ESEA Title I or Title III to supplement its LIEP must provide a parent of an EL student with notification that outlines their child's identification as an EL and placement in an LIEP and other required notifications



MAY AN LEA USE TITLE III FUNDS FOR EL IDENTIFICATION?

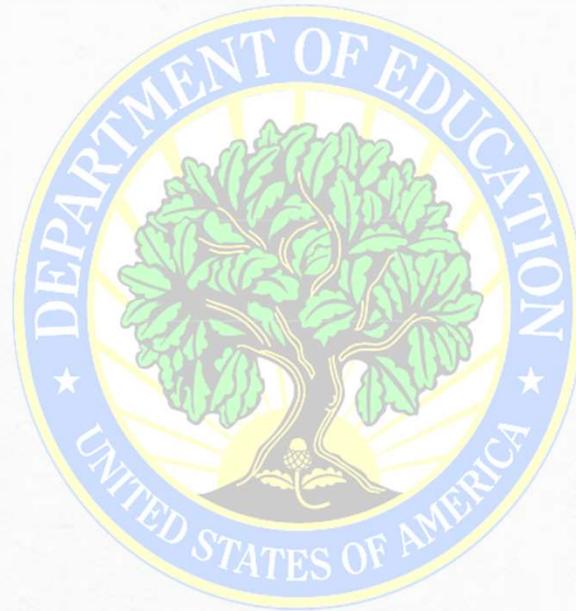
No. The obligation to identify all EL students is part of a local educational agency's (LEA's) civil rights obligations.



LEA REMOVAL OF A STUDENT'S EL DESIGNATION

- General rule - after a student is identified as an EL, the LEA may not remove the EL designation before that student scores proficient on the assessment of the four language domains, even if the student's parents object to the EL designation.
- Rare exceptions – when a student is erroneously identified as an EL.
- Parents have the right to decline EL services, but not the administration of the annual ELP assessment





Exit Procedures



STUDENT EXIT FROM EL STATUS FOR ESEA PURPOSES

- An EL must be exited from EL status for ESEA purposes when the student satisfies the State's standardized statewide exit procedures. This requirement applies to an EL with a disability as well.
- In order to be exited from EL status a student must demonstrate proficiency on a valid and reliable ELP assessment.
- In a State that has additional exit procedures, however, a student who scores proficient on the ELP assessment is not exited until the student meets those additional objective procedures.



ESEA REQUIREMENT FOR ANNUAL ELP ASSESSMENT – ROLE OF LOCAL ASSESSMENTS

- Each SEA must require that its LEAs administer a uniform, valid, and reliable statewide ELP assessment annually to all ELs in schools served by the State, in grades kindergarten through grade 12.
- An SEA therefore may not permit one or more LEAs to use locally administered ELP assessments in lieu of the statewide ELP assessment.



EXIT OF AN EL WHOSE DISABILITY PRECLUDES ASSESSMENT IN ONE OR MORE DOMAINS OF THE STATE ELP ASSESSMENT

- Under 34 C.F.R. §200.6(h)(4)(ii), if it is determined on an individualized basis that an EL has a disability that precludes assessment in one or more domains of the ELP assessment (speaking, listening, reading and writing), such that there are no appropriate accommodations for the affected domain or domains, an SEA must assess the child's English language proficiency based on the remaining domains in which it is possible to assess the student.



OBJECTIVE, VALID AND RELIABLE PROCEDURES IN ADDITION TO THE STATE'S ELP ASSESSMENT

- An SEA may include additional measures in its standardized statewide exit procedures that are valid, reliable objective and applied and weighted the same way across the State.
 - Examples: local input such as the use of a teacher rubric or objective portfolio as part of its statewide exit procedures, *as long as applied and weighted consistently across the State*





Reporting



NUMBER OF YEARS OF EL SERVICES AND PRESCHOOL

- Under 34 C.F.R. §200.5(a)(2), an SEA must administer the ELP assessment annually to all ELs in schools served by the State in all grades in which there are ELs, kindergarten through grade twelve.
- Therefore, an SEA should only include students in kindergarten through grade twelve for all reporting requirements under Title III, Part A, including reporting on ELs who have not attained ELP within five years of initial classification as an EL.



