



## **English Language Learners Resource Handbook**

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## **EL Federal Definition**

According to Section 25 of Title IX of the Elementary and Secondary Education Act of 1965, the term English Learner is an individual

- A. who is aged 3 through 21;
- B. who is enrolled or preparing to enroll in an elementary school or secondary school;
- C. (i) who was not born in the United States or whose native language is a language other than English;

- i. who is a Native American or Alaska Native, or a native resident of the outlying areas
  - ii. who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or
  - iii. who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; and

- D. whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual—

- I. the ability to meet the State's proficient level of achievement on State assessments described in section 1111(b)(3)
  - ii. the ability to successfully achieve in classrooms where the language of instruction is English; or
  - iii. the opportunity to participate fully in society.

The U.S. Department of Education published the following support materials to outline guidance for serving English Learners in a public school setting.

## **Dear Colleague Letter**

## **English Learner Toolkit**

### **EL Definition from Ohio's Department of Education**

According to the Ohio Department of Education,

“In Ohio, more than 48,000 English Language Learners (ELL) are enrolled in the state’s elementary and secondary public schools. The term English Language Learner refers to those students whose home or native language is other than English, and whose current limitations in the ability to understand, speak, read or write English impact their effective participation in their school education programs

## **District Mission Statement**

Together with our community, Preparing students for a changing world, Challenging students to grow, Empowering students to achieve with purpose

## **Strategic Goals**

### **STUDENT PROGRAMMING**

North Union Local Schools prioritizes the education of the whole child by supporting rigorous, relevant, and diverse learning opportunities for all students.

### **STUDENT WELLNESS**

North Union Local Schools promotes an environment of safety and wellness across our district because success depends upon all students' ability to come to school physically, mentally, and emotionally prepared.

### **COMMUNITY ENGAGEMENT**

North Union Local Schools welcomes the active participation of parents, businesses, community members, and students across all areas of governance, curricular, and extra-curricular programming.

### **COMMUNICATION AND BRANDING**

North Union Local Schools is known for who we are, what we are, and what we do through consistent, continuous, and diverse communications.

## Statutes, Policies, and Legal Requirements

The following provide a brief overview of mandates and policies guiding the development of educational services for EL students.

### Federal Policies

#### **Title VI of the Civil Rights Act of 1964**

Title VI, 42 U.S.C. § 2000d et seq., was enacted as part of the landmark Civil Rights Act of 1964. It prohibits discrimination on the basis of race, color, and national origin by recipients of federal financial assistance. The Title VI regulatory requirements have been interpreted to prohibit denial of equal access to education because of a language minority student's limited proficiency in English.

#### **Lau v. Nichols (1974)**

The U.S. Supreme Court affirmed the need for school districts to take steps to help limited-English proficient (EL) students overcome language barriers and to ensure that they can participate meaningfully in the district's educational programs. The Court ruled that school districts must provide special services to English Learners (ELLs) so that they have equal educational opportunity. ELLs need language instruction educational programs that allow them to progress academically while they are acquiring English language skills. There are several different program models; however, all include both academic content and English language development components.

#### **Castañeda v. Pickard (1981)**

Castañeda requires programs that educate children with limited English proficiency to be based on a sound educational theory; adequately supported, with adequate and effective staff and resources, so that the program has a realistic chance of success; and periodically evaluated and, if necessary, revised.

#### **Plyler v. Doe (1982)**

The U.S. Supreme Court ruled that the Equal Protection Clause of the Fourteenth Amendment prohibits states from denying a free public education to undocumented immigrant children. Public schools and school personnel are prohibited from adopting policies or taking actions that would deny students access to education based on their immigration status.

Based on the above documented cases, The U.S. Department of Education (ED) and the U.S. Department of Justice (DOJ) have issued joint guidance to remind state education agencies (SEAs), public school districts, and public schools of their legal obligation to ensure that EL students can participate meaningfully and equally in educational programs. The guidance is available at:

<http://www2.ed.gov/about/offices/list/ocr/ellresources.html>

### Statutes, Policies, and Legal Requirements

The following provide a brief overview of mandates and policies guiding the development of the North Union Local School District educational services for EL students.

