

CHAPTER 2

ESSA
UPDATE
INCLUDED*

TOOLS AND RESOURCES FOR PROVIDING ENGLISH LEARNERS WITH A LANGUAGE ASSISTANCE PROGRAM

This is the second chapter of the *English Learner Tool Kit*, which is intended to help state and local education agencies (SEAs and LEAs) meet their obligations to English Learners (ELs). This tool kit should be read in conjunction with the U.S. Department of Education Office for Civil Rights' (OCR) and the U.S. Department of Justice's (DOJ) Dear Colleague Letter on "English Learner Students and Limited English Proficient Parents," published in January 2015, which outlines SEAs' and LEAs' legal obligations to ELs under civil rights laws and other federal requirements. The Dear Colleague Letter can be found at <http://www2.ed.gov/about/offices/list/ocr/ellresources.html>.

PROVIDING ENGLISH LEARNERS WITH A LANGUAGE ASSISTANCE PROGRAM

KEY POINTS

- EL services and programs must be educationally sound in theory and effective in practice.
- EL programs must be designed to enable ELs to attain both English proficiency and parity of participation in the standard instructional program within a reasonable length of time.
- LEAs must offer EL services and programs, until ELs are proficient in English and can participate meaningfully in educational programs without EL support.
- Additionally, LEAs must provide appropriate special education services to ELs with disabilities who are found to be eligible for special education and related services.



After ELs have been identified using a valid and reliable English language proficiency (ELP) assessment, LEAs must provide ELs with appropriate language assistance services and programs, commonly known as "EL services and programs." LEAs must also provide special education services to ELs who have been identified as children with disabilities under the *Individuals with Disabilities Education Act (IDEA)* or as qualified students with disabilities under *Section 504 of the Rehabilitation Act of 1973 (Section 504)*. Meeting the needs of ELs with disabilities will be discussed in depth in Chapter 6 of the EL Tool Kit.

LEAs have the flexibility to choose the EL services and programs that meet civil rights requirements and best meet the needs of their EL population. Appropriate EL services and programs enable ELs to attain both English proficiency and parity of participation in the standard instructional program within a reasonable amount of time. LEAs must offer appropriate EL services until ELs are proficient in English and can participate meaningfully in educational programs without EL support. This includes continuing to provide EL services to ELs at the highest levels of English proficiency until they have exited from EL services and programs.

*This chapter has been updated to reflect changes to the *Elementary and Secondary Education Act (ESEA)*, as amended by the *Every Student Succeeds Act of 2015 (ESSA)*. The U.S. Department of Education has released a non-regulatory guidance (NRG) about ELs and *Title III of the ESEA* that is available at <http://www2.ed.gov/policy/elsec/leg/essa/essatitleiiiinguidenglishlearners92016.pdf>. The text of *ESEA*, as amended by *ESSA*, can be found at <http://www2.ed.gov/documents/essa-act-of-1965.pdf>.

You can access **Tools and Resources for Providing ELs with a Language Assistance Program** at <http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html>.

To determine which EL services and programs are best suited for a student identified as an EL, LEAs must consider the student's (1) English proficiency level, (2) grade level, and (3) educational background, as well as (4) language background for bilingual programs. Other child-centered factors that LEAs may consider include the student's native language literacy; acculturation into U.S. society; and age he or she entered the United States. LEAs must ensure that qualified teachers provide EL services and it is important for school personnel to understand and address these factors.

LEAs should apply the same standards that OCR and DOJ apply when evaluating whether their chosen EL services and programs meet civil rights requirements. These standards, established in *Castañeda v. Pickard*, include a three-pronged test: First, is the program based on an educational theory recognized as sound by some experts in the field or considered a legitimate experimental strategy? Second, are the programs and practices (including resources and personnel) reasonably calculated to implement this theory effectively? Third, does the program succeed in producing results indicating that students' language barriers are being overcome within a reasonable period of time?

Some common EL programs considered educationally sound in theory under the first prong include: (1) English as a Second Language (ESL) or English Language Development (ELD); (2) Structured English Immersion (SEI); (3) Transitional Bilingual Education (TBE) or Early-Exit Bilingual Education; and (4) Dual Language or Two-Way Immersion. The first two programs are usually taught in English, and the latter two are taught both in English and in the EL's primary language.

Additionally, for new arrivals and students with interrupted formal education (SIFE), LEAs may establish newcomer programs. These programs offer specialized services and classes to help these students acclimate to U.S. schools, develop foundational skills in content areas (e.g., basic literacy and math concepts), and prepare them for the program options above. Newcomer programs are short-term, typically lasting no longer than one year.

Finally, there is increased focus on the large number of ELs who, despite many years in US schools, are still not proficient in English. These students are often referred to as Long Term English Learners (LTELs). To ensure that LEAs have selected and implemented EL services and

programs that succeed within a reasonable period of time, LEAs should monitor the progress of ELs and adjust EL services and programs to ensure that students are making expected progress.

ESSA UPDATE

While the *ESEA*, as amended by *ESSA*, does not give a definition of a "long-term English learner," Section 3121(a)(6) mandates a report every two years of the number and percentage of "ELs who have not yet attained English language proficiency within five years." For more information, see Section I of the NRG (U.S. Department of Education, Office of Elementary and Secondary Education, 2016, p. 38).

