

ESSA Requirements Related to English Learners

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Defining English Learners



Defining English Learners

The term “English learner,” when used with respect to an individual, means 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;
 - (ii)
 - **(I) who is a Native American or Alaska Native, or a native resident of the outlying areas; and**
 - **(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**

Defining English Learners (cont.)

- (C)
 - (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 challenging State academic standards;
 - (ii) the ability to successfully achieve in classrooms where the language of instruction is English; or
 - (iii) the opportunity to participate fully in society.

(ESEA Section 8101(20))

Title I Requirements



Summary of Title I, Part A Requirements

Under Title I, states must establish the following for their English learner (EL) students:

Standards

- States **must have English language proficiency (ELP) standards** in the domains of listening, speaking, reading, and writing
- ELP standards must align with state-adopted academic content standards

Assessment

- States **must provide an annual assessment for ELP** that is aligned to ELP standards

Accountability

- States **must include an English proficiency indicator** in their accountability systems
- States will set their own goals for English language proficiency rates and targets
- States must measure the progress students are making toward English language proficiency

Support and Improvement

- States will ensure that local educational agencies **implement evidence-based practices to support low-performing schools.**



Identification of English Learners



Identification of ELs

States typically follow a two-step process for identifying students as ELs.

- First, parents or guardians complete a **home-language survey** when they enroll their child in a new school district. The survey generally includes one to four questions to identify students whose first language is not English or who live in households where a language other than English is spoken.
- If students in such circumstances do not already have scores from a state-approved ELP assessment on file, they are given a **screening test to gauge their English language ability** in listening, speaking, reading, and writing.
- Students scoring below proficient are categorized as ELs.



State Examples – Identification of ELs (cont.)

New Mexico

- Students are screened for initial EL identification using one of the WIDA Consortium's assessments (the WIDA Screener of the Kindergarten W-APT).
- Students are identified as ELs if they score below a designated level for each test.
- Once identified, ELs are given the WIDA ACCESS for ELLs 2.0 annually until they score highly enough to be reclassified as English proficient.
- To be reclassified, students must have a composite score of at least 5.0 out of 6.0 on the ACCESS.

English Language Proficiency Standards



English Language Proficiency Standards

- Note on terminology: Some common terms for these standards are English language proficiency (ELP) standards and English language development (ELD) standards.
- Language proficiency standards set guidelines for students' language development and are chosen at the state level.
- These standards are the foundation for language instruction and assessment.
- *As you begin to think about fulfilling this requirement, consider:*
 - What is a student at a beginning level of learning a new language able to do? How about a student who is more advanced?

English Language Proficiency Standards (cont.)

- ESEA requires that “each State plan shall demonstrate that the State has adopted English language proficiency standards that:
 - i. are derived from the 4 recognized domains of speaking, listening, reading, and writing;
 - ii. address the different proficiency levels of English learners; and
 - iii. are aligned with the challenging State academic standards.”
- A State’s ELP standards must be aligned with the challenging academic standards in the content areas of reading/language arts, mathematics, and science.
- If a State establishes other challenging academic standards then the State’s ELP standards should also be aligned with those standards.
 - For example, many States have established academic standards in social studies and have aligned the ELP standards to the social studies standards.

English Language Proficiency Standards (cont.)

- A State's ELP standards **should reflect research on the process of language acquisition** and, based on this research, reflect the elements needed for EL students to acquire the English language skills necessary to meet academic content standards.
- Consistent with the requirement that the ELP standards address the different proficiency levels of ELs (ESEA Section 1111(b)(1)(F)), the highest ELP standards, addressing the “proficient” level, **should correspond to the proficient level of the content area standards.**
- ESEA specifies that the content of the standards is **set entirely by individual states** and the U.S. Department of Education cannot require states submit their standards for any reason and prohibits the U.S. Secretary of Education from exercising any direction or control over a state's standards.

English Language Proficiency Standards (cont.)