## **U.S. Department of Education and Office of Civil Rights (OCR) Mandates for Servicing EL Students**

- Districts must identify all EL students who need assistance.
- Districts must ensure that all students who need language assistance are provided the opportunity for participation in an EL program.
- Districts must identify a program in which all ELs have a reasonable chance for success.
- Districts must ensure that necessary staff, curricular materials, and facilities exist and are used properly.
- Districts must annually assess the success of the program and make modifications where necessary.
- Districts must guarantee that students are not being misidentified and enrolled into special education classes based on language.
- Districts must develop appropriate evaluation standards, including program exit criteria, for measuring the progress of students.
- Districts must ensure that parents who are not proficient in English are provided with appropriate and sufficient information regarding the education of their children in a language they understand.

## **State Policies**

The U.S Department of Education and the Ohio Department of Education have identified steps for educating English learners.

1. A home language survey is administered as part of the registration process for all registering students whose first or home language is other than English.
2. Any student for whom a language other than English is reported must be administered a state approved English language proficiency assessment based on the English Language Proficiency Standards for ELs K to 12 to assess listening, speaking, reading and writing.
  - a. The assessment must be conducted by qualified personnel trained in the administration of the assessment instrument.
3. Any student who achieves a score that is lower than the eligibility cut off score in listening, speaking, reading and writing established by the assessment is identified as an EL.

## Roles and Responsibilities

### **Parents/Guardians**

Complete Home Language Survey

Give written permission to participate in / refuse the EL Program

Attend and participate in the conferences about your child's educational programs

### **NULSD**

Assist in enrolling the student

Administer placement tests

Administer OELPA

Work with all stakeholders to ensure a proper education is being provided

Provide standards-based instruction

### **Classroom Teacher**

Differentiate and scaffold in order to meet the needs of the child

Provide appropriate materials and instruction based on the the students proficiency level

Ensure that appropriate accommodations are given for district/state standardized tests

Follow Ohio regulations regards administration of state standardized tests

## EL Identification & Program Enrollment

Under Title III, part A of the Elementary and Secondary Education Act, there are three assessment requirements for English Learner (EL) Students:

1. Test to determine language skills.
2. Yearly language test to measure development and progress of English proficiency.
3. Testing to measure students' progress in meeting State learning goals.

### Language Usage Survey

Districts and community schools use the Language Usage Survey to identify students' language experiences and educational backgrounds, as well as the communication preferences of parents and guardians.

### Assessing English Language Proficiency

After identifying potential English learners with the language usage survey, schools assess these students' English language proficiency using the Ohio English Language Proficiency Screener (OELPS). The OELPS is the state-provided, standardized tool for determining whether students qualify as English learners eligible to participate in the school's language instruction educational program

### Next Steps

**Notify parents of English learner identification and services.** If a student is identified as an English learner, the district or school must notify parent(s) or guardian(s) explaining the child's classification as an English learner and the available services. Information about the Letters to Parents of Students Identified as English Learners is available in English and Spanish on the [Department's website](#).

**Implement language assistance services.** After a district or school has identified English learners with the language usage survey and English language proficiency screener, it must determine and implement the language instruction educational program the student will receive. Guidelines and information about programmatic options for English learners are available on Department's website.

### Annual Language Assessment

State and federal law require an annual assessment of K-12 students identified as English learners to measure their English language proficiency. In Ohio, this is the Ohio English Language Proficiency Assessment (OELPA). Visit the [OELPA](#) website for more information

## **Implications of Legislation on EL Programs and Student Performance**

Parents and guardians are required to receive a letter of notification regarding their student's enrollment in the EL program after initial enrollment.

Parents and guardians must be informed within 30 days of initial assessment of their child's English Language Proficiency (ELP) level and EL program options. If initial assessment were given during the summer, parents and guardians must be notified within 14 days after the start of the school year.

## **Testing Requirements on EL Students**

EL students must be assessed annually in ELA and math (grades 3-8) and as prescribed by state regulations in grades 9-12. .

There are no exemptions or waivers to excuse EL students from testing. All EL students, regardless of time in the country, must take proficiency/state standards tests (with accommodations).

States may provide accommodations on state mandated assessments for EL students in U.S. schools. In Ohio, EL students may receive a bilingual/word-to-word dictionary and extended time on assessments.

In Ohio, the OELPA (Ohio English Language Proficiency Assessment) administration is arranged yearly through the Ohio Department of Education and local testing departments.