The following checklist is intended to assist with providing appropriate EL services and programs. The checklist provides suggested questions only. LEAs should check their SEA's policies and federal guidance to ensure compliance.

- ★ On which educational theory are the EL services and program options based?
- ★ What are the resources needed to effectively implement the chosen program?
- ★ Does the school have qualified staff to implement the chosen program?
- ★ How are placement in a particular EL program and the provision of EL services informed by a student's English proficiency level, grade level, and educational and language backgrounds?
- ★ Are EL services and programs provided to all eligible ELs, regardless of scheduling conflicts, grade, disability, or native language?
- ★ Does the chosen EL program include instruction aligned to the state ELP standards and grade-level content standards?
- ★ Do the EL services and programs provide ELs in all grades with equal opportunities to participate meaningfully and equally in all of the schools' curricular and extracurricular programs?

- ★ Are EL services and programs designed to provide more intensive instruction for ELs who are the least proficient in English?
- ★ Are ELs at the highest levels of ELP continuing to receive EL services until they have exited from EL services and programs?
- ★ Are there additional EL services and programs available for ELs who have not made expected progress despite extended enrollment in the EL program (i.e. LTELs)?
- ★ What criteria is the LEA using to evaluate its program and determine if it is meeting its goals?
For example:
 - a. Are there processes and criteria in place to monitor ELs in and across programs in both academic content and ELP?
 - b. Is there a process for modifying or replacing the EL program if data shows that students are not making expected progress within a reasonable period of time?
 - c. Is there a process for monitoring ELs after exiting the program?



PROVIDING ENGLISH LEARNERS WITH A LANGUAGE ASSISTANCE PROGRAM

TOOLS

The U.S. Department of Education does not mandate or prescribe particular curricula, lesson plans, assessments, or other instruments in this tool kit. This tool kit contains examples of, adaptations of, and links to resources created and maintained by other public and private organizations. This information is provided for the reader's convenience and is included here to offer examples of the many resources that educators, parents, advocates, administrators, and other interested parties may find helpful and use at their discretion. The U.S. Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Further, the inclusion of links to items does not reflect their importance, nor is it intended to endorse any views expressed, or materials provided.

The following set of tools is intended to help schools, LEAs, and SEAs in providing ELs with appropriate language assistance services and programs, commonly known as “EL services and programs,” and sometimes referred to as “language instruction education programs (LIEPs).” The tools give examples of how schools can understand the individual needs of students, identify the needs of subgroups of students, and apply systemic considerations when determining what EL services and programs they should offer.

Tool #1, Guiding Questions to Learn About Your EL Population, can help schools/LEAs learn important information about their ELs.

Tool #2, Long Term English Learners, provides a checklist for schools and LEAs to address the needs of this particular group of ELs.

Tool #3, Research-Based Considerations, offers broad-based considerations for EL services and programs.

Tool #4, English Learner Program Chart, gives a brief overview of some EL programs.



The EL Tool Kit contains examples of, adaptations of, and links to resources created and maintained by other public and private organizations. This information is provided for the reader's convenience and is included here to offer examples of the many resources that educators, parents, advocates, administrators, and other interested parties may find helpful and use at their discretion. The U.S. Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Further, the inclusion of links to items does not reflect their importance, nor is it intended to endorse any views expressed, or materials provided.

TOOL #1

GUIDING QUESTIONS TO LEARN ABOUT YOUR EL POPULATION

In order to select or create an appropriate EL program model, it is necessary to understand the local EL population. To help do this, the Education Alliance at Brown University's 2003 publication *Claiming Opportunities: A Handbook for Improving Education for English Language Learners Through Comprehensive School Reform* provides a "Student Population Discussion Tool." This set of ten questions, listed below, can assist schools or LEAs in discussing and learning about their EL populations, and help teachers frame these discussions. Organizations may add to or modify these questions to obtain more information about various sub-populations, including ELs with disabilities.

STUDENT POPULATION DISCUSSION TOOL

1. How many or what percentage of students in the school have a home language other than English?
2. What languages are spoken in their homes?
3. What places of origin are represented?
4. Are students from urban or rural backgrounds?
5. What community organizations represent various groups?
6. What educational backgrounds are represented? (Continuous or interrupted prior schooling, no prior schooling, schooling in home country, rural or urban schooling, preschool, kindergarten?)
7. Are some students literate in another language?
8. Are ELs the subject of many disciplinary referrals or actions in your school?
9. How many or what percentage of students in the school are actually classified as EL?
 - How many students currently receive language services?
 - How are these students distributed across grade levels?
 - What are their levels of English proficiency?
 - What language services do ELs currently receive?
 - In what types of classrooms do they receive literacy and content instruction?
 - What are these ELs' academic strengths and weaknesses? (What is the evidence?)
10. How many students (for whom English is a second language) have met exiting criteria and are now classified as "English proficient"?
 - How are these students distributed across grade levels?
 - What services, such as monitoring or transitional support, do exited ELs currently receive?
 - How do they perform in mainstream classes? (What is the evidence?)
 - What are their academic strengths and weaknesses? (What is the evidence?)