English Language Proficiency Standards vs. Academic Content Standards

- Academic **content standards are not the same as ELP standards.**
- ELP standards should be specifically developed for students who are ELs and **define progressive levels of competence in the acquisition of the English language.**
- ELP standards must be **derived from the four language domains** of speaking, listening, reading, and writing. (ESEA Section 1111(b)(1)(F)).
- Academic **content standards describe what all students should know and be able to do in the specific academic content area.**

Consortia Example – English Language Proficiency Standards

WIDA

- The ELD Standards serve as a resource for planning and implementing language instruction and assessment for multilingual learners as they learn academic content. Educators can use the standards to:
 - Promote and guide students' English language development
 - Aid in the development of curriculum, instruction and assessment
 - Encourage and maximize the use of multiple language resources in the classroom
 - Support and frame the collaboration among educators of multilingual learners and instructional teams who serve them to ensure educational equity for all students
- The WIDA ELD Standards work with content standards to ensure students engage in the learning of the content standards as they continue to develop English.

English Language Proficiency Standards (cont.)

ELPA21

- The English Language Proficiency (ELP) Standards correspond to states' rigorous content standards in English language arts, mathematics, and science. Beyond understanding common English usage, ELLs need to understand language used for grade-level instruction in English language arts, mathematics, and science.
 - The standards should correspond to, and be used in tandem with, the college and career readiness (CCR) standards for English language arts, mathematics, and science.
 - The standards should highlight and amplify the critical language, knowledge about language, and skills using language in CCR standards necessary for ELLs to be successful in school.
 - The standards should be simple and clear and should aim high, so that teachers can focus on what's most important for college and career readiness.

State Example – English Language Proficiency Standards (cont.)

California

- The CA ELD Standards describe the **key knowledge, skills, and abilities** that students who are learning English as a new language need in order to access, engage with, and achieve in grade-level academic content.
- The CA ELD Standards, in particular, **align with the key knowledge, skills, and abilities for achieving college and career readiness** described in the California Common Core State Standards for English Language Arts and Literacy in History/Social Studies, Science, and Technical Subjects (CA CCSS for ELA/Literacy).
- However, the CA ELD Standards **do not repeat the CA CCSS for ELA/Literacy**, nor do they represent ELA content at lower levels of achievement or rigor. Instead, the CA ELD Standards are designed to provide **challenging content in English language development for ELs to gain proficiency in a range of rigorous academic English language skills**.
- The CA ELD Standards are not intended to replace the CA CCSS for ELA/Literacy. Instead, they **amplify the language knowledge, skills, and abilities of these standards**, which are essential for ELs to succeed in school while they are developing their English.

English Language Proficiency Assessment



English Language Proficiency (ELP) Assessment Requirements

English language proficiency (ELP) assessment

- ESEA requires that “each State plan shall demonstrate that [LEAs] in the State will provide for an **annual assessment of English proficiency** of all English learners in the schools served by [SEA]” and that these **assessments “shall be aligned with the State’s English language proficiency standards.”**
- The assessment regulations clarify that states must administer a **single statewide ELP assessment** to all ELs in grades K-12.
- The ELP assessment must be aligned to the ELP standards
- A State must **provide appropriate accommodations** that are necessary to measure a student’s English language proficiency relative to the State’s English language proficiency standards

English Language Proficiency (ELP) Assessment Requirements (cont.)

- If an English learner has a disability that precludes assessment of the student in one or more domains of the ELP assessment such that there are no appropriate accommodations for the affected domain(s), a State **must assess the student's English language proficiency based on the remaining domains** in which it is possible to assess the student.
 - For example, a student is a non-verbal EL who, because of an identified disability, cannot take the speaking portion of the assessment.
- A State **must provide for an alternate ELP assessment for each EL who cannot participate in the assessment even with appropriate accommodations.**



English Language Proficiency (ELP) Assessment Requirements (cont.)

Can states use their English language proficiency (ELP) assessments as a measure of students' proficiency in reading/language arts?

