



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.



LEAs must identify in a timely manner EL students in need of language assistance services. The home language survey (HLS) is a questionnaire given to parents or guardians that helps schools and LEAs identify which students are potential ELs and who will require assessment of their English language proficiency (ELP) to determine whether they are eligible for language assistance services. Many SEAs either require a state-developed HLS or provide a sample for LEAs to use; thus, it is advisable to check with the SEA about HLS guidance.

Research has shown that there is a great deal of variation in HLS instruments across the United States (Bailey & Kelly, 2010). However, an HLS typically includes questions about what language(s) the student first learned, understands, uses, and hears, and in what contexts. Additional questions about a student's language exposure and background (e.g., languages used in the home) help ensure that ELs are not missed, and guard against inaccurate reporting of the student's English abilities. Information from the HLS informs placement into a language assistance program (e.g., a bilingual and/or English as a Second Language [ESL] program).

To obtain accurate information, schools should reassure parents that the HLS is used solely to offer appropriate educational services, not for determining legal status or for immigration purposes. Parents and guardians should also be informed that, even if their child is identified as an EL, they may decline the EL program or particular EL services in the program.

The following checklist is intended to assist with developing HLS instruments and procedures. The checklist provides suggestions only, and schools and LEAs should check their SEA's policies to ensure compliance with state requirements.

Content of the Home Language Survey

- ★ Is the purpose and use of the HLS clearly communicated to both families and those who administer the survey?
- ★ Does the HLS elicit information about the student's current English abilities?
- ★ Are the questions clear and understandable to those who administer the HLS?

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Translation of the Home Language Survey

- ★ Is the HLS translated into the home languages of students, and parents and guardians, in the school and LEA?
- ★ Are qualified oral interpreters available when needed to help families complete the HLS?

Procedures for Administering, Interpreting, and Managing Results of the Home Language Survey

- ★ Has a welcoming environment been established where the HLS is disseminated, made available, or administered?
- ★ Are there standard and uniform procedures for administering and interpreting the HLS results?
- ★ Do the procedures describe whose responsibility it is to administer the HLS, how it is to be done, and in what forms it should be administered (i.e., orally, written, in English, or in a home language translation)?
- ★ Are there procedures to document and describe how to train the staff who will administer the HLS and how often refresher training will occur?

- ★ Do procedures provide specific guidelines for interpreting HLS responses that include but are not limited to the following considerations: (a) Which responses indicate that a student will take an ELP placement test?; (b) How should responses be interpreted as a whole?; and (c) What are the next steps if responses are unclear or contradictory?
- ★ Do procedures include methods to record HLS results in the student's permanent records and to record the translation and interpretation needs of the EL's parents in the student information system?
- ★ What is the continuous review process? Is there a process to gather feedback from parents and school personnel? Is there a process to revise the HLS, including piloting a new version as appropriate?

Reference: Linqunti, R., & Bailey, A.L. (2014). Reprising the Home Language Survey: Summary of a National Working Session on Policies, Practices, and Tools for Identifying Potential English Learners. Washington, DC: Council of Chief State School Officers. Retrieved from <http://www.ccsso.org/Documents/2014/CCSSO%20Common%20EL%20Definition%20Reprising%20the%20Home%20Language%20Survey%2001242014.pdf>.

DETERMINING WHICH STUDENTS ARE ENGLISH LEARNERS

KEY POINTS

- All potential ELs must be assessed with a valid and reliable assessment to determine if they are in fact ELs.
- Parents and guardians must be informed in a timely manner of their child's ELP level and EL program options.
- LEAs are required to communicate information regarding a child's ELP level and EL program options in a language the parent understands.



Once students are identified as potential ELs, they must be assessed with a valid and reliable assessment to determine if they are indeed ELs. LEAs and SEAs commonly refer to these assessments as “placement/screener tests.” Placement/screener tests are typically selected at the SEA level. Such ELP tests must assess the proficiency of students in all four language domains (i.e., speaking, listening, reading, and writing). Some SEAs and LEAs also use ELP assessments that evaluate speaking, listening, pre-reading, and pre-writing for entering kindergarten students with a primary or home language other than English.

