

# Transcript of State Updates English Learners

Bob: Good afternoon, everyone. Thanks for joining us on this webinar, the State Updates for English Learners 2017. I'm Bob Measel, the ESL bilingual ed advisor and Title III director at the Pennsylvania Department of Ed. I'll be the moderator and the presenter and everything else today. I'm on my own. We're going to ask that you bear with me when it comes to Q&A on this webinar today.

Well go ahead and get started. Sorry about that. These are the things that we're going to cover today broadly. Many of you have probably seen this presentation. It's the same one that we've been doing for quite a while. Because there are so many changes this year, we have to keep presenting this information over and over. Some of you may have been already ... or you may know about some of these updates but have generated some questions since the last time you saw us present on this, so that's what today will also be for. We're going to cover accountability indicators under ESSA, EL identification procedures, the language program classification, reclassification procedures, and updates in the BEC.

We'll start with accountability indicators. ESSA moved Title III accountability to Title I. There are no longer any AMAOs. There is no longer any separate accountability for Title III. It's all contained under Title I now. If you receive Title III funds, you will be monitoring to ensure that you're using the funds appropriately according to the legislation, but you will not be required to meet any separate targets like AMAOs in the past. I'm going to explain what the new targets look like.

Title I has five performance indicators. One of them is the EL indicator it's called, and it is a measure of growth and attainment for ELs.

The state developed its plan under ESSA and it is actually ... This slide is out of date as of last Friday. The plan has actually been submitted to the fed. It was up for public comment for about a month. Last Friday, it was submitted to the fed as far as I know. If not, maybe it was today or tomorrow. In any case, it's going to the fed for review and approval. The fed will likely hang on to that for a little while. Some states' plans got approved right away. Most states, their plans came back with some questions or the need for additional clarification or modification. We will know shortly I imagine in the next couple of months what's going to happen with our plan.

What I'm going to describe to you now next is what is in our plan that was submitted. It's not approved by the fed yet. It's not going to go into effect, most of these things or at least the EL indicator portion of this until the 2018-19 school year.

We had to come up with the new EL indicator that's contained under Title I now, but we had a lot more flexibility to do it than what we had under NCLB for AMAOs. The new calculations are going to account for EL's age and their grade level and initial proficiency level. Before with AMAOs, it was just one target that all ELs had to meet for growth, which was 0.5, half of proficiency level each year, and that was regardless of their age or their starting proficiency level or anything else. It was a certain percentage of ELs that were supposed to attain every year. The new system is able to be a lot more

sophisticated and account for the things that we know matter in second language acquisition, like I said, such as age and grade and initial proficiency level.

One of the components of the indicator is measuring on-time attainment of English proficiency so the state had to determine, what is a reasonable amount of time for students to gain proficiency in English, assuming they start off at level one? It was agreed upon that ELs would be given six years maximum to attain proficiency. That doesn't mean that every EL gets six years. It depends on your starting proficiency level. If you're at level one, you get the full six years. Level two to three, you may get five and so on. We'll see that in a moment in the table.

We had to develop interim growth targets as well. It's not enough just to say a student is in first grade and they're at level one so six years from now, we expect them to attain English and wait for six years to see if they attain English. We've got to measure their trajectory along the way. We had to come up with a way to calculate targets along the way that would be responsive to how kids are growing and weren't just static targets and they could also take into account their proficiency level and age.

The last part of this is once we calculate all the students here that are on track toward proficiency, on time or they're attaining on time, we've got to be able to calculate a score for a district based on all those calculations for individual students. What we use is called an index score, and we calculate that based on how students are doing in the district. I will demonstrate. I'll show you a few slides for how that works in just a moment. It's a much better system than before. It's not an on or all for one or zero system. In other words, a student doesn't either make their targets or attain on time or not. This index calculation takes into account how close they came or if they exceeded it. You get more points for the closer students come to hitting the target; and then if they exceed that target, you get some extra points. It's not just a go or no-go. It's much better than the last system.

In order to calculate interim targets, we use this table. It's called a value table. You can see off to the left there are the initial proficiency bands that kids may start off in year one. As you move from left to right, that's going from year one out to year six. The grayed areas are not available targets for students at those particular initial proficiency levels because as I started earlier, the higher in proficiency are, the shorter amount of time we expect to take you to attain proficiency.

If you're at 1.0 to 1.9, you're going to get the maximum six years. Along the way, you'll see that equation there in each of those blocks which is how we calculate your interim target. It's recalculated for each kid every year. A student's target for growth changes each year depending on how much growth they've made up to that point and how much they still have to make to get to attain proficiency on time.

As you can see, if you move up and you start off at level 4.0 to 4.9, you're only going to be given two additional years after that first year to attain proficiency. In your third year, we expect you to attain by then. That's how that works.

This is what it looks like for an actual student. You can see the yellow line there is their actual performance. The blue line is the target that's calculated. Of course in year one, there is no target calculated because that's the baseline year. Once the student has two scores, according to the table and the formulas in that table, we're able to calculate a target. This particular student made large gains from year one to year two. Their target came in a little bit lower, and that's just saying you are on a trajectory to attain proficiency ahead of time so your target is not beyond what you already scored.

As you can see, the student's actual scores taper off a little bit there in years four and five. The target keeps going up. The target actually exceeds the student's performance in year four. What that's saying is you have to make slightly bigger gains going forward to attain on time. The next year, the same thing happens; and then by year six, the student attains and they exceeded their target that year and they attain.

This is the same thing. This slide is for a student who started off with smaller gains. As you can see, their interim targets calculate a little higher than their performance because that's saying you need to make larger gains if you're going to get back on the right trajectory to attain on time. It gets recalculated. The interim targets get recalculated for students each year. Like I said before, it's responsive to how students are growing and it is an indicator of whether or not they're on track to reach attainment on time or if they're off track.

The next part of this is calculating index scores. This is how districts come up with a number, a score, if you will. If you look at the row that says before target attainment year. For students who let's say that I'm that first grader who came in at level 1.2 so I'm given six years to attain. Let's say I'm in third grade now. I'm not supposed to attain yet. That's well before the sixth year. This is before the target attainment year. For a district, for that individual student, if that student didn't participate or they had negative growth, you get zero points. If they made growth in the previous year but they did not achieve proficiency yet, then you use this formula to calculate the index score for that student. It can be anything from zero to 1.1. That 1.1 is extra credit.

Really it should be zero to 1, but if a student exceeded their target. Let's assume that their target was a gain of 30 scale score points and this student made a gain of 40. If you run those numbers in that calculation that's there, that would be greater than 1. We cap it at 1.1 just because we don't want the extra credit to skew the numbers too badly. You can get some extra credit for students who exceed their targets, and that's 0.1 extra credit maximum.

If that student actually attains in third grade, which is early, which is two or three years early, then you automatically get the extra credit, the 1.1.

Let's say this is the year that I'm supposed to attain proficiency. Again, if I don't participate in a test or if I get negative growth, they're zero for me in that total district calculation. If I made growth in the previous year but I still didn't attain proficiency, you can get a 0.99 for that student. Let's say they came very close but didn't quite make proficient yet but they came very close to the target, you can get 0.99. That's what I was saying earlier the difference between having ... You either made your target or you

didn't. This gives you some credit, almost full credit for students who almost make it but didn't make it on time. If it is my attainment year and I meet the target and attain or exceed my target, again, I can get anywhere from 1 to that extra credit of 1.1.