- **No.** A state's annual **ELP assessment is designed specifically to measure students' proficiency levels** and progress in the four domains of language: speaking, listening, reading, and writing..
- A state's **required reading/language arts assessment, on the other hand, is aligned to its reading/language arts standards** and measures students' knowledge and skills in the specific academic content area of reading/language arts.
- An ELP assessment measures different content and skills than a state reading/language arts assessment does; **the two assessments are not interchangeable.**

English Learners & State Academic Assessments



Participation of English Learners in state academic assessments

- For ELs participating in state academic assessments, states **must provide appropriate accommodations**, including, to the extent practicable, assessments in the language and form that are most likely to assess ELs' knowledge and skills in academic content areas accurately and fairly until such students have achieved English language proficiency.
- This **includes providing assessments in the native languages** of ELs.



Participation of English Learners in state academic assessments (cont.)

- According to statute, section 1111(b)(2)(B)(ix) of ESEA, any student who has attended school in the United States **for three or more consecutive years must take the reading/language arts assessment in English, unless the local educational agency (LEA) has determined, on a case-by-case basis, that an academic assessment in another language or form would provide more accurate and reliable information about what that student knows and can do.**
- The LEA may determine to assess that student in reading/language arts in the appropriate language other than English for no more than two additional consecutive years after the student has been enrolled for three years, on the condition that the student has not reached English language proficiency.



Native Language Assessments



Native Language Assessments in ESSA

- A native language assessment is an academic assessment, in a language other than English, **that assesses students' knowledge and understanding of state academic content standards.**
- Native language assessments **can be developed for any academic content area.** (ELA, mathematics, science)

Native Language Assessments in ESSA – Assessment Regulations

- Section 200.6(f) in the Academic Assessment Final Regulations includes a new provision requiring that states make every effort to develop annual academic assessments in “languages other than English that are present to a significant extent in the participating student population” (p. 36).
- Consistent with the statutory requirement that states must make every effort to make native language assessments available for all languages present “to a significant extent” in a state, the regulations require that states define what it means for a language to be present “to a significant extent” including that the most common language (besides English) is included in that definition.



Native Language Assessments in ESSA (cont.)

In their state plans, states must:

•Provide a definition for “languages other than English that are present to a significant extent in the participating student population

Identify specific languages that meet that definition

Identify existing native language assessments in the state and specify the grades and content areas for which those assessments are available

Identify languages other than English for which annual academic assessments are unavailable and are needed

•Describe how the state will make every effort to develop annual academic assessments in native languages that are present to a significant extent in the state’s participating student population (or explain why the state is unable to develop such assessments despite having made every effort)

Native Language Assessments in ESSA (cont.)

As is required of any state academic assessments, a native language assessment must:

Be aligned with state academic standards

Provide information about student attainment of state standards

Objectively measure academic achievement, knowledge, and skills

Be valid and reliable

Be of adequate technical quality

Be consistent with nationally recognized professional and technical testing standards

In the case of reading/language arts and mathematics, be administered in grades 3–8 and at least once in grades 9–12

In the case of science, be administered at least once in each of grades 3–5, 6–9, and 10–12

In the case of any subject area chosen by the state, be administered at the discretion of the state

Native Language Assessments in ESSA (cont.)

Are states required to include scores from native language assessments in their accountability systems?

- **Yes.** For all assessments that are given to students in their native language for reading/language arts, mathematics, and science in lieu of established state English-language-only assessments (as part of a state's assessment system), the **results shall be included** in the state's accountability system.

Are states required to submit documentation of native language assessments for peer review?

- **Yes.** As part of the U.S. Department of Education's process for peer review of state assessment systems, **states must submit documentation for, and receive approval of, the technical processes used to develop and administer their assessments, including native language assessments.**

Native American Language Assessments



Native American Language Assessments in ESSA

- Section 200.6(j) of the Academic Assessment Final Regulations, states are permitted to **administer assessments in a Native American language to students enrolled in a state-funded Native American language school or program in any subject in grades 3–8, regardless of whether the students are identified as ELs.**
- These assessments **can be administered in lieu of English-language-only assessments.** However, states must administer an **English-language-only reading/language arts assessment to Native American students at least once in grades 9–12.**
- States can administer annual Native American language assessments in **any content area**, including those for which ESEA requires statewide assessments (reading/language arts, mathematics, and science).
- Each Native American language **assessment must be aligned with state content standards** for that content area and pass Federal Peer Review.