Placement tests require that those administering and scoring them receive some level of training. LEA guidelines should describe who will administer and score assessments, and what training is required to ensure valid and reliable results. After the student completes the assessment, parents or guardians must receive in a timely manner information about the student's ELP level and program options, and an opportunity to opt out of the EL program or particular EL services in the program. Translating this information into the family's home language is critical, and if a written translation is not provided, an oral interpretation should be made available whenever needed.

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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.

The following three HLS questions have been approved by the U.S. Department of Education Office for Civil Rights (OCR) and the U.S. Department of Justice (DOJ) in their compliance work under *Title VI of the 1964 Civil Rights Act* and the *Equal Educational Opportunities Act of 1974*. Asking these three questions, and then testing a student whose parent or guardian responded to one or more of these three questions with a language other than English, is considered minimally compliant under the law.

OCR- and DOJ-approved home language survey questions:

- 1) What is the primary language used in the home, regardless of the language spoken by the student?
- 2) What is the language most often spoken by the student?
- 3) What is the language that the student first acquired?



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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 | |

Parent/Guardian Signature: _____

Date: _____

SECTION B: Please answer the questions below.

1. In which language do you prefer to receive **written** school communications? *(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 | |

2. In which language do you prefer to receive **oral** school communications? *(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 | |

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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 #2

Primary/Home Language Survey for All New Kindergarten and Incoming Students

Instructions for schools in completing the survey:

1. Interview the parents or guardians of ALL new kindergarten and incoming students in grades k–12 and record all information requested.
2. Provide interpretation services whenever necessary.
3. Check to see that all questions on the form are answered.

Student Information (The parents or guardians should complete this section.)	
First Name: _____ Last Name: _____	Date of Birth: (Month/Day/Year)
Questions for Parents or Guardians	Response
What language(s) is (are) spoken in your home?	
Which language did your child learn first?	
Which language does your child use most frequently at home?	
Which language do you most frequently speak to your child?	
In what language would you prefer to get information from the school?	

Parent or Guardian's Signature: _____ Date: _____

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SAMPLE #3

Complete this home language survey at the student's initial enrollment in school. This form must be signed and dated by the parent or guardian. It must be kept in the student's file. This form will be used only for determining whether the student needs English Learner services and will not be used for immigration matters or reported to immigration authorities.

School: _____ Student ID #: _____

Student's Last Name: _____

Student's First Name: _____

ENGLISH

1. Is a language other than English spoken in your home? No Yes _____ (specify language)
2. Does your child communicate in a language other than English? No Yes _____ (specify language)
3. Which language did your child learn first? _____ (specify language)
4. In which language do you prefer to receive information from the school? _____ (specify language)
5. What is your relationship to the child? Father Mother Guardian Other (specify) _____

ESPAÑOL (SPANISH)

1. ¿Se habla otro idioma que no sea el inglés en su casa? No Sí _____ (especifique idioma)
2. ¿Habla el estudiante un idioma que no sea el inglés? No Sí _____ (especifique idioma)
3. ¿Cuál fué el primer idioma que aprendió su hijo/a? _____ (especifique idioma)
4. ¿En que idioma prefiere recibir comunicaciones de la escuela? _____ (especifique idioma)
5. ¿Cuál es su relación con el estudiante? Padre Madre Guardián Otro (especifique) _____

FRANÇAIS (FRENCH)

1. Parle-t-on une autre langue que l'anglais chez vous ? Non Oui _____ (veuillez préciser la langue)
2. Votre enfant parle-t-il une autre langue que l'anglais ? Non Oui _____ (veuillez préciser la langue)
3. Quelle langue votre enfant a-t-il apprise en premier ? _____ (veuillez préciser la langue)
4. Dans quelle langue préférez-vous recevoir les communications de l'école ? _____ (veuillez préciser la langue)
5. Quelle est votre lien de parenté avec l'enfant ? Père Mère Tuteur Autre (veuillez préciser) _____