LEA COUNTS OF ELS SERVED UNDER TITLE III - WHEN PARENTS REFUSE EL SERVICES

- An LEA receiving a Title III subgrant must report on the activities conducted and ELs receiving language services in the LEA.
 - An LEA should not include ELs whose parents have declined language services in this report.
- Note, however, that under the ESEA, all ELs in kindergarten through grade 12 must be annually assessed for ELP, including those whose parents refuse their participation in language services.



TITLE III REPORTING REQUIREMENT ON FORMER ELS – WHICH ELS TO INCLUDE

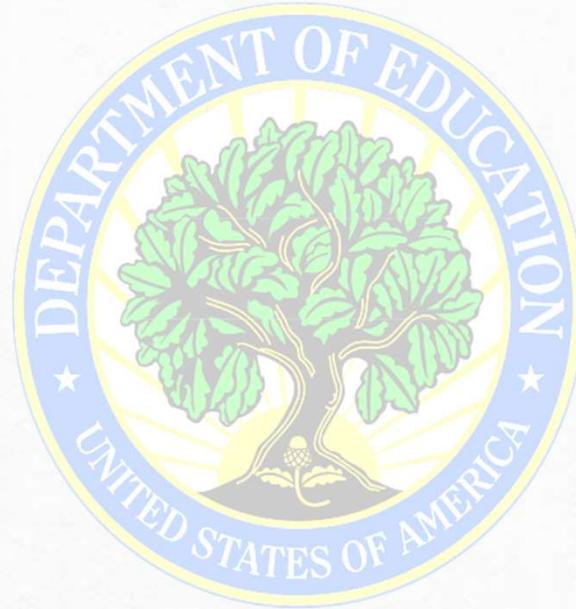
- ESEA section 3121(a)(5) requires that LEAs report on the number and percentage of ELs meeting the challenging State academic standards for four years after such students are no longer receiving Title III services.
- An LEA must include students who have met the standardized, statewide exit procedures required under section 3113(b)(2) of the ESEA and no longer receive language services.
- If an SEA has standardized statewide exit procedures that include other procedures in addition to a score of proficient on the statewide ELP assessment, the SEA would not report all ELs who attained a score of proficient on the ELP assessment, but rather only those ELs who met the standardized statewide exit procedures and therefore no longer receive EL services.





Illinois Example





Washington Example



RESOURCES

- *A State's Guide to the U.S. Department of Education's Assessment Peer Review Process*, available at <https://www2.ed.gov/admins/lead/account/saa.html#Standards and Assessments Peer Review>
- January 7, 2015 Dear Colleague Letter, available at <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-el-201501.pdf>
- English Learner Toolkit, available at <https://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html>
- Non-Regulatory Guidance: English Learners and Title III, available at www2.ed.gov/policy/elsec/leg/essa/essatitleiiienglishlearners92016.pdf





ASSESSMENT PEER REVIEW FOR ENGLISH LANGUAGE PROFICIENCY ASSESSMENTS

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OBJECTIVES

As a result of this session, participants will be able to:

- Explain the new ELP peer review requirements in the ESEA;
- Describe the new peer review guide and how it applies to ELP peer review;
- Address questions regarding the new ESEA requirements; and
- Describe the upcoming peer review schedule.



AGENDA

- Peer Review for ELP Assessments
 - Updated Peer Review Guide
 - New Requirements in ESSA
 - Upcoming Peer Review Schedule 2019
- Questions



PRESENTERS

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ASSESSMENT PEER REVIEW FOR ELP ASSESSMENTS



PURPOSE AND ROLE OF PEER REVIEW

- Support States in meeting statutory requirements under Title I
- Support States in developing and implementing valid and reliable coherent State assessment systems
- Document technical quality
- Apply assessment results in a manner consistent with professional standards