Native American Language Assessments in ESSA (cont.)

- As is required of any state **academic** assessments, a Native American language assessment must:

Be aligned with state academic standards

Be consistent with nationally recognized professional and technical testing standards

Provide information about student attainment of state standards

Objectively measure academic achievement, knowledge, and skills

Be valid and reliable

Be of adequate technical quality

- **Reading/language arts and mathematics**
 - ✓ be administered in grades 3–8 and at least once in grades 9–12
- **Science**
 - ✓ be administered at least once in each of grades 3–5, 6–9, and 10–12
- **Any subject area chosen by the state**
 - ✓ be administered at the discretion of the state

Native American Language Assessments in ESSA (cont.)

Are states required to include scores from Native American language assessments in their accountability systems?

- Yes. For all assessments that are given to students in their native language for reading/language arts, mathematics, and science in lieu of established state English-language-only assessments (as part of a state's assessment system), the results shall be included in the state's accountability system.

Are states required to submit documentation of Native American language assessments for peer review?

- As part of the U.S. Department of Education's process for peer review of state assessment systems, states must submit documentation for, and receive approval of, the technical processes used to develop and administer their assessments, including Native American language assessments.

Native American Language Assessments in ESSA (cont.)

What about students in Native American language schools or programs?

- A State is not required* to assess, using an assessment written in English, student achievement in meeting the challenging State academic standards in reading/language arts, mathematics, or science for a student who is enrolled in a school or program that provides instruction primarily in a Native American language if
 - i. The State provides such an assessment in the Native American language to all students in the school or program, consistent with the requirements of § 200.2;
 - ii. The State submits evidence regarding any such assessment in the Native American language for peer review as part of its State assessment system, consistent with § 200.2(d), and receives approval that the assessment meets all applicable requirements; and,

Native American Language Assessments in ESSA (cont.)

- iii. **For an English learner**, as defined in section 8101(20)(C)(ii) of the Act, the **State continues to assess the English language proficiency** of such English learner, using the annual English language proficiency assessment required under paragraph (h) of this section, and provides appropriate services to enable him or her to attain proficiency in English.

*The State must assess under § 200.5(a)(1)(i)(B), using assessments written in English, the achievement of each student enrolled in such a school or program in meeting the challenging State academic standards in reading/language arts, at a minimum, at least once in grades 9 through 12.

For more information please contact:

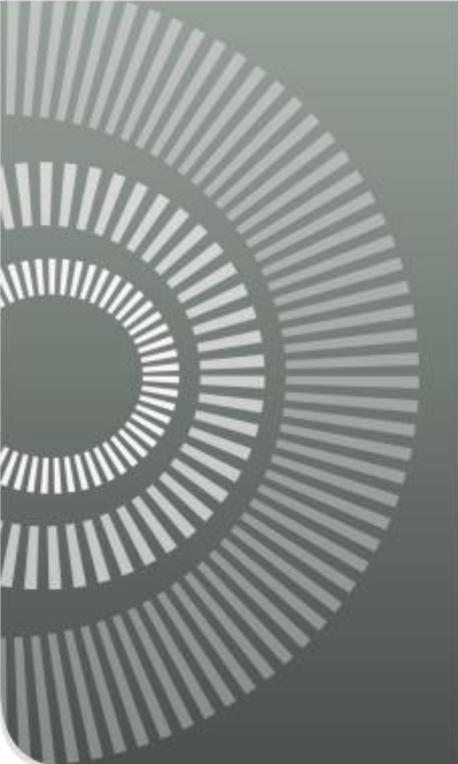
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