Students cannot test out of EL status until they demonstrate proficiency in all four areas of language development: reading, writing, speaking and listening on the Ohio English Language Proficiency Assessment (OELPA).

## **Who is Assessed?**

A student whose parent or guardian responded to the Language Usage Survey one or more of the questions with a language other than English.

A student who was qualified as EL from another state and transferred into the district.

If additional information becomes available it will be addressed on a case-by-case basis.

## Title III LEP/ESL Considerations

Eligibility and placement in the LEP/ESL program may be difficult for potential English Learners due to their unique backgrounds and situations. Our district is dedicated to following certain guidelines in order to utilize ESL services appropriately and effectively.

### Observations

1. It is possible for a U.S.-born student to be LEP if his or her parents have raised the student using only a home language other than English.
2. It is possible that a parent registering a student in a school may have very limited English skills, but the student may be fully proficient in English.
3. It is possible that a parent registering a student in a school speaks English perfectly, yet this student may be LEP. This sometimes happens when companies bring employees (who speak English) into the U.S. with their families (who do not speak English).
4. It is possible in the case of foreign adoptions for the LEP student to have American parents and an American name.
5. It is possible for a student's home language to be something other than English, yet for the student to be fully proficient in both languages and not require ESL.

### Grade placement decisions for newly-enrolled English Language Learners

Regarding grade placement of newly enrolled English Learners (ELs), grade decisions are made at the district level based on the district's evaluation of the students' academic records and also taking into account the students' age. It is recommended that students learning English as a new language be placed in a grade as close as possible to their peers. The reason for this recommendation is that it is important for students to be placed with age peers to meet their socialization needs. The goal should be to place the student in a grade level that is appropriate for his or her age level, and then provide the additional support needed to address the student's English language acquisition needs

## Educational Programs

After a school district has identified LEP students who need assistance, it must determine what kind of special language service program is to be provided, and it must implement the program. In Ohio, there is not a specific type of intervention program that is prescribed. Thus, school districts have the flexibility to decide on the educational approach that is based on theory and practices that effectively meets the needs of their LEP students, leading to academic achievement and timely acquisition of proficiency in English.

**North Union Local School District may employ the following Title III LEP/ESL Programs:**

### **IN-CLASS OR INCLUSION INSTRUCTION**

In this approach, LEP students are together with their native-English speaking peers in the same classroom, but an ESL or bilingual education specialist is available in the classroom to support the LEP students. For example, the ESL or bilingual education specialist may provide guidance to the LEP students as they are working on a group project or individual assignment.

### **INDIVIDUAL/SMALL GROUP TUTORING**

Another response that might be considered when there are very few LEP students enrolled in a school district is individual or small-group tutoring sessions. Tutors may range from trained professional ESL or bilingual education teachers to volunteers who work under the supervision of specially trained teachers. The tutoring sessions may focus on promoting basic English communication skills or focus on English for academic purposes.

### **RESOURCES**

School districts may purchase resources that assist EL students in acquiring the English Language and academic content. Currently, those resources may include Imagine Learning, ReadSpeaker Text Aid, and word-to-word and picture dictionaries.

All students eligible for placement in the ESL/LEP Program will work with designated staff. Students will continue to receive such services as they move from grade to grade or progress in the levels of English language proficiency until the conditions of the State Exit criteria are met, or the parents or legal guardian declines program services.

## Levels of ELs and Their Meanings

Students learning a new language proceed through different stages or levels of proficiency. Ohio has established five proficiency levels (1-5) to categorize LEP students at different stages of their English language development:

**Proficient** - The student can work without help in a classroom where English is used for teaching. The student may now exit the English learning program. The child will no longer be treated as an English learner. The student scored any combination of level 4s and 5s on the four tests.

**Progressing** - The student needs teaching in the English language to be able to work in a classroom where the teacher uses English. The student will continue to receive English language services. The student scored a combination of levels that do not meet the Proficient or Emerging levels.

**Emerging** - The student is in the beginning stages of learning English. The student will continue receiving English language services. The student scored any combination of level 1s and 2s on the four tests.

### Two Types of Language

Researcher Jim Cummins differentiated between social and academic language. According to Cummins, students who have developed BICS but not CALP do not lack higher order thinking ability; they simply lack the language to succeed in school. This is especially apparent in the writings of our English Language Learners who are challenged with conventions of English writing, spelling, punctuation, and grammar.