REMINDER OF WHAT NEEDS TO BE PEER REVIEWED

- All tests as prior peer review (required academic assessments in reading/language arts, mathematics and science plus AA-AAAS and native language for ELs)
- **English language proficiency (ELP) assessments for all English learners (ELs) grades K-12**
- **Alternate ELP assessments (AELPA) for ELs with the most significant cognitive disabilities in grades K-12**
- New ESSA Flexibilities regarding assessment (if applicable):
 - locally selected, nationally recognized high school academic assessments
 - the more advanced high school assessments used by students who take the State's high school math test in 8th grade
 - content assessments in a Native American and Alaska Native language



UPDATED PEER REVIEW GUIDE

Peer Review Guide (released as final September 24, 2018)

<https://www2.ed.gov/admins/lead/account/saa/assessmentpeerreview.pdf>

**A State's Guide to the U.S. Department
of Education's
Assessment Peer Review Process**



U.S. Department of Education
Office of Elementary and Secondary Education
Washington, D.C. 20202

June 22, 2018



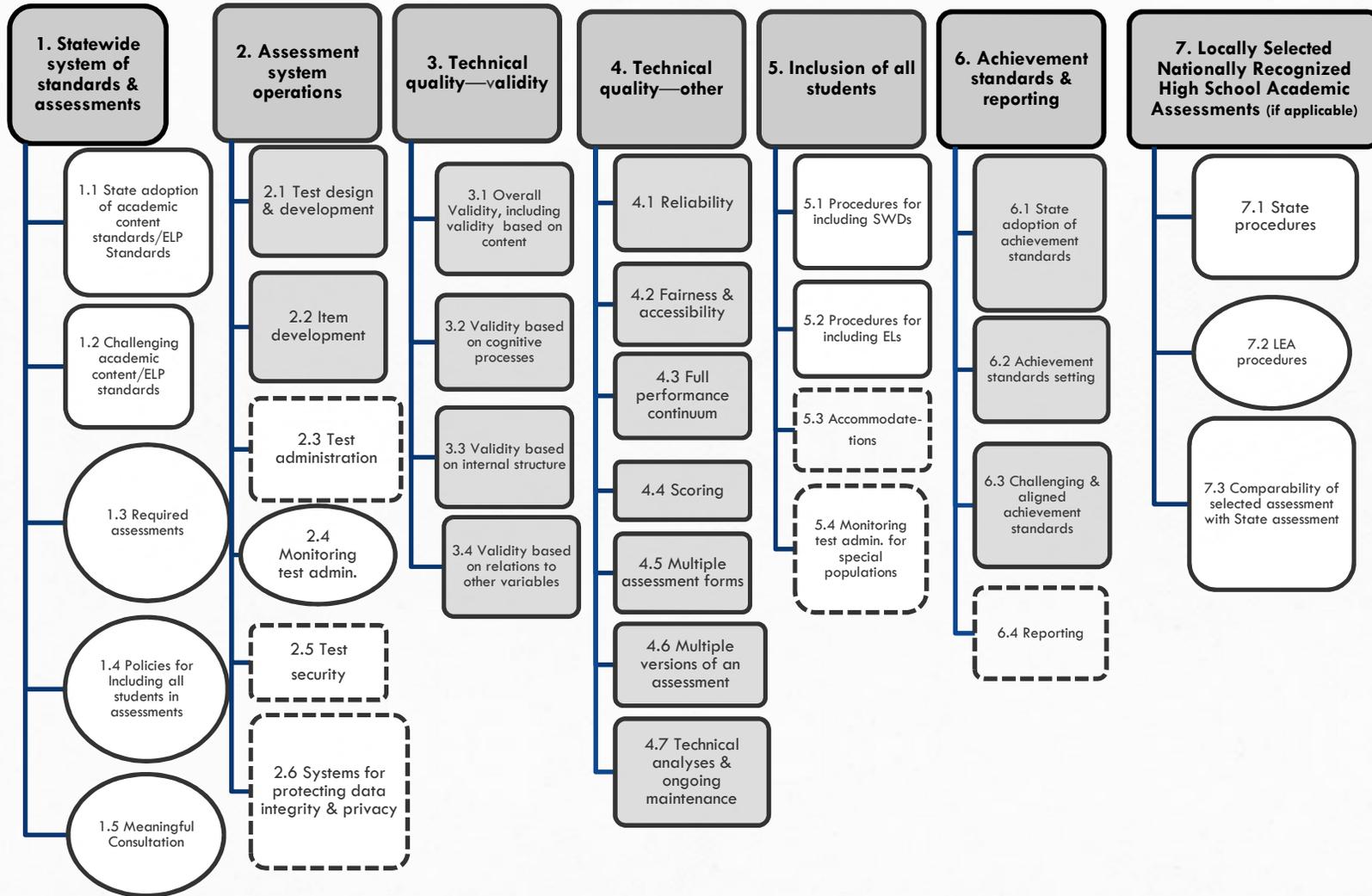
UPDATED GUIDE TO THE PEER REVIEW PROCESS

