



Guidelines for the Identification of English Learners, 2017-2018

Under [Title VI of the Civil Rights Act of 1964](#) and the Equal Educational Opportunities Act of 1974 (EEOA) [U.S.C. § 1703 (f)], school districts, including [community schools](#), must take appropriate steps to identify English learners (ELs) so they can provide instruction designed to help them use English and learn subject matter content. Schools must also ensure that parents of English learners can participate in deciding the type of educational program the English learner will receive. This document provides guidance and describes the steps for identifying English learners in Ohio schools during the 2017-2018 school year.

Identification Process

The Ohio Department of Education is committed to establishing and implementing statewide entrance procedures for students who may be English learners. Public schools, including community schools, begin meeting their legal obligations to English learners and parents with limited English proficiency by following the two-step identification process described here. Schools must complete the process and notify parents or guardians of the student's identification as an English learner within 30 days of the student's initial enrollment in school, or within two weeks if an English learner is newly enrolled during the school year (20 USC § 1113).

Step 1: Administer the Home Language Usage Survey

- The home language usage survey identifies language backgrounds other than English of *all* new students enrolling in grades PreK-12.
- Schools should administer the home language usage survey the Ohio Department of Education provides (Appendices A & B) or another survey the district chooses, provided its chosen survey covers all questions presented in the state's survey.

- Schools must use information, including home languages indicated on the home language usage, to determine potential language-assistance needs for students and parents. Translation, interpretation and English language supports must be available to ensure meaningful communication during the registration process.
- If a school enrolls new English learners at a central location, it must have enough individuals designated and trained in home language usage survey administration to meet the needs of new students. If new students are enrolled directly into schools, each school should have an individual designated and trained for the task.
- If the home language usage survey is administered online, the school must make sure that parents and guardians understand the purpose and use of the survey. The school must provide translation and interpretation into relevant languages, as needed.
- The individuals administering and reviewing the home language usage survey must receive training in the procedures. All surveys must be validated by a trained school district employee, preferably one with a current state TESOL license or endorsement.
- [Educational Management Information System](#) (EMIS) coordinators then submit information from the home language usage survey on the appropriate EMIS records.
- Districts and schools must maintain home language usage survey results in students' cumulative folders and provide the results with student records when students relocate to other districts or schools.

Step 2: Assess English Language Proficiency

After identifying students with language backgrounds other than English with the home language usage survey, schools must assess each student's language proficiency. A valid, reliable English language proficiency screener is the primary tool for measuring English language proficiency in reading, writing, listening and speaking of students identified with language backgrounds other than English. This screener determines whether students qualify as English learners and would benefit from having a language instructional educational program to participate effectively in school.

During school year 2017-2018, districts and community schools must continue to select and use a commercial screener tool to assess the language proficiency of K-12 students identified by the home language usage survey. Appendix C includes common commercial language proficiency screeners for informational purposes. This information is provided for the reader's convenience and is included to offer examples of instruments that schools may find helpful and use at their discretion. The Ohio Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Further, the inclusion of links to items does not reflect their importance nor an intention to endorse particular products. School personnel should review the validity, reliability and appropriateness of any test instruments they use to determine English learner identification and program placement in the school.

As proposed in Ohio's plan for the *Every Student Succeeds Act*, Ohio anticipates providing a state developed, standardized English language proficiency screener assessment during the 2018-2019 school year. A number of districts piloted the state screener in 2017 so it can be implemented during school year 2018-2019. The proposed screener aligns with the state English language proficiency standards and will be available in online and paper formats. Training and pre-implementation of the new screener will take place throughout the 2017-2018 academic year.

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)/guardian(s). Information about the [Letters to Parents of Students Identified as English Learners](#) is available on the Department's website.

Implement language assistance services. After a school has identified English learners with the home language usage survey and English language proficiency screener, it must determine and implement the language instruction educational program the student will receive. Guidelines and further information about programmatic options for English learners are available through the [Lau Resource Center](#) of the Ohio Department of Education.

