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Salam A. Noor, Ph.D.
Deputy Superintendent of Public Instruction

Executive Numbered Memo 003-2016-17: Identification of English Learners

To: All District Superintendents, ESD Superintendents, Principals, and Special Education, Title I, and Title III Directors

From: Dawne Huckaby, Assistant Superintendent, Office of Teaching, Learning & Assessment

Re: Identification of English Learners (EL) under the Every Student Succeeds Act (ESSA)

Date: May 25, 2017

SUMMARY:

Under the Every Student Succeeds Act, states are required to have a statewide identification procedure for all English Learners. Oregon's plan to implement this is to phase in the requirements over the next two school years (2017-18 and 2018-19) regarding the use of a statewide Language Use Survey (LUS). In 2017-18, districts will have the option to use their existing Home Language Survey (HLS) OR the state-developed LUS. In 2018-19, districts will be required to use the state-developed Language Use Survey.

DETAILS:

On December 10, 2015, the Every Student Succeeds Act (ESSA) was signed into law, reauthorizing the Elementary and Secondary Education Act (ESEA). Under ESSA, states are required to have a statewide identification procedure for all English learners (EL) that is consistently implemented across all districts within the state.

A common identification procedure provides a more cohesive educational program for Oregon's English Learners. A statewide procedure reduces the number of identification screeners a student would have to take whenever the student moves from one district to another. Oregon school districts will have a greater opportunity to collaborate with each other as they strive to provide comprehensive instructional programs for Oregon English Learners.

The Oregon Department of Education (ODE) has been working with district EL coordinators and community partners to develop a statewide identification procedure as part of Oregon’s Consolidated ESSA State Plan. The new statewide procedure builds on the existing EL identification policy currently implemented in Oregon districts. (See former numbered [memorandum](#) issued in 2003-04.)

Oregon’s new EL identification procedure will be phased in over the next two school years, 2017-18 and 2018-19 (see Table 1 below). ODE staff will provide professional development and support during these first years of implementation. Training materials will be posted to the English Learner Local Plans [web page](#).

In 2017-18, districts will have the option of using the state-developed Language Use Survey (link available on the English Learner Local Plans [web page](#)) or the Home Language Survey used by the district in 2016-17. Additionally, districts must use one of five approved English language proficiency (ELP) screeners as described in Table 1. Beginning with the 2018-19 school year, all districts in Oregon will be required to use the state’s Language Use Survey and the state-approved ELP screener(s).

Table 1: Timeline for Oregon Statewide EL Identification Procedure and Criteria

2017-18 (Transition Year)	2018-19 (Full Implementation Year)
<p>Districts have the option of using the Language Use Survey developed collaboratively with districts, stakeholders, and ODE, or the Home Language Survey used by the district in 2016-17.</p> <p><i>Districts are also required to use one of the following ELP screeners:</i></p> <ul style="list-style-type: none"> • Language Assessment System (LAS) • Woodcock-Munoz • IDEA Proficiency Test (IPT) • Stanford • ELPA21 Screener 	<p>Districts are required to use the Language Use Survey AND Oregon’s approved ELP screener.</p>

Districts must use the scores below (Table 2) when determining which students are initially fluent on the state-approved ELP screeners. ELPA21 Screener fluency scores will be required once they become available.

Table 2: ELP Screener – Initially Fluent Score

TEST	K	1	2	3	4	5	6	7	8	9	10	11	12
Woodcock-Munoz	Level 4 Broad English Overall												
LAS	Level 4 Overall												
IPT	D	E	F				E			F			
Stanford	Level 5 Overall												

Districts must ensure identification and exiting records for all potential English Learners who are screened by the district for EL services (this includes current and former English Learners as well as students determined not to qualify for EL services) are filed in the student’s cumulative folder. This will aid in providing EL services when students move across districts. How the items are organized is determined by the district; however, it is recommended that a district-wide policy is established. The following list of items must be maintained in the cumulative folder to be consistent with OAR 116-400-0060(10), (12), (26):

- Initial Language Use Survey (Home Language Survey)
- Initial identification screener results
- Initial EL program placement letter, if student qualifies for EL services
- “Initial fluent” letter, if student does not qualify for EL services
- “Waiver of service” letter, signed by parent/guardian
- Annual state English language proficiency assessment results
- “Exit-as-proficient” letter, when student has reached English proficiency
- “Completion of monitoring” letter, when student has been monitored for all four years.
- Re-entry into EL program during monitoring letter

ODE CONTACT INFORMATION: If you have questions regarding English Learners, please contact Kim Miller, Education Specialist for English Learners, at Kim.A.Miller@ode.state.or.us or (503) 947-5712.