What we do for students who are beyond their years, let's say I go into my seventh year now and I still haven't attained. You don't just get no credit for those kids ever again. If you attain one year late, you get three-quarters of a point; two years is half a point; and three years is a quarter of a point. You do get some credit for those students who attain late. What we do at that point is each one of these students has a number calculated for them somewhere between zero and 1.1 and we just take the average of that for the district and that is your district index score.

That's how the state will determine rankings across the state for districts and schools because it's calculated by school. Pennsylvania and their plan I think suggested an N size of 20, unless that changed in the last couple of weeks. That was the proposal then. If you have fewer than 20 students then these calculations will not be made for your school.

In our plan, we are suggesting a new exemption from testing rule. You're all probably familiar with the previous exemption rule, which was students in the first year in US schools could be exempted from the ELA test for that one time, and it was a one-time exemption. The proposed exemption rule is that we are going to ... If a student scores less than or equal to 4.5 composite on the ACCESS test along the way here, in that first year, you won't have an ACCESS score. In the first year, ELs and their first year in the country are exempt from all tests, not just ELA but all tests. You can't really make an argument that if you should be exempted from one test because of a lack of English proficiency then you shouldn't be exempted from another. All the tests are given in English, therefore we're proposing the students be exempted from all tests that are given in English in that year one.

Year two, assuming the student does not score less than or equal to ... or greater than 4.5 rather on the ACCESS score. They will take all the tests, but it's going to be for the baseline for growth only, so those student scores will not be calculated for districts. Just it will be a baseline for growth.

Year three, again, assuming the students are not at 4.5 or higher yet, they'll take all tests and only growth will be calculated into district accountability calculations.

Year four, again, if they're not at 4.5 or higher, they would take all tests once more and at this point, finally growth and achievement will be calculated for ELs. That is not currently contained in the legislation. We're anticipating that the federal government will reject this proposal, but we're waiting to see what happens. Some other states have don't similar things so we're just waiting to see what they say about that. That was the catch.

Before we move on to the identification procedure, I'm going to take just a minute here and switch over to my other computer and look and see if there are any questions coming in at the moment that I can answer before we move on. If you have a question

about anything I just described and you haven't typed it in yet, go ahead and do that now so that we can contain the questions for each section within that section. Of course if you get your question in late, I will answer it at the next pause though. There are a few questions here.

What is the accountability for ELs that move into a new LEA at the end of their allotted proficiency timeframe? There are some policy decisions that still have to be made about this. That is one that is still not settled completely. If a student moves and it's not during their attainment year, there are one of two things a state can do. The state can track that student and the student would continue where they left off at, or the new district ...

What would happen is the student would end up with a new baseline in that new district, presumably higher than wherever they started out at their previous district, although it is possible for students not to make gains. That student will be held to whatever timeline that gets established in the district that they're in. What we want to do is make sure that whatever rule we put in place for this is fair to the receiving districts. We don't want receiving districts to be responsible for growth or lack of growth that was a result of instruction in another district.

Who does these calculations, the state, the LEAs, ELD coordinator? No. The state will be making these calculations. They're fairly complicated and the folks in the data quality office at PDE have been working on creating the code. They did run some initial numbers so that we could set some baseline and long-term goals for districts in the state, which we put into the plan. Although because they ran numbers, they cut across the change to ACCESS 2.0 as well as the standard setting, those targets, they're not even really preliminary. They're almost placeholders and we're going to have to come back and do this again next year. In any case, the answer to that question is the state is going to make these calculations.

The question normally comes up, how will we have access to this information? I can't answer that for you right now. I'm not sure which system the state is going to choose to make this data available to districts. Again, the goal is to make it as user-friendly as possible and as understandable and digestible as possible. We will select whatever system is going to be best suited for that.

For the district school index scores, will LEAs in a Title III consortium will have their scores calculated as an entire consortium? Yes, that is the way that will work, most likely, although this is not Title III accountability. This is under Title I. There are no consortia under Title I like Title III. We can calculate consortia EL indicators for Title III consortia by pulling those kids for informational purposes for the consortium if the members want it. I assume that they would. These are good measures. They're very sophisticated. They do make sense, a lot more than the previous system of AMAOs. These would not be accountability for Title III consortia because Title III does not have its own accountability anymore.

Was there any decision regarding ELs who move around to different districts? How could the student account towards accountability in a district if they are moving to different districts every year? How would that affect the district on returning students in

the district? I think I already answered that question. Some of those policy decisions still have to be made, but however we handle that, the main objective is the districts are not responsible for the result of education that students receive somewhere else.

The number 20 for N, is that 20 in one grade or total in district. That's total in district, the N size.

Are they to take the Spanish version of the math and science? I'm not sure I understand that question. Students can take the Spanish version of tests where it's available if that's appropriate. These calculations have no bearing on that, unless you're talking about the exemption. The exemption is something the districts can choose or not choose. It's not required. If a district chooses to test those students and they do it using a Spanish test, if that's a good accommodation, then that's always available.

Which tests are they exempted from? All tests as in district tests, classroom tests, Keystone. The state can only make policy about state things, so any state tests. District tests, you will have to make determinations at the local level about that. The state can't dictate to you how you handle that.

How does the school's index score impacted by long-term learners who move into a new district charter especially if they are several years past their attainment and haven't yet made it? Again, that depends on the policy decision. One way that we could handle that is to say that if a student has been in a program for, say, seven years and they move into a new district, they might just start off with a new baseline at whatever proficiency level they're at. As long as that student is enrolled in that district, the district will be responsible for keeping them on the right trajectory toward attainment on time. I don't know. Again, those are decisions that have not completely been ironed out yet.

Will the 2017 scores serve as the baseline? Will the score receive in the interim targets in a timely fashion? AMAOs are always a year or more behind. Yes, you should be able to receive this information shortly after the test data files are validated by the state because the state are making these calculations and there is not going to be any fiddling with the policy here. I'm not sure why AMAO reports were late, but we were able to run these calculations in a couple of days just for baseline at the state level. Assuming that we write the code to do that, it shouldn't be hard to continue running them with the data files that we have. I don't know if we're going to use 2017 as the baseline or not.

It depends on what the fed allows us to do and what makes the most sense for us. That is possible, considering that our state plan may very well be approved before ACCESS. It should be approved one way or the other before ACCESS testing this year so this portion of it may be in effect, but I'm not sure that you'll have to stay tuned to find out which data is being used for the new EL indicator.

When will reports be available to the districts? Again, as soon as we can get them to you, hopefully that will not take as long as AMAOs. It will not take as long as AMAOs. These will not be a year late. You'll get them as soon as the calculations are made and then they're vetted by the state, which for PSSA, that happens within a certain timeframe. This will fall under the same timeframe.

Please explain tests as in take all tests. I think I answered that. All state tests, whatever those are, Keystone, PSSA PASA. It's that one-year exemption from all tests. That's what we've proposed. Whether or not that is accepted by the fed is yet to be seen.

How do we plan the target attainment year for students with disabilities that may not make gains within six years? Unfortunately, there is no way for us to do that. Students who have a disability, we cannot set up a separate system for them as the legislation is currently written. You are able to exit them with new provisions that we put into the reclassification criteria, which I'm going to go through in a minute here, so we'll go into it now. In the EL indicator under Title I, there is no way to set separate trajectories for these students and that wouldn't be possible anyways because of the individual nature of the disability.