Source: Vialpando, J., Yedlin, J., Linse, C., Harrington, M., & Cannon, G. (2005). *Educating English language learners: Implementing instructional practices*. Washington, DC: National Council of La Raza. Retrieved from http://www.brown.edu/academics/education-alliance/sites/brown.edu/academics/education-alliance/files/publications/edells_impinstprct.pdf

The EL Tool Kit contains examples of, adaptations of, and links to resources created and maintained by other public and private organizations. This information is provided for the reader's convenience and is included here to offer examples of the many resources that educators, parents, advocates, administrators, and other interested parties may find helpful and use at their discretion. The U.S. Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Further, the inclusion of links to items does not reflect their importance, nor is it intended to endorse any views expressed, or materials provided.

TOOL #2

LONG TERM ENGLISH LEARNERS

The following checklist has been reprinted with permission from Californians Together, a statewide group of parents, teachers, educators, and civil rights leaders promoting equal access to quality education for all children. It is taken from *Reparable Harm: Fulfilling the Unkept Promise of Educational Opportunity for California's Long Term English Learners* by Laurie Olsen. Though it references the California English Language Development Test (CELDT) and the California Standards Tests, the checklist can be adapted and used to address the needs of LTELs in other states.

A DISTRICT CHECKLIST

STEPS FOR ADDRESSING THE NEEDS OF LONG TERM ENGLISH LEARNERS

District and school leadership should be knowledgeable about the diversity of the EL enrollment (typologies) and understand the implications of that diversity for program design, program implementation and instructional practices. District systems should be created to prevent the development of Long Term English Learners and serving those Long Term English Learners who are enrolled in secondary schools across the district.

A district addressing the needs of Long Term English Learners should have the following in place:

- ★ We have a formal definition for Long Term English Learners.
- ★ We have designated annual benchmark expectations for English Learners by number of years in United States schools and by progress towards English proficiency.
- ★ We have conducted our own inquiry (including analysis of data, student interviews, and focus groups, review of cumulative file histories, and classroom observations) to develop a deeper understanding of our own Long Term English Learner population.
- ★ We have an English Learner Master Plan that includes descriptions of research based program models for different typologies of English Learners, including a designated program and pathway for Long Term English Learners.
- ★ Site and district leadership are knowledgeable about the diversity of the English Learner enrollment in our district, including the different needs of newcomer students, normatively progressing English Learners, and Long Term English Learners.
- ★ Our data system enables us to analyze English Learner achievement data by length of time in United States schools and by English proficiency levels.
- ★ We can analyze data longitudinally to assess issues of program consistency and long-term program impact for our English Learners.
- ★ We regularly disaggregate English Learner data by length of time in the United States and English proficiency level and review that data to inform and trigger district planning.
- ★ We identify “Long Term English Learner candidates” in fourth grade and develop a catch up and program consistency plan for those students.
- ★ At the secondary school level, we have specially designed English Language Development (ELD) to focus on the unique needs of Long Term English Learners, including academic language and writing.

You can access **Tools and Resources for Providing ELs with a Language Assistance Program** at <http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html>.

The EL Tool Kit contains examples of, adaptations of, and links to resources created and maintained by other public and private organizations. This information is provided for the reader's convenience and is included here to offer examples of the many resources that educators, parents, advocates, administrators, and other interested parties may find helpful and use at their discretion. The U.S. Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Further, the inclusion of links to items does not reflect their importance, nor is it intended to endorse any views expressed, or materials provided.

TOOL #2: LONG TERM ENGLISH LEARNERS (CONTINUED)

- ★ At the secondary school level, Long Term English Learners are in classes with high quality SDAIE [Specially Designed Academic Instruction in English] instruction in clusters within rigorous classes along with English fluent students.
- ★ Our programs at the elementary, middle and high schools support the development of students' native language to threshold levels of rich oral language and literacy—and students have the opportunity to develop their native language through Advanced Placement levels.
- ★ Our elementary school programs are research-based and we use the most powerful models of English Learner language development. The district monitors and ensures these are well-implemented with consistency.
- ★ We hold meetings, publish materials, and fully expect that all administrators, teachers, English Learner students, and their parents know about and understand the reclassification criteria.
- ★ We report annually to English Learner parents on: their child's status compared to the number of years that research indicates English Learners need to achieve English proficiency and compared to district expectations. These reports include longitudinal test data for their child including the CELDT initial score and date, plus all subsequent CELDT proficiency levels, as well as scores on the California Standards Test in English Language Arts and Math for the three most recent years, and yearly benchmark growth targets for English Learners based on the California Standards Test and CELDT by years of United States schooling.
- ★ The district has adopted and purchased English Language Development materials and our teachers have received professional development in their use.
- ★ Our Long Term English Learners are knowledgeable about the purposes of the CELDT and implications of their CELDT scores. They know what they need to do in order to reach reclassification criteria.
- ★ We calendar the CELDT with sufficient advance notice so sites can protect the testing window and ensure supportive conditions for testing. Students are tested by their English teachers and the district provides subs and release time to enable teachers to do the testing.
- ★ Professional development and collaborative planning time for teachers of classes with Long Term English Learners is a high priority for the use of professional development funds.
- ★ We assign the most experienced and most prepared teachers to the classrooms and sites with the highest need.
- ★ We monitor student schedules and class schedules to ensure that English Learners have access to the full curriculum.
- ★ We provide supplementary materials and relevant literature for academic classes with Long Term English Learners in order to enhance access, engagement, and academic success.
- ★ Our secondary school counselors have received professional development in appropriate placements and monitoring for Long Term English Learners, and work together with district/site English Learner Coordinators in developing each individual English Learner's schedule and in planning the school master schedule to facilitate flexible and accelerated progress.

