

English Learner Designations from Other States

Updated 4/6/23

Beginning in 2023-24, ODE will honor English learner (EL) status determinations made in other states for students who transfer into an Oregon public school, regardless of the English Language Proficiency (ELP) assessment used in that state. This includes all state determinations regarding entry into and exit from EL status. This policy update goes into effect on July 1, 2023 and is not retroactive. It will have no impact on decisions about EL status made prior to the 2023-24 school year.

The following table summarizes how EL status transfers from other states to Oregon districts. It also lists necessary action by Oregon districts following enrollment of the transferring student.

EL status in state of origin	EL status in Oregon district (and necessary action)
Unknown	Unknown <ul style="list-style-type: none"> Consult or complete Oregon Language Use Survey (LUS) If LUS indicates, administer ELPA Screener, then use results to determine EL status
Screened and found ineligible for EL status (ex. “initially fluent”)	Does not have EL status <ul style="list-style-type: none"> Do not administer ELPA Screener or Summative Follow student academic and linguistic progress for one year, in case screening for entry into EL status is needed Where appropriate, report as “Never EL”
Currently has EL status	Has EL status <ul style="list-style-type: none"> Administer ELPA Summative during next available test window Where appropriate, report as having EL status using Reporting EL Status instructions at the end of this document
Exited from EL status	Does not have EL status <ul style="list-style-type: none"> Complete monitoring cycle (four years following EL exit date) If monitoring cycle was completed in the state of origin, or time left in monitoring cycle is unknown, monitor student academic progress for one year, in case reentry into EL status is needed Where appropriate, report as “Monitored EL” (5-M) or “Former EL” (5-F) <ul style="list-style-type: none"> Both these designations require a start and exit date

Unknown EL status and monitoring

A student’s EL status is “unknown” if at least one of the following is true:

- Educational records indicating the student’s EL status are not available within federal identification timelines.
 - As a reminder, EL status must be resolved within 30 calendar days for students enrolled on the first day of the school year, or 14 calendar days otherwise.

- Records indicate student has EL status, but they NEITHER tested on an ELP assessment in the most recent full school year NOR received substantial instruction in an Oregon school district during that year.

“Substantial instruction” means that instructional interaction with the student was sufficient for district staff to follow the student’s progress toward English language proficiency.

If monitoring reveals the presence of a persistent language barrier, administer the ELPA Screener. A Proficient result means the student is not eligible for EL status. Any other result means the student reenters EL status *with parent consent*. The parent/guardian must consent to any such reentry, regardless of the Screener result (see [2015 Dear Colleague Letter, page 34](#)). Note that this federal guidance applies to all monitoring of students who have exited EL status.

If a district administers the ELPA Screener in good faith in order to meet federal identification timelines, and student records arrive later that contradict the result of that test, use the most recently administered Oregon test result to make a final determination about the student’s EL status.

- Example: A student enrolls from another state, but records are not available within federal identification timelines. The LUS indicates that the ELPA Screener should be administered, and the student subsequently scores Proficient. The ELPA Screener result is used to determine the student’s EL status in Oregon, even if records indicating the student has EL status later arrive from the student’s state of origin.

For the purposes of this guidance, “state” includes all states and territories of the United States.

Oregon Students with Unknown EL Status

It is possible for students transferring within or among Oregon school districts to have unknown EL status as well. As mentioned above, a student’s EL status is “unknown” if at least one of the following is true:

- Educational records indicating the student’s EL status are not available within federal identification timelines.
 - As a reminder, EL status must be resolved within 30 calendar days for students enrolled on the first day of the school year, or 14 calendar days otherwise.
- Records indicate that the student has EL status, but they NEITHER tested on an ELP assessment in the most recent full school year NOR received substantial instruction in an Oregon school district during that year.

“Substantial instruction” means that instructional interaction with the student was sufficient for district staff to follow the student’s progress toward English language proficiency.

In all other cases, use the student’s last known EL status. If a student did not test on ELPA Summative because of illness, temporary absence from school or from the state, or similar complicating factors, do not rescreen when the student returns to school. Instead, use their last known EL status.

Take the following actions when enrolling a student with unknown EL status:

- Consult or complete [Oregon Language Use Survey \(LUS\)](#).
- If LUS indicates, administer ELPA Screener. Use Screener results to determine EL status.

Reporting EL status

- Students whose EL start date is in a **prior school year** will be reported as:
 - 1-B (continuing in EL program - if served by EL instructional program) with EL start date from state of origin
 - 4-N (if parents have signed a waiver for EL instructional program participation) with EL start date from state of origin
 - Both of these record type codes will have ELPA summative test codes (06, 09, or 10) whichever is the most appropriate ELPA assessment for the student.
- Students whose EL start date is in the **same school year** will be reported as:
 - 1-A (identified in the current school year - if served by the EL instructional program) with EL start date in the current school year. **OR**
 - 4-N (identified in the current school year - if parents/guardians have signed a waiver for EL instructional program)
 - Both of these record type codes will have:
 - The proficiency test code will be code 11 (Identified as an EL in another state this school year),
 - The proficiency test administration date will match the EL start date.
 - The domain scores will be blank

Districts should reach out to their Title III contact for guidance on reporting students in EL data collections.

Contact information

Please contact ELPA Specialist [Ben Wolcott](#) with questions about ELPA testing.

Please contact Title III Specialist [Kim Miller](#) with questions about Title III or EL data collections.