#### BICS - Basic Interpersonal Communicative Skills

This is social language and develops in 1 – 3 years. This is the day-to-day language needed to interact with other people. ELLs use BICS on the playground, in the cafeteria, on the bus. This language is context based.

#### CALP – Cognitive Academic Language Proficiency

This is an academic language and takes 5- 7 years to develop. There are general academic words and content specific words. Academic language is context-reduced, especially in the upper grades.

## Assessment and Evaluation

Student language acquisition and academic performance progress will be evaluated and monitored through a variety of measures to determine if/when students are making/not making progress to inform instructional support to enable English Learners to reach English proficiency and gain grade level content knowledge. The assessments and tools, such as rubrics, checklists, and classroom assessments, used will help educators develop instructional strategies to best support the EL students' language and learning.

### State Assessments

#### **Kindergarten Readiness Assessment (KRA)**

The Kindergarten Readiness Assessment is a tool that teachers will use to get to know your child. It is not designed to rank children by ability, nor is it a tool for identifying students with disabilities or gifted students. This tool is primarily to help your teacher get to know your child in a way that does not interrupt the child's learning. Teachers may identify and provide English Learners additional, designated supports based on the protocol process.

#### **Third Grade Reading Guarantee**

Ohio's Third Grade Reading Guarantee is a program to identify students from kindergarten through grade 3 that are behind in reading. Schools will provide help and support to make sure students are on track for reading success by the end of third grade. The department provides policy guidance, instructional tools, and resources on the Third Grade Reading Guarantee.

The Ohio Department of Education created a guidance manual to help school districts, community schools, and chartered nonpublic schools understand the requirements of the Third Grade Reading Guarantee.

#### **Ohio State Tests Grades 3-8**

The Ohio State Tests are critical for measuring student learning and ensuring that every English Learner receives a high-quality education. The results from state tests in grades 3-8 on the reading, math, science (grades 5 and 8), and science (grades 4 and 7) provide information about how all ELs are performing based on academic achievement linked to the Ohio's Learning Standards in all four content areas.

#### **End-of Course Tests in the following High School Courses Grades 9-12**

End-of-course tests in English Language Arts I and II, Algebra I, Geometry (or integrated mathematics I and II), Biology, American History, and American Government.

### **Ohio English Language Proficiency Assessment (OELPA)**

The OELPA is an English language proficiency assessment. The OELPA is composed of four tests which measure a student's skills in four key domains (listening, reading, writing, and speaking). OELPA assessment system measures growth in English language proficiency based on the English Language Proficiency (ELP) Standards. It provides valuable information that informs instruction and facilitates academic proficiency in English to help make sure all ELs are making gains in acquiring the English language.

### **District Level Assessments**

#### **Test Accommodations for LEP Students**

The Ohio Department of Education lists specific accommodations for all state testing for students who are classified as LEP in EMIS. These tests may include, but are not limited to, the AIR Tests of English Language Arts, Math, Science and Social Studies and the Ohio English Language Proficiency Test (OELPA).

Currently, no accommodation is made regarding the length of time a student has been in U.S. schools. Available accommodations for each test may be found on the Ohio State Testing Portal online.

LEP students who are on an Individual Education Plan (IEP) may have additional accommodations based on that plan.

For further information about testing accommodations, please visit the Ohio Department of Education.

## Reclassification and Exit Criteria

Each year EL students take the Ohio English Language Proficiency Assessment (OELPA) to monitor their progress in speaking, listening, reading and writing. Exit Criteria from the EL Program is listed as follows:

A student is reclassified (no longer identified as an English learner) and will exit the LEP Program when the student has attained a performance level of Proficient on OELPA. The Proficient performance level is defined as performance levels of 4s and 5s in any combination across all four tests (Listening, Reading, Writing and Speaking). For example, Listening = 4, Reading = 4, Writing = 5, Speaking = 4.

Students in grades K-12 are eligible for reclassification if the student receives a performance level of Proficient.

A student who has an invalidated test or did not test cannot receive a Proficient level even if the other three tests have all 4s and 5s; the student will receive the Progressing based on those levels. Students exiting from EL status must be monitored for at least four years to ensure that they have not been prematurely exited and they are meaningfully participating in the standard program of instruction comparable to their peers that have not been previously identified as an English Learner.

