



SERVING ENGLISH LANGUAGE LEARNERS AND FAMILIES

PRESENTERS: CAROLYN SEUGLING AND MARIANNA VINSON

2015 PROJECT DIRECTORS MEETING
U.S. DEPARTMENT OF EDUCATION, CHARTER SCHOOL PROGRAM

Agenda

- Welcome and Introductions
- Context
- Review of Data on ELs and ELs in Charter Schools
- Overview of the Guidance, Fact Sheets, and Civil Rights Data Collection
- Introduction to Toolkit
- Q&A

Presenters



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Education, Attorney in
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Education, Deputy
Director of the Office of
English Language
Acquisition

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Context

- ELs constitute one of the fastest growing demographic groups among school children in the U.S.
- Federal laws and statutes provide legal framework governing the education of ELs in public schools
- Charter schools are required to follow these laws and statues
- Recently published ED and DoJ guidance and resources provide insight into charter schools' obligations towards ELs and their families

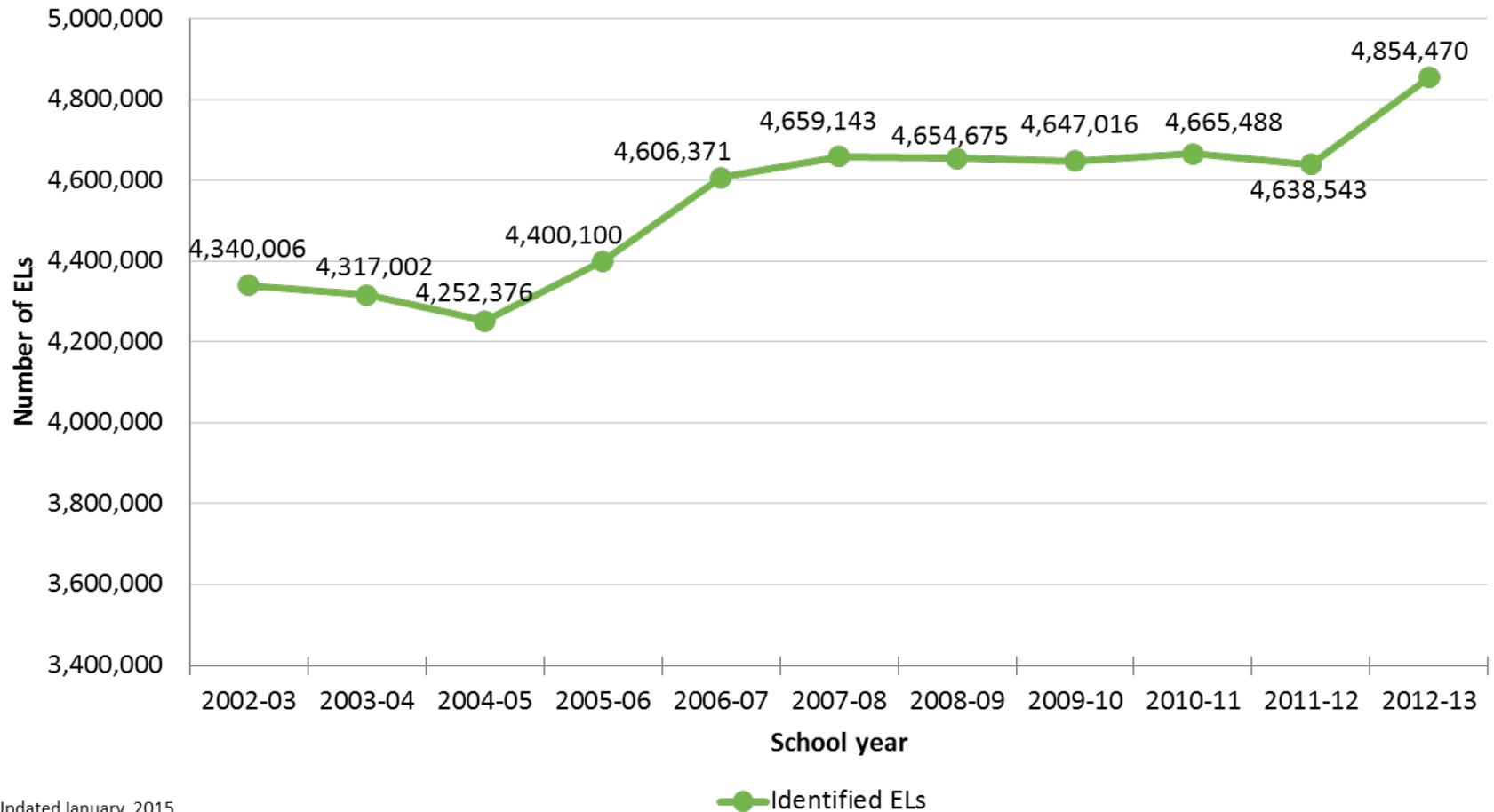
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Disclaimer

This presentation provides general information and does not represent a complete recitation of the applicable law and ED or DoJ policy in this area. It does not provide specific determinations of compliance, which depend on specific facts and are evaluated on a case-by-case basis. The language used in these slides is approved for purposes of this presentation only and should not be used for other purposes.

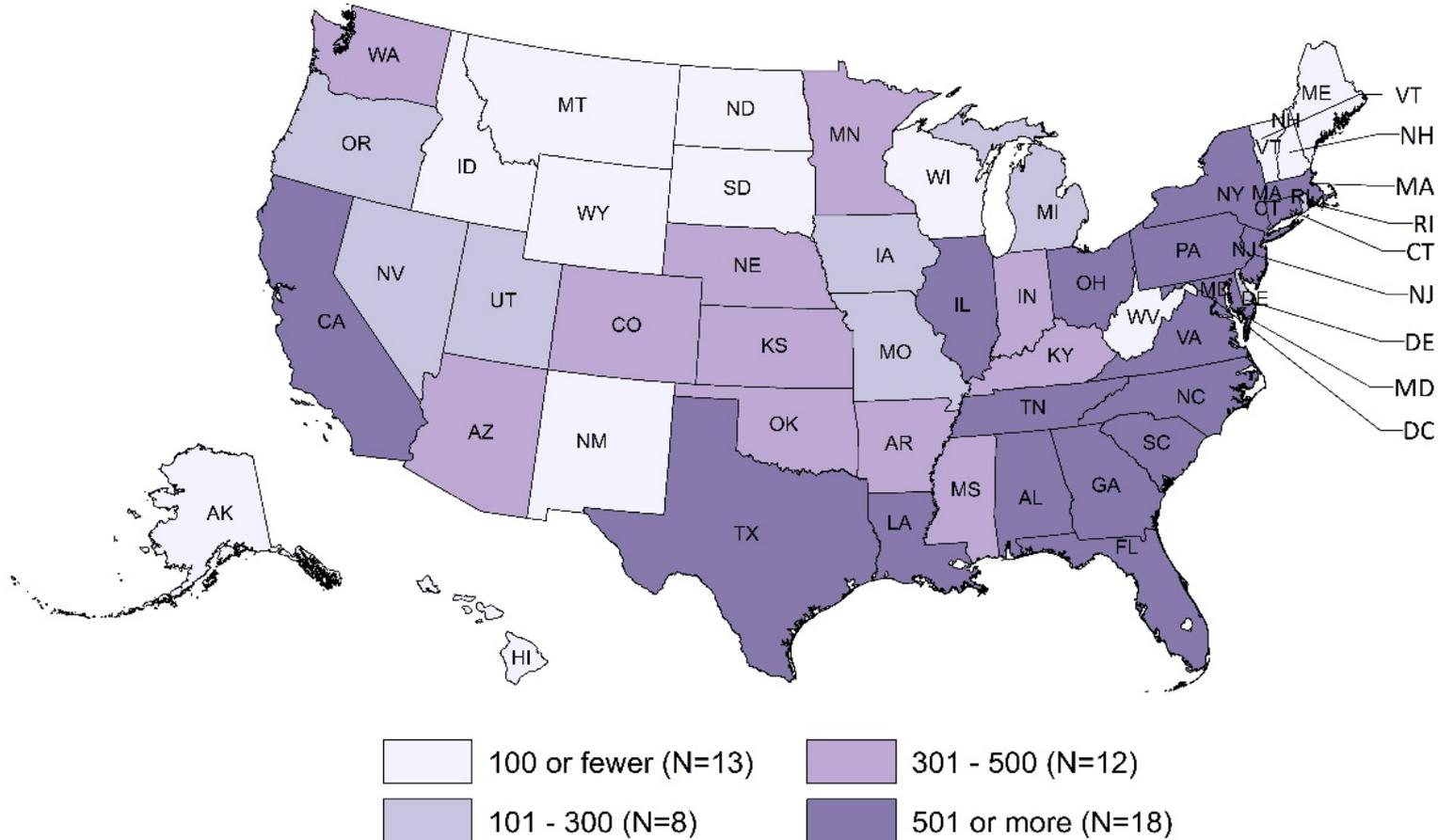
Number of K-12 English Learners SY 2002-2013



Updated January 2015

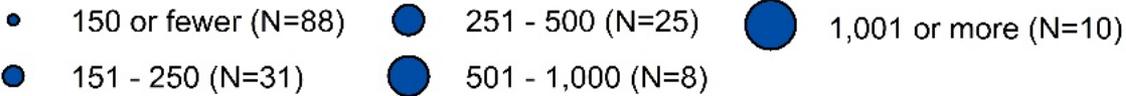
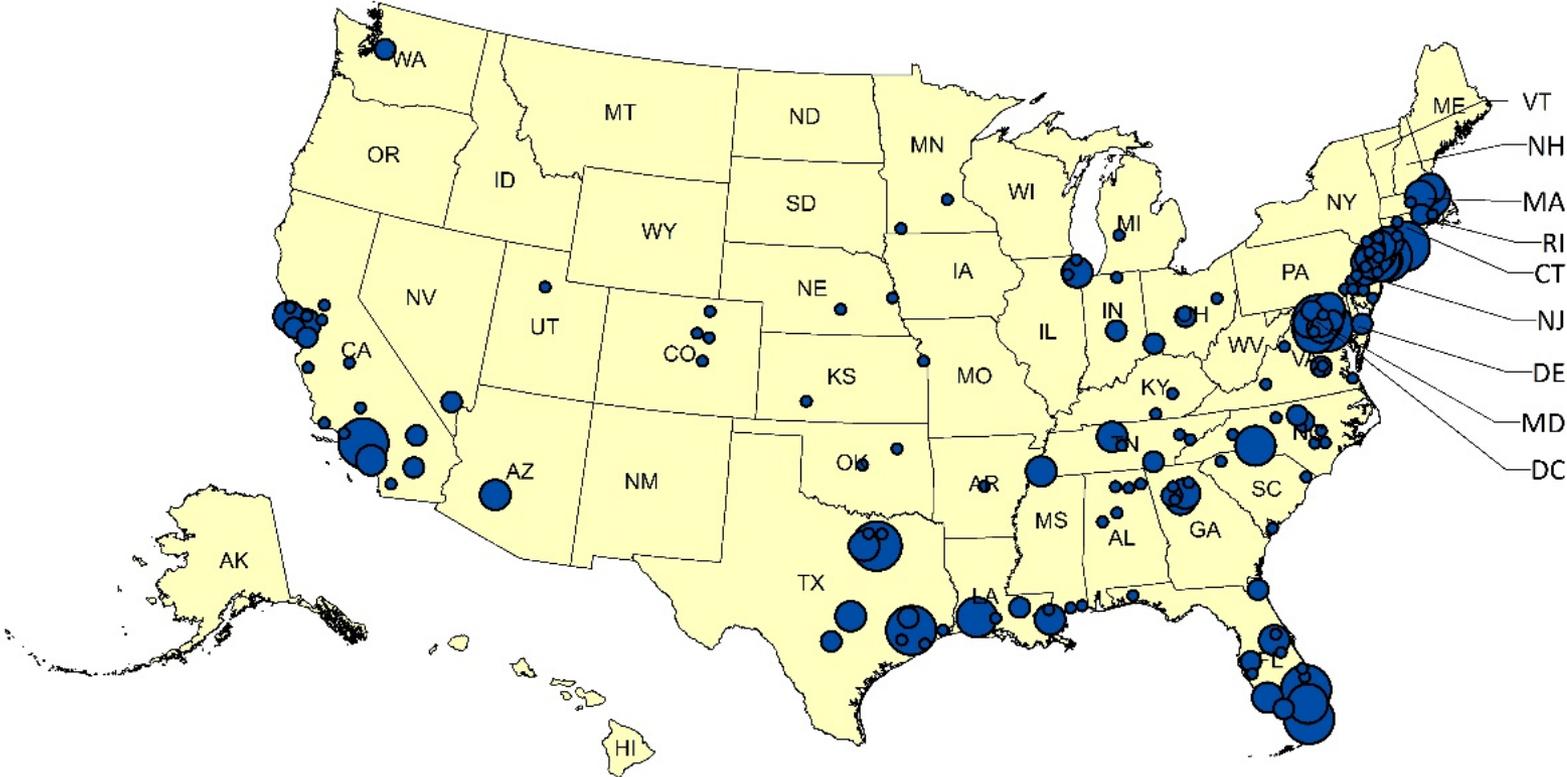
Source: U.S. Department of Education, *2008-10 Biennial Report to Congress* and *EDFacts/Consolidated State Performance Reports*, SYs 2010-11, 2011-12, and 2012-13