Having said all that now, there are no new questions so I'm going to move on. If a question occurs to you in the next section, please feel free to submit it. I'll go back and start where I left off. Now we're going to look at the identification procedure and criteria.

Before I get into this section here, I just want you to know that on our webpage, you will find all of the updated guidance and policy documents that I'm talking about right now with one exception, which I'll get into a little bit later. You will not find those documents on the ESL portal or the SAS portal. If you do find policy or regulation documents on either the ESL portal or the SAS portal, they are likely to be outdated. Please, if you're using a document you're not sure where you got it, go to our website and download the new documents. You can find our website at [www.education.pa.gov/englishlearners](http://www.education.pa.gov/englishlearners) ... All one word, plural, englishlearners. That'll bring you to our page off our ESL or English learner webpage for PDE. Off to the right, you'll find links to all these documents. Please make sure that you're using the current ones.

We were at an on-site visit recently and some folks had a document that looked correct but it was an older iteration. It was a draft that we had circulated at a workshop and they held on to that. Make sure that you go and update your docs so you're using the correct ones.

This is the new identification process. Not much of it is new, frankly. We reformatted the procedure into a checklist which is a lot easier for people and added a couple of bits. Essentially, the initial enrollment steps have stayed largely the same. All families fill out the HLS. If there is a language other than English listed, then you go to part two, which is contained in the procedure, which is a parent interview. It's only a series of questions that try and get at the nature of the exposure to the language to find out if it's just superficial exposure or if it is real exposure that could have had an impact.

There are what we refer to as escape hatches in these series of questions that they're going through. Some people have asked me, "Look. There are a number of questions in there getting at how often does the child use the language? How often do they hear it? Do they use it with their siblings, things like that?" They've said, "We have families coming in where it's obvious that the students don't speak any English in all these because of another language at home. Can we just skip to the end?" The answer is yes, of course. It's evidence gathering that you're going through. As soon as you have

overwhelming evidence at some point then you don't need to continue with some of those questions in there. It's not bad to have that information, but you are free to use your professional judgment in cases where it makes sense to do that.

In any case, the parent interview gets completed. A determination is made at that time whether or not that student has a primary home language other than English. If no, then no screening is required. If yes, then we ask districts to do an academic records review if those records are available. We are aware that most of the time, they're not for incoming students. If you do have those records, please review the records and look for evidence of English language proficiency. In the procedure, we give you some ideas of what that might be. At the end of the day, you have to make a determination if that evidence is strong enough to warrant precluding screening.

The state can set up a policy and we've set up policies this year under the theme of flexibility for districts because we believe that districts need flexibility. However, with that comes some responsibility. If you do an academic records review and you find things in there that you're not sure or you wouldn't want to swear in a court of law that constitute English proficiency, then you would go to screening. If you don't have any records, you go to screening with the WIDA Screener or for kindergarteners, the KW-APT.

I get a lot of phone calls and emails asking me, what constitutes evidence of English proficiency? What test? What score? I can't answer that. Frankly, it's really up to you. It's up to your professional judgment. It's a matter of whatever you're looking at, do you feel confident that that is equivalent to our performance definition of level five on the WIDA scale? I would say, for example, if you have an FCAT score or something which is the Florida State Assessment in English Language Arts and it is advanced or proficient, I would say that's pretty strong evidence of English proficiency. I don't know that I would consider C's in English classes or courses taught in English very robust evidence of English proficiency, and I might go to screen in cases like that.

The bottom line is that it's a judgment that the enrollment folks can make. By enrollment people, I mean ESL folks. If you have administrative personnel in an office doing this, they shouldn't be making that call. It should be an ESL teacher. In any case, that's how you get to the screening portion of this.

Like I said, this is the EL identification procedure for grades K-12. There is a pre-K procedure that we've added which is a separate procedure. It just was different. It was sufficiently different from the K-12 procedure that we didn't bother trying to embed. We just made it a separate document. When you go to that webpage that I pointed to earlier, you'll see two documents there. Make sure you're looking at the right one.

The home language survey is actually a separate document. We didn't include it in the procedure. Everything else is. The parent interview is included there. Academic records review; screening cutoffs. We have a new section there which is the identification of students with limited or interrupted formal education. This is an initial year for the collection of that data. I'll go over what that is in just a second. There's parent notification and right to refuse services' section there, and then a flowchart.



Here are the cutoffs. For kindergartners using the KW-APT, a raw score for oral language of 19 or lower means that they are an EL. If they score between 20 and 24 inclusive, meaning they score 20, 21, 22, 23 or 24, and their reading is less than or equal to 6 or their writing is less than or equal to 4, then they are an EL. If they have both reading scores higher than 7 and writing scores higher than 4, then they are not ELs.

If you're using the K MODEL, it's an oral language composite below 5.0. Second semester K students ... We're assessing all four domains so it has to be an overall composite proficiency level of 5 and a literacy composite below 4.2.

The WIDA Screener for students in grades 1 to 12 is a composite proficiency level below 5. The question is coming quite a bit: What about first semester, first graders, can we use the KW-APT? The answer is yes, you may use the KW-APT for first semester, first graders, and you would use the same criteria as kindergartners for that.

Moving on, this is the flowchart for kindergarten. This is what I just explained. You'll find that in the procedure document. This is the flowchart for the students in 1 to 12. Again, you'll also find this in the identification procedure document.

In the procedure, we've been a little bit more explicit this time around with what to do in various scenarios. One that comes up a lot is what if a student is unable to complete the full screener, either because they have a disability or they refuse or whatever? The determination of ELs has to be made based on the remaining available evidence gathered from the HLS, parent interview, academic records review. If reasonable evidence of English proficiency can't be established then you have to identify the student as an EL. That's all there is to it. If a student can't complete a particular domain, then you just can't use that information. It's got to be based on whatever other information you've got left.

If you have questions about that ... We can't lay out all the possible scenarios just because there are too many of them. If you are unsure about what to do in a situation like this then you should contact us and we'll help walk you through it or think through it with you. That's how we'll handle those.

There are also very specific instructions in the identification procedure about how and when to involve special education personnel for students who either come to you with an IEP or students who come to you and are suspected of having a disability. In other words, if one of the parents or guardian is sitting in the enrollment center saying, "My student has a disability. They haven't been tested yet but we suspect this or they had a disability in their previous school but we don't have the paperwork." You immediately get the special ed folks involved. There are steps in the procedure for how to handle that and how to handle accommodations for screening and even how to handle provisional identification of students who you may not be able to or may not have screened appropriately at the time because of a disability.

All that information is contained in the identification procedure. It's not very ambiguous and we haven't gotten very many questions about it. I won't go into it in super detail right here.

For accommodations and accessibility, just refer to the WIDA Accommodations Guidelines.

We are still investigating the possibility of brailing the screener, although we don't know if that makes sense. We're working with our partners at PaTTAN still about that. It's up in the air.

Again, if a student can't complete a portion of the screener because of their disability, then you have to make the determination based on whatever other evidence you've got at the time. Special ed personnel have to be consulted at the time of identification to help inform the decision for students with disabilities.

