A Resource Guide to Support School Districts' English Learner Language Programs

Chapter 1: EL Entrance & Exit Procedures

Part I – EL ENTRANCE PROCEDURES Only

ESOL Language Programs

Supplemental Title III, Part A Language Programs

Georgia Department of Education

Introduction

This living document is designed as a reference for district and school personnel working with English Learners (ELs). The content of this Resource Guide represents a compilation of information, examples and resources to support local school systems' ESOL language programs. This Resource Guide will be continuously updated to provide further clarity, information, and update on federal or state legislature or guidance. The electronic format provides access to recent updates and web-based resources.

It is expected that local education agencies (LEAs) in Georgia will have LEA-specific written guidance regarding their EL Language programs and that their guidance will align with state guidance. If you have questions, please contact the GaDOE ESOL and Title III, Part A Language Programs office.

Resource Guide Update Tracking

Updates made to this Resource Guide will be organized in this chart.

Date	Section/Topic	Page
4.26.2019	EL=I Code Procedures (Incorrect HLS)	p. 11
4.26.2019	Local decision for Exchange Student Visitors	p. 21
5.9.2019	Clarified definition of "disability that precludes assessment in one or more language domain"	p.15
6.10.2019	Correction "Out-of-State" Transfer EL students	p. 21

General Information

State Language Program Name

English to Speakers of Other Languages (ESOL)

English to Speakers of Other Languages (ESOL) is the state-funded language instruction educational program for eligible English learners (ELs) in grades K-12 in Georgia public schools (Georgia School Law Code 1981, §20-2-156, enacted in 1985).

The ESOL Language Program was first established in 2002 by the Georgia General Assembly. The purpose of the ESOL language program is to provide English language development instruction and language support services to identified K-12 English Learners (ELs) in Georgia's public-school systems for the purpose of increasing their English language proficiency and subsequently their academic achievement.

The responsibility for educating the **whole English Learner child**, both in language development and academic content, is shared by regular classroom teachers and English language specialist teachers alike. Classroom teachers, ESOL teachers and other support staff should collaborate to determine instructional scaffolds and language-focused activities needed to make language and content as comprehensible as possible throughout the entire school day for ELs. As a result, all teachers function as academic language teachers when EL students are enrolled in their classes.

Rationale

Under Title VI of the Civil Rights Act of 1964 (Title VI) and the Equal Educational Opportunities Act (EEOA), public schools and State educational agencies (SEAs) have a legal obligation to remove barriers and ensure that students who are not fully proficient in English can meaningfully participate in their educational programs and services. (See also, Office for Civil Rights Dear Colleague Letter of January 7, 2015). These federal expectations require schools to develop and implement an evidence-based language instruction educational program (LIEP) that has a reasonable chance of success and which allows EL students access to grade-level core curriculum to succeed in the general education classroom.

According to *Lau v. Nichols* (1974), public schools comply with their legal obligations under Title VI of the Civil Rights Act of 1964 (Title VI) by taking affirmative steps to ensure that students with limited English proficiency can meaningfully participate in educational programs and services. In addition, the *Equal Educational Opportunities Act* (EEOA) requires public schools and State educational agencies (SEAs) to overcome language barriers that impede equal participation of students in their instructional programs. Finally, the Office for Civil Rights (OCR) at the U.S. Department of Education and the Civil Rights Division at the U.S. Department of Justice (DOJ) share authority for enforcing Title VI in the education context. (See OCR & DOJ *Dear Colleague Letter*: *English Learner Students and Limited English Proficiency Parents*, January 2015.)

Recognizing the universal importance of education, the federal government assumed a larger role in financing public schools with the passage of the Elementary and Secondary Education Act (ESEA) in 1965. Through subsequent reauthorizations, ESEA has continued to assist the states in establishing accountability for results and improving the inclusiveness and fairness of American education.

Program

The core ESOL language program is a civil right offered by all public schools in Georgia to K-12 students with a home language other than English who qualify based on a state-approved language screener. (See Georgia School Law Code 1981, §20-2-156, enacted in 1985; and See *EL Entrance / Exit Procedures* in Georgia) Various researched-based language program delivery models are used across the state to provide scheduled English Language Development (ELD) courses, collaborative ELD services with language-differentiated supports within content classrooms, language instruction computer software programs, sheltered content courses, and dual language instruction to more than 100,000 EL students in Georgia.

ESOL language instruction is focused on developing EL students' academic English proficiency in each content area of the *Georgia Standards of Excellence (GSE)*. The WIDA Consortium English Language Development (ELD) Standards aligned with the GSE guide the work of ESOL teachers. Differentiated instructional practices, both in ESOL and general education classes, ensure that the language development needs of Georgia's EL students are met. In ESOL language programs it is appropriate, when practicable, to use the student's home language as a means of facilitating instruction and providing limited English-proficient (LEP) parents with school-related information.

Goal

The goal of the ESOL language instruction educational program for EL students is to increase both English language proficiency (ELP) and academic language proficiency in content-area subject matter. Successful ESOL language programs focus on collaboration and shared accountability for the success of all EL students.

Framework for EL Programs: Systems of Continuous Improvement

Georgia's System of Continuous Improvement frames the work of EL Language Programs. First, daily English language instruction for EL students takes place within a **Coherent Instruction System**. Professionally qualified ESOL teachers and school leaders teach and assess EL students as part of the **Effective Leadership** and **Professional Capacity Systems.** Schools reach out to engage EL parents and their families within the **Parent & Family Engagement System**, and EL students are provided with wrap-around, culturally responsive services within the **Supporting Learning Environment** of schools.