UNACCOMPANIED CHILDREN RELEASED TO SPONSORS BETWEEN OCTOBER 2013 AND DECEMBER 2014, BY STATE



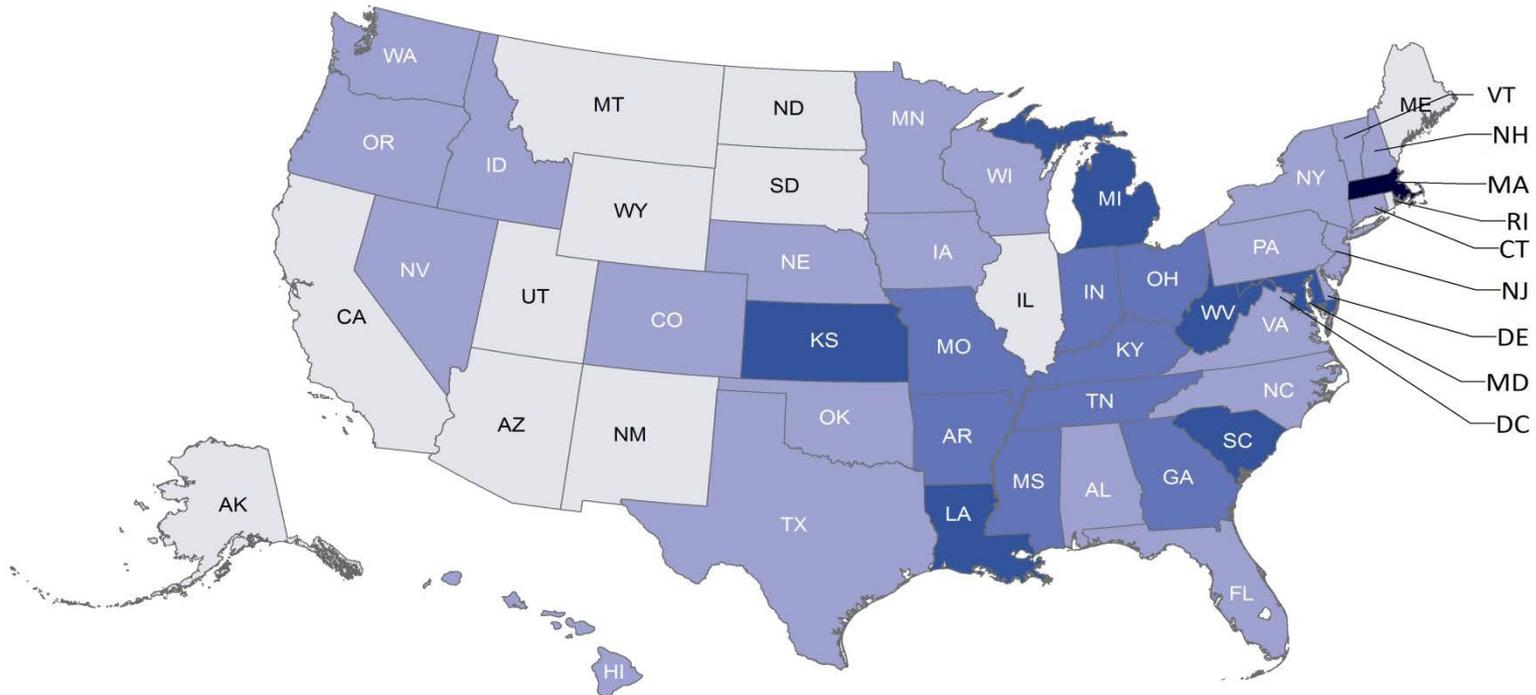
Source: U.S. Department of Health and Human Services, Office of Refugee Resettlement, retrieved 2/23/15 from <http://www.acf.hhs.gov/programs/orr/unaccompanied-children-released-to-sponsors-by-state>.

UNACCOMPANIED CHILDREN RELEASED TO SPONSORS BY COUNTY, OCTOBER 2013 TO DECEMBER 2014



Source: U.S. Department of Health and Human Services, Office of Refugee Resettlement, Retrieved 2/23/15
<http://www.acf.hhs.gov/programs/orr/unaccompanied-children-released-to-sponsors-by-county>.

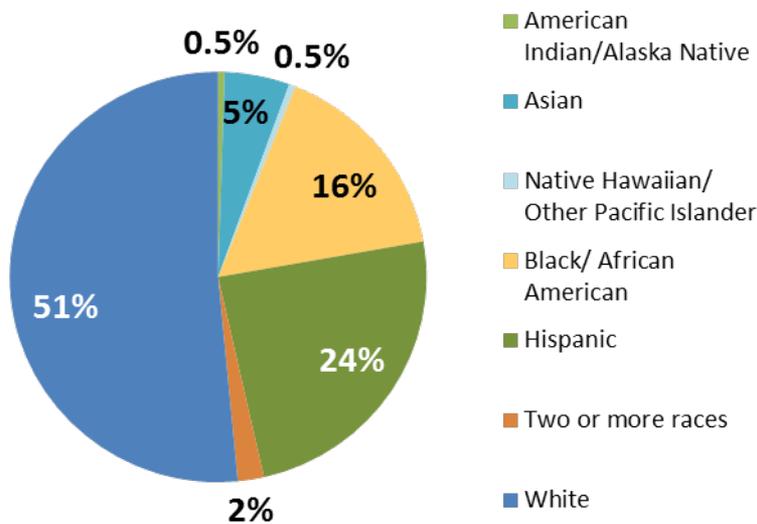
Percentage Change in Number of ELs SYs 2004-05 to 2011-12



Source: EDFacts/Consolidated State Performance Reports, 2004-05 to 2011-12. Retrieved from <http://www2.ed.gov/admins/lead/account/consolidated/index.html> Updated 1.15.15