Source: Olsen, L. (2010). *Reparable harm: Fulfilling the unkept promise of educational opportunity for California's Long Term English Learners*. Long Beach, CA: Californians Together. Retrieved from www.californianstogether.org/docs/download.aspx?fileId=227

The EL Tool Kit contains examples of, adaptations of, and links to resources created and maintained by other public and private organizations. This information is provided for the reader's convenience and is included here to offer examples of the many resources that educators, parents, advocates, administrators, and other interested parties may find helpful and use at their discretion. The U.S. Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Further, the inclusion of links to items does not reflect their importance, nor is it intended to endorse any views expressed, or materials provided.

TOOL #3

RESEARCH-BASED CONSIDERATIONS

The following excerpt, “Conclusions and Recommendations,” from the report *Succeeding with English Language Learners: Lessons Learned from the Great City Schools*, has been reprinted with permission from the Council of the Great City Schools. The document is an open-source document made available to Users by the Attribution-NoDerivs CC BY-ND license <http://creativecommons.org/licenses/by-nd/4.0/>. This license allows redistribution, commercial and non-commercial, as long as it is passed along unchanged and in whole, with credit to the Council of the Great City Schools. As such, the excerpt below is unchanged. It uses the term “English Language Learner (ELL)” to refer to students otherwise referred to as “ELs” in the EL Tool Kit.

CONCLUSIONS AND RECOMMENDATIONS

Despite the diversity of the districts profiled in this study, a fairly consistent picture emerged of the preconditions and practices that existed in improving districts. These strategies for improving ELL achievement closely mirrored those identified in *Foundations for Success* as having contributed to districts’ efforts to improve teaching and learning for all students. However, such across-the-board district reform efforts do not automatically or inevitably lead to high quality ELL programming. Districts that saw improvement of their ELL instructional program—and of ELL student achievement—demonstrated the capacity and political will to explicitly address the academic needs of English Language Learners.

While no school or school district has found a way to meet every student’s needs and to close the gap between ELLs and native English speakers, clearly some districts are setting higher standards for all of their students and making progress toward these goals. Based on what we have learned from their experiences and approaches to reform, several broad-based recommendations can be made to help district leaders think about ELL program reform efforts in their own cities. These recommendations fall into two broad categories: context and strategy.

CONTEXTUAL RECOMMENDATIONS

It was clear from the results of this study that improving the academic achievement of English language learners involved more than instructional strategy and traditional bilingual education models. It also meant creating an environment conducive to implementing and sustaining districtwide reform efforts. To create these preconditions for progress, the Council would propose that districts—

- ★ Develop a clear instructional vision and high expectations for ELLs. This means being clear about academic goals for these students, communicating these goals emphatically to stakeholders in the district, and ensuring that ELLs are held to the same high standards as other students throughout the district.
- ★ Approach external pressure to improve services for ELLs and other students as an asset rather than a liability. Rather than addressing state or court directives defensively or adopting measures aimed solely at ensuring legal compliance, external requirements should be approached as mandates for long-term, systemic reform efforts to raise student achievement.
- ★ Incorporate accountability for ELLs organizationally into the broader instructional operation of the school district. This entails being clear at the leadership level that everyone is accountable for the academic attainment of these students—not simply ELL teachers and ELL department staff. This not only spurs collaboration, but it provides greater assurance that these students have broader and fuller access to the general education curriculum and resources.

The EL Tool Kit contains examples of, adaptations of, and links to resources created and maintained by other public and private organizations. This information is provided for the reader's convenience and is included here to offer examples of the many resources that educators, parents, advocates, administrators, and other interested parties may find helpful and use at their discretion. The U.S. Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Further, the inclusion of links to items does not reflect their importance, nor is it intended to endorse any views expressed, or materials provided.

TOOL #3: RESEARCH-BASED CONSIDERATIONS (CONTINUED)

- ★ Empower strong ELL program administrators to oversee progress. Prioritizing ELL reform also means appointing and empowering someone in the district to serve as a “point person” on ELL issues. In improving districts, the office of ELLs and its director were included in the highest levels of decision making and given the authority to oversee implementation of the district’s strategy for ELL reform.
- ★ Pursue community support for initiatives designed to accelerate achievement among English language learners. Having the community behind the district’s efforts to improve academic performance helps create the political conditions under which reforms can be sustained.