The process of Continuous Improvement is framed as a problem-solving cycle around these five systems. It includes identifying the needs of EL students, selecting appropriate language-focused interventions, planning to implement and then implementing such interventions, either within the core classroom instruction (ESOL) or as a supplemental language program (perhaps federally-funded); and, finally, examining EL students' progress on a continuous basis to make the necessary changes to the language interventions or programs as applicable. In participating local education agencies (LEAs), Title III, Part A Language Program funds provide supplemental language instruction to select EL students who may need additional language instruction and support beyond the core, OCR-required state-funded ESOL language program.

Georgia's Standardized Statewide EL Entrance & Exit Procedures per ESEA/ESSA Title III, Part A

Registration/Enrollment Processes

1. Federal Laws
2. State Guidance
3. **Home Language Survey (HLS**
4. LEA Flexibility
5. Data Collected at Registration
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Part I - EL Entrance Procedures

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    b. Students with Disabilities
    c. EL Eligibility Criteria
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2. Coding Screener Date & Results
    a. Date of ELP Screener
    b. Screener Tab in SLDS
    c. Identifying students as EL=YES or EL=No
3. Transfer Students
    a. In-State
    b. Out-of-State
    c. Reducing Mis-Identification of EL Students
4. **Parent Notification** for ESOL Language Program Services
5. Parent Notification for Title I or Title III Supplemental Language Program Services (when applicable)

Enrollment/Registration Processes for All Students

Federal Laws

Under Section 3113(b)(2) of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act (ESSA), each State educational agency (SEA) is required to establish and implement standardized statewide procedures for English learners (ELs) to enter and exit from EL status and language instruction educational programs (LIEPs). (*Sept. 23, 2016 Non-Regulatory Guidance Addendum: English Learners and Title III of the ESEA/ESSA*) This means the procedures must be consistently applied across the State. Statewide procedures for entrance include: the home language survey questions that Local education agencies (LEAs) must use, the specific English Language Proficiency (ELP) screener LEAs must administer, the scores on the ELP screener that will result in the identification of a English Learner, and the timeline for implementing the process.

According to the *OCR Dear Colleague Letter* (Jan 2015), all public schools must have procedures in place to accurately and timely identify potential English Learners and then determine if they are EL students through a valid and reliable ELP screener.

State Guidance

All public-school systems in Georgia are required to use a ***Home Language Survey*** (HLS) at the time of enrollment to identify the primary (home) language(s) of all Kindergarten - Grade12 students enrolled in the public-school system. The HLS identifies those students who should be referred for an ELP screener to determine whether they will be classified as EL students entitled to English language instructional programs.

- Registration staff must administer the HLS **at the time of enrollment** and not thereafter.
- Parents may not decline to complete a Home Language Survey. (The generic use of the term “parents” in this guidance document refers to any legal guardians and primary caregivers enrolling the student.)
- Per OCR and ESEA Title I, Part A requirements, the HLS must be in a language the parents can understand to the extent practicable.
    - State translations of the HLS are available in several languages at the GaDOE ESOL language Program Forms Bank.
    - If written translations are not practicable, school districts must offer limited English proficient parents with free oral interpretation of the written information (*OCR Dear Colleague Letter, Jan 2015*)

All students enrolling in a U.S. school for the first time must answer the state-required three HLS questions in order.

Home Language Survey Questions

The state-required three-question *Home Language Survey* is found at GaDOE ESOL website. Given that the HLS process must be standardized statewide, LEAs should not use different HLS questions than these three:

1. *Which language does your child best understand and speak?*
2. *Which language does your child most frequently speak at home?*
3. *Which language do adults in your home most frequently use when speaking with your child?*

If the answer to any of the three state-required questions indicates a language other than English, *the student has a* Primary Home Language Other Than English (PHLOTE) and, as such, is considered a potential English Learner and must be administered the state-required grade-level appropriate ELP screener.

If the answer to all three questions is English, the student is NOT a potential English learner and **should not** be administered the ELP screener. Transfer students' original HLS and possible EL documents take precedence in this process.

Enrollment personnel must be trained on the importance of using enrollment forms in a language parents understand (to the extent practicable) and securing interpretation supports so that non-English-speaking parents understand all aspects of the enrollment process, including the intent and purpose of the *Home Language Survey*. Extensive training of school personnel who are assisting parents in the enrollment process could lead towards the reduction of students incorrectly identified as potential English Learners and/or erroneously screened for English proficiency.

NOTE: The Home language Survey (HLS) is a one-time document. It must be signed and dated by the parents and maintained in the student's permanent/cumulative file. As part of the enrollment packet it is possible that the HLS is administered more than once. Receiving local education agencies (LEAs) will make every effort to obtain the original HLS from transferring LEAs. In absence of the original HLS, schools will maintain a copy in the student's records that hopefully mirrors the original on used to determine ELP screening.

The following languages should be accepted as English languages and would NOT trigger the need to screen the student for English proficiency.

1. English, other than Standard English (Language Code 51)
2. Parent's primary language is American Sign Language (ASL)

If the child has a disability that precludes assessment of one or more language domains, please refer to **EL Entrance Procedures for Students with Disabilities** on pg. 15.

Timeline

Under **ESEA/ESSA Sec. 3113(b)(2)**, a potential English Learner (Primary Home Language Other Than English) must be assessed for such status within 30 days of enrollment in a school in the state. A state education agency (SEA) should also have procedures in place to identify in a timely manner any potential EL student who may not have been identified during this initial identification period. A local education agency (LEA) should make every effort to identify students who are EL students as soon as possible in order to provide timely support for students who may be in need of language services. (See *September 26, 2016, Nonregulatory Guidance: English Learners and Title III, Addendum Selected Topic 2*.)