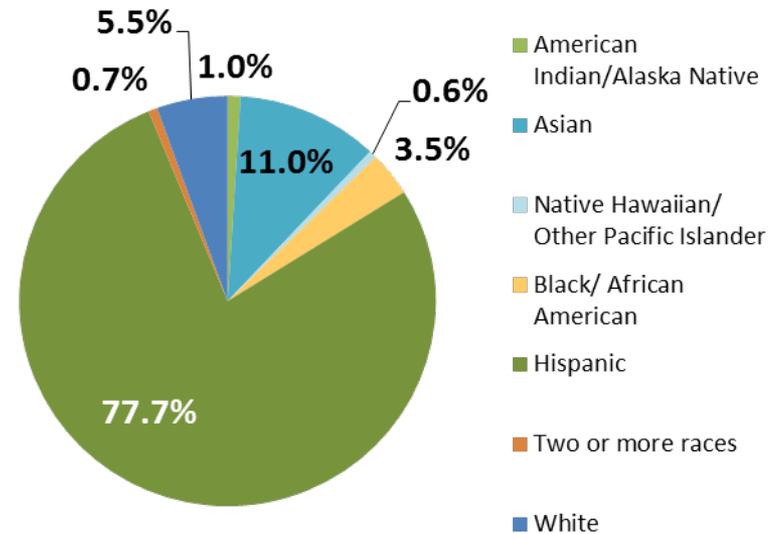
English Learners Demographics

Student Enrollment



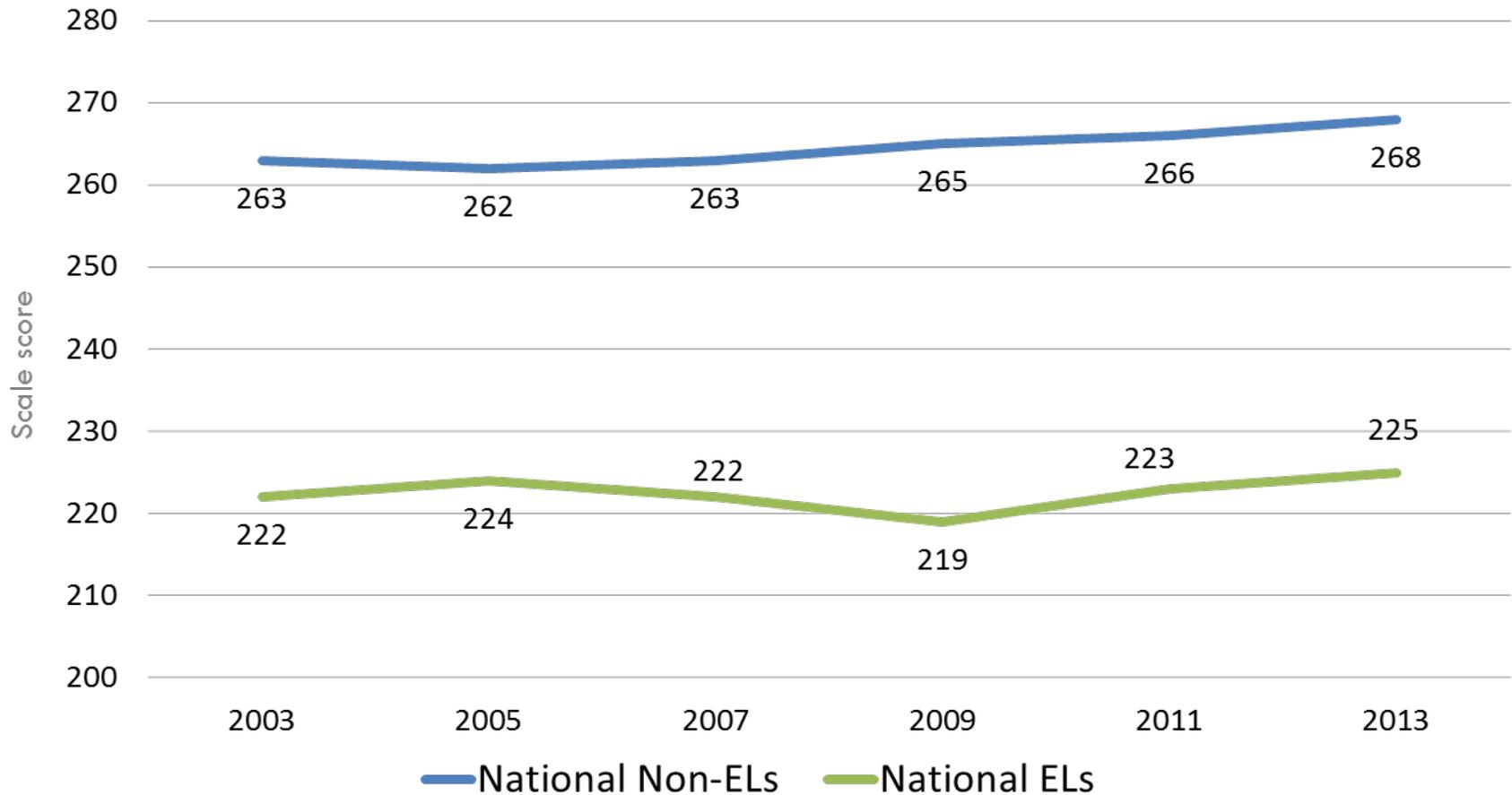
49 million students

EL Students



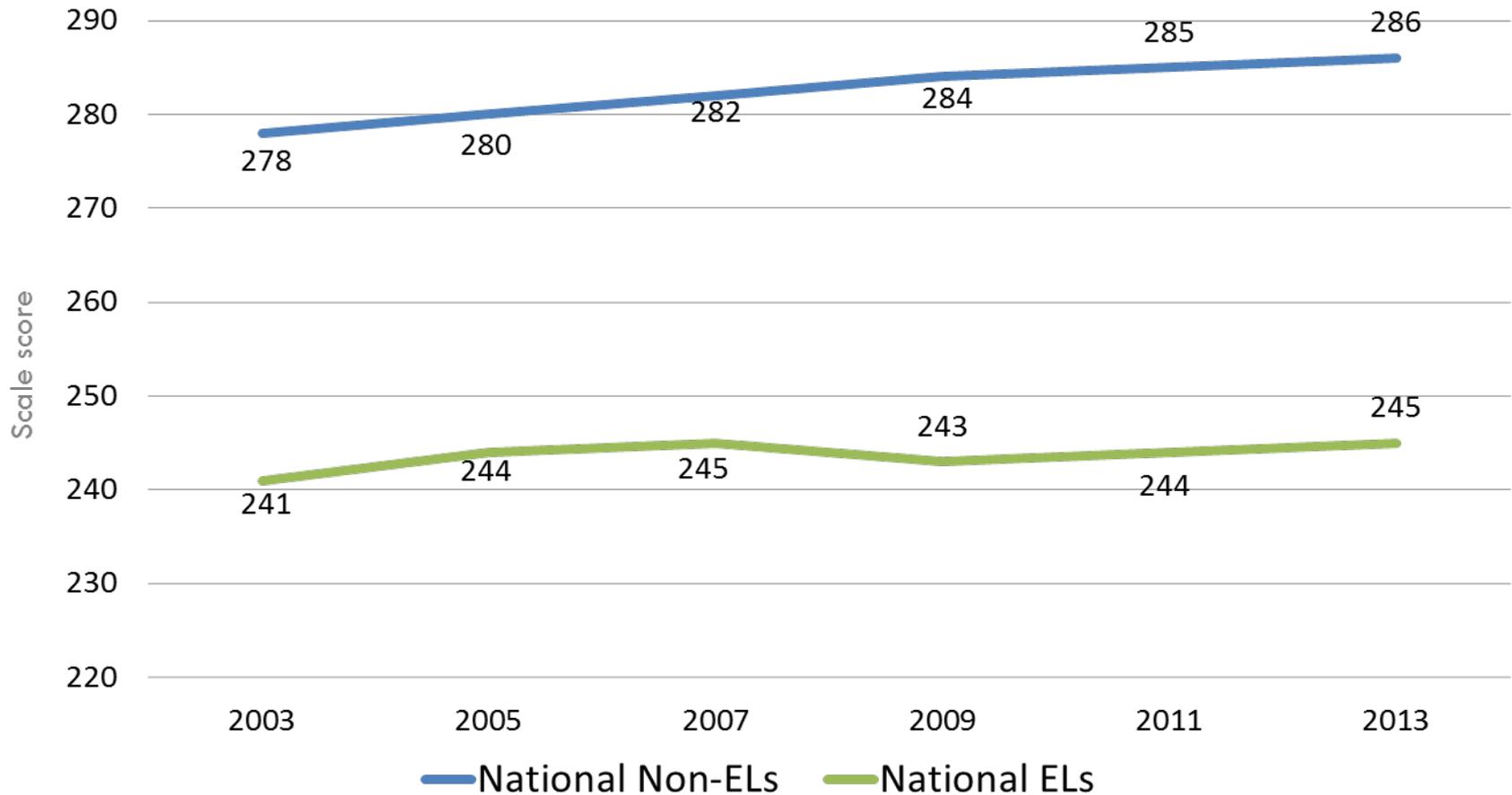
5 million students

NAEP Grade 8 Reading Scores for ELs and Non-ELs: 2003-2013



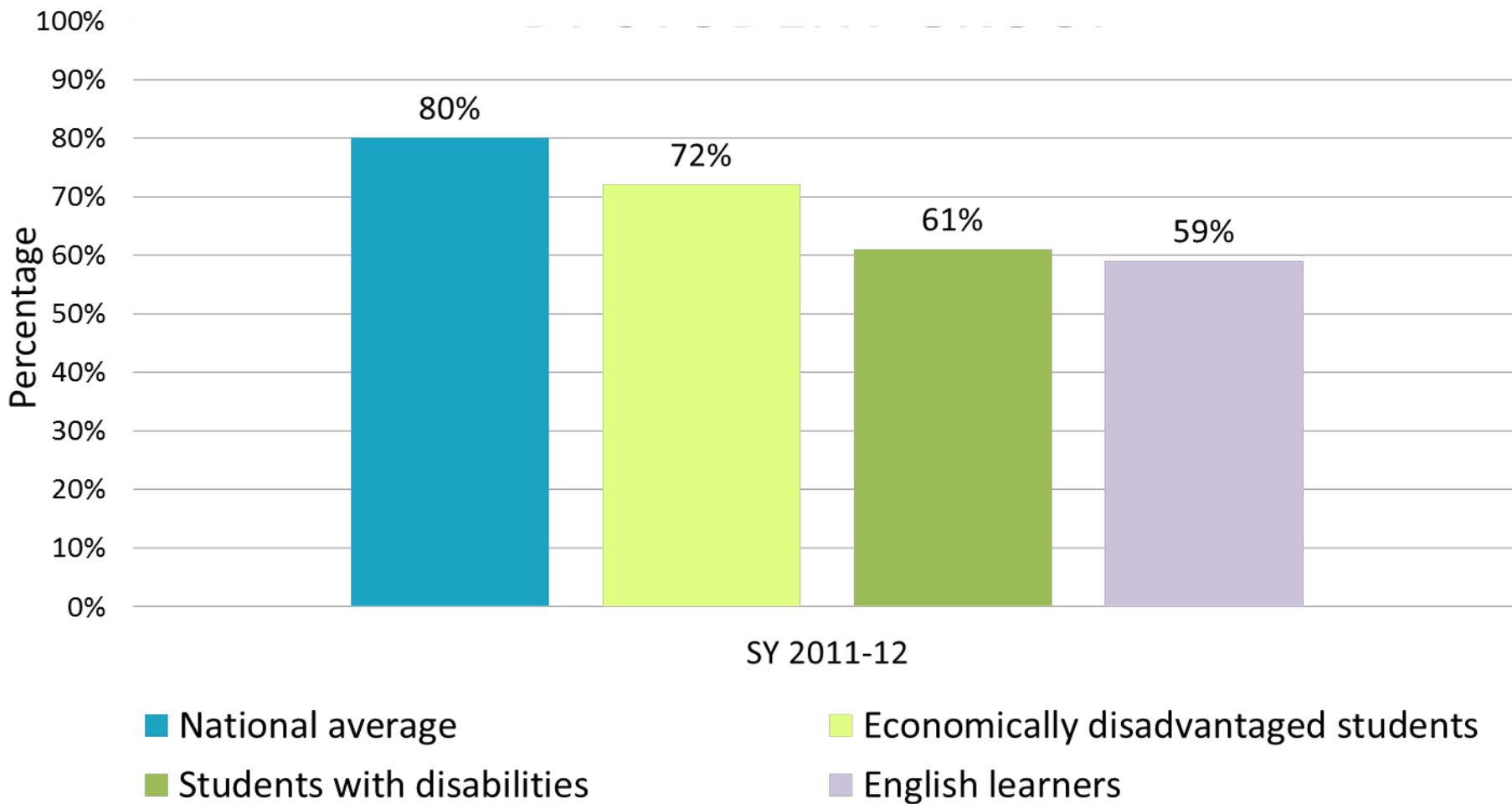
Source: U.S. Department of Education, Institute of Education Sciences, National Center for Education Statistics, National Assessment of Educational Progress (NAEP), 2003, 2005, 2007, 2009, 2011, and 2013 Reading Assessments.