STRATEGIC AND INSTRUCTIONAL RECOMMENDATIONS

The contextual recommendations allow for reforms to be articulated and sustained, but the district must couple them with a convincing instructional strategy that is capable of teaching ELLs to the highest standards. The Council of the Great City Schools would propose that districts—

- ★ Review general education and ELL programs to ensure that there is an explicit focus on building academic literacy and cultivating English language development. Focusing on academic literacy among ELLs—and all students—and providing them with specific language acquisition strategies are critical steps for ensuring the long-term academic success of students.
- ★ Ensure that all teachers of ELLs have access to high-quality professional development that provides differentiated instructional strategies, promotes the effective use of student assessment data, and develops skills for supporting second-language acquisition across the curriculum. This professional development should be made jointly available to ELL and general education teachers and evaluated for how well it is implemented and its effects on student achievement.
- ★ Assess district standards for hiring, placing, and retaining teachers, paraprofessionals, and staff members who work directly with ELLs to ensure that these students have access to highly qualified personnel. While these decisions are sometimes shaped by state policy, in other cases they are the result of locally determined policies and collective bargaining agreements that districts should be mindful of as they craft their ELL programs.
- ★ Conduct a comprehensive assessment of the level of access that ELLs have to the entire spectrum of district course offerings, including gifted and talented programs and special education. The results of these simple analyses can reveal to districts whether ELLs—and others—have equal access to educational opportunities and are held to the same academic standards as other students.
- ★ Ensure that resources generated by and allocated for English language learners are properly and effectively expended to provide quality ELL instruction and services. Districts also should be careful to not allow the categorical nature of various funding sources to limit ELL programming or services. General education funds, federal Title I funds, categorical state funds, and other resources can be used to ensure that these students get the support and instruction they need across the board.
- ★ Develop a system for tracking multiple measures of ELLs’ educational progress. The collection and analysis of data on the characteristics, teachers, English proficiency level, program placement, and academic attainment of ELLs are critical to ensuring the success of these students. This means integrating all data on ELLs into the district’s general database to ensure broader access and to promote regular review of this data by school and district instructional staff and the board.

Source: Council of the Great City Schools. (2009). *Succeeding with English language learners: Lessons learned from the Great City Schools*. Retrieved from http://cgcs.schoolwires.net/cms/lib/DC00001581/Centricity/Domain/35/Publication%20Docs/ELL_Report09.pdf

The EL Tool Kit contains examples of, adaptations of, and links to resources created and maintained by other public and private organizations. This information is provided for the reader's convenience and is included here to offer examples of the many resources that educators, parents, advocates, administrators, and other interested parties may find helpful and use at their discretion. The U.S. Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Further, the inclusion of links to items does not reflect their importance, nor is it intended to endorse any views expressed, or materials provided.

TOOL # 4

ENGLISH LEARNER PROGRAM CHART

The following chart provides a brief overview of some common EL programs. Each program requires that teachers have specialized training in meeting the needs of ELs (e.g., an ESL or bilingual teaching credential and/or SEI or ELD training) and have demonstrated the skills to effectively implement the chosen EL program.

SOME EL PROGRAMS CONSIDERED EDUCATIONALLY SOUND IN THEORY UNDER CASTAÑEDA'S FIRST PRONG

Program Option	Program Goal	Language/s Used for Instruction
English as a Second Language (ESL) or English Language Development (ELD)	Program of techniques, methodology, and special curriculum designed to teach ELs explicitly about the English language, including the academic vocabulary needed to access content instruction, and to develop their English language proficiency in all four language domains (i.e., speaking, listening, reading, and writing).	Usually provided in English with little use of the ELs' primary language(s)
Structured English Immersion (SEI)	Program designed to impart English language skills so that the ELs can transition and succeed in an English-only mainstream classroom once proficient.	Usually provided in English with little use of the ELs' primary language(s)
Transitional Bilingual Education (TBE), or early-exit bilingual education	Program that maintains and develops skills in the primary language while introducing, maintaining, and developing skills in English. The primary purpose of a TBE program is to facilitate the ELs' transition to an all-English instructional program, while the students receive academic subject instruction in the primary language to the extent necessary.	Students' primary language and English
Dual Language or Two-Way Immersion	Bilingual program where the goal is for students to develop language proficiency in two languages by receiving instruction in English and another language in a classroom that is usually comprised of half primary-English speakers and half primary speakers of the other language.	English and another language

Source: U.S. Department of Education, Office for Civil Rights, & U.S. Department of Justice. (2015, January). *Dear colleague letter: English learner students and limited English proficient parents* (p. 12). Retrieved from <http://www2.ed.gov/about/offices/list/ocr/letters/colleague-el-201501.pdf>

You can access **Tools and Resources for Providing ELs with a Language Assistance Program** at <http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html>.

PROVIDING ENGLISH LEARNERS WITH A LANGUAGE ASSISTANCE PROGRAM

RESOURCES

The U.S. Department of Education does not mandate or prescribe particular curricula, lesson plans, assessments, or other instruments in this tool kit. This tool kit contains examples of, adaptations of, and links to resources created and maintained by other public and private organizations. This information is provided for the reader's convenience and is included here to offer examples of the many resources that educators, parents, advocates, administrators, and other interested parties may find helpful and use at their discretion. The U.S. Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Further, the inclusion of links to items does not reflect their importance, nor is it intended to endorse any views expressed, or materials provided.