Under **ESEA/ESSA Sec. 1112(e)(3)** parents must be notified within 30 calendar days after the beginning of the school year and two weeks after the start of the school year that their child was placed in a language instruction educational program (LIEP). Since statewide, standardized EL entrance procedures to determine EL eligibility precede the placement of eligible EL students in language programs, it is therefore the LEA's responsibility to ensure, when applicable, that the ELP screening process occurs before this parent notification deadline.

If potential EL students, based on parent's HLS response, are screened towards the end of Preschool, the 30-day window starts the first day of Kindergarten.

> **Note:** Although all students enrolled in a Pre-Kindergarten program will most likely use the 1st day of Pre-Kindergarten as the U.S. school start date, the 1st day of Kindergarten, not Pre-Kindergarten, is considered by U.S.D.E. as the official **start date** for EL eligibility (and/or Immigrant eligibility). Since an LEA must administer the ELP assessment annually to all ELs in schools served by the state in all grades in which there are EL students, Kindergarten through Grade 12, an LEA should only include students in Kindergarten through Grade 12 for all EL student and Immigrant student reporting requirements under Title III, Part A. [See 34 C.F.R. §200.5(a)(2)]

In addition to following the federal timelines for potential EL identification and parent notification, LEAs should establish ongoing procedures and processes for ensuring all students have an HLS on file, in case potential EL students are inadvertently overlooked. It is recommended that LEAs establish periodic student record checks to ensure all potential ELs have been identified as applicable.

LEA Checklist for Home Language Survey (HLS) Process

Since the parents' answers to the *HLS* questions provide evidence that the LEA followed federal and state EL entrance procedures to screen or not to screen a student, LEAs may want to use the following questions as a checklist:

- Is the HLS part of our school's initial enrollment processes?
- Is it only administered once to parents during their child's initial U.S. enrollment?

- Is it maintained in the student's permanent /cumulative file?
- Is it in a language parents have indicated they understand?
- Has it been completed, signed and dated by the parent enrolling the student?

OCR has identified compliance issues in school districts that do not have a process to initially identify the primary or home language of all enrolled students and those that use an inadequate HLS that fails to identify a significant number of potential EL students.

> **Note**: For students who are transferring from other U.S. school systems, if the school system has the HLS embedded in its registration packet, the parents' responses on the HLS will often cause the receiving LEA to **contact** the transferring LEA to try to obtain the **original** Home Language Survey. Decisions regarding the screening process will then depend on the transferring school's records, as much as possible.

LEA Flexibility

LEAs have flexibility to incorporate the HLS in their registration process, whether online or in paper format. Registration personnel should ensure that parents understand the intent and purpose of the HLS, even in an online environment.

When choosing an online registration option, LEAs will ensure that:

- When a written translation is not available, and the parents have indicated they do not understand English, the HLS is orally interpreted in the parents' primary language.
    - The LEA must maintain documentation evidence that the HLS was interpreted in a language the parent has indicated they understand.
- Parents understand the intent and purpose of the HLS questions.
- If the online enrollment process requires a parent signature and date for all the information, including the embedded HLS, this documentation must be maintained in the student's permanent records in case of an OCR request for review.

Data Collected at Registration

Student Primary Language - indicates the student's primary spoken language if other than English.

- STUDENT PRIMARY LANGUAGE must be entered if the student is coded EL= 'Y'.
- STUDENT PRIMARY LANGUAGE cannot be BLANK (English) if the student is an ENGLISH LEARNER (EL).
- A STUDENT PRIMARY LANGUAGE is required when the PLACE OF BIRTH code is not the United States (code 2310 – U.S. or 1790 – Puerto Rico).

Parent Language of Communication - Indicates the language preference of the parent for written communication between the school and the family. Beginning in 2019-2020, the following question is required under ESEA/ESSA Title I, Part A as part of the Registration and Data Collection Processes and *could be placed* at the bottom of the HLS 3-required questions, *per local decision*.

Data Collection Question ONLY – is NOT part of the HLS:

In which language would you prefer to receive school communication?

Process: When Parents Report an Incorrect HLS

According to the *Jan 2019 Addendum to September 23, 2016 Non-Regulatory Guidance: English Learners and Title III of the Elementary and Secondary Education Act (ESEA), as Amended by the Every Student Succeeds Act (ESSA)*, the following state guidance is provided to Districts regarding procedures to establish when a parent reports an incorrect Home Language Survey.

An erroneously identified EL is a student who was identified as an EL but should not have been because the student does not in fact meet the definition of "English learner" in ESEA section 8101(20). An erroneous identification of an English Learner (EL=Y) student may have occurred as part of the initial identification process, e.g., due to a parent's inaccurate completion of the Home Language Survey (HLS), administration of an ELP screener without providing for appropriate accommodations for a student with disabilities*, inaccurate scoring on the annual ELP assessment, or other reasons.

(Note: As of April 2019, WIDA has not provided its consortium members with a list of appropriate accommodations that maintain the validity and reliability of the WIDA Screeners. See guidance on screening potential English learners with identified disabilities, p. 14.)

A student may have also been erroneously identified as a *non-English Learner* (EL=N), due to a parent's misunderstanding and incorrect completion of the HLS or incorrect scoring of the ELP screener or annual ELP assessment, among other reasons.

In order to change a student's incorrect EL=Y status, each LEA must have established written procedures in its Federal Programs Handbook, Title III Manual and/or ESOL Handbook that ensure the following steps are followed:

1. If a parent notifies the LEA that the original Home Language Survey answers are not correct.
2. If the LEA deems the request plausible, the parent will be given the opportunity to complete a *Home Language Survey Addendum*. (See *English & Spanish HLS Addendums* on the Form Bank website).
   Note: The addendum requires the parent's signature to be notarized**.** Both the original HLS and the HLS Addendum should be in a language parents have indicated they understand.
3. Title III/ESOL Coordinator will approve the new HLS Addendum, after which the school will proceed to take the next steps based on the new HLS.
4. If the next steps require a status change, the LEA will use the EL= I code for the remainder of that school year to show that the student was incorrectly identified as an EL. After that, the child is coded EL= N on July 1st, and thereafter.