Here is the section about SLIFE. That is Students with Limited or Interrupted Formal Education. To be clear, before I go through this, the reason that we are collecting this information, it's an indicator for a student now so you'll identify a student ... The way it works in PIMS-01 is an active EL, and I believe it's code 06. It's an active EL who has limited or interrupted formal education. The reason that we want this additional dimension of information for students is to disaggregate data later. This is not for federal reporting. They're not requiring this of the state yet. There are no special provisions in any law or accountability procedure or anything attached to this. This is just the state getting ready to disaggregate data later and also anticipating that the fed may in the future want this data and we want to get the systems in place and all the issues ironed out now.

A couple of folks have brought to our attention that New York does something similar, although the New York system is a lot more nuanced, a lot more complex, robust, whatever. We are aware of what goes on in New York. There are a couple of other states that use this system. Massachusetts is one of them. It's just so that we can get our foot in the door. Obviously with any new identification system, if we find that the numbers are askew at some point, if it either over-identifies or under-identifies the issues, we'll come back and revisit this criteria. For now, this is based on the best research that we've got our hands on. Most of it comes from Massachusetts, some from New York.

We're identifying students as having limited or interrupted formal education based on these criteria. They have to be enrolling after grade two. They have to have a literacy score of less than 3.5 on the W-APT MODEL Screener or WIDA Screener. They've got to have at least two fewer years of age appropriate schooling than their peers or have disenrolled from US schools to enroll in schools in other countries more than two times in the past four years. They've got to have limited encoding and decoding skills in the native language. This can be indicated by the family interview, native language measures if you have them, the state is not going to provide those, and/or review of academic records or local measures if you develop them.

I get the question an awful lot. What test does the state recommend? What test is the state making available? Unfortunately, we don't have recommendations for tests to do. This is a fairly simple check. It's a check to see if they have relatively on par encoding and decoding skills in their native language, which is an indicator of whether or not this limited schooling had an impact on their education before they got to you. It's not a standardized annual assessment of mathematics. It's more a check to see where the numeracy skills are. I know that some districts in Mass just developed their own local assessments for this. That's perfectly fine. If you want to purchase something, that's fine as well.

Once we collect more data from districts and learn more about how this is working out in the field, maybe we can publish some recommendations for you. In the meantime, districts can work with each other and share information. If you find something that you think works very well, please, we encourage you to share that with us so that we can in turn share it with the rest of the state. That's identifying students for limited or interrupted formal education.

Again, I'm going to pause here and go over to the other computer. I'm going to check for questions and answer those before we move on to the next section. There's a question here asking about, is there ever a reason to screen a student for ELD services if the primary home language is English and the student's first language is English? I can only think of one scenario, and that is if it's a non-standard form of English like a Creole or a Pidgin. That is laid out in plain language in the identification procedure.

Some students show up from, for example, say Liberia, and they are going to struggle in school because that is a non-standard form of English, not used in schools in the United States. Yes. They may list English on the home language survey because it is English. It's just a type of English Creole almost. Again, you have to use your judgment on this, but, yeah, there are instances where if a student lists English on the HLS, they might still be screened.

This one says, my form looks different than the one on [education.pa.gov](http://education.pa.gov). Do you have a link? I'm not sure what form. All I can say is if you go to that link and you're on the PDE English Learner webpage, those are the proper forms to use. I may have had a slide in there that had something that looked different than what's in there. Again, these are slides, not the actual form. What's on the web is current.

Is the identification process proposed or final? Should we be doing this now? That's a very good question. I apologize for not being clearer about this. The EL indicator, the value tables and the interim targets and all that stuff, that's not going to go into effect until '18-'19. Everything else that I'm talking about right now is in effect now. This identification procedure went into effect on July 1. It was published on the PDE website and went into effect then. We sent out a PENN\*LINK and some other communications over the summertime informing districts of that. Just be aware that, yes, this is in effect. You should be doing these things now.

If a student transfers from one PA school to another PA school, do we need a release of records to send ACCESS scores? My understanding about this is that in the WIDA AMS,

you can now go in and pull in student scores. A receiving district can pull in students' ACCESS scores from previous schools. If you're unsure about that on how to do that, shoot me an email. I'll have to go find the last communication I had with WIDA about that, but that is possible.

I will repeat the website. Someone asked for that. It's [www.education.pa.gov/englishlearners](http://www.education.pa.gov/englishlearners), all one word, plural, englishlearners. That will bring you to the homepage, or you can just go to PDE's homepage and in the search window, if you type in ESL and just do a search for that, the very first thing it will hit is the EL page.

Are these identification processes in effect this year? Yes, they are in effect this year.

Do we test all four domains with incoming kindergarteners? Should we continue to test only the listening and speaking? The way the language in the fed reads is that you are administering all four domains. We're only using the oral language domains for students with particular scores. If they score within that band, 20 to 24, then we go back and we use the literacy scores. They were set low. They were initially set a little bit high, and some teachers came to us and said, "Look. You're going to identify every kid who has to take the literacy part of the screener because they just don't have these skills in the beginning of kindergarten yet." They said, "You might as well just make the cutoff 20 and that's it."

What we did was we asked for recommendations and this is what came back to us in the field, was that score 4 and 6 in reading and writing. That seems reasonable enough to us. That stands to reason that that makes sense. If you feel that this is over-identifying students, then please let us know and give us some evidence and we can always revisit any kind of policy. For now, that's the way it is, and the fed requires that all four domains be administered. Again, we're not using all four domains, but we are administering all four domains to kindergarteners when they come in.

Will the English learner identification document on PDE be updated with the kindergarten flowchart filled out? It currently shows up without any information in the boxes. That sounds like a technical issue. I'm not sure why that is the case. I will look at it, but the last time I looked at that document, those boxes had information in them. It might be something on the user end.

I thought from the beginning of the year of kindergarteners, we only test listening and speaking. I answered that question.

We have always put every student who indicated another language on the HLS on the float list we maintain at each school. We record it if they qualified or did not qualify for EL support. The family interview document indicates that if screening is not necessary, they should not be put on the float list. Is that correct? Should they still be on the list to document that we addressed the other language indicated on the HLS? I'm not really sure how to answer this. If you complete that procedure, if at any point in the procedure it says that you do not need to continue then you can just take whatever portion of the procedure was completed and put it in the student's folder and you're all set.

Is SLIFE identification to occur only at registration of new students? That's a very good question. That is what's required. From now on, any new students enrolling in your district, you screen them for limited or interrupted formal education if necessary. We do encourage districts, if you wish, to go back and screen already enrolled student for SLIFE. Some districts, it may not make sense if you only have eight or nine students and your staff is fairly certain. They're telling you, "No, no, these student have limited schooling."

Other districts that might make sense. I'm thinking maybe of some larger urban or suburban districts with lots of students and you may have a large population of SLIFE students. It might be in your interest to identify those students. The reason is, especially with new accountability systems, the state has a lot more leverage to work with districts rather than being forced into particular kind of remedies if districts don't meet their targets. One of the first things that the state will do in any kind of monitoring activity is start to pull apart data and look for trends and look for root causes. Having a large population of SLIFE students is certainly the root cause of things. It is up to the local district, but we encourage you that if you suspect that you may have more than a few SLIFE students or a significant population of them, that you go back and screen currently enrolled students.

