

## **English Learner Teacher of Record FAQ**

The following are frequently asked questions regarding the English Learner Teacher of Record (ToR) requirements. Please review the initial memo and accompanying guidance (Meeting EL ToR Requirements; EL ToR Responsibilities; EL ToR Reporting) for in-depth information.

It is important to note that recent Office of Civil Rights findings have cited that all English learner students are required to receive English language development services at least 30-45 minutes per day, 4-5 days a week in frequency and duration beyond standard English Language Arts instruction. To learn more about federal requirements for English learners, please see the [IDOE EL Guidebook](#), and the video modules of [EL101](#).

### **General FAQ:**

#### **1) My district does not have any English Learners, what are my requirements?**

The local education agency (LEA) needs to ensure it has a plan to serve future English learners (ELs) that may enroll in the district through a qualified EL teacher. Per Section 1112 of ESSA, an LEA must enroll an identified English learner in EL services within 30 days of the beginning of the school year, or within 2 weeks if enrolling during the middle of the year. Since over 90% of all Indiana LEAs have at least one EL enrolled, a district or charter with zero current ELs is highly likely to receive an EL in the near future. An LEA with zero currently enrolled ELs must not wait to identify at least one teacher in the district to meet the EL ToR requirements, as the timelines above will not be reasonably met if the LEA waits to develop a service delivery plan after an EL enrolls.

#### **2) An EL ToR for our district has left mid-school year. What are our obligations and options?**

The LEA must provide evidence that they have taken action to replace the position with a qualified EL Teacher of Record within a reasonable period of time, just like the LEA would if a 4th grade teacher or a high school math teacher left. Even with a small number of identified ELs, the LEA should maintain two or more teachers who are qualified to serve as the EL ToR to ensure that services are continued in an appropriate manner while replacement staff are hired.

**3) A classroom teacher was previously providing English Language Development via a Sheltered Instruction model after being properly trained (i.e. the SIOP model). Is this no longer valid?**

This teacher may continue to provide English language development instruction, but can not serve as the teacher of record unless the qualifications of the ENL license or rubric are met. Although in-service training for classroom teachers of ELs, such as through the sheltered instruction model, are beneficial to provide in order to better meet the students' needs, this training alone does not compare to the rigor required of full ENL licensure.

**4) All of the EL teachers in the district had been previously considered qualified by receiving ongoing professional development in language acquisition. What type of flexibility do we have in transitioning to the new requirements?**

The state maintains ENL licensure, with program coursework and teacher licensure exams, that meet the definition of "sufficient frequency and duration." A district by district decision about the training needed to serve ELs would vary greatly, which is why LEAs need to rely upon the state licensure requirements like all other areas that have certification.

**5) I have one qualified EL ToR in my building, and other EL teachers who do not meet the requirement. Can the one qualified EL ToR oversee the other EL teachers without those teachers also having to meet the EL ToR requirements?**

In order to comply with requirements under *Castañeda v. Pickard* (1981), requiring that EL programs be staffed in a way "reasonably calculated to implement effectively," IDOE recommends that the EL Teacher of Record caseload not exceed thirty English learners. The other EL teachers should begin working towards attaining ENL licensure or meeting the requirements of the Indiana EL Teacher of Record Rubric to ensure compliance. In the meantime, the qualified ToR may collaborate with those teachers in order to ensure that all students are receiving proper ELD instruction in compliance with federal civil rights law.

**6) My LEA has a very low EL population; the neighboring LEA also has a very low EL population. Could we share one EL ToR to provide services?**

If the EL ToR can meet all the requirements under IDOE's [English Learner Teacher of Record Responsibilities](#) *Castañeda v. Pickard* (1981) for all students at both LEAs, then the teacher may be split across more than one LEA serving as the EL ToR. Two or more LEAs may wish to

develop a cooperative agreement to share the costs of providing the EL ToR when the incidence rate in each district is very low, similar to how LEAs share costs related to the provision of special education services. However, each EL still must be provided with robust services, so the sharing of cost should not greatly diminish the rate in which services are provided (e.g. at least 30 minutes per day, 4-5 days a week of English language development for all English learners).

### **EL ToR Rubric FAQ:**

#### **7) What universities offer the appropriate coursework to complete EL ToR Rubric?**

The IDOE Division of Licensing maintains a list of all [approved educator preparation programs](#) in the state, which includes those offering coursework required to attain the Indiana English as a New Language Professional Educator License. IDOE intends to release a Request for Proposal (RFP) to partner with Institution(s) of Higher Education to help offset the cost of coursework for educators working toward attaining licensure or meeting the Second Language Acquisition Coursework Indicator on the EL ToR Rubric.

#### **8) How long do I have to complete the required coursework to meet the requirements of the EL ToR Rubric and remain in compliance?**

All requirements of the EL Teacher of Record Rubric must be met and documented by the educator and a supervising administrator on or before September 1, 2022. After meeting the requirements of the EL ToR Rubric, an educator who maintains a valid Indiana Professional Educator License will remain qualified to act as EL Teacher of Record.

#### **9) When do I need to start collecting and reporting evidence of progress of the EL ToR Rubric?**

The IDOE will require that the LEAs submit evidence of candidate EL ToRs completing the EL ToR Rubric by September 2020. The evidence will be submitted on the LEA's Lau plan, which is annually submitted to IDOE to describe the LEA's service delivery model for EL services.

#### **10) Do years as an EL teacher in another state count toward the EL ToR Rubric?**

Yes, years of experience as an EL teacher in another state count toward the "Years of Teaching Experience serving as the EL Teacher" Indicator on the EL ToR Rubric.

## ENL Licensure FAQ

### **11) What are the requirements to earn an ENL license?**

The requirements vary by university, but the state requires ENL candidates to complete the ENL coursework and pass the licensure exam in ENL in order to become certified.

### **12) What universities offer the appropriate coursework to complete ENL licensure?**

The IDOE Division of Licensing maintains a list of all [approved educator preparation programs](#) in the state, which includes those offering coursework required to attain the Indiana English as a New Language Professional Educator License.

### **13) I have just enrolled in coursework to attain ENL licensure. How long do I have to complete the coursework while also remaining in compliance?**

The EL ToR must either have ENL licensure or meet the requirements of the rubric on or before September 1, 2022. If the teacher does not meet either by that date, then the individual must apply for an emergency license for ENL through the IDOE, and make appropriate progress each year of the emergency license in order to renew it (e.g. two ENL classes, or sit for the ENL exam) in order to serve as the EL ToR.

### **14) How can a district/school fund this coursework?**

LEAs may be able to use Title IA, IIA, IIIA, IVA, and Non-English Speaking Program (NESP) funds to support teachers in completing coursework. IDOE intends to release a Request for Proposals (RFP) to partner with an Institution of Higher Education to help offset the cost of coursework for educators working toward attaining licensure or meeting the Second Language Acquisition Coursework Indicator on the EL ToR Rubric. The time and effort to provide the English language development services, including the cost of the EL teacher(s), must still be funded through local or state funding, such as tuition support and NESP.

### **15) What if my EL teacher has a valid ENL license or an equivalent from another state?**

Indiana maintains reciprocity with several other states, in which IDOE honors other states' licensure requirements if they are similar to Indiana's requirements. For more information, visit here: <https://www.doe.in.gov/licensing/teacher>.