5. The LEA will keep all documentation in the student's file and report to the GaDOE via secure Portal messaging system and by **June 30th** the following:
    i. Student's Name,
    ii. Student's Grade-Level,
    iii. Parent's Reason for Change,
    iv. Name of Administrator or ESOL Coordinator who approved the Status Change,
    v. Former Status Code,
    vi. New Status Code, and
    vii. Date Status Change Effective.
6. The *LEA Title IIIA EL=I Use Report* should be saved with the following name: DISTRICT.YEAR.TitleIII.EL-ICodeReport (See Sample *LEA Title IIIA EL=I Use Report* Form Bank website).

Note: There is no requirement to provide an explanation in Data Collections for correcting an erroneous EL=N code. It the LEA has discovered that the EL=N code was incorrect, the statewide, standardized EL entrance procedures (i.e. HLS + possible ELP Screener criteria) would then be applied.

7. Data Collection of the EL-I Code:
    a. Use of the EL-I code will trigger an error flag which should be explained in the year-end Student Record. The error is relievable with the explanation.
    b. *How long do we report the student as EL=I?*
        The LEA should only report the student as EL=I for the remainder of that school year. Subsequently, after the EL=I year, the student should be coded as **EL=No**, even if the student has transferred to another LEA.

8. ACCESS assessment and the EL=I Code:
    a. Use of the EL=I code after the ACCESS testing I.D. tickets have been issued, will need to be explained to the System Testing Coordinator.

9. Cross-functional Monitoring and the EL=I Code:
    a. The Title IIIA CFM process reviews documentation submitted by LEAs as evidence that they are following statewide, standardized EL Entrance & Exit Procedures according to ESSA.
    b. A spot review of student records during the CFM process will provide additional evidence for this monitoring indicator.
    c. Former and/or current EL=I student's records may be reviewed during the CFM process.
    d. The CFM process will also include a review of the state's Data Collections EL=I Code Report to ensure LEA and State reports align.

Note: Schools and school systems should use caution when following these procedures with parents, making sure that a student's proficiency in his home language is the contributing cause

of the student's limited academic proficiency in English, and not necessarily a student's disability or suspected disability.

Regardless of whether other states' HLS questions differ from Georgia's, the HLS is a valid document which triggers subsequent ELP screening or not. However, it is challenging for LEAs when parents respond differently to HLS questions year after year. It is even possible that English-only responses on a receiving LEA's HLS may have been non-English responses on the transferring LEA's HLS or vice versa. LEAs must follow statewide, standardized EL entrance process that fulfill the intent and purpose of the definition of English learner and the purpose for the EL language programs.

EL ENTRANCE PROCEDURES

Process: Screening for Eligibility

Initial Questions to Consider & Summary of Related Process

Is this the student's first-time enrollment in a U.S. school?	**Has the student been enrolled in a GA school before? (In-state transfer)**	**Has the student been enrolled in a U.S. school in another state?**
1. Administer the HLS 2. If a language other than English is indicated for any of the **three** state-required questions, the student has a *Primary Home Language Other Than English* (PHLOTE) and, as such, is considered a potential English Learner. 3. Administer the appropriate ELP Screener. 4. Follow the state ELP Screener criteria to determine whether the potential EL qualifies to be classified as an English Learner. Kindergarten W-APT Flowchart Kindergarten MODEL Flowchart Grades 1-12 WIDA Screener Flowchart 5. Code student appropriately in SIS.	Identify whether the student is an English Learner or not **based on transferring LEA records** and/or the original HLS, original screener, or the latest ACCESS for ELLs 2.0 assessment. 1. Claim the student in GUIDE to see if he has an EL status code in Georgia or not. 2. Check the student's previous enrollment history in SLDS. 3. Check the student's records in SLDS to see if there are any former ACCESS test results. Check prior ACCESS test results against state or LEA entrance/exit criteria for that year. 4. When applicable open the SLDS EL Tab and check to see if student was previously screened. Even if the LEA is not	Identify whether the student is an English Learner or not **based on transferring LEA records.** 1. Call the previous school or District and ask about: a. The original Home Language Survey, b. Screening documents, and/or c. English Language Proficiency (ELP) testing results, 2. Call the previous school or District again. 3. Email and call the previous school or District again. 4. Make every effort possible to obtain prior EL records in a timely manner.

	using the SLDS EL Tab, it can be opened to see transferring LEA information. 5. Make every effort possible to obtain prior EL records in a timely manner.	

State-Adopted ELP Screener Options

Since 2006, Georgia is a member of the WIDA Consortium. Therefore, LEAs must use **one** of the following WIDA ELP screeners to determine whether a potential English Learner student qualifies to be classified as an English Learner or not.

1. The Kindergarten WIDA-ACCESS Placement Test (K W-APT)
2. The Kindergarten Measure of Developing English Language (K MODEL)
3. The WIDA Screener (Online or Paper)

Kindergarten W-APT

- The Kindergarten WIDA-ACCESS Placement Test (K-WAPT) is an ELP screening instrument designed to measure the English language proficiency of potential EL students enrolled in pre-school through 1st semester Grade 1 only.