How do we go to the identification process for pre-K students enrolled in the LEA with HLS? The pre-K identification procedure goes over how to do that. It's not very prescriptive. It's not prescriptive like the K-12 identification procedure, mostly because there isn't an assessment that we can prescribe for these students. I believe that what it says in that procedure, and I can't quote it without looking at it right now, but I believe what it says, you base the determination of whether or not the students are, we call them dual language learners in pre-K, not English learners to make the distinction.

To identify a pre-K student as a dual language learner, you use whatever evidence you can get from the parent interview essentially and if you have any tests like the pre-LAS or pre-IEPT or something that you can use those if you have them, although it's not required. Essentially it is based on the HLS and the parent interview you're making a determination whether or not the student is a DLL.

If you are, again, there are no strict requirements about programming or program design for these students. The state only expects that if you do identify students as dual language learners in pre-K, in other words they're speaking another language other than English, that your teachers will be putting some supports in place. We don't prescribe what those supports should look like or how they should be implemented. Just that you are attending to the language needs of those students, which I suspect probably happens anyways. If a teacher has a student in front of them who's not speaking English, I'm sure it's just intuitive that the teacher is providing supports for that language.

It says that students left to enroll in schools in other countries. Many times, student leave for a month or two during a year and don't enroll in school where they go. Does leaving for another country and not going to school also count? I guess that's one of those areas where we're going to have to leave it to your judgment at the local level. This is based on

research that suggest that when students move from one school to the next, they lose a nonequivalent amount of educational time.

For example, if you move from Hempfield into Lancaster, the research seems to suggest that you could lose anywhere from three to six months of education by doing that, only because everyone is not on the same continuum and not teaching all the same things. You'll miss out on bits that were part of the academic continuum in the school that you left and you will have missed the parts of the instruction that were part of the continuum in the school where you showed up at and they don't match up perfectly.

What that criteria is getting at is if a student moves back and forth a lot, they're going to be missing education. Whether or not a student who leaves for a couple of months and is gone long enough to be disenrolled from their original district and then comes back, I can't really answer that. If your thought is that they were gone long enough and didn't go to school, they have missed a significant part of their education, hence it's going to be hard for them to pick back up then you could say yes. As you're doing these things, please take note because we will be reaching out to districts to find out how this is going. If you're finding that with questions like this, you might say, "Look. We have a lot of students who are not identifying because they're moving back and forth but they're only doing it for a month or two, but it really is impacting their education." We might take that into account and rethink this criteria next year.

What will be the PIMS code for it says SIFE, I think you meant SLIFE students? I believe the code ... I don't know for sure. You'll have to look in the PIMS manual, but I believe the code is 06. 01 is an active EL. I think 06 means active EL with limited schooling.

For the identification of SLIFE for decoding skills, what if the home language is Mandarin, Arabic, etc.? Can we use what the parents tell us of lack of schooling? The answer is yes, of course. We would like for you to make that determination based on the best evidence that you can get. If you have no way of determining what their numeracy skills are and say Arabic, then you can rely on their parents to explain it to you.

Districts can use the MODEL Screener for grades 1 to 12 and not the WIDA. I think what you meant was the WIDA Screener because the WIDA is a consortium. Yes, that's included in there.

If a student enters from another district and was identified as EL, but the HLS indicates no other languages, presumably I think you mean when they enroll in your district, the student is still EL. Correct? That's a question. Should the siblings be screened if no other language is listed? Again, this is information gathering. If the student was identified as an EL in a previous district then that is very strong, if not conclusive evidence that you should proceed with the identification procedure. You may not get to screening because maybe you'll find evidence of English proficiency in there somewhere. If you can't, then, yeah, you should get to screening with that student. Just because they list English on the HLS but you have other evidence suggesting that they, other great evidence, in other words, they were an EL, then you can use that evidence to justify continuation of the procedure.

What about students who are entering our district from elsewhere and have been in the ESL program for seven years or less than seven years but are far behind? This is a repeat of the answer before. One of the participants said a technical issue. You didn't hear my answer. The answer is in the accountability system, I'm not sure. Those policies have not been completely ironed out. One of the ways that we can handle it is to just let the student start over based on whatever their initial proficiency level is. Another way we could do it would be to roll their current classification into the new district. In other words, if they're one year behind, then that ... If they should have attained in the previous year then that district will get 0.75 points for that student and then 0.5 and then 0.25 if the student continues to stay and not attain. Again, we're just going to do whatever is most fair. The latter explanation I think is not all that fair.

I'm going to skip the rest of these questions for now because we are getting behind schedule here and I've got other stuff I need to get to. I'll come back and answer as many of them as I can, but for now, we're going to move on.

I'm just going to go over this quickly. This is not an instructional thing. This is just for reporting purposes. This year, you can organize your program however you'd like. In other words, you can, according to the BEC, the new language in the BEC gives districts a lot of flexibility for how they design a program, how they embed English language development, how it's being delivered, all that kind of thing. Regardless of how you do that, we need to classify districts in some ways so that the data makes sense later.

WIDA came up with this method a few years ago. They worked on it for a couple of years and they finally came up with this. This is posted again on our website so we ask that, this is also referenced in the PIMS manual, that as you're coding students by program, as you're identifying a program for a student that you use this procedure to arrive at one of the new categories. Essentially it's just asking these two questions. What's the goal of the program with respect to the kid's native language? What's the composition of the majority of the student's academic classes?

If you answer those questions and go through this flowchart, you will arrive at one of these program types. I suspect just based on previous data that the majority of the program types that we have in Pennsylvania are EL specific English only instruction or mixed classes with English only. Again, you can only select one program per student. I know in the past, there were eight or nine different categories and you could select more than one, which essentially made the data useless. You can't use data like that. What we need here is a clean set of data so that we can clearly disaggregate between students in these different kinds of programs.

Many different variations of programs will fit into one of these categories. These are not boxes within which you have to operate. It's just a way that once you've designed your program, you go back and answer these questions about your program and you make a determination of which one of these you're going to classify your program as for each student when you report them in PIMS. That's pretty straightforward. I'm going to skip time for questions on that one because I don't suspect there will be many. I'll try and come back to them. I want to get to the 2016/17 reclass.

This is the reclassification criteria that's in effect now. You remember earlier, I said if you go to our website, you will find all of the updated guidance and policies and everything with one exception. This is going to be the exception. When you go out there, you were going to see this reclassification criteria listed, the one that I'm showing you right now, because it is still in effect for about two more weeks. In October 1, this reclassification criteria is no longer in effect and the new one is, which I'll go over in just a minute. What's in effect now for the students who you're exiting right now based on last year's data is this criteria. They have to have an overall composite proficiency level of 5.

The second criteria is teacher recommendation, either from an ESL teacher or two content teachers, using the rubric that we give you in Appendix A of this criteria document, which essentially is a very simple rubric that says, are the student's language abilities in each of the domains on par with their native English speaking peers? It's yes or no. You can have writing sample that demonstrates proficiency at the Expanding level and speaking at the Bridging level as measured with the WIDA writing and speaking rubrics scored by an ESL teacher. One of those two things can be used to satisfy the second criteria. That's how you exit students.

The reason that's in effect is because in Pennsylvania, we realize that you get ACCESS scores back fairly late in the school year. Some schools can't make all their exit or reclassification determinations before the end of the year and so they do them at the beginning of the following year. For September, we're still dealing with kids who were being exited from last year. This is the exit criteria from last year. The reason that we had to put this into effect for this one year is because ESSA does not allow us to use measures of academic achievement in determinations to reclassify students from EL programs. Reason being your proficiency in math in theory has got very little or nothing to do with your proficiency in English and should not be used as a justification for keeping you in services designed to meet the needs of language development.