NAEP Grade 8 Mathematics Scores for ELs and Non-ELs: 2003-2013



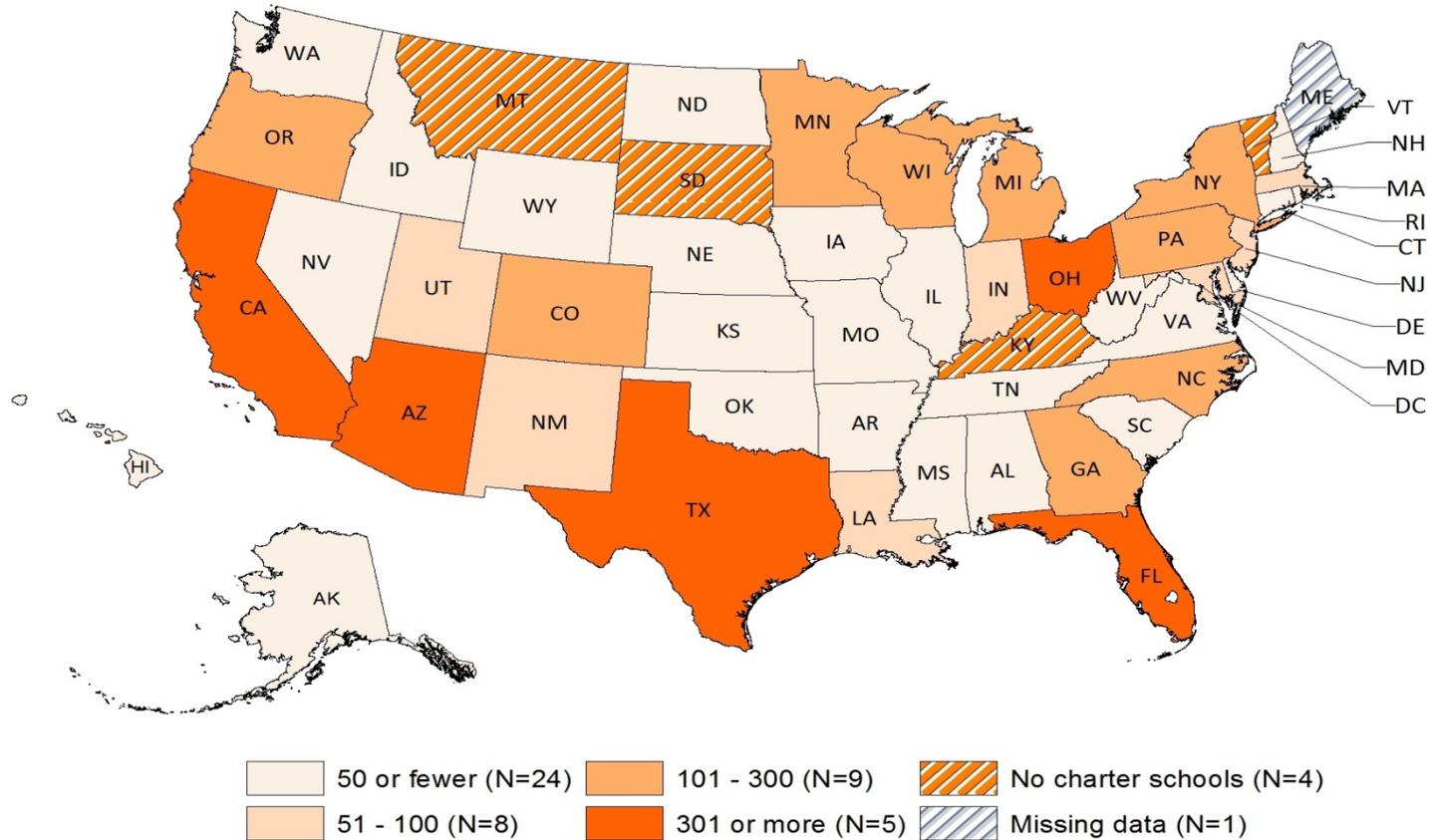
Source: U.S. Department of Education, Institute of Education Sciences, National Center for Education Statistics, National Assessment of Educational Progress (NAEP), 2003, 2005, 2007, 2009, 2011, and 2013 Mathematics Assessments.

High School Graduation Rates by Student Group



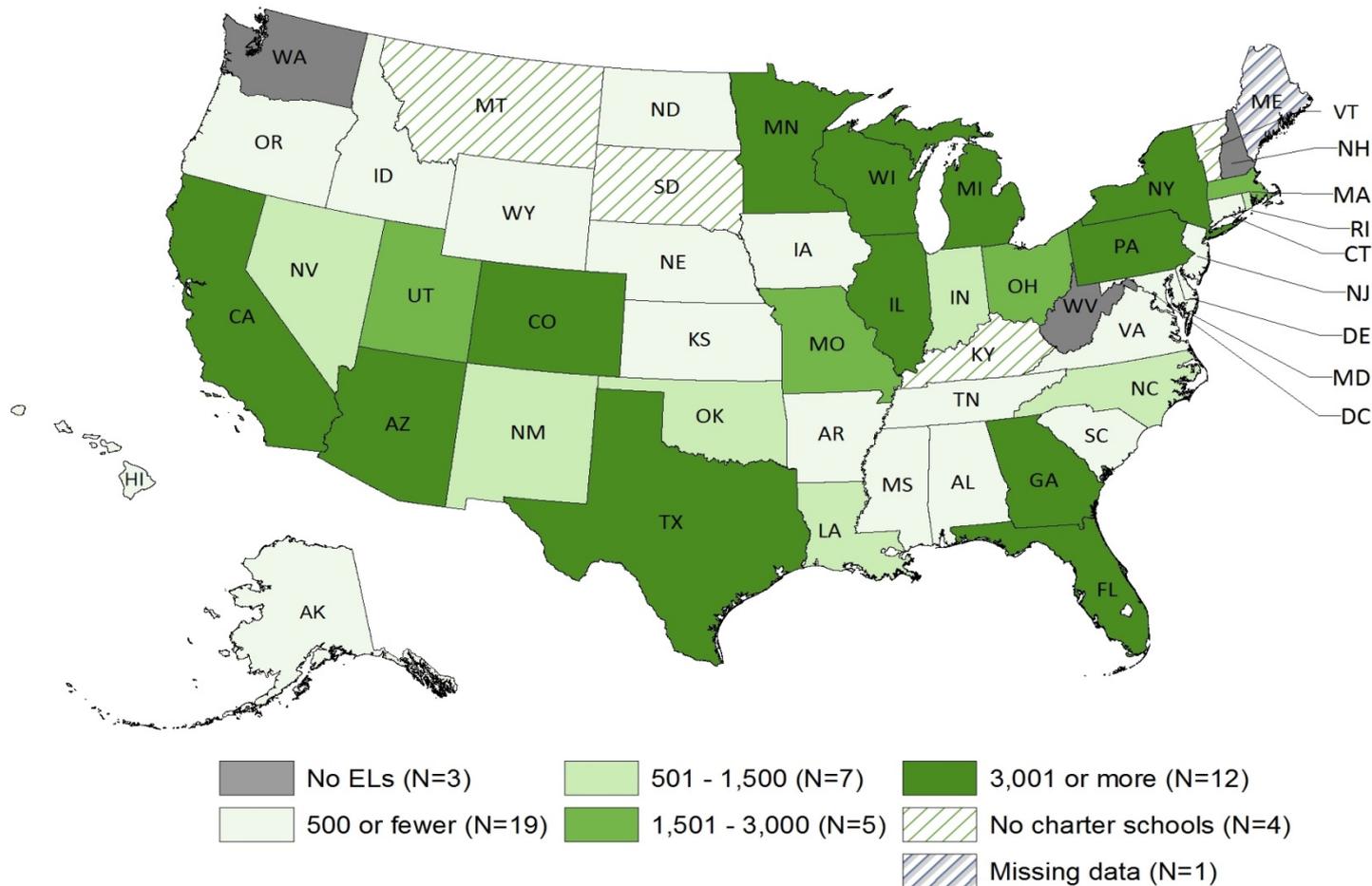
Source: Stetser, M.C., and Stillwell, R. (2014). *Public High School Four-Year On-Time Graduation Rates and Event Dropout Rates: School Years 2010-11 and 2011-12*. First Look (NCES 2014-391). U.S. Department of Education. Washington, DC: National Center for Education Statistics.

Number of Charter Schools, by State, Including DC: SY 2011-12



Source: U.S. Department of Education Office for Civil Rights, Civil Rights Data Collection. Released March 2014. Retrieved from www.ocrdata.ed.gov Jan 2015

Number of ELs in Charter Schools, by State, Including DC: SY 2011-12



Source: U.S. Department of Education Office for Civil Rights, Civil Rights Data Collection.
 Released March 2014. Retrieved from www.ocrdata.ed.gov Jan 2015

States with the Largest Numbers of EL Charter School Students: SY 2011-12

	Number of Charter Schools	Number of Charter School Students	Number of ELs in Charter Schools	Percentage of Charter School Students who Were ELs
California	899	392,149	72,655	18.5%
Texas	522	173,143	31,215	18.0%
Florida	514	181,051	14,616	8.1%
Michigan	285	115,118	7,959	6.9%
Arizona	465	139,544	7,836	5.6%
Colorado	170	81,921	7,092	8.7%
Georgia	138	90,606	6,182	6.8%
Minnesota	157	59,880	6,134	10.2%
Illinois	50	49,337	3,955	8.0%
New York	172	62,505	3,278	5.2%

Source: U.S. Department of Education Civil Rights Data Collection. Released March 2014.

Retrieved from www.ocrdata.ed.gov

Jan 2015

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- **Overview of the Guidance, Fact Sheets, and Civil Rights Data Collection**
 - **OCR Overview**
 - **Joint OCR & DOJ Dear Colleague Letter & Fact Sheets**
 - Introduction to Toolkit
 - Q&A

OCR Mission & Activities

FOR REFERENCE

- **Mission:** to ensure equal access to education and to promote educational excellence throughout the nation through vigorous enforcement of civil rights.
- **Activities:**
 - Complaint investigations
 - Compliance reviews
 - Policy guidance
 - Technical assistance



Laws Enforced by OCR

- OCR enforces federal civil rights laws that prohibit discrimination on the basis of:

Race, color, national origin	Title VI of the Civil Rights Act of 1964
Sex	Title IX of the Education Amendments of 1972
Disability	Section 504 of the Rehabilitation Act of 1973 Title II of the Americans with Disabilities Act of 1990
Age	The Age Discrimination Act of 1975
Patriotic youth group status	Boy Scouts of America Equal Access Act

General Charter School Dear Colleague Letter (DCL)

Released by ED on May 7, 2014 Available at

<http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201405-charter.pdf>

The same federal civil rights laws, regulations, and guidance that apply to all public schools also apply to charter schools.

These laws extend to all operations of a charter school, including:

- recruiting, admissions, academics, educational services and testing, school climate, disciplinary measures, athletics and other nonacademic and extracurricular services and activities, and accessible buildings and technology.

The Dear Colleague Letter does not summarize the entire body of Federal civil rights laws. The DCL addresses a few subjects that have arisen in the charter schools context:

- Nondiscrimination in admissions
- Free appropriate public education for students with disabilities
- Affirmative steps for English-language learners
- Nondiscrimination in discipline

English Learner Dear Colleague Letter

- Jointly Released by ED and DOJ on January 7, 2015 Available: <http://www2.ed.gov/about/offices/list/ocr/ellresources.html>



U.S. Department of Justice
Civil Rights Division



U.S. Department of Education
Office for Civil Rights

January 7, 2015

Dear Colleague:

Forty years ago, the Supreme Court of the United States determined that in order for public schools to comply with their legal obligations under Title VI of the Civil Rights Act of 1964 (Title VI), they must take affirmative steps to ensure that students with limited English proficiency (LEP) can meaningfully participate in their educational programs and services.¹ That same year, Congress enacted the Equal Educational Opportunities Act (EEOA), which confirmed that public schools and State educational agencies (SEAs) must act to overcome language barriers that impede equal participation by students in their instructional programs.²

Ensuring that SEAs and school districts are equipped with the tools and resources to meet their responsibilities to LEP students, who are now more commonly referred to as English Learner (EL) students or English Language Learner students, is as important today as it was then. EL students are now enrolled in nearly three out of every four public schools in the nation, they constitute nine percent of all public school students, and their numbers are steadily increasing.³ It is crucial to the future of our nation that these students, and all students, have equal access to a high-quality education and the opportunity to achieve their full academic potential. We applaud those working to ensure equal educational opportunities for EL students, as well as the many schools and communities creating programs that recognize the heritage languages of EL students as valuable assets to preserve.

The Office for Civil Rights (OCR) at the U.S. Department of Education (ED) and the Civil Rights Division at the U.S. Department of Justice (DOJ) share authority for enforcing Title VI in the education context. DOJ is also responsible for enforcing the EEOA. (In the enclosed guidance, Title VI and the EEOA will be referred to as “the civil rights laws.”) In addition, ED administers the English Language Acquisition, Language Enhancement, and Academic Achievement Act, also known as Title III, Part A of the Elementary and Secondary Education Act of 1965, as amended (ESEA) (Title III).⁴ Under Title III, ED awards grants to SEAs, which, in turn, award Federal funds through subgrants to school districts in order to improve the

¹ *Lau v. Nichols*, 414 U.S. 563 (1974); 42 U.S.C. § 2000d to d-7 (prohibiting race, color, and national origin discrimination in any program or activity receiving Federal financial assistance).