Kindergarten WIDA MODEL

- The WIDA Measure of Developing English Language (MODEL) is another ELP screening instrument designed to measure the English language proficiency of potential EL students enrolled in pre-school through 1st semester Grade 1 only.
- For screening purposes, the MODEL is permitted for use in Kindergarten-1st Semester Grade 1 only.
    - The WIDA MODEL cannot be used as a screener in Grades 1-12.
    - Districts have the flexibility to use the WIDA MODEL as a formative language assessment in Grades 1-12, if they so choose.
    - A WIDA Model Score Calculator is available on the WIDA website to help educators calculate the adjusted grade-specific overall composite scores when using the MODEL as a formative assessment in grades 1-12.

Grades 1-12 WIDA Screener

- The WIDA Screener is an ELP screening instrument designed to measure the English language proficiency of potential EL students enrolled in 2nd semester Grade 1- Grade 12 only.
- The WIDA Screener may be used as a paper screener or online ELP screener.
- The WIDA Screener for students in grades 1-12 is divided into grade clusters: 1; 2-3; 4-5; 6-8; and 9-12. The instructions as to the appropriate grade cluster screener to be administered to the students in grades 1-12 are outlined in the WIDA Screener Test

Administration Manual and the administration procedures should be followed as indicated in the manual.

Grade-Appropriate WIDA Screeners & Language Domain Subtests

Kindergarten W-APT and WIDA MODEL Screeners		**WIDA Screener**	
Students enrolling during Kindergarten registration - 1st semester Kindergarten.	Students enrolling in 2nd semester Kindergarten – 1st Semester Grade 1	Students enrolling in the 1st semester of the lowest grade in a grade-level cluster.	Student enrolling in the 2nd semester of the lowest grade in a grade-level cluster.
Administer **only the Listening** and **Speaking tests** of the Screener.	Administer all four language domain tests	Administer a lower grade cluster WIDA Screener. Example: A 4th grader enrolling 1st semester 4th grade will be administered the Grades 2-3 WIDA Screener.	Administer the current grade cluster WIDA Screener. Example: A 4th grader enrolling 2nd semester 4rd grade will be administered the Grades 4-5 WIDA Screener.

Potential English Learners with Disabilities

Significant Cognitive Disabilities

WIDA ELP screeners may not be valid screeners for making EL eligibility determinations for students who have been identified as non-verbal or having a significant cognitive disability. To determine whether the student qualifies as an English Learner or not, a committee consisting of the parent, an ESOL teacher, the classroom teacher, a special educator, and a school administrator should be convened to discuss the best educational option for the student. The committee meeting minutes must be maintained in the student's cumulative record along with notes supporting the committee's decision. This decision may be revisited at any time**.**

Students with Disabilities that Preclude Assessment of One or More Language Domains

WIDA ELP screeners may not be valid screeners for making EL eligibility determinations for students whose IEP precludes the assessment of one or more language domains.

- To determine whether the student qualifies as an English Learner or not, the IEP team should be convened to discuss how to determine EL eligibility when one or more language domains are missing.
- Students who are deaf, blind, and non-verbal would be considered as having a disability that precludes assessment in one or more language domains. Beyond these reasons, the Assessment Director should seek counsel from the GaDOE Assessment Division who would consult with Special Education and EL Learner Programs.
- The IEP Team decision must be maintained in the student's cumulative record along with evidence supporting the committee's decision. This decision may be revisited at any time.

Screener Cost

- If the LEA chooses to utilize **WIDA MODEL Kindergarten** or the paper version of the **WIDA Screener**, there will be ongoing costs to the LEA associated with these screeners.
- ELP Screener costs must not be funded using Title III, Part A funds, since the obligation to identify all EL students is part of an LEA's civil rights obligations (*Lau v. Nichols, 1974). "*Because of the Title III supplanting prohibition in ESEA Title III Sec. 3115(g), which was not changed by ESSA, Title III funds **may not be used to** satisfy an LEA's civil rights obligations to ELs. The legal obligations of an LEA under the civil rights laws are independent of the amount or type of state or federal funding received. Therefore, an LEA may not use Title III fund for identification of ELs, including costs of administering a screening assessment, home language survey, or related tools" (See Non-regulatory Guidance Addendum, Topic 4).
- This also means that an LEA may not use Title IIIA-funded staff to administer ELP Screeners or assessments. If staff are split-funded with local or state fund sources, the local/state portion may be used to fund the administration of ELP Screeners or assessments.

Screener Results

- The **Kindergarten W-APT** (KW-APT) results are calculated as raw scores for Listening and Speaking (1st semester Kinder) from 0-30 indicating low, mid, high, or exceptional proficiency.
- For 2nd semester Kindergarten students and Grade 1 students, the KW-APT results will include the Reading and Writing domain raw scores. Scoring details can be found in the W-APT Test Administration Manual and on the scoring sheets behind the WIDA Secure Portal.
- The **WIDA MODEL-Kindergarten** and the online or paper Grades 1-12 **WIDA Screener** results are reported as English Language Proficiency (ELP) levels based on WIDA's Continuum of English Language Development Continuum of six levels.

EL Eligibility Criteria - Kindergarten W-APT (See Flowchart)

From 2nd semester Pre-kindergarten through 1st semester Kindergarten -

1. Administer **only** the Listening and Speaking portions of the Kindergarten W-APT and note the combined Listening and Speaking Score.
2. If the student's combined Listening and Speaking Score is ≥ **29**, the student meets the state definition and Does Not Qualify (DNQ) as an English Learner.
3. If the combined **Listening and Speaking Raw Score is ≤ 28**, then the student qualifies and is identified as an English Learner and coded as such in the district's Student Information System (SIS).
4. No additional District-defined criteria are permitted.