We added in the provision for reclassification of students with disabilities into the 2016/17 reclassification criteria. This is what it is. A lot of people have been using this. I've been getting lots of phone calls and emails about it. If a student has an IEP at the time, in other words right now when you're making the determination, if they have been continuously enrolled in the ESL bilingual ed program for at least four years and their overall composite proficiency level on ACCESS has not increased by more than 10% at any point or total over the three most recent testing cycles and the IEP team with input from the ESL teacher recommends that reclassification, then they can be reclassified.

To be very clear about the 10%, you're talking about three test scores. It cannot have gone up 10% from any one test to the next test. In other words, from test one to two or from two to three. It cannot have gone up 10% total from test one to test three. That's how that works. The reason that is like that is we're looking to see if the student has plateaued. In other words, if there is evidence that continued participation in the program is no longer producing measurable results for the student. If that score is going up then that is evidence that the participation in the program is helping and the student should continue. That's how that works.



Calculating 10% is different than 0.1 proficiency level also. That question came to me a couple of times actually. You want to calculate, is it a 10% change or not? If the student's score is going down, it doesn't count it. If it goes down 10% or 20%, that doesn't matter. It's only increases. It can't have increased more than 10%. That's for students who take the regular ACCESS.

For students who take the alternate ACCESS, they can be exited if they achieve a score of P2 two years in a row or they achieve the same score for three years in a row, whatever that score is. In other words, if it just plateaus and it's not going up, if it happens for three years in a row. The IEP team recommends the exit then the student can be exited. That's for kids taking the alternate ACCESS.

This question comes up a lot too. What if we had a student who took the regular ACCESS and then a year ago started taking the alternate ACCESS? The answer to that is there is no way to blend those two criteria. The kids got to meet one or the other unfortunately. If they switched taking the alternate, you're stuck for them taking the alternate for at least two years to see if they get a P2 and potentially longer. If they don't get a P2, then you're looking to see if they get the same score for three years in a row. That's just how we do that. We can't say, well, if they got not more than 10% on the ACCESS test but then they got a P2 or whatever, it's got to be one or the other. Unfortunately that's the answer to that question.

Before I move into this, let me take a quick second here and look at some questions before I move into the reclassification criteria that's going to take place now. If a student is an EL on another PA LEA then we don't have to rescreen, right? They should have an ACCESS score from the previous year and you can use that. No, you wouldn't have to rescreen if you use their previous ACCESS score. The bottom line with identification is it is the receiving district's responsibility to identify kids. If you're satisfied that the determination made in a previous district was good and you want to hang your hat on that, then that's fine, but it is a local responsibility.

It says I have a student whose parents refused services in the old district, never formally exited. When she came to us, she was not marked as an EL student and through information gathering, we only recently discovered this where we need to screen her and see if she needs to be reclassified. There's a little bit going on in that question there. Let me just say this. Again, I will reiterate this. If a student came from another district and they were not identified as an EL, it does not release you from your obligation to make a determination on your own. You have to make a determination. That determination might be based on evidence from another district, but it sounds like the student was an EL, and it says the parents opted out. That shouldn't make any difference.

Opting out is not the same as exiting. Opting out just means ... It's not even opting out. It's refusing services. Parents can refuse specialized separate services but they can't take the EL status off of their child. The child remains an EL, an active EL and takes the ACCESS test. Something may have gone wrong in the previous district if they misinterpreted that guidance about parent refusal. If they didn't and that student did in fact show up in your district as an active EL, what I would suggest to you is if you think that the student should have been identified as an EL then it's never too late to go back

and correct something that may not have gone right during the enrollment process. That's fine. Just go back and do whatever you've got to do now.

We did not get these slides. We'll make sure that you get them.

When it says instructions for providing in a student's native language, does this mean the EL teacher uses the student's native language or can it mean that instruction materials are provided in the student's native language? You're going to have to elaborate on that question for me in order for me to answer it, which we're probably not going to have time for today. If you're talking about the LIEP classification, there's a difference between bilingual programs where you're using the native language for instruction as well as support and where you're just supporting students with their native language where possible in mostly English environments. Again, just look at the questions on there. There can't be any hard and fast rules. We'll rely on you to make a judgment call in some cases, depending upon the nature of the use of that language.

What is LIEP? My apologies. That's a new acronym and I didn't even think to spell that out for you. It's got nothing to do with an IEP. It's just an unfortunate overlap. LIEP refers to essentially the student's ESL program. It means Language Instruction Educational Program. It's the term the fed has been using to describe the programs for ELs. The program that you have for your ELs is your LIEP. It is not related in any way to an individualized education plan.

The student's overall composite proficiency level score in the ACCESS for ELs has not increased by more than 10% any point total over the three most recent tests in cycles. Has PDE provided a tool to measure the above? I have nine ELs and just one high school level that meet all the criteria for the three classification; however, I believe a mathematical tool is need to make sure the calculations are correct according to the above, which is number three. It's a simple calculation. To calculate the difference between two numbers, you work out the difference and then divide the increase by the original number and multiply it by 100. That's how you make that calculation. I suppose we could probably provide an online calculator for that, but it's a pretty simple mathematical step. That's how it's done. You can google it. There's an explanation there for it I'm pretty sure right atop.

If a student has exited from special ed due to low IQ, can you still exit them for a lack of progress? Exiting from special ed due to low IQ. I'm not sure I understand that question. You can exit an EL with a disability from EL services based on the criteria that are outlined in the reclassification document and that is all. By reclassification, you mean they are no longer ELs. That's correct. Reclassification is the term that took the place of exiting. I don't know why people don't use exit anymore, but that's what it means.

Do students who take the alternate have to be enrolled in the program for four years? There are only two years to get the P2 scores. The criteria is there. Four years is not part of it. If they're taking the alternate ACCESS and they get P2 for two years, then they are eligible to exit at that time.

My email address, I'll say it to you right now and then I'll reply ... Actually I'll reply with my email address in here so everyone can see it. At least I'm trying to respond here. Send to all. My email address, I just put it into the chat window. It should show up there. I'm going to have to move on now to the new reclassification criteria.

This is what's going to go into effect starting October 1. In other words, for students who are going to exit the end of this school year, this is what's going to go into effect. We're going to be using the ACCESS score along with teacher recommendations. We reviewed this. This has been reviewed many, many dozens of times by many people. It's been through many iterations already and it was field tested in several large urban districts. We found that it works.

The design of this thing. We are in a world now where we cannot use any other academic achievement measures for decisions about exiting students. We're left with essentially one test or ACCESS test. You can't make high stakes decisions like exiting a student from the program based on a single test score. It's unsound. The question becomes what do we use? We decided to replace that with teacher input because there's an overwhelming desire on the part of teachers in the field to have a more significant role in these kinds of decisions for students. ESL teachers generally don't care for their students being reclassified or exited from the program, sometimes without their knowledge even and certainly without their input.

As practitioners who work with these students every day, really they should have a more important role in these really high stakes decisions that are being made for their students. They know them the best. They have been their teachers all year so they have more information than a test will produce. Tests, as good as they are, are limited. Actual interaction with a student can't be replaced with that. It's back in the loop now. We couldn't just say, well, we need a teacher recommendation because that's the Wild West. We need to standardize this in some way because the federal law requires that, that it be standardized and uniform.