### **Family Reports**

School districts have an obligation to provide meaningful communication with parents in a language they can understand. Parents will receive a letter from the school district indicating the results of the OELPA Assessment. A Family Report will also be sent.

## Definition of Terms

### **Basic Interpersonal Communication Skills (BICS)**

Conversational language skills needed in social situations consisting of the day-to-day language needed to interact socially. English language learners (ELs) employ BIC skills when they are on the playground, in the lunchroom, playing sports and talking on the telephone. Social interactions are usually context embedded and are not very demanding cognitively. These language skills usually develop within six months to two years after arrival in the U.S.

### **Cognitive/Academic Language Proficiency (CALP)**

level of proficiency required by an EL to understand academically challenging subject matter in a classroom setting. This refers to language that is often abstract, and is not accompanied by any contextual supports such as gestures or visual signals. It may take an EL about 4 to 7 years to reach this level of fluency.

### **English Language Learner**

A student who is in the process of learning English as a second/additional language. While these students should all be designated as ELLs by schools, educators may find ELLs who are designated as fully English Proficient (FEP) by local exit criteria after demonstrating ability to effectively participate in the standard education program.

### **English Language Proficiency (ELP) Assessment**

A test that measures the English language (reading, writing, speaking, and listening) skills of students with limited English proficiency. Such a test is required by Title III of the Elementary and Secondary Education Act (reauthorized as the No Child Left Behind Act of 2001) for all schools served by the state educational agency in every state.

### **English Language Proficiency (ELP) Standards**

Principles or criteria for identifying and describing the English-language oral, reading, and writing skills that are necessary for ELLs to be able to communicate effectively and participate fully in school. In Ohio, the ELP Standards are assessed on the OELPA.

### **Limited English Proficient (IEP)**

A national origin minority student whose native language is one other than English and who is in the process of acquiring English as a second language.

### **Native Language**

Primary or first language acquired by the student.

### **Ohio English Language Proficiency Assessment (OELPA)**

Annual state language assessment of Limited English Proficiency Students to measure English Language Acquisition progress in the areas of Reading, Writing, Listening, Speaking and Comprehension.

### **Reclassification**

Involves the change of service code assigned to EL students in order to more appropriately meet their academic needs, and reflect the levels of acquisition of English as a second language.

### **Teaching English to Speakers of Other Languages (TESOL)**

An Ohio Department of Education endorsement requirement under the Teacher Licensure standards to teach EL students enrolled in the LEP Program.

## Resources

### **From the Ohio Department of Education**

[Information and Guidelines from the Lau Resource Center Teaching English Language Learners](#)  
[Guidelines for the Identification and Assessment of Limited English Proficient Students/English Language Learners](#)  
[Characteristics of Programs Serving LEP Students in Ohio](#)  
[Ohio English Language Proficiency Assessment \(OELPA\) Understanding Results](#)  
[OELPA Exit Criteria](#)

### **From the United States Department of Education**

[English Learner Toolkit](#)

**Accommodation Plan**

Student: \_\_\_\_\_ Date: \_\_\_\_\_

Native Language: \_\_\_\_\_

Grade: \_\_\_\_\_ Teacher: \_\_\_\_\_

Latest OELPS / OELPA Scores:

Listening: \_\_\_\_\_ Speaking: \_\_\_\_\_ Reading: \_\_\_\_\_ Writing: \_\_\_\_\_

Classroom Accommodations/Modifications:

	Shorter Assignments		Peer Teaching
	Extended Time: _____ x		Test with Notes
	Bilingual Dictionary		Allow for Wait Time
	Check for Understanding		Highlight Key Concepts
	Use Graphic Organizers / Visuals		

State Testing Accommodations: Modifications

	Extended Time: _____ x
	Use of Approved Word-to-Word Dictionary

Notes: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Signatures:

Name	Role	Date	Agree
	Parent		Yes / No
	District Rep.		Yes / No
	Gen. Ed. Teacher		Yes / No
	Guidance Counselor		Yes / No
	Other:		Yes / No

Once completed send copies to:  
 Building Test Coordinator, District Test Coordinator, Director of Special Education