From 2nd semester Kindergarten through 1st semester Grade 1 -

1. Administer all **four** components of the **Kindergarten W-APT**.
2. If the following is true:
   - Listening and Speaking raw score is ≥ 29,
     and,
   - the Reading score is ≥ 11,
     and,
   - the Writing score is ≥ 12,
     then,
   - the student is not eligible to be coded as an English Learner and Does Not Qualify (DNQ) as an English Learner.
5. If not all three criteria are met, the student qualifies and is identified as an English Learner and coded as such in the district's Student Information System (SIS).

EL Eligibility Criteria - WIDA Kindergarten MODEL (See Flowchart)

The **WIDA MODEL** for **Kindergarten** yields a score between 1 and 6 on the WIDA English Language Development (ELD) scale. Consistent with WIDA Screener administration guidelines, the following is true:

From 2nd semester Pre-kindergarten through 1st semester Kindergarten:

1. Administer the Listening and Speaking sections only of **WIDA MODEL for Kindergarten**.
2. If the Oral Proficiency Composite (Listening + Speaking) Proficiency Level is < 5.0, the student qualifies and is identified as an English Learner and coded as such in the district's Student Information System (SIS).
3. If the Oral Proficiency Composite (Listening + Speaking) Proficiency Level is ≥ 5.0, the student Does Not Qualify (DNQ) as an English Learner.

From 2nd semester Kindergarten to 1st semester Grade 1:

1. Administer all four components of **WIDA MODEL for Kindergarten**: Listening, Speaking, Reading and Writing.

2. If the student's Overall Composite Proficiency Level score is < 5.0, the student qualifies and is identified as an English Learner and coded as such in the district's Student Information System (SIS).
3. If the student's Overall Composite Proficiency Level score is ≥ 5.0, the student Does Not Qualify (DNQ) as an English Learner.

EL Eligibility Criteria - WIDA Screener (See Flowchart)

Consistent with current WIDA test administration guidelines, the **WIDA Screener** is administered to students from 2nd semester Grade 1 - 2nd semester Grade 12. The criteria for eligibility are as follows:

1. Administer the all four language domains of WIDA Screener: Listening, Speaking, Reading and Writing.
2. If the student's Grade Level Adjusted Overall composite score is ≥ 5.0 or higher on the **WIDA Screener**, the student does not qualify for English language assistance services.
3. If the student's Grade Level Adjusted Overall Composite score is < 5.0 on the **WIDA Screener**, the student qualifies to be classified as an English Learner.
4. A WIDA Screener Paper Score Calculator is available on the WIDA website to help educators calculate the adjusted grade-specific overall composite score result.

Certification to Administer WIDA Screeners:

Only certified personnel who have completed the annual required WIDA training modules for the WIDA Screener are permitted to administer this assessment. GaDOE ESOL Unit requires annual WIDA certification for all certified personnel who will administer the WIDA Screener. The annual certification period runs from July 1 to June 30.

- Access to the www.wida.wisc.edu site to complete the training modules can be obtained from the LEAs ESOL Coordinator.
- Access to the WIDA AMS site to administer the WIDA Screener can be obtained from the LEA System Testing Coordinators.

WIDA offers a Quick Start Guide behind the secure portal for Training and administration guidance for the Kindergarten W-APT Screener.

Training and administration guidance are included in the WIDA MODEL Kindergarten kit and training and administration guidance are available on the www.wida.wisc.edu site for Kindergarten W-APT.

Recording ELP Screener Date & Results

Screener Results

The state recommends the use of the EL Screener Tab in SLDS to maintain vital ELP Screener information for all Districts in Georgia to access as needed. The GaDOE SLDS Department offers WIDA Screener training to all LEAs.

DATE OF ELP SCREENER

Starting in the 2018-2019 school year, all LEAs are required to record the Date of ELP Screener in the Student Information System.

- The **DATE OF ELP SCREENER** is the testing date a student is screened for the EL program and is determined to be an English Learner (**EL** = 'Y') student.
- The date must be in the format yyyymmdd where 'yyyy' is the complete year (e.g. '2002'), 'mm' is the month (01-12), and 'dd' is the date (01-31). (See FY19 Student Record Data Collection Data Element Detail)

Note: For transfer EL students, indicate the date the ELP Screener was administered in that transferring District. *This is NOT the date the EL student enrolls in your District's ESOL Language Program.*

ELP Screener Date Unavailable for Out-of-State or In-State Transfer EL Students

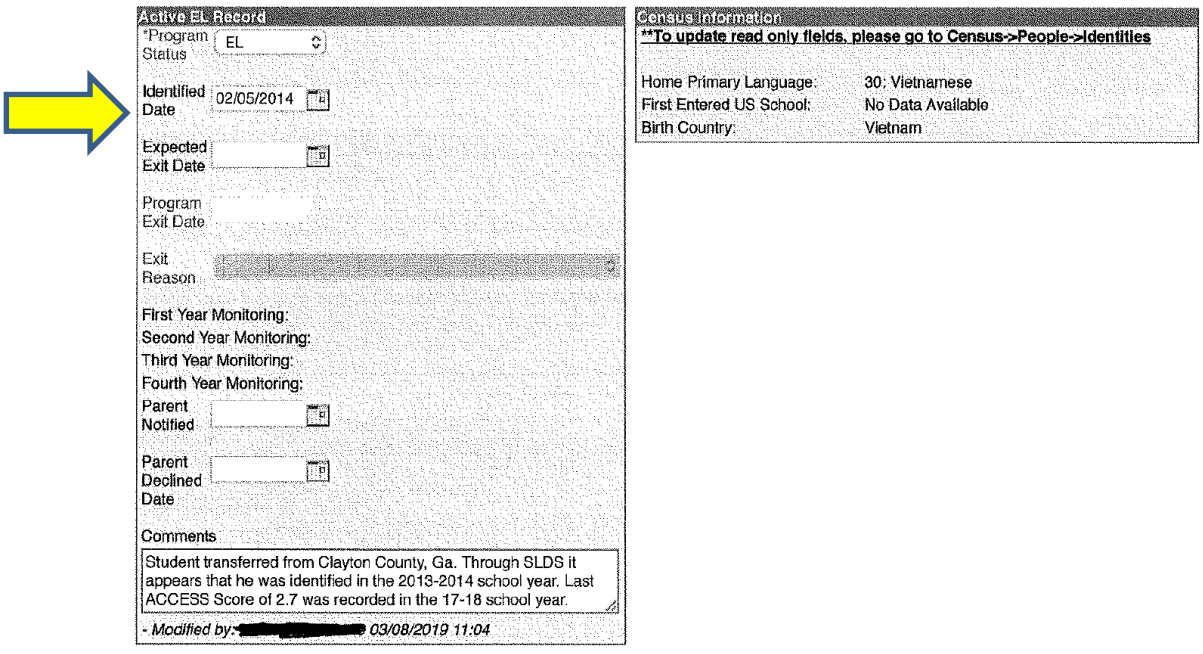
When an LEA is unable to determine with certainty the Date of ELP Screener for Out-of-State or In-State Transfer EL Students, the LEA will construct this date as follows:

1. Determine the school year for which you have the earliest ELP assessment results.
2. Use the first day of school for that school year, as the Date of ELP Screener.

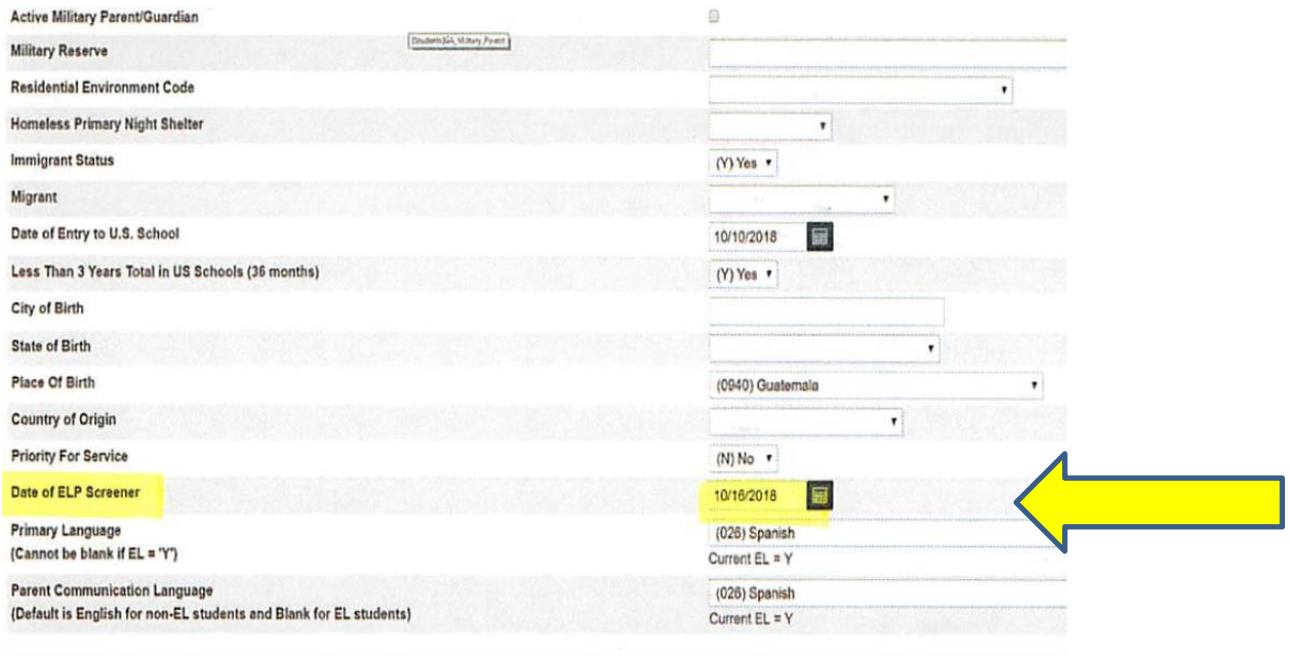
Out-of-State errors in Data Collections for missing Date of ELP Screeners will be relievable with explanation.

Infinite Campus Users –

The Date of ELP Screener is called "**Identified Date**" in IC, and appears on the first page of the EL Information Tab. Please identify the Date the ELP Screener was administered in the "Identified Date" section.



Power School Users – The Date of ELP Screener is called "Date of ELP Screener" in Power School, and appears on the State/Province Georgia, General Information TAB, **not** on the EL/ESOL Programs tab. (See next page)



ASPEN Users –

The "Date of ELP Screener is called "**ASSESSMENT DATE**" as noted in the Screenshot below:

Identification of Out-of-State Transfer Students

ELs who transfer from another LEA within the United States or from a Department of Defense school and there are official records to support their pre-determined eligibility and services

within the past year, the school must accept these records and place the child accordingly in language assistance programs.

If record an ELP Screener or ELP assessment is not available for a potential EL student who has transferred from out-of-state, or records cannot be obtained within the federal timeline, it will be necessary for the LEA to take steps to ensure that it meets the appropriate deadlines for notifying parents of child's placement in a language instruction educational program.

- If a student was screened in a **WIDA state** and **Did Not Qualify (DNQ)** as an English Learner, the student may not be screened again at a future date for reconsideration of eligibility without prior state approval. (See list of WIDA states at www.wida.wisc.edu.)