² Pub. L. No. 93-380, § 204(f), 88 Stat. 484, 515 (1974) (codified at 20 U.S.C. § 1703(f)).

³ U.S. Department of Education, National Center for Education Statistics, NCES 2013-312, *Characteristics of Public and Private Elementary and Secondary Schools in the United States: Results From the 2011-12 Schools and Staffing Survey*, at 9 (Table 2) (Aug. 2013); U.S. Department of Education, National Center for Education Statistics, NCES 2014-083, *The Condition of Education 2014*, at 52 (Indicator 12) (May 2014).

⁴ 20 U.S.C. §§ 6801-6871.

Under Title VI of the Civil Rights Act of 1964 (Title VI) and the Equal Educational Opportunities Act of 1974 (EEOA)

Public schools must ensure that EL students can participate meaningfully and equally in educational programs.

Guidance is available in multiple languages.

Overview of EL guidance

- Purpose of the Guidance
 - Eliminates confusion between Title VI, EEOA and Title III
 - Reminds SEAs, LEAS of their legal obligations to EL students and parents
 - Suggest ways SEAs and School Districts can meet those obligations
 - Discusses the ten most frequent Civil Rights Issues that arise in the context of EL students and parents

What Is the Legal Basis for the Guidance?

- **Title VI** prohibits recipients of Federal financial assistance from discriminating on the basis of race, color, or national origin.
42 U.S.C. § 2000d to d-7.
- **The EEOA** requires SEAs and school districts to take “appropriate action to overcome language barriers that impede equal participation by [their] students in [their] instructional programs.” 20 U.S.C. § 1703(f).

Castañeda v. Pickard, 648 F.2d 989 (5th Cir. 1981)

- The educational theory underlying the language assistance program is recognized as sound by some experts in the field or is considered a legitimate experimental strategy;
- The program and practices used by the school system are reasonably calculated to implement effectively the educational theory adopted by the school; and
- The program succeeds, after a legitimate trial, in producing results indicating that students’ language barriers are actually being overcome within a reasonable period of time.

Audience Question 1

- What type of organization do I work at?
 - A. Charter School
 - B. CMO
 - C. SEA
 - D. Other

Is this Guidance Applicable to Me?

- The Guidance Applies to:
 - **SEAs**;
 - **LEAs**; and
 - any “**school district**” that is a recipient of Federal financial assistance from ED including:
 - Public School Districts
 - Public Charter Schools
 - Public Alternative Schools

Ten Main Civil Rights Issues Covered by the EL Guidance

- A. Identification and assessment
- B. Language assistance program
- C. Staffing and supporting an EL program
- D. Meaningful access to curricular and extra curricular programs
- E. Unnecessary segregation
- F. Evaluating EL students for special education & providing special education
- G. Opting out of EL programs
- H. Monitoring and exiting EL students
- I. Evaluating the effectiveness of a program
- J. Meaningful communication with LEP parents

A. Identifying and Assessing Potential EL Students

- School districts must have procedures in place to accurately and timely identify potential EL students.
 - Home Language Survey

- Once identified, school districts must determine if potential EL students are in fact EL through a valid and reliable test:
 - Test must assess English language proficiency in:
 - Speaking, listening, reading, and writing

- School districts must provide notices within thirty days from the beginning of the school year to all parents.

B. Providing Language Assistance to EL Students

- EL students are entitled to appropriate language assistance services to:
 - become proficient in English; and
 - participate equally in the standard instructional program within a reasonable period of time.

- School districts can choose among EL programs
 - Program must meet *Castañeda* standard , i.e.,
 - be educationally sound in theory and effective in practice
 - To select an appropriate program consider each EL student's:
 - English proficiency, grade level, educational background, language background, and other relevant factors.

C. Staffing and Supporting an EL Program

- EL programs must have sufficient resources to ensure they can be effectively implemented, including:
 - Adequate number of highly qualified EL teachers
 - Support staff
 - Administrators
 - Appropriate instructional materials at appropriate English proficiency and grade levels
 - Appropriate bilingual materials

D. Providing Meaningful Access to All Curricular and Extracurricular Programs

- EL students must have access to their grade-level curricula so that they can meet promotion and graduation requirements
- EL students are entitled to an equal opportunity to participate in all programs including:
 - Pre-kindergarten
 - Magnet programs
 - Charter schools
 - Gifted and talented programs
 - Career and technical education
 - Arts & Athletics
 - Advanced Placement and International Baccalaureate courses
 - Clubs and Honor Societies

E. Avoiding Unnecessary Segregation of EL Students

- School districts generally may not segregate students on the basis of national origin or EL status.
- Schools districts and states are expected to carry out their chosen program in the least segregated manner consistent with achieving the program's stated educational goals.

Avoiding Unnecessary Segregation of EL Students

- OCR considers whether :
 - entry and exit into a segregated EL program model are voluntary;
 - the program is reasonably designed to provide EL students comparable access to the standard curriculum;
 - EL students in the program have the same range and level of extracurricular activities and additional services as do students in other environments; and
 - whether the district at least annually assesses the English proficiency and appropriate level of language assistance services for its EL students and determines their eligibility to exit from the EL program based on valid and reliable exit criteria.

F. Evaluating EL Students for Special Education and Providing Dual Services

- EL students with disabilities must be provided with both:
 - Language Assistance and
 - Disability-related services they are entitled to

- EL students who may have a disability must be located, identified and evaluated for special education and disability-related services in a timely manner

- EL students must be evaluated in an appropriate language based on the student's needs and language skills

- The IEP Team should include participants knowledgeable about the EL student's language needs

G. Meeting the Needs of Students Who Opt Out of EL Programs or Particular Services

- Parents may choose to opt their children out of a school district's EL program or out of particular EL services within an EL program.
- School districts may not recommend that parents opt out for any reason.
- School districts should appropriately document that the parent made a voluntary, informed decision to opt their child out.
- Parents are entitled to guidance in a language they can understand about their child's rights, the range of EL services that their child could receive, and the benefits of such services.

Meeting the Needs of Students who Opt Out of EL Programs or Particular Services

- A school district must still take steps to provide opted-out EL students with access to its educational programs, monitor their progress, and offer EL services again if a student is struggling.

H. Monitoring and Exiting EL Students from EL Programs and Services

- School districts must monitor the progress of all EL students to ensure they achieve English language proficiency and acquire content knowledge within a reasonable period of time.
- Districts must annually administer a valid and reliable English language proficiency (ELP) assessment, in reading, writing, listening and speaking, that is aligned to State ELP standards.
- An EL student must not be exited from EL programs, services, or status until he or she demonstrates English proficiency on an ELP assessment in speaking, listening, reading, and writing.

I. Evaluating the Effectiveness of a District's EL Program

- School districts must monitor and compare, over time, the academic performance of EL students in the program and those who exited the program, relative to that of their never-EL peers;
- School districts must evaluate EL programs over time using accurate data to assess the educational performance of current and former EL students in a comprehensive and reliable way; and
- School districts must timely modify their programs when needed.

J. Ensuring Meaningful Communication with LEP Parents

LEP parents are entitled:

- To meaningful communication with the school in a language they can understand; and
- To adequate notice of information about any program, service, or activity that is called to the attention of non-LEP parents.

■ School districts must develop and implement a process for determining:

- whether parents are limited English proficient; and
- identifying their language needs.

K. Ensuring Meaningful Communication with LEP Parents

- Schools must provide translation or interpretation from appropriate and competent individuals who may be on staff or an outside individual.
- Schools may not rely on or ask students, siblings, friends, or untrained school staff to translate or interpret for parents.
- Language assistance must be free

Fact Sheets

- OCR created two fact sheets:
 1. Ensuring English Learner Students Can Participate Meaningfully and Equally in Educational Programs
 - This fact sheet provides an overview of the joint guidance, but does not attempt to comprehensively address all of the issues in the guidance.
 - The fact sheet focuses on the responsibilities of school districts.
 2. Information for Limited English Proficient Parents and for Schools and School Districts that Communicate with Them
 - This fact sheet answers common questions about the rights of parents and guardians who do not speak, listen, read, or write English proficiently because it is not their primary language.
- The fact sheets are available in ten languages

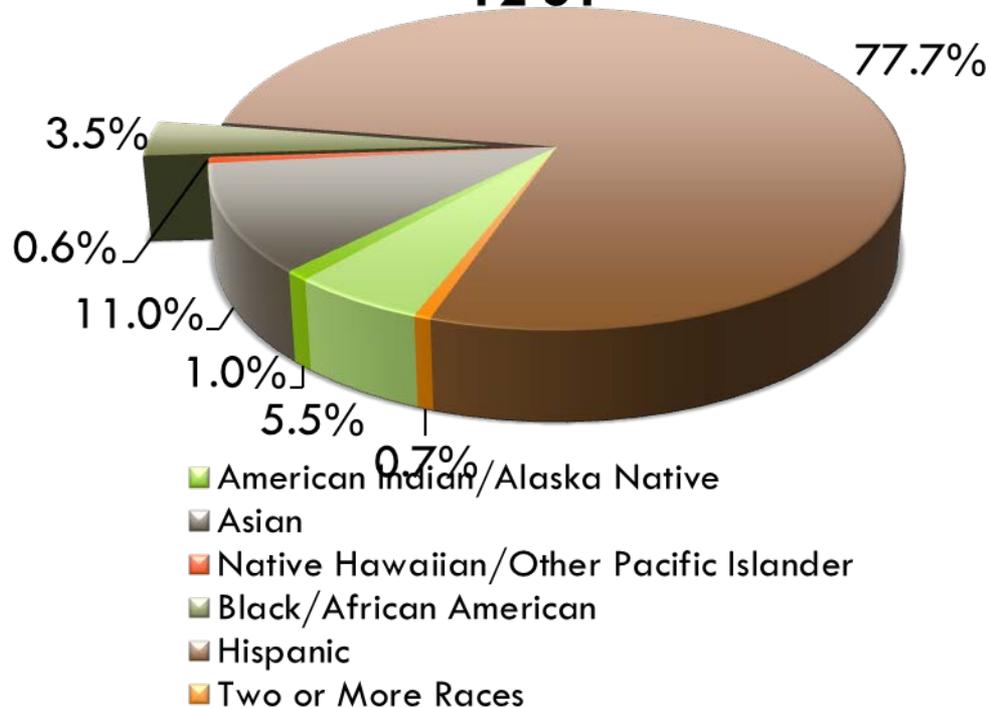
English Learner Students: Statistics from the Civil Rights Data Collection

The Civil Rights Data Collection collected data on nearly 5 million English learners in the 2011-12 SY.

Across the nation, Hispanic students represented most of the EL population (77.7%) and Asian students represented about 11% of EL students. However, the district-level composition of EL students can vary greatly.

- 11,230 LEAs reported at least one LEP student enrolled.
- In 32% of these districts, non-Hispanic students represented more than 50% of EL students.

