

Executive Numbered Memo 005-2017-18 - Identification of English Learners (EL) under the Every Student Succeeds Act (ESSA)

September 21, 2017

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

RE: Identification of English Learner (EL) under the Every Student Succeeds Act (ESSA)

Under the Every Student Succeeds Act, states are required to have a statewide identification procedure for all English Learners. Oregon plans to phase in the requirements over the next three school years (2017-18, 2018-19, and 2019-20):

1. Phase 1 (2017-18): Districts must use one of the four state approved English language proficiency (ELP) screeners and the state's established fluent score for the selected screener.
2. Phase 2 (2018-19): Districts must use the state Language Use Survey, a state approved ELP screener, and the state's established fluent score for the selected screener. An additional ELP screener may be approved by the state and used by districts this year.
3. Phase 3 (2019-20): If the state adopts a single ELP screener, districts must use this ELP screener, the state's established fluent score, and the state 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 likelihood that a student would be retested to determine the student's EL status whenever the student moves from one district to another. This should foster a more seamless transition between districts 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 three school years, 2017-18, 2018-19, and 2019-20 (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](#) webpage.

In 2017-18, districts will have the option of using the state-developed Language Use Survey (link available on the [English Learner Local Plans](#) webpage) or the Home Language Survey used by the district in 2016-17. Additionally, districts must use one of four approved English language proficiency (ELP) screeners as described in Table 1. In 2018-19, districts will have the option to use one of five approved

ELP screeners as described in Table 1. Beginning with the 2019-20 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 (Transition Year)	2019-20 (Full Implementation Year)
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. Districts are also required to use one of the following ELP screeners: <ul style="list-style-type: none"> • Language Assessment System (LAS) • Woodcock-Munoz • IDEA Proficiency Test (IPT) • Stanford 	Districts are required to use the Language Use Survey. Districts are also required to use one of the following ELP screeners: <ul style="list-style-type: none"> • Language Assessment System (LAS) • Woodcock-Munoz • IDEA Proficiency Test (IPT) • Stanford • ELPA21 Screener (if adopted by the state) 	Districts are required to use the Language Use Survey AND if the state adopts a single ELP screener, the districts must use this particular ELP screener.

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 permanent file. 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 student’s permanent file 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

If you have questions regarding English Learners, please contact [Kim Miller](#), Education Specialist for English Learners, at (503) 947-5712.

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