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<p>Tiếng Việt (VIETNAMESE)</p> <ol style="list-style-type: none"> 1. Có nói tiếng nào khác tiếng Anh không được nói ở nhà quý vị không? <input type="checkbox"/> Không <input type="checkbox"/> Có _____ (hãy cho biết tiếng nào) 2. Con quý vị có nói tiếng nào khác tiếng Anh không? <input type="checkbox"/> Không <input type="checkbox"/> Có _____ (hãy cho biết tiếng nào) 3. Con quý vị đã học tiếng nào đầu tiên? _____ (hãy cho biết tiếng nào) 4. Quý vị muốn nhận được thông tin từ trường học bằng tiếng nào? _____ (hãy cho biết tiếng nào) 5. Quý vị có quan hệ như thế nào đối với con? <input type="checkbox"/> Cha <input type="checkbox"/> Mẹ <input type="checkbox"/> Người giám hộ <input type="checkbox"/> Quan hệ khác (hãy cho biết) _____
<p>CHINESE</p> <ol style="list-style-type: none"> 1. 除了英语之外，您家是否还说其他语言？ <input type="radio"/> 否 <input type="radio"/> 是 _____（请说明是哪种语言） 2. 除了英语之外，您的孩子是否还说其他语言？ <input type="radio"/> 否 <input type="radio"/> 是 _____（请说明是哪种语言） 3. 您的孩子最先学习的是哪种语言？ _____（请说明是哪种语言） 4. 您希望学校用哪种语言授课？ _____（请说明是哪种语言） 5. 您与孩子的关系？ <input type="radio"/> 父亲 <input type="radio"/> 母亲 <input type="radio"/> 绚 <input type="radio"/> 其他（请说明） _____
<p>AMHARIC</p> <ol style="list-style-type: none"> 1. ከእንግሊዝኛ ውጪ የሆነ ቋንቋ በቤትዎ ውስጥ ይነገራል? <input type="checkbox"/> አይ <input type="checkbox"/> አዎ _____ (ቋንቋውን ይጥቀሱ) 2. ከእንግሊዝኛ ውጪ በሆነ ቋንቋ ልጅዎ ይናገራል/ትናገራለች? <input type="checkbox"/> አይ <input type="checkbox"/> አዎ _____ (ቋንቋውን ይጥቀሱ) 3. ልጅዎ መጀመሪያ የተማረው ቋንቋ ምንድነው? _____ (ቋንቋውን ይጥቀሱ) 4. ከትምህርት ቤቱ መረጃን በምን ቋንቋ ማግኘት ይፈልጋሉ? _____ (ቋንቋውን ይጥቀሱ) 5. ከልጅዎ ጋር ያለዎት ዝምድና ምንድነው? <input type="checkbox"/> አባት <input type="checkbox"/> እናት <input type="checkbox"/> ሞግዚት/አሳዳጊ <input type="checkbox"/> ሌላ (ይጥቀሱ) _____

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ARABIC

١. هل توجد لغة أخرى منطوقة في منزلك بخلاف اللغة الإنجليزية؟
لا نعم _____ (حدد اللغة)

٢. هل يتواصل طفلك مع غيره بلغة أخرى بخلاف اللغة الإنجليزية؟
لا نعم _____ (حدد اللغة)

٣. ما أول لغة تعلمها طفلك؟ _____ (حدد اللغة)

٤. بأي لغة تفضل أن تستقبل المعلومات من المدرسة؟ _____ (حدد اللغة)

٥. ما العلاقة التي تربطك بالطفل؟
 والده والدته الوصي عليه صلة أخرى (الرجاء التحديد)

Signature of Parent/Guardian: _____

Date: _____

This information about placement tests is provided for the reader's convenience and is included here to offer examples. Inclusion of links to items does not reflect their importance, nor is it intended to endorse any views expressed, or materials provided.

PLACEMENT TEST CHECKLISTS

The following checklists provide suggestions and some requirements (as indicated) for assisting with reviewing placement/screener tests used to determine a student's EL status.

State Education Agency Checklist

- ★ Has the SEA clearly communicated to LEAs which placement test is recommended or required?
- ★ Is SEA guidance about EL placement testing readily available to LEAs?