**Limited English Proficient
Students, by Race/Ethnicity: 2011-
12 SY**

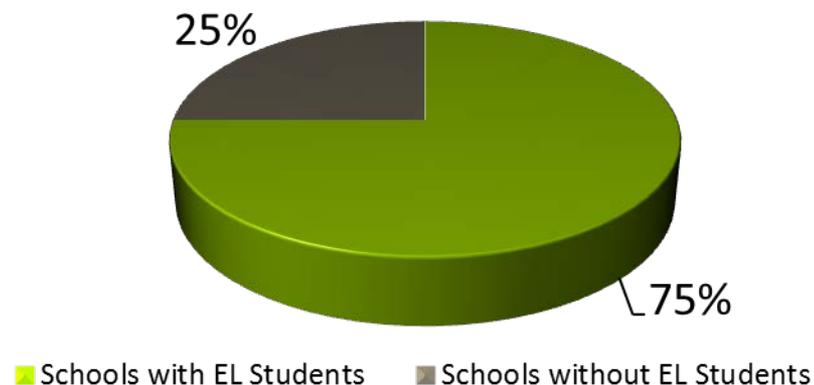


Source: Civil Rights Data Collection

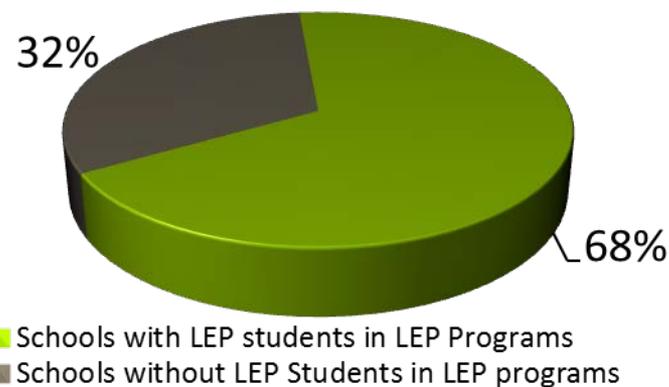
English Learner Students

- The 2011-12 CRDC included nearly 97,000 schools.
- 75% of these school reported at least one English learner enrolled.
- 68% of all public schools reported at least one English learner enrolled in an English Language Instruction Program.

Schools reporting at least one LEP student:
2011-12 SY



Schools reporting at least one LEP student
enrolled in an LEP program



Source: Civil Rights Data Collection

Data Collected in the CRDC

Enrollment & School Characteristics

- Overall Enrollment
- Prekindergarten
- IDEA and Section 504
- Interscholastic Athletics
- Single Sex Classes

Staffing & Resources

- Teacher Experience
- Teacher Absenteeism
- Teacher Certification
- School Counselors
- School-level Expenditures

Pathways to College & Career

- Early Childhood Education
- Gifted & Talented
- Algebra I Enrollment and Passing by grade 7 or 8, 9 or 10, 11 or 12
- Student Retention by grade

College & Career Readiness

- Geometry: courses & enrollment
- Algebra II: courses & enrollment
- Other Advanced Mathematics: courses & enrollment
- Calculus: courses & enrollment
- Biology: courses & enrollment
- Chemistry: courses & enrollment
- Physics: courses & enrollment
- AP: Courses, Test-taking, and Test-Passing
- IB Enrollment
- SAT/ACT

Discipline, Bullying & Harassment, Restraint & Seclusion

- Corporal punishment
- Suspensions: in-school and out-of-school
- Expulsions: with & without ed. services, zero tolerance
- Referrals to law enforcement & school-related arrests
- Students subjected to and instances of mechanical restraint, physical restraint, and seclusion
- Bullying and harassment on the basis of sex, national origin, and disability

Find Data for Your Districts

FOR REFERENCE



CIVIL RIGHTS Data Collection

CRDC > School/District Search

Find School(s)
Find District(s)

Basic Search (Please see user guide for additional search tips)

To find the districts(s) that you are looking for, enter one or more search criteria and click 'District Search'

District Name

Street Address

City

Zip Code

State (Choose 1 or more)

Tennessee
 Texas
 Utah
 Vermont
Virginia
 Washington
 West Virginia

NCES District ID

Survey Year
2009

OCR Regional Offices

Eastern - Boston
 Eastern - New York
 Eastern - Philadelphia
 Midwestern - Chicago
 Midwestern - Cleveland
 Midwestern - Kansas City
 Southern - Atlanta

States map


Search Tip:

If you are having difficulty finding your district, try entering only the city, zip and/or keyword in the name field.

District Search
Clear Basic Search

Additional Search Options (click to expand) +

Do you know the CRDC includes data about...

- * Enrollment
- * Demographics
- * Prekindergarten
- * Math & Science Courses
- * Advanced Placement
- * SAT/ACT
- * Discipline
- * School Expenditures
- * Teacher Experience

[Looking for the 2011-12 CRDC?](#)

U. S. Department of Education ~ NASTID Summer Conference 2014

District LEP Summary

District Characteristics

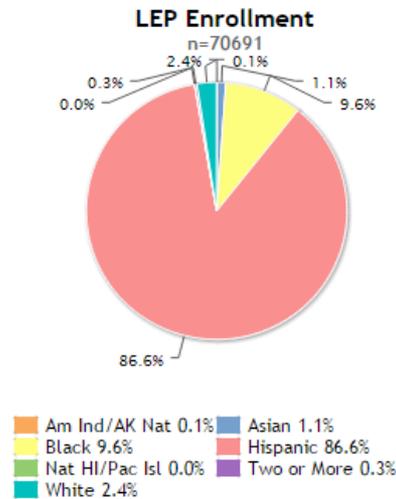
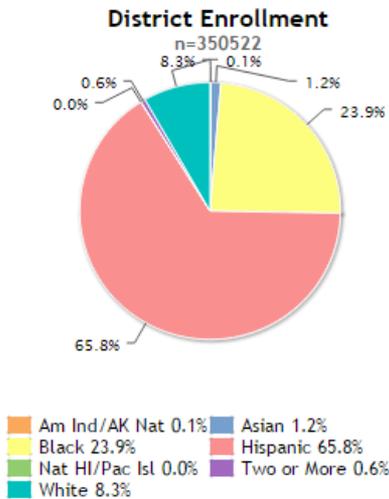
Number of Schools: 474	
Receiving Title I Funds: 289	Offering Advanced Placement: 74
Classified as Charter Schools: 107	Offering Gifted & Talented Education Programs: 382
Classified as Magnet Schools: 40	
Student Enrollment: 350522	
American Indian/Alaskan Native: 0.1%	Female: 48.8%
Asian/Pacific Islander: 1.2%	Male: 51.2%
Black: 23.9%	Students with Disabilities (IDEA): 10.0%
Hispanic: 65.8%	Section 504 Only: 0.0%
White: 8.3%	Limited English Proficiency (LEP): 20.1%

Additional Profile Facts Available

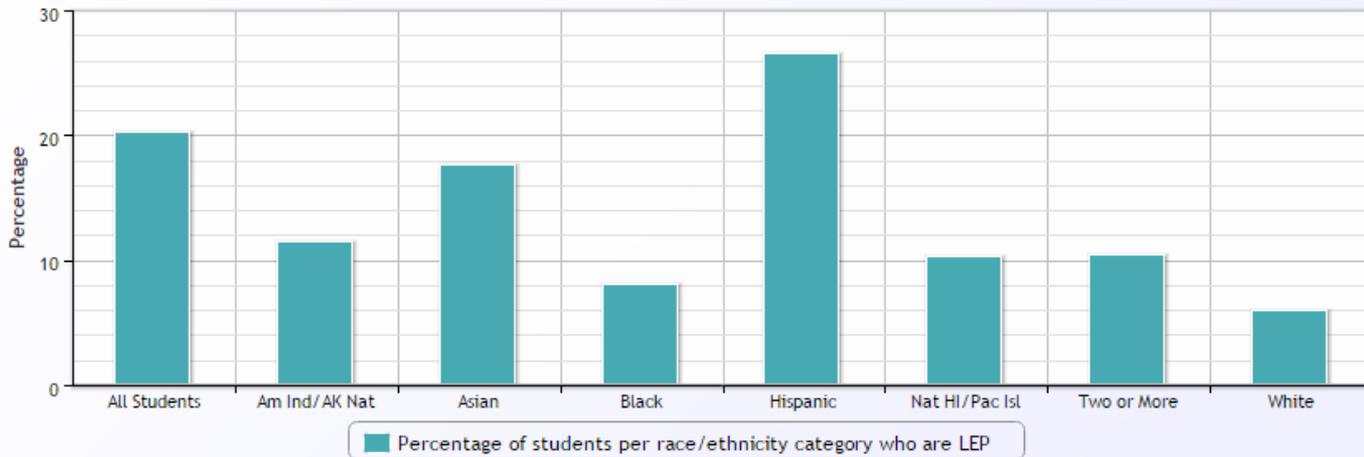
- Characteristics and Membership >
- [- LEP Summary \(New\)](#)
 - [→ Total LEP Students](#)
 - [→ LEP Students Enrolled in LEP Programs](#)
 - [→ Students with Disabilities \(IDEA\)](#)
 - [→ Students with Disabilities \(504\)](#)
 - [+ ED Facts IDEA](#)
 - [→ Single-sex Interscholastic Athletics](#)
 - [→ Single-sex classes](#)

LEP Enrollment

Compared to overall enrollment, what is the race/ethnicity of students who are Limited English Proficient?

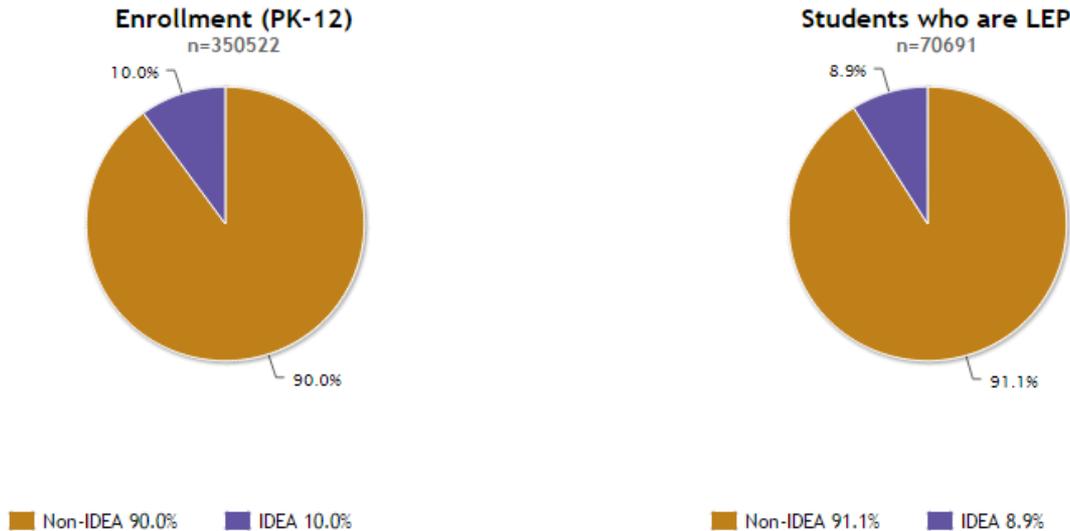


Of the students enrolled in each race/ethnicity category, what proportion is LEP?



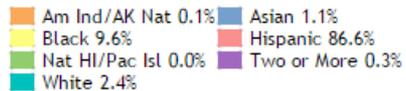
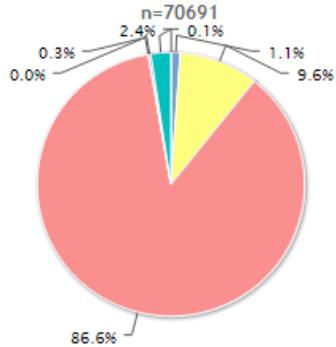
19.0% of female students are LEP and 21.3% of male students are LEP.

Compared to public school enrollment, what proportion of LEP students are also served under IDEA?