Annually assess all English learners. 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.](#)

Resources

In addition to the guidance provided here, the U.S. Department of Education provides resources to help state educational agencies and schools understand their obligations to English learners:

1. [Dear Colleague Letter](#) (January 2015)
The U.S. Department of Education, Office for Civil Rights and the Department of Justice provide guidance outlining legal obligations for English learners.
2. [English Learner Tool Kit Updated with ESSA references](#) (updated 2017)
A 10-chapter companion guide to support the 2015 Dear Colleague Letter. The English Learner Toolkit helps state and local education agencies fulfill their obligations for English learners.
3. [Fact Sheet for LEP Parents](#)
This fact sheet answers common questions about the rights of parents and guardians who do not speak, listen, read or write English proficiently because it is not their primary language.

Ohio Department of Education Contacts

Lau Resource Center

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Ohio English Language Proficiency Assessment

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Appendix A – Home Language Usage Survey (completed by parents)

Ohio Home Language Usage Survey for All Students upon Initial Registration (PreK-12)

Parents: We ask the questions below to make sure your child receives the education services he or she needs. The answers to Section A below will tell your child's school staff if they need to check your child's proficiency in English. This makes sure your child has every opportunity to succeed in school. The answers to Section B will help school staff communicate with you in the language you prefer.

Student Name (First Name/Middle Initial/Last Name)

Date of Birth (mm/dd/yyyy)

Section A – Student's Language Background

1. What are the primary language(s) spoken in your home?
2. What language does your child use most frequently?
3. Which language did your child learn first?
4. What language do you use most frequently with your child?
5. Is English the main language your child speaks?
6. How long has your child attended school in the United States?
7. What was your child's last year of schooling outside the United States?
8. How many years of education did your child complete in another country?
9. In what language(s) has your child received instruction?
10. Please share additional information to help us better understand your child's English language experiences.

Section B – Parent/Guardian Preferences

1. In which language do you want to get **written** information from the school?

2. In which language do you prefer to receive **oral or spoken** information from the school?

Signature of the parent/guardian

Date (mm/dd/yyyy)

Printed name of the parent/guardian

Appendix B – Home Language Usage Survey (completed by a designated school district employee)

Home Language Usage Survey (Designated school district employee completes this survey.)

1. Note below additional information to help with proper interpretation of the home language usage survey. This information will help determine English learner services and effective communication with parents.

2. Review the following statements related to the administration of Ohio’s home language usage survey:
 - The district or school has presented questions from the state home language usage survey in a language and form that the parent or guardian understands.
 - The district and school has assured parents that they do not use information from the survey for immigration or reports to immigration authorities. The home language usage survey only is used for determining whether the student and parents might be served by language assistance services.
 - The appropriate [Educational Management Information System](#) (EMIS) records includes information from the home language usage survey.
 - For students enrolling from other schools and districts, school officials have requested and use previous home language usage survey data.
 - Results of the home language usage survey are in the student’s cumulative records and provided with student files when relocating to other districts.

3. Sign below

Signature of validating school employee

Date (mm/dd/yyyy)

Printed name of validating school employee

School District

Appendix C – List of Commercial Language Proficiency Screeners

This list includes common commercial language proficiency screeners for informational purposes. This information is provided for the reader's convenience and is included to offer examples of instruments that schools may find helpful and use at their discretion. The Ohio Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Further, the inclusion of links to items does not reflect their importance nor an intention to endorse particular products. School personnel should review the validity, reliability and appropriateness of any test instruments they use to determine English learner identification and program placement in the school.

[IDEA Proficiency Tests \(IPT\)](#)

Grade levels: PreK-12

Language domains: Listening, Speaking, Reading and Writing

Language: English, Spanish

Contact: Ballard & Tighe Publishers; 800.321.4332

[LAS Links](#)

Grade levels: K-12

Language domains: Listening, Speaking, Reading and Writing

Languages: English, Spanish

Contact: Data Recognition Corporation (DRC); 800.268.2000; Education Services; 763.268.3000

[Stanford English Language Proficiency Test \(SELP 2\)](#)

Grade levels: K-12

Language domains: Listening, Speaking, Reading and Writing

Language: English

Contact: Pearson Education, Inc.; 800.848.9500

[Test of English Language Learning \(TELL\)](#)

Grade levels: K-12

Language domains: Listening, Speaking, Reading, Writing

Language: English

Contact: Pearson Education, Inc.; 800.848.950

[Woodcock-Muñoz Language Survey – Third Edition \(WMLS III\)](#)

Grade levels: Ages 3-adult

Language domains: Listening, Speaking, Reading, Writing

Language: English, Spanish

Contact: Houghton Mifflin Harcourt; 800.225.5425