UPDATED PER ESSA REQUIREMENTS

- The updated guide reflects changes made to the ESEA standards and assessment requirements by the ESSA.
- For the most part, the academic assessment provisions under the ESEA as amended by the ESSA remain similar to the prior assessment provisions under the ESEA as amended by the No Child Left Behind Act of 2001.
- Requirements for ELP peer review have been integrated throughout the guide because most academic assessment peer review criteria apply to ELP as well.
- This guide will be in effect for assessments administered in 2017-18 and thereafter.



MAP OF THE REVISED GUIDE



CRITICAL ELEMENTS

A NOTE ABOUT THE SUGGESTED “SOURCES” FOR SUBMISSION FOR CONSORTIA AND STATES USING COMMON ASSESSMENTS

Evidence	Critical Elements
State-specific evidence	1.1, 1.2, 1.3, 1.4, 1.5, 2.4, 5.1, 5.2, 6.1
Coordinated evidence for States administering the same assessments	2.1, 2.2, 3.1, 3.2, 3.3, 3.4, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 6.2 and 6.3
Hybrid evidence	2.3, 2.5, 2.6, 5.3, 5.4 and 6.4

These are suggestions, based on past experience in reviewing consortium assessments; other consortium or ‘common assessments’ may have different patterns of ‘who submits what’



NEW REQUIREMENTS FOR ELP AND ALTERNATE ELP ASSESSMENT

- If an English learner has a disability that precludes assessment of the student in one or more domains (listening, speaking, reading and writing), as determined by the student's IEP team, a State must assess the student's English language proficiency based on the remaining domains in which it is possible to assess the student.



NEW REQUIREMENTS FOR ELP AND ALTERNATE ELP ASSESSMENT

- A State must develop an AELPA for ELs who are students with the most significant cognitive disabilities who cannot participate in the regular State ELP assessment, even with appropriate accommodations.
- A State may choose to implement an AELPA aligned with the grade-level/grade-band achievement standards, or it may choose to implement an AELPA aligned with alternate ELP achievement standards. The alternate ELP achievement standards should reflect professional judgment of the highest ELP achievement standards possible for ELs who are students with the most significant cognitive disabilities.



ADDITIONAL INFORMATION ON ELP ASSESSMENTS FOR SWDS

Available at:

https://nceo.info/Assessments/alternate_elp_assessment/overview



UPCOMING PEER REVIEW SCHEDULE

- Spring 2019: First opportunity for ELP Assessment Peer Review (including any Alternate ELP Assessments ready to be reviewed) – all States to submit evidence in March 2019
- Spring-Summer 2019: Competitive Assessment Grants (awards by 9/30/2019; see section 1203 of ESSA for program description)
- Summer 2019: State Academic Assessment Peer Review – States to submit evidence in June 2019
- 2020: Alternate ELP Assessment Peer Review (unless ready for submission in 2019)
- Future peer reviews most likely on semi-annual cycle





Questions?

SESSION EVALUATION

PLEASE GIVE US YOUR FEEDBACK!

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- Hear information from State peers regarding examples of entrance and exit procedures.