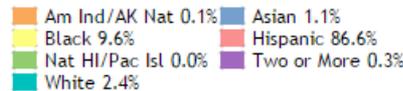
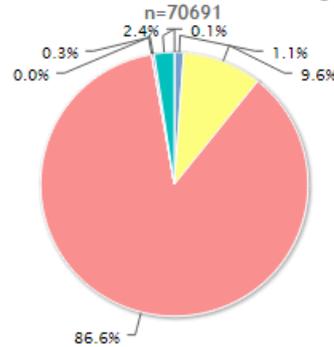


Compared to the LEP population, what is the race/ethnicity of students enrolled in English Language Instruction Educational Programs?

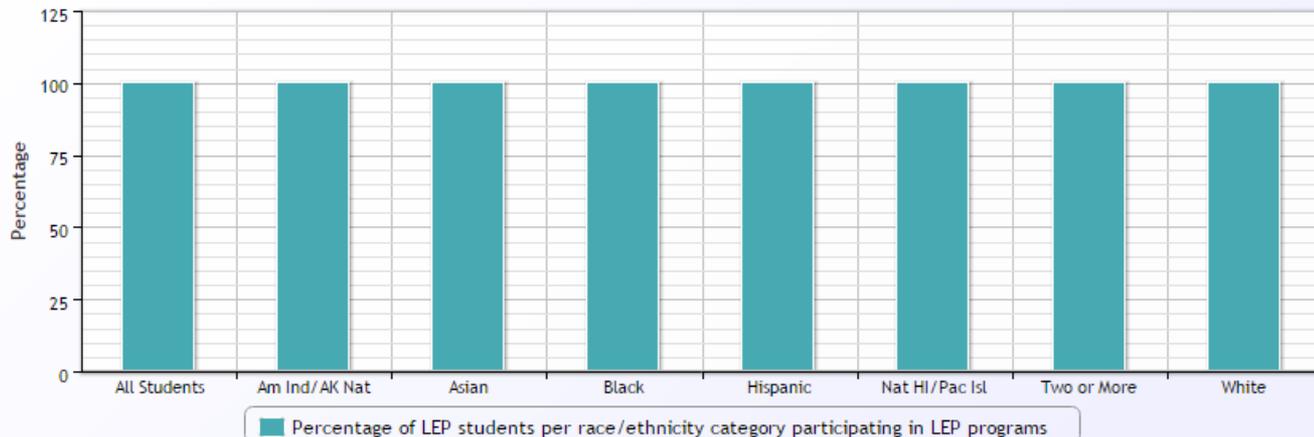
District Students who are LEP



Students Enrolled in LEP Programs



Of the LEP students enrolled in the district in each race/ethnicity category, what proportion is participating in English Language Instruction Educational programs?



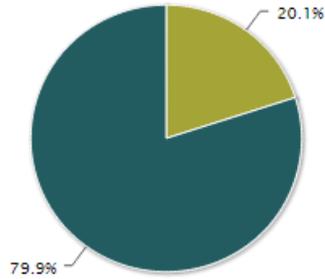
100.0% of female LEP students are participating in LEP programs and 100.0% of male LEP students are participating

Pathways to College and Career Readiness

Compared to overall enrollment, what proportion of students who are enrolled in Early Childhood programs are LEP?

District Enrollment (PK-12)

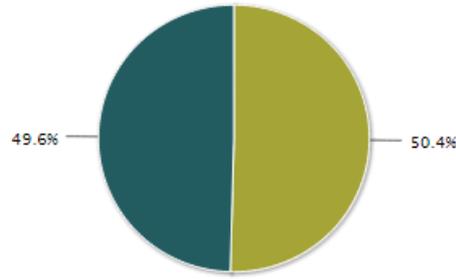
n=350523



LEP 20.1% Non-LEP 79.9%

Early Childhood Enrollment

n=7745



LEP 50.4% Non-LEP 49.6%

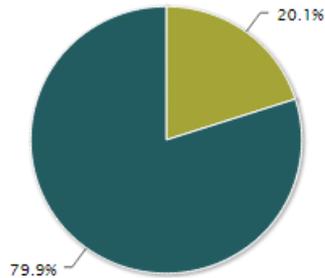
FOR REFERENCE

College and Career Readiness

Compared to overall enrollment, what proportion of students who are enrolled in gifted and talented programs are LEP?

District Enrollment (PK-12)

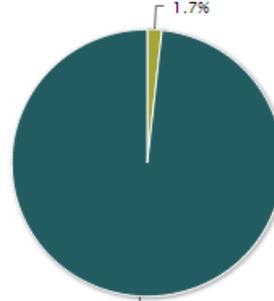
n=350523



79.9%

Students in Gifted/Talented Programs

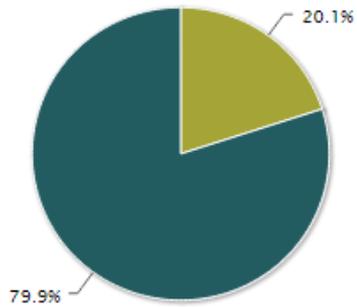
n=36505



98.3%

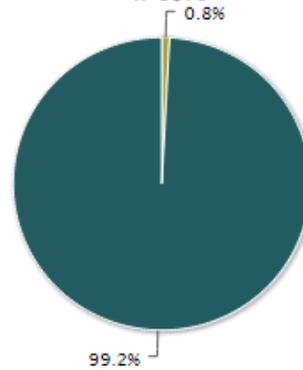
Compared to overall enrollment, what proportion of students who are enrolled in advanced math courses are LEP?

District Enrollment (PK-12)
n=350523



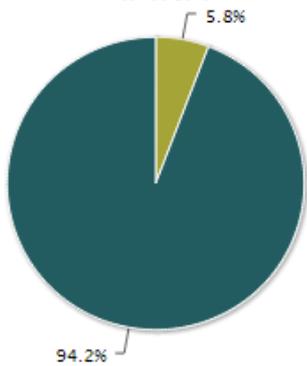
LEP 20.1% Non-LEP 79.9%

Calculus
n=3098



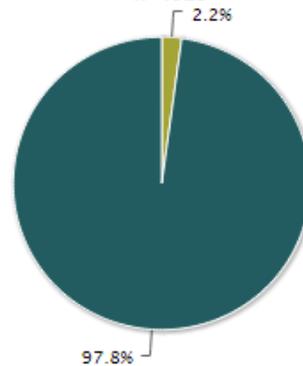
LEP 0.8% Non-LEP 99.2%

Chemistry
n=17674



LEP 5.8% Non-LEP 94.2%

Physics
n=4323



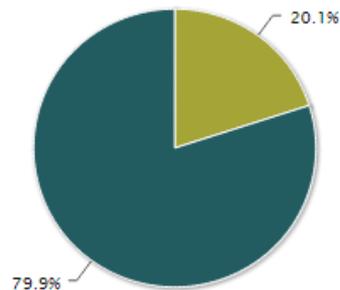
LEP 2.2% Non-LEP 97.8%

SAT or ACT Test-Taking

Compared to overall enrollment, what proportion of students who took the SAT or ACT are LEP?

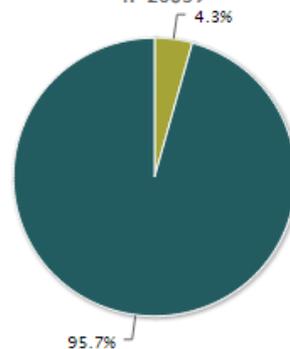
District Enrollment (PK-12)

n=350523



Students taking the SAT or ACT

n=26039



LEP 20.1% Non-LEP 79.9%

LEP 4.3% Non-LEP 95.7%

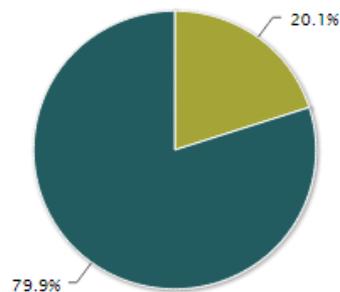
FOR REFERENCE

Advanced Placement

Compared to overall enrollment, what proportion of students who are enrolled in AP courses are LEP?

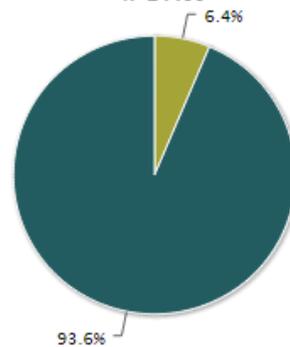
District Enrollment (PK-12)

n=350523



Students in at least one AP Course

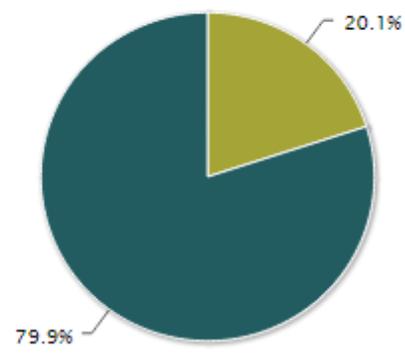
n=24466



Compared to overall enrollment, what proportion of students who were suspended or expelled are LEP?

District Enrollment (PK-12)

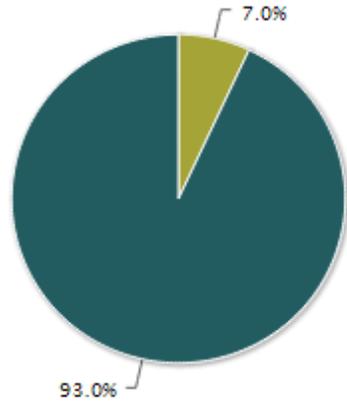
n=350523



LEP 20.1% Non-LEP 79.9%

In-School Suspensions

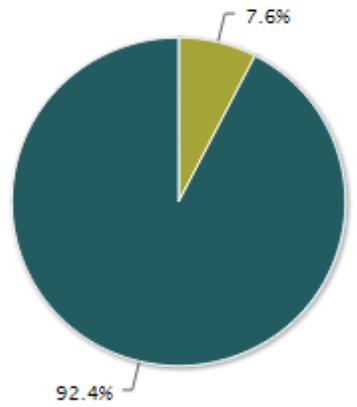
n=41839



LEP 7.0% Non-LEP 93.0%

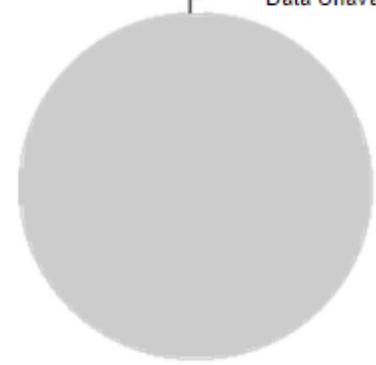
Out-of-School Suspensions

n=36215



Expulsions

Data Unavailable

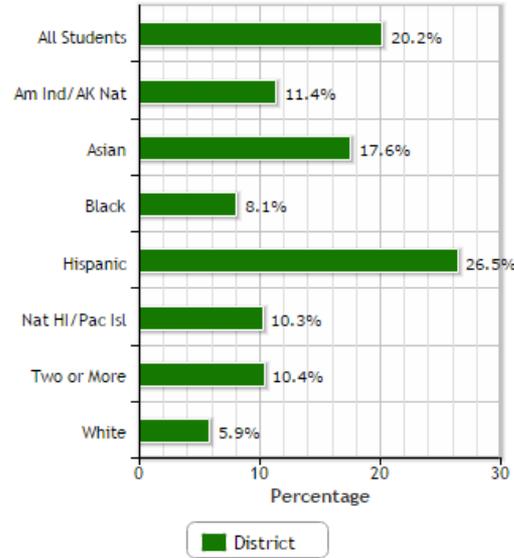
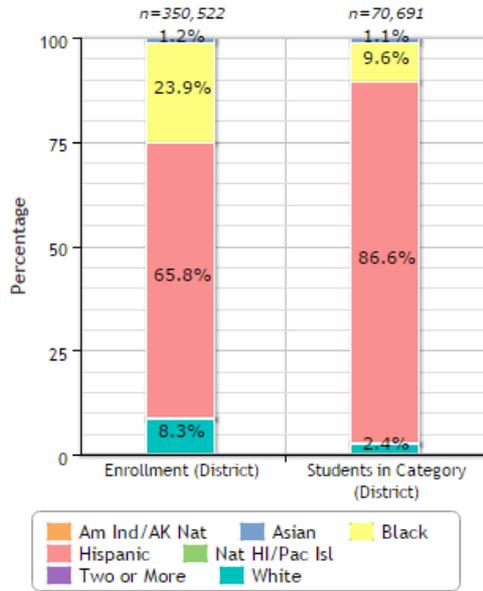


Compared to overall enrollment, what is the race/ethnicity, sex, and disability status of students who are Limited English Proficient?