I already mentioned that. Again, I already mentioned this. We're avoiding the use of a single summative assessment.

How do we standardize the teacher input? We did it with rubrics. I'll explain those in just one second. This slide that you're looking at here is what the new reclassification criteria is going to look like. This is it essentially. It's a very big document. The rubrics are in there. There's lots of forms. There's lots of explanation. This is essentially the heart of it.

It's based on a point system. What we do is we look at the student's ACCESS score and starting at score 4.5, we start assigning points based on how high their ACCESS score is. The higher your ACCESS score, the more points you get toward reaching a threshold which is 10.5. There are two rubrics, which must be filled out by both an ESL teacher and a content teacher or a group of content teachers working together. Lots of districts ask me, "Which content teacher and how do we select these teachers?" Our answer is select them based ... However you will. Select the teachers who you want to do this based on whatever criteria you want. That is a decision that you have to make at the local level. We can't make a policy about it."

They're going to complete these rubrics. I can't go into all the different scenarios but they're all laid out in the exit document. What about if a student only has one teacher in elementary and that's the ESL teacher also and no other teacher sees the student? We've got all the scenarios laid out in that document. I encourage you to read that. If you have questions then you can be in touch with us.

There are two rubrics. The first one is interaction, listening, speaking and reading. It's a simple low, moderate or high and there are criteria listed there. We created separate rubrics for kindergarten, first grade and then second grade and I think third and up. The next rubric is writing and there are different kinds of writing. The ESL teacher would fill up both of those rubrics and then add up the points. The content teacher would do the same thing. You'd add the content teacher and ESL teacher's points together and then add those to the ACCESS points and see, did the student reach the threshold? That's how it works.

When the kid's score exceeds a threshold, they can be considered for reclassification, however, again, we've left flexibility in there for districts. If after reaching the threshold and exceeding it, if there is some evidence that a teacher has that suggest the student should continue to participate in the program, districts are free to do that if they'd like.

I'm not going to go over this again. This is the exact same exit criteria for students who have disabilities or taking the alternate ACCESS.

The benefits of this system are: Teacher input reduces false positives and negatives. We know that and the research shows that. When we field tested this, it seemed to show that that would be the case. It promotes responsibility for language development with all teachers. It's something that we've been after for a very long time. If content teachers are going to have to start paying more attention to language then they're going to have to be more responsible for it, which is something we want. That's a good thing for students and for teachers. It promotes communication between ESL folks and their content counterparts because they'll probably going to be working together.

These rubrics don't need to be ... Teachers don't need to be doing individual observations at the end of year for all their kids to fill up these rubrics. The expectation is that they will have the rubrics ahead of time and get familiar with the content of them and then just be paying attention to their students throughout the year in terms of the criteria listed in the rubric. In theory, at the end of the year for most students in any case, a teacher would just be able to sit down and complete the rubrics for the students all at once. We're not requiring that they put together portfolios or anything like that. Just that whatever score they give the student is an honest evaluation of the student's performance and it's based on some evidence, although they don't have to compile all that evidence.

There are some challenges. It's going to require training. We're working very hard right now in training modules and training materials the districts can use and roll out to their teachers to help them get familiar with these rubrics and how to use them and what the policy expectations are for districts and teachers.

I wouldn't even call this a challenge, the next bullet here. The system has been challenged by some people saying, "Yeah, but this is subjective." I think the point is that it's subjective we want it to be ... We want there to be some subjectivity here that teachers are making a call, that they're making a judgment based on their experience with a student. It's based on some evidence and there's a rubric. No two people would interpret the language of a rubric exactly the same. That's why it will require some training so that you have some reliability built into it. However it is meant to be subjective in terms of how teachers apply the criteria.

That's it for that reclassification. I'm going to take a minute here. We've only got 15 minutes left. Let's see if there are any really pressing questions that I can answer later. There's a question here about monitoring. The ESSA law requires that the state identifies students as monitor year one, two, three and four. It used to be just two years. The state is not requiring the districts to actively monitor students for four years. Nothing is changing in terms of what you do for students and monitor status. You're still going to actively monitor them only for the two years. For that third and fourth year of monitoring, you're only reporting them to us as being monitored. You're not really actively monitoring them. In other words, checking on their progress and whatever else it is that you do for monitoring. That's not required. The actual work that's being done is the same. It's just you're reporting them for an additional two years.

Should districts conduct the reclassification with ESL and content teachers each year? I'm not sure what you meant by that. A content teacher, at least one content teacher for each EL has to complete those language rubrics. A district asked us once, can we have a group of our content teachers sit down and fill these up for their students because they might feel more comfortable doing it as a group because they have like an instructional team or an academic team or something, and the answer is yeah, that's fine. All those provisions are laid out in that document. Again I couldn't go over because we just don't have time to get to that level of detail. If you read through the document, I think it will answer a lot of your questions about those particular kinds of scenarios.

Now we're going to get back. I'll try and get back to these questions if we have time but I need to get through this. The BEC has been published since July 1st. There are some subtle but significant changes in it. The first part is it lays out the definition of ELD a little bit more clearly than has been done in the past because we're making a couple of shifts here. It says that it's a required component of all language instructional programs, the LIEPs. It has to take place daily throughout the day for ELs and it's delivered by both ESL teachers and non-ESL teachers.

ELD, English language development, can be delivered by an ESL teacher and have its own dedicated curriculum, which is something else that we're rolling out this year, or it can be delivered by ... It has to be delivered by all other teachers as well. The last BEC was a little bit simpler, but it also created some problems and it just had recommended hours and then districts were ... I think the districts felt like as long as they met those number of hours of presumably pullout ESL instruction that they were all set for their ELs and the other things were either not required or not important. That's probably not the case everywhere, but at least that is what was allowed under the language in the last BEC. There are no more recommended hours because we don't want to force districts

into an ESL pullout program. Frankly a policy cannot decide what's best for all EL students.

Districts have the flexibility to make instructional decisions based on their kids' needs. One level-three kid might need an hour of ESL pullout or half an hour of ESL pullout with its own dedicated curriculum. Whereas, another level-three student might not need that at all. You know your students. You have to make those decisions based on the students. I would suggest that if you're an administrator in a district that you make those decisions with input from your ESL teachers. It is not very sound practice to make those decisions based on resourcing or scheduling conflicts and things like that, but you have the flexibility to organize your program in any way you want.

Just know that ELD, English language development, is a required component of all the programs and it must be delivered throughout the day by everyone. Whether or not it's delivered also in a separate class by ESL teachers is dependent on the student and if they need that or not. For example, level one and level two students almost certainly need a certain amount of time in a separate ESL pullout with dedicated ELD curriculum delivered by an ESL teacher. Whereas, students at levels four and five may not need that. They might benefit best from content-embedded ELD delivered during their content courses. Our expectation at the state is that the content folks either have the ESL specialist certificate or they're working with an ESL teacher to make sure that they're planning appropriately for that.

I can't get into all the possible scenarios. There are just simply too many of them, but just know that you have the flexibility to design your program in ways that make sense for the kids, but that it really has to make sense for the kids. It cannot be based on resource restrictions and things like that. We're aware that that influences everything in a school, but what can't start happening is a district saying, well, we really need two or three more ESL teachers but we can't hire them so we're going to switch to this program but we're still fine because we're not required to do anything in particular. It's got to be the best thing that you can do for the kids based on their needs.