August, D., & Shanahan, T. (Eds.). (2006). *Developing literacy in second-language learners: Report of the National Literacy Panel on Language-Minority Children and Youth* (Executive Summary). Mahwah, NJ: Lawrence Erlbaum Associates. Retrieved from <http://www.bilingualeducation.org/pdfs/PROP2272.pdf>

This executive summary presents the findings from an Institute of Education Sciences (IES) expert panel review of research related to the development of literacy in language-minority students. Research topics include the development of literacy; cross-linguistic relationships; sociocultural contexts and literacy development; instruction and professional development; and student assessment.

Calderón, M., Slavin, R., & Sánchez, M. (2011). Effective instruction for English learners. *Future of Children*, 21(1), 103-127. Retrieved from <http://files.eric.ed.gov/fulltext/EJ920369.pdf>

This article reviews research related to programs and practices that have demonstrated improvement in reading and language outcomes in ELs. The authors discuss the following program models and model components for ELs: school structures and leadership; language and literacy instruction; integration of language, literacy, and content instruction in secondary schools; cooperative learning; professional development; parent and family support teams; tutoring; and monitoring implementation and outcomes. The authors assert that the quality of instruction is what matters most in educating ELs. They advocate whole-school interventions for ELs and recommend professional development to implement this approach.

Castañeda v. Pickard, 648 F.2d 989 (5th Cir. 1981). Retrieved from <http://faculty.ucmerced.edu/khakuta/LAU/IAPolicy/IA1bCastanedaFullText.htm>

This court case established the following three-part test to evaluate the adequacy of an LEA's program for ELs: First, is the program based on "an educational theory recognized as sound by some experts in the field or considered a legitimate experimental strategy"? Second, are the programs and practices, including resources and personnel, reasonably calculated to implement this theory effectively? Third, does the LEA evaluate its programs and make adjustments where needed to ensure language barriers are actually being overcome within a reasonable period of time?

Coleman, R., & Goldenberg, C. (2010, Summer). What does research say about effective practices for English learners? Part IV: Models for schools and districts. *Kappa Delta Pi Record*, 46(4), 156-163. Retrieved from <http://www.sewanhaka.k12.ny.us/cms/lib3/NY01001491/Centricity/Domain/2473/KDP%20article%20series%20on%20ELLs.pdf>

In Part IV of this series of articles, the authors discuss models for schools and LEAs that support EL programs. Also included are scenarios on how these programs might look based on examples from actual schools and LEAs, and specific practices for classroom teachers.

The EL Tool Kit contains examples of, adaptations of, and links to resources created and maintained by other public and private organizations. This information is provided for the reader's convenience and is included here to offer examples of the many resources that educators, parents, advocates, administrators, and other interested parties may find helpful and use at their discretion. The U.S. Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Further, the inclusion of links to items does not reflect their importance, nor is it intended to endorse any views expressed, or materials provided.

Council of the Great City Schools. (2009). *Succeeding with English language learners: Lessons learned from the Great City Schools*. Retrieved from http://cgcs.schoolwires.net/cms/lib/DC00001581/Centricity/Domain/35/Publication%20Docs/ELL_Report09.pdf

This study of six urban LEAs examined how the organizational, structural, instructional, and staffing factors impact the academic achievement of ELs. It found that successful EL programs include the following contextual features: “a shared vision for reform,” “leadership and advocacy on behalf of [ELs],” “empowerment of the [LEA’s EL] office,” and “external forces as catalyst for reforms.” The report provides the following two types of recommendations: (1) contextual changes that would create an environment that encourages implementing and sustaining districtwide reform efforts that support ELs, and (2) strategic and instructional changes that promote high standards in the teaching of ELs.

Espinosa, L. M. (2013, August). *PreK-3rd: Challenging common myths about dual language learners* (PreK-3rd Policy to Action Brief No. 10). New York, NY: Foundation for Child Development. Retrieved from <http://fcd-us.org/sites/default/files/Challenging%20Common%20Myths%20Update.pdf>

This brief reviews beliefs about the development and learning of young children who are acquiring English as their second language. The brief also summarizes research to guide policies for teaching ELs.

Fortune T. W., & Christian, D. (2012, October). *Dual language immersion education: State of the states*. Introduction to Panel Presentation at Immersion 2012: Bridging Contexts for a Multilingual World, St. Paul, MN. Retrieved from <http://www.carla.umn.edu/conferences/past/immersion2012/handouts/StateoftheStates.ppt.pdf>

This presentation about Dual Language Immersion (DLI) education provides the educational philosophy, program goals, and general overview of DLI program growth in the United States. The presentation also discusses data on DLI programs in selected states, and state-level DLI policies.

Goldenberg, C. (2013, Summer). Unlocking the research on English learners: What we know—and don’t yet know—about effective instruction. *American Educator*. Retrieved from <https://www.aft.org/sites/default/files/periodicals/Goldenberg.pdf>

This article identifies four important principles based in EL research: (1) “generally effective practices are likely to be effective with ELs,” (2) “ELs require additional instructional supports,” (3) “the home language can be used to promote academic development,” and (4) “ELs need early and ample opportunities to develop proficiency in English.” For each principle, the author provides specific examples from research.