Of the total students enrolled in the district, what proportion is Limited English Proficient?

FOR REFERENCE

Race/Ethnicity

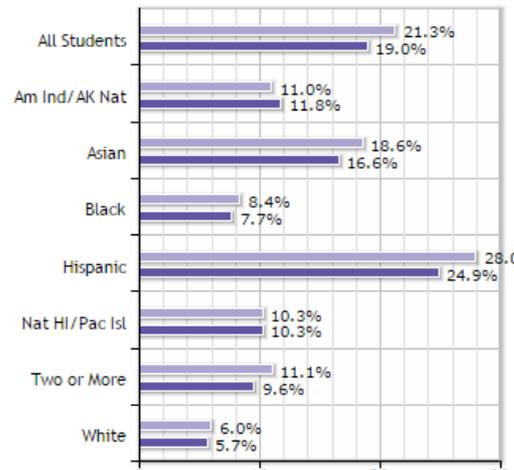
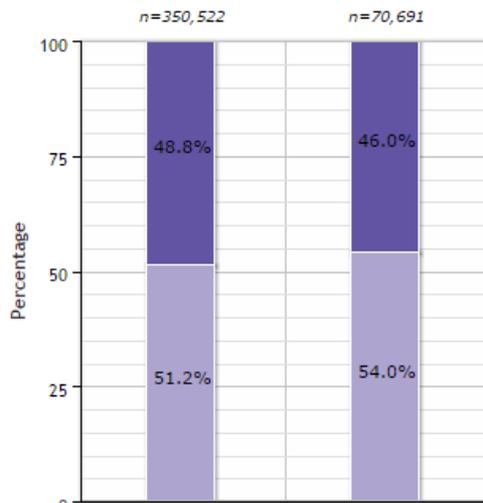


Additional Profile Facts Available

Characteristics and Membership >

- [LEP Summary \(New\)](#)
- [Total LEP Students](#)
- [LEP Students Enrolled in LEP Programs](#)
- [Students with Disabilities \(IDEA\)](#)
- [Students with Disabilities \(504\)](#)
- [EDFacts IDEA](#)
- [Single-sex Interscholastic Athletics](#)
- [Single-sex classes](#)

Sex



Options for Involving OCR

▪ **File a Complaint**

- A complaint may be filed by mail or fax with any OCR office or by using OCR's electronic complaint form at

www.ed.gov/ocr/complaintintro.html

▪ **Request Technical Assistance from OCR**

- Contact OCR's office serving your state by phone or email with questions, concerns, or requests.
- For contact information visit www.ed.gov/ocr or call OCR's customer service team at 1-800-421-3481.

Agenda

- ✓ Welcome and Introductions
- ✓ Context
- ✓ Review of Data on ELs and ELs in Charter Schools
- ✓ Overview of the Guidance, Fact Sheets, and Civil Rights Data Collection
- **Introduction to Toolkit**
- Q&A

EL Tool Kit (slide 1/4)



TOOLS AND RESOURCES FOR IDENTIFYING ALL ENGLISH LEARNERS

This is the first chapter of the English Learner Tool Kit, which is intended to help state and local education agencies (SEAs and LEAs) in meeting 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 and the U.S. Department of Justice's joint guidance, "English Learner Students and Limited English Proficient Parents," which outlines SEAs' and LEAs' legal obligations to EL students under civil rights laws and other federal requirements.

IDENTIFYING POTENTIAL ENGLISH LEARNERS

KEY POINTS

- LEAs must identify in a timely manner EL students in need of language assistance services.
- The home language survey (HLS) is the most common tool used to identify potential ELs.
- An HLS must be administered effectively to ensure accurate results.



EL Tool Kit (slide 2/4)

- Tools



IDENTIFYING ALL ENGLISH LEARNERS

TOOLS

The U.S. Department of Education does not mandate or prescribe particular curricula, lesson plans, assessments, or other instruments in this tool kit. Rather, this tool kit contains examples, 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 as an example of the many resources that educators, parents, advocates, administrators, and other concerned 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 resources does not reflect their importance, nor is such inclusion intended to endorse any views expressed or materials provided.



HOME LANGUAGE SURVEYS

The following information about home language surveys is provided for the reader's convenience and is included here to offer examples. LEAs are reminded to check with their SEAs to see if a particular HLS is prescribed, and, if so, what the current version is.

EL Tool Kit (slide 3/4)

- Sample HLS

The following home language surveys are provided for the reader's convenience and also included here as examples of such surveys. The inclusion of these examples, or of links to resources, does not reflect their importance, nor is their inclusion intended to endorse any views expressed, or materials provided in them. LEAs should check if their SEA prescribes a particular home language survey because SEAs often do and also continually update them.

SAMPLE #1

Home Language Survey

To make sure that all students receive the education services they need, the law requires us to ask questions about students' language backgrounds. The answers to Section A below will tell us if a student's proficiency in English should be evaluated and help us to ensure that important opportunities to receive programs and services are offered to students who need them. The answers to Section B below will help us communicate with you regarding the student and all school matters in the language you prefer.

Student's Name: _____

Date of Birth: _____

SECTION A: Please answer the questions below.

1. What are the primary languages used in the home regardless of the language spoken by the student? (Select up to three.)

- | | | | | |
|------------------------------------|---------------------------------------|---|-------------------------------------|--------------------------------|
| <input type="checkbox"/> English | <input type="checkbox"/> Cape Verdean | <input type="checkbox"/> Haitian-Creole | <input type="checkbox"/> Russian | <input type="checkbox"/> Other |
| <input type="checkbox"/> Arabic | <input type="checkbox"/> Creole | <input type="checkbox"/> Italian | <input type="checkbox"/> Somali | (Please specify) |
| <input type="checkbox"/> Burmese | <input type="checkbox"/> French | <input type="checkbox"/> Korean | <input type="checkbox"/> Spanish | ----- |
| <input type="checkbox"/> Cambodian | <input type="checkbox"/> Greek | <input type="checkbox"/> Mandarin | <input type="checkbox"/> Toishanese | |
| <input type="checkbox"/> Cantonese | <input type="checkbox"/> Hmong | <input type="checkbox"/> Portuguese | <input type="checkbox"/> Vietnamese | |

2. What is the language most often spoken by the student? (Select only one.)

- | | | | | |
|------------------------------------|---------------------------------------|---|-------------------------------------|--------------------------------|
| <input type="checkbox"/> English | <input type="checkbox"/> Cape Verdean | <input type="checkbox"/> Haitian-Creole | <input type="checkbox"/> Russian | <input type="checkbox"/> Other |
| <input type="checkbox"/> Arabic | <input type="checkbox"/> Creole | <input type="checkbox"/> Italian | <input type="checkbox"/> Somali | (Please specify) |
| <input type="checkbox"/> Burmese | <input type="checkbox"/> French | <input type="checkbox"/> Korean | <input type="checkbox"/> Spanish | ----- |
| <input type="checkbox"/> Cambodian | <input type="checkbox"/> Greek | <input type="checkbox"/> Mandarin | <input type="checkbox"/> Toishanese | |
| <input type="checkbox"/> Cantonese | <input type="checkbox"/> Hmong | <input type="checkbox"/> Portuguese | <input type="checkbox"/> Vietnamese | |

3. What is the language that the student first acquired? (Select only one.)

- | | | | | |
|------------------------------------|---------------------------------------|---|-------------------------------------|--------------------------------|
| <input type="checkbox"/> English | <input type="checkbox"/> Cape Verdean | <input type="checkbox"/> Haitian-Creole | <input type="checkbox"/> Russian | <input type="checkbox"/> |
| <input type="checkbox"/> Arabic | <input type="checkbox"/> Creole | <input type="checkbox"/> Italian | <input type="checkbox"/> Somali | <input type="checkbox"/> Other |
| <input type="checkbox"/> Burmese | <input type="checkbox"/> French | <input type="checkbox"/> Korean | <input type="checkbox"/> Spanish | (Please specify) |
| <input type="checkbox"/> Cambodian | <input type="checkbox"/> Greek | <input type="checkbox"/> Mandarin | <input type="checkbox"/> Toishanese | ----- |
| <input type="checkbox"/> Cantonese | <input type="checkbox"/> Hmong | <input type="checkbox"/> Portuguese | <input type="checkbox"/> Vietnamese | |

EL Tool Kit (slide 4/4)

- RESOURCES



IDENTIFYING ALL ENGLISH LEARNERS RESOURCES

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Abedi, J. (2009). English language learners with disabilities: Classification, assessment, and accommodation issues. *Journal of Applied Testing Technology*, 10 (4), pp. 1–30. Davis, CA: University of California/Davis, National Center for Research on Evaluation, Standards, and Student Testing. Retrieved from <http://www.testpublishers.org/assets/documents/Special%20issue%20article%202.pdf>

This article addresses issues concerning the assessment, identification, and classification of ELs with disabilities. Accommodations for ELs with disabilities are discussed and recommendations for more accessible assessments for these students are provided.

Bailey, A. and Kelly, K. (2010). *ELPA Validity Evaluation: Creating Enhanced Home Language Survey Instruments*. Retrieved from <http://www.eveaproject.com/doc/HomeLanguageSurveyInstrument.pdf>

This document guides the creation of enhanced home language surveys to better discriminate between students in the general k–12 student population who may need further assessment or placement in English language support services. It also provides a validity argument that the responses to new items will produce meaningful information so that an HLS can be more effectively used for its intended purpose of initially identifying the EL student population.

Bailey, A. and Kelly, K. (2010). The use and validity of

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Questions & Answers

Links to Resources

ED and DoJ Guidance on English Language Learners

<http://www.justice.gov/crt/about/edu/documents/elsguide.php>

Tools and Resources for Identifying all ELs

<http://www2.ed.gov/about/offices/list/oela/eltoolkitchap1.pdf>

Schools' Civil Rights Obligations to English Learner Students and Limited English Proficient Parents

<http://www2.ed.gov/about/offices/list/ocr/ellresources.html>

NCSRC Report: Legal Guidelines For Educating English Learners In Charter Schools

<http://www.charterschoolcenter.org/resource/legal-guidelines-educating-english-learners-charter-schools>

NCSRC Report: Engaging English Learner Families In Charter Schools

www.charterschoolcenter.org/resource/engaging-english-learner-families-charter-schools

NCSRC EL Case Studies:

<http://www.charterschoolcenter.org/case-studies/all>

Thank You!