The right to refuse services. I'm just going to cover that briefly. That's contained in the BEC. Parents have a right to refuse specialized, separate services for their students. In other words, like an ESL pullout class or an ESL tutoring after school or summer school or lunchtime ESL tutoring. If it is only for ELs and it is separate from the regular academic program, then they can refuse that. If, for example, students are in a science class and it's a mixed class with ELs and non-ELs but the teacher is sheltering the content so it's like an EL science class, the parents can't refuse that because there are non-ELs in that class and that their kid could have been scheduled for that class anyways.

It's only specialized, separate things for ELs. That's what parents can refuse. They can pick and choose which parts they want to refuse. They might say, "I don't want my student to be in this ESL class during the daytime but I do want them to participate in the after-school EL tutoring or vice versa or whatever." Districts are only required to explain the program to parents and explain that they have the right to refuse all or part of it and then allow them to make that decision. Districts are required to give parents a program

description, to provide some evidence of the program's effectiveness and explain the benefits for the child of participating in the program then let parents decide.

It is not legal to make that decision contingent on anything like if you ... Our ESL program is at school X across town. If the parent says, "Well, I want my student to go to their home school," it's not okay for the district to say, well, sure, you can go to the home school but you have to opt out or refuse services. That's not legal. The district has to say, "Okay. That's fine. Your student can go to the home school. We'll provide a program for your student at this school." It has to be voluntary and informs the decision by parents.

The BEC lays out some rules for replacing ELA with separate ELD instruction. Generally this can't be done. You can't give students, and this is only in high school because it doesn't really matter in elementary and middle, but you can't give students an ELA credit for an ESL course unless, and the only circumstance that's possible is if the ESL class is exactly the same curriculum or essentially the same curriculum as an ELA course, just taught differently. In that case, it's not really an ESL class. It's a sheltered ELA class. The reason being is ESL is a separate curriculum. It is not an ELA curriculum. It is different and separate. To give kids an ELA credit for that is not fair because the expectations are skewed from what they probably were taught.

We'll move forward here. If ELs are in a class with non-ELs, they should be given the same kind of grade that non-ELs get. If non-ELs are getting an A through F grade, that's what ELs should get. It's not okay to use a pass/fail in a science class where the other students are getting an A through F. That's a matter of making sure that your assessments are accommodated and modified properly so that you can validly measure what students are learning. If you are able to do that, then you should be able to provide a grade.

If ELs are in a separate ESL class, you can use whatever grading system you like. It's just that ELs can't be treated different than other students in the same kind of context.

A lot of schools thought that it was not okay to put ESL or modified curriculum or anything on a report card. That's not true. It's perfectly fine to do that. In fact, you should be doing that because that's information parents need in order for them to understand what those grades mean. It is not okay for you to put ESL on a student's transcript if it's just needless. That's just not helpful information.

Just to be very clear, putting that information on a student's report card is not discriminating against that student. If another organization or agency or person decides to use that information in a way that disadvantages that student, that's discrimination, but you didn't cause it by putting it on the report card. We're aware that you might feel like you're setting students up for discrimination, but at the same time, you got to realize that parents need information to understand their student's education. If they see an A, an ELA class and have an expectation about what that means, that's wrong or is inaccurate because the curriculum was heavily modified or the assessment was modified or something, then it's not fair for the parent because now they don't have information that they actually need.

Generally speaking, if you're teaching ESL pullout and you're giving a grade only for ESL, which is like an elective grade or maybe it's something that is not a content area, you have to have the ESL specialist certificate. If you're giving a grade for let's say math or science or ELA even, you need that instruction on one or two certificate, math or science or ELA. If you don't have it, you can't teach that course or give a grade for it. Teacher certification has said that if you want to teach just ESL like an ESL pullout class or do ESL support, you can do that out of your primary instructional grade band. If you have an elementary cert, you could teach ESL at middle or high school or support students with ESL but you're not allowed to teach any other courses or give a grade for anything else. Again, that's laid out pretty explicitly in the BEC.

Just FYI, the reclass and identification documents are not in the BEC. They're referenced by the BEC. This is the professional development.

We wrap this up here four minutes before 3:00 by my clock. I'll get through a couple of questions here and then we'll have to wrap this up. What I'm going to do because there were a lot of questions is I'm going to save these questions. We always do. For the folks who are registered, I think what we'll do is we'll send you out a notes page with answers to some of the questions I couldn't get to, even for some of those that we can collapse from what you've submitted today. Let me just take a look.

The rubrics for reclassification are contained in the document, the reclassification document. That will go up on October 1. Fear not, you'll see it up on the website on October 1.

The correct term for teachers of ELs is an ESL teacher, an ELL teacher or any EL specialist or whatever you like. I don't think that the fed or the state has come up with one that they really love or in love with on that one. You can use whatever you want.

The best way to communicate with current parents that they have the right to opt out is during their annual notification. In most districts, what they do is they put a simple line in there and it says you have a right to refuse ... I forget the exact language, but you have a right to refuse these specialized, separate services. If you'd like to exercise this right or you'd like more information, please contact the school. They wait for parents to contact them and then they give them all the program information and everything else. In that way, they can avoid having to talk to all the parents about all that information at once.

Can ESL be listed in the course name at the secondary level? Yes, it can. You can list that as a course name. If that's what the course is, that's perfectly fine.

How does the state propose that we meet the ELA credit needs of high school newcomers who need three to four hours of ESL a day and have no English literacy? It is not meeting the needs of that student to place them in a non-EL, ELA class or even to teach them the sheltered ELA curriculum when they have so many more pressing needs. As is the case with anything, you just have to do what you can. I taught in programs like this. The first thing I know, when you get students enrolling in 11th grade who haven't been to school for six years, they are not going to graduate. They are not going to rack up enough credits to graduate before they turn 21. It's just not possible.



What you do is you teach them in the most efficient way possible. You meet their needs wherever they're at and you move them along like that. That's the best answer I can give you.

There is no special way to remedy that issue. It's not a "problem" that can be solved. There isn't something you can do that will give these kids enough ELA credits to graduate on time when they don't have the time or they gap that they've got to fill is just so great. You fill the gap from wherever they're at and you go from there.

Thank you very much. That's a nice one. You're welcome. I think I'll answer one more and then we'll knock off here. Can an ESL teacher be the teacher of record for a content English class if they're a certified English teacher? Yes. If you're a certified English teacher then you can be the teacher of record for an English class. I would caution you though. If you're giving an ELA credit to ELs who participate in that class, make sure that it is the ELA curriculum that you teach for the other non-ELs. It shouldn't be different. It should be aligned to the same content standards if you're going to give an ELA credit. That's the trick because that ELA credit signals to anyone who's looking at that that students have presumably met those content standards. If they were not taught those standards, that's unfair to the students and whoever is looking at it later.

Like I said, thank you so much for your attention. We went through a lot of information here. I apologize we couldn't get to all the questions. I think we got to most of them. I will take the questions from this chat window and export them and then I will go about answering those and in the next week or two, we will send out a notes page from this webinar to everyone who was registered. You hopefully will get answers to those questions then. Thank you so much for your attention today and have a great rest of the week.