- If a student was screened in a non-WIDA state and **Did Not Qualify (DNQ)** by that state's eligibility criteria, the LEA may consider rescreening the student using the appropriate WIDA eligibility assessment if there is evidence that the student's level of English language proficiency will be/is a barrier to meeting Georgia's Standards of Excellence.

However, LEAs may **not consider re-screening** when the DNQ non-WIDA transferring student:

- Was screened more than 24 months (or the equivalent of two academic years) prior to enrollment in the current LEA; and
- Was enrolled and was successful in the general education program in the previous school; and
- Performed at the met or exceeded level on that State's content assessments (if such assessments were required and administered in the enrolled grades).

J-1 Visa, Foreign Exchange Students

According to CFR 22 § 62.10 Program administration, J-Visa student sponsors are responsible to "establish and utilize a method to screen and select prospective exchange visitors to ensure that they are eligible for program participation", and that the foreign exchange visitor "possesses sufficient proficiency in the English language, as determined by an objective measurement of English language proficiency, successfully to participate in his or her program and to function on a day-to-day basis." A sponsor must verify an applicant's English language proficiency through a recognized English language test, by signed documentation from an academic institution or English language school, or through a documented interview conducted by the sponsor either in-person or by videoconferencing, or by telephone if video-conferencing is not a viable option.

Thus, it is expected that all J-1 exchange visitors are proficient enough in English to participate successfully in their exchange program and to function on a day-to-day basis in U.S. schools. Whether to follow statewide, standardized EL Entrance Procedures and possibly provide English language services or not to exchange students can be a local decision as long as sponsors provide the District with evidence of English proficiency in one of the following ways:

- Results of a recognized English language test

- Signed documentation from an academic institution or English language school
- A documented interview conducted by the sponsor

EL Entrance Summary:

- Under **Section 3113(b)(2)** of the ESEA, each SEA receiving a Title III, Part A State formula grant must establish and implement standardized statewide entrance and exit procedures for EL students. These procedures must be consistently applied across the State, regardless of whether the LEA receives or doesn't receive a Title III subgrant.
- **Statewide procedures** for entrance in GA include:
    - the process for identification of ELs,
    - the timeline for implementing that process,
    - the home language survey the LEAs use,
    - the specific ELP screener the LEAs administer, and
    - the scores from the ELP screener that will result in the identification of a student as an EL.
- The **Home Language Survey** (HLS) is a questionnaire given to parents or guardians that helps schools and LEAs identify which students are potential ELs and who will require screening of their ELP to determine whether they qualify as English Learners.
    - LEAs in GA use a Home Language Survey with 3-required standardized questions which can be found on GaDOE website and is provided in several languages.
    - OCR requires that the HLS be provided to parents in a language they understand; parent's signature and date is required on the document.
    - The ORIGINAL HLS should be maintained in student's permanent records, along with a record, when necessary, of oral interpretation - such as date/signature of person interpreting the HLS. This evidence will protect the LEA if anyone (parent or OCR) questions why the child was screened.
- **ELP Screener:** If the HLS indicates a language other than English, the student should be screened with the appropriate WIDA screener.
    - The student qualifies or doesn't qualify as an EL student based on meeting or not meeting the state-established entrance criteria for each WIDA screener.
    - However, if the student is an in-state or out-of-state **transfer student,** then the LEA should **first review** prior school records to find the **original HLS** and determine whether another school/LEA administered an ELP screener or summative ELP assessment. (SLDS and the EL Screener Tab are excellent resources for this detective work.)
        - **Note:** A student's prior records will determine the EL status of the student, not any additional Home Language Surveys a parent may complete when transferring across LEAs. Transfer students should not be re-screened based on information from a 2nd, 3rd, or 4th Home Language Survey.
- **TimeLine:** An LEA has 30 days at the beginning of the school year (and 10 days during the school year) to identify whether the newly enrolled or transfer students are potential

English Learners, and then whether they are or aren't ELs, and then notify their parents of their placement in a language instruction program (when applicable).

- **Data Collections:** Student should be coded appropriate in the LEA's Student Information System (SIS).
- **Documentation:** LEAs should maintain core EL documentation in an EL student's permanent file to support data clerks who are sending these documents to transfer LEAs.

  Core EL documentation includes the following:
  - Original, signed/dated HLS in a language parents can understand
  - ELP Screener Scores & Date
  - Annual Signed/Dated Parent Waiver, when applicable
  - Annual ELP Assessments
  - EL Reclassification Form, when applicable
  - Monitoring documents for ELs who have exited EL status (EL-1 and EL-2), when applicable

Parent Notification for ESOL Language Program Services

The OCR and Title I, Part A require LEAs to notify parents regarding their child's EL status and placement in a language instruction educational program. GaDOE EL Language Programs provides LEAs with a form for initial eligibility and continuing eligibility. Please see the ESOL website Parent Notification Forms for this requirement. These forms are provided in several languages. (See additional *Guidance on the Family Engagement System for EL Families*, when available on the ESOL Website.)

Parents' Rights to Opt-out / Waive ESOL Language Program Services

(See guidance for a *Coherent Language Instruction System for EL Students* to be posted soon on the ESOL website.)

Parent Notification for Supplemental Title I and/or Title III Language Program Services, When Applicable

In addition, if the LEA is receiving a Title I or Title III, Part A subgrant and is providing EL students with additional, supplemental language instruction educational programs, federal statute requires parents to be notified of this program no later than 30 days after the beginning of the school year. For newly identified ELs during the school year, parents must be notified during the first two weeks of the student being placed in the supplemental program in addition to the ESOL program.

Please see the Title I, Part A Parents of English Learners website for the required forms in several languages. For more information, please contact a GaDOE Family Engagement Specialist whose contact information is available at http://www.gadoe.org/Pages/Support.aspx.