Hakuta, K., Butler, Y., & Witt, D. (2000). *How long does it take English learners to attain proficiency?* (Policy Report No. 2000-1). Berkeley, CA: University of California Linguistic Minority Research Institute. Retrieved from <http://web.stanford.edu/~hakuta/Publications/%282000%29%20-%20HOW%20LONG%20DOES%20IT%20TAKE%20ENGLISH%20LEARNERS%20TO%20ATTAIN%20PR.pdf>

This report discusses how long students require EL services before they become proficient in oral and academic English. The authors analyze EL data from two school districts in the San Francisco Bay Area, as well as summary data from a school in Ontario, Canada. The report concludes that while oral proficiency takes 3 to 5 years to develop, academic English proficiency can take 4 to 7 years.

Howard, E. R., Sugarman, J., Christian, D., Lindholm-Leary, K. J., & Rogers, D. (2007). *Guiding principles for dual language education* (2nd ed.). Washington, DC: Center for Applied Linguistics. Retrieved from http://www.cal.org/twi/Guiding_Principles.pdf

This document is organized into “seven strands, reflecting the major dimensions of program planning and implementation.” These strands are (1) assessment and accountability; (2) curriculum; (3) instruction; (4) staff quality and professional development; (5) program structure; (6) family and community; and (7) support and resources. Each strand includes guiding principles and one or more key points that elaborate on each principle and specific elements that align with each principle.

The EL Tool Kit contains examples of, adaptations of, and links to resources created and maintained by other public and private organizations. This information is provided for the reader's convenience and is included here to offer examples of the many resources that educators, parents, advocates, administrators, and other interested parties may find helpful and use at their discretion. The U.S. Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Further, the inclusion of links to items does not reflect their importance, nor is it intended to endorse any views expressed, or materials provided.

Moughamian, A. C., Rivera, M. O., & Francis, D. J. (2009). *Instructional models and strategies for teaching English language learners*. Portsmouth, NH: RMC Research Corporation, Center on Instruction. Retrieved from <http://files.eric.ed.gov/fulltext/ED517794.pdf>

This publication offers guidance on effective strategies for instructing ELs. The report outlines “key contextual factors that decision-makers should take into account when making instructional choices” for ELs. Also included is a brief overview of bilingual and English-only instructional models and the influence of language instruction models on academic outcomes for ELs. The authors contend that “regardless of the model that school districts select, teachers must use the most effective strategies to accelerate student learning and maximize instructional time.” Also included are research-based instructional strategies.

National Association of Charter School Authorizers. (2014). *Charter schools and ELLs: An authorizer and school leader guide for educating ELLs*. Retrieved from http://www.qualitycharters.org/assets/files/images/stories/publications/Issue_Briefs/IssueBriefNo22_CharterSchoolsandELLs.pdf

This document provides charter authorizers and school leaders with essential information about the education of ELs, offering “background information related to ELs, the state and federal laws that affect the education of ELs, and the education needs of these children.”

Olsen, L. (2010). *Reparable harm: Fulfilling the unkept promise of educational opportunity for California's Long Term English Learners*. Long Beach, CA: Californians Together. Retrieved from www.californiantogether.org/docs/download.aspx?fileId=227

This report describes the results of a 40-district survey on LTELs in California, and identifies LTELs as secondary school students “in United States schools for more than six years without reaching sufficient English proficiency.” It provides an estimate of the number of LTELs in the state while identifying the lack of a common definition as problematic. The report also discusses LTEL causes, student characteristics, current educational services, and district roles and responsibilities, and provides system-wide policy recommendations.

Olsen, L. (2012). *Secondary school courses designed to address the language needs and academic gaps of Long Term English Learners*. Long Beach, CA: Californians Together. Retrieved from www.californiantogether.org/docs/download.aspx?fileId=357

This report articulates the collective emerging knowledge base about how to design and implement effective courses that meet the needs of LTELs. The report synthesizes the lessons learned from districts throughout California and provides needed guidance on how to design and implement courses that address the needs of these students. The ideas, advice, and information were culled from a forum that Californians Together organized with educators from 24 districts that were piloting programs. The goal was to start a statewide network for districts and teachers to exchange information and ideas. Prior to this, the LEAs had mostly been working in isolation.

Saunders, W., Goldenberg, C., & Marcelletti, M. (2013, Summer). English language development: Guidelines for instruction. *American Educator*. Retrieved from https://www.aft.org/sites/default/files/periodicals/Saunders_Goldenberg_Marcelletti.pdf

This article brings together multiple sources that provide guidelines for ELD instruction including theoretical, programmatic, and practitioner information. The authors' focus is specifically on assisting in the delivery of ELD instruction and not on content area instruction.

Southeast Asia Resource Action Center (SEARAC). (2013). *English language learners & Southeast Asian American communities* (Fact Sheet). Retrieved from http://www.searac.org/sites/default/files/SEARAC_ELL_2013-1.pdf

This fact sheet provides an overview of the Southeast Asian American (SEAA) EL population and focuses on the states with the largest concentrations of SEAA ELs and the languages spoken by those ELs. It lists the needs of SEAA ELs, and suggestions for how local and federal policymakers may better serve them.