If a placement test (i.e., assessment) is required or recommended by the SEA:

- ★ In what year was the assessment developed? Have items been refreshed since its initial development? What is the refreshment cycle?
- ★ Does the assessment developer follow best practices in placement test development, such as pilot testing, field testing, and ensuring consistency with state ELP standards?
- ★ Has the assessment developer provided information about the reliability and validity of the assessment?
- ★ Does the assessment developer provide a test administration manual and test administration training for those administering the assessment and scoring results?
- ★ Have templates been developed in languages representative of the EL community for LEAs to use in communicating placement information to EL families?

Local Education Agency Checklist

- ★ Have LEA or school staff checked with the SEA to determine whether to adopt a required or recommended placement test?

If a required test is not provided and the LEA selects a placement test:

- ★ Does the placement test assess English language proficiency appropriately, including the required testing in all four domains (speaking, listening, reading, and writing)?

- ★ In what year was the assessment developed? Have items been refreshed since its initial development? What is the refreshment cycle?
- ★ Does the assessment developer follow best practices in placement test development, such as pilot testing, field testing, and ensuring consistency with SEA ELP standards?
- ★ Has the assessment developer provided information about the reliability and validity of the assessment?
- ★ Does the assessment developer provide a test administration manual and test administration training for those administering the assessment and interpreting the results?

Administration Procedures

- ★ Have LEA or school staff created detailed administration procedures to describe (1) whose responsibility it is to administer the assessment, (2) what the training requirements are (based on the test developer's recommendations), and (3) whether refresher training is suggested?
- ★ Have procedures for record keeping been developed, including, for example, how assessment results will be stored and linked to the student's permanent records, and shared with appropriate instructional staff?
- ★ Are the purpose and use of the placement test clearly communicated to stakeholders?
- ★ Have procedures and translated forms been developed for communicating placement information to EL families?
- ★ Has the LEA established a process by which teachers may recommend a student for further ELP testing if, for example, the student's language needs as observed in class indicate that the student is EL despite the placement tests results to the contrary?

Linquanti, R., and Bailey, A. (2014). Reprising the home language survey: Summary of a national working session on policies, practices, and tools for identifying potential English Learners. Retrieved from <http://www.ccsso.org/Documents/2014/CCSSO%20Common%20EL%20Definition%20Reprising%20the%20Home%20Language%20Survey%2001242014.pdf>

This document is the first in a series of working papers that elaborate on a framework of four key stages in moving toward a common definition of EL. The paper summarizes a national working session of September 2013, which deliberated on the first stage in the Council of Chief State School Officers' guidance document, *Toward a 'Common Definition of English Learner'—Identifying a student as a potential EL*. The goal was to build understanding and consensus among assessment consortia, participating states, and other stakeholders on key issues, and on strengthening related policies, practices, and tools.

Linquanti, R., and Cook, H.G. (2013). Toward a “common definition of English Learner”: Guidance for states and state assessment consortia in defining and addressing policy and technical issues and options. Retrieved from http://www.ccsso.org/Documents/2013/Toward_a_Common_Definition_2013.pdf

This paper provides guidance that consortium member states can use to move toward establishing a common EL definition in ways that are theoretically sound, evidence-based, pragmatic, and sensitive to many policy, technical, and legal issues. Specifically, the paper outlines central issues, and discusses policy and

technical options for defining ELs using a four-stage framework of key criteria and processes to (1) identify a student as a potential EL; (2) classify (confirm or disconfirm) a student as an EL; (3) establish an ELP performance standard on the state or consortium ELP test against which to assess ELs' English language proficiency; and (4) reclassify an EL student to former EL status through the use of multiple exit criteria.

U.S. Department of Education, Office for Civil Rights, and U.S. Department of Justice. (January 2015). English Learner Students and Limited English Proficient Parents. Retrieved from <http://www2.ed.gov/about/offices/list/ocr/ellresources.html>

This document provides guidance to assist SEAs, school districts, and all public schools in meeting their legal obligations to ensure that EL students can participate meaningfully and equally in educational programs and services. This guidance provides an outline of the legal obligations of SEAs and school districts to EL students under the civil rights laws. Additionally, the guidance discusses compliance issues that frequently arise in OCR and DOJ investigations under Title VI and the EEOA and offers approaches that SEAs and school districts may use to meet their Federal obligations to EL students. The guidance also includes discussion of how SEAs and school districts 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 LEP parents and guardians have meaningful access to district- and school-related information.