U.S. Department of Education. (2014). *Educational services for immigrant children and those recently arrived to the United States*. Retrieved from <http://www2.ed.gov/policy/rights/guid/unaccompanied-children.html>

This page on the Department's website provides information and existing resources available to help SEAs and LEAs educate all immigrant students including children who recently arrived in the United States.

The EL Tool Kit contains examples of, adaptations of, and links to resources created and maintained by other public and private organizations. This information is provided for the reader's convenience and is included here to offer examples of the many resources that educators, parents, advocates, administrators, and other interested parties may find helpful and use at their discretion. The U.S. Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Further, the inclusion of links to items does not reflect their importance, nor is it intended to endorse any views expressed, or materials provided.

U.S. Department of Education, Office for Civil Rights. (2014, October). *Dear colleague letter: Resource comparability* [Guidance to ensure all students have equal access to educational resources]. Retrieved from <http://www2.ed.gov/about/offices/list/ocr/letters/colleague-resourcecomp-201410.pdf>

This document provides detailed and concrete information to educators on the standards set in *Title VI of the Civil Rights Act of 1964*, including information on the requirements for educational resources; how OCR investigates resource disparities; and what SEAs, LEAs, and schools can do to meet their obligations to all students. Under *Title VI*, SEAs, LEAs, and schools must not intentionally treat students differently based on race, color, or national origin in providing educational resources. In addition, they must not implement policies or practices for providing educational resources that disproportionately affect students of a particular race, color, or national origin, absent a substantial justification. The law does not require that all students receive the exact same resources to have an equal chance to learn and achieve. It does, however, require that all students have equal access to comparable resources in light of their educational needs.

U.S. Department of Education, Office for Civil Rights, & U.S. Department of Justice. (2015, January). *Dear colleague letter: English learner students and limited English proficient parents*. Retrieved from <http://www2.ed.gov/about/offices/list/ocr/letters/colleague-el-201501.pdf>

This document provides guidance to assist SEAs, LEAs, and all public schools in meeting their legal obligations to ensure that ELs can participate meaningfully and equally in educational programs and services. This guidance provides an outline of the legal obligations of SEAs and LEAs to ELs under civil rights laws. Additionally, the guidance discusses compliance issues that frequently arise in OCR and DOJ investigations under *Title VI of the Civil Rights Act of 1964* and the *Equal Educational Opportunities Act*, and offers approaches that SEAs and LEAs may use to meet their federal obligations to ELs. The guidance also includes discussion of how SEAs and LEAs can

implement their *Title III* grants and subgrants in a manner consistent with these civil rights obligations. Finally, the guidance discusses the federal obligation to ensure that limited English proficient parents and guardians have meaningful access to SEA-, LEA-, and school-related information.

U.S. Department of Education, Office of Elementary and Secondary Education. (2016). *Non-regulatory guidance: English Learners and Title III of the Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA)*. Washington, DC: Author. Retrieved from <http://www2.ed.gov/policy/elsec/leg/essa/essatitleiiienglishlearners92016.pdf>

This guidance provides state and local educational agencies (SEAs and LEAs) with information to assist them in meeting their obligations under *Title III of the Elementary and Secondary Education Act of 1965 (ESEA)*, as amended by the *Every Student Succeeds Act of 2015 (ESSA)*. This guidance also provides members of the public with information about their rights under this law and other relevant laws and regulations.

Valentino, R. A., & Reardon, S. F. (2014, March) *Effectiveness of four instructional programs designed to serve English language learners: Variation by ethnicity and initial English proficiency*. Unpublished manuscript, Center for Education Policy Analysis, Graduate School of Education, Stanford University, Stanford, CA. Retrieved from http://cepa.stanford.edu/sites/default/files/Valentino_Reardon_EL%20Programs_14_0326_2.pdf

Researchers set out to examine the effectiveness of different programs for ELs longitudinally, and to compare results for Latino and Chinese ELs. They found that in the short term, EL second graders in dual immersion scored below those in English immersion. Conversely, in the long term, those in dual immersion scored substantially higher than students in English immersion. Looking at both ethnicities across program type, the Chinese students' English acquisition occurred faster than that of the Latino students.

The EL Tool Kit contains examples of, adaptations of, and links to resources created and maintained by other public and private organizations. This information is provided for the reader's convenience and is included here to offer examples of the many resources that educators, parents, advocates, administrators, and other interested parties may find helpful and use at their discretion. The U.S. Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Further, the inclusion of links to items does not reflect their importance, nor is it intended to endorse any views expressed, or materials provided.

Vialpando, J., Yedlin, J., Linse, C., Harrington, M., & Cannon, G. (2005). *Educating English language learners: Implementing instructional practices*. Washington, DC: National Council of La Raza. Retrieved from http://www.brown.edu/academics/education-alliance/sites/brown.edu.academics/education-alliance/files/publications/edells_impinstprct.pdf

This publication aims to assist schools in developing their capacities to provide appropriate curricula, instruction, and assessment for ELs, and to increase educators' awareness of how to access relevant resources. This guide "is designed for teachers, academic coaches, staff developers, and school leaders," and provides "instructional strategies, techniques, and guidelines helpful for engaging ELs and other diverse learners."

To access these and other relevant resources, and for additional information about ELs, please visit <http://www.ncele.ed.gov/>.