

## Frequently Asked Questions about English Language Learners

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*The majority of this information is directly from the Ohio Department of Education website, particularly the section under Learning Supports, Limited English Proficient Students section. Thanks go to Dan Fleck, consultant with the Lau Resource Center, Ohio Department of Education, for his assistance. The mission of the Lau Resource Center at the Ohio Department of Education is to ensure equal access to high-quality learning experiences and standards for students with limited English proficiency in the state of Ohio.*

<http://www.ode.state.oh.us/GD/Templates/Pages/ODE/ODEPrimary.aspx?page=2&TopicID=499&TopicRelationID=499>

### **What is the process for students to be identified as Limited English Proficient (LEP) students?**

*Limited English Proficient (LEP) is used interchangeably with ESL (English as a Second or Other Language) and ELL (English Language Learner). For consistency, LEP will be used in this article.*

It is the responsibility of school districts to identify all students whose primary or home language is other than English. Most districts do this by administering a Home Language Survey to students at the time of registration. A sample of such a survey instrument is included in the ODE Guidelines for the Identification and Assessment of Limited English Proficient Students/English Language Learners document (link provided below). Once the district has identified students whose primary or home language is other than English (PHLOTEs), the district then needs to assess these PHLOTE students to determine if they are limited English proficient and need special language assistance to participate effectively in the district's instructional program. PHLOTE students need to be assessed in the following areas of language; Listening, Speaking, Reading, and Writing. There are a number of commercial assessment tools that can be used; while not recommending specific assessments, a list of appropriate assessment instruments is posted in the Guidelines document. As with any quality assessment, the ODE recommends that more than one source of information be used, including ongoing performance-based tests that focus on academic language used in grade-level classrooms. Based on the results of the assessments, students are rated using proficiency levels. Ohio has established five proficiency levels to categorize Limited English Proficient students (LEP) at different stages of their English language development. These levels are Pre-functional, Beginning, Intermediate, Advanced, and Proficient/Trial-Mainstream. A detailed description of these levels of language development is available in the Guidelines document.

Students who do not demonstrate proficiency in English, based on their performance on the assessments, and who have a primary/home/native language other than English' are identified as Limited English Proficient (LEP) and are eligible for LEP services.

<http://www.ode.state.oh.us/GD/Templates/Pages/ODE/ODEDetail.aspx?page=3&TopicRelationID=499&ContentID=16099&Content=90398>

### **What guidelines are provided by the state regarding the instruction of LEP students?**

The state provides guidelines for the instruction of LEP students once identified but does not prescribe a specific method. This allows districts flexibility in instructing these varied students; however, instruction must be based upon sound theory and best practices. As worded in state documents, (Testing Rules Book, page 34), school districts are required to take affirmative steps to provide LEP students with educational services that address the students' English language and academic needs. The services are to be designed based on scientific-based research so that the students receive effective instruction leading to academic achievement and timely acquisition of English. The school district must notify parents of students eligible to participate in LEP programs and provide them with information regarding program specifics and parent options. (Sample parent letters are provided on the ODE website LEP section.)

The ideal is that each teacher who works with an LEP student has training in helping the student to access the curriculum. Classroom instruction must be linked to ESL instruction in a meaningful way. According to Dan Fleck, Consultant at the Ohio Department of Education, Center of Curriculum and Assessment Lau Resource Center, research indicates that only providing pull-out instruction without differentiation in the classroom is not sufficient; therefore, general education teachers must provide accommodations and differentiation for their LEP students.

Larger districts in Ohio with substantial numbers of LEP students (Cleveland, Columbus, and South-Western, for example) have staff and structured programs to address needs of LEP students. On the other hand, meeting the instructional needs of LEP students can be challenging for smaller districts who may only encounter a handful of LEP students. Resources available for school districts in providing quality instruction include the Ohio Department of Education Center of Curriculum and Assessment Lau Resource Center, and the Teachers of English to Speakers of Other Languages (TESOL).

The ODE does require that staff teaching LEP students have qualifications necessary to implement instruction for LEP students. The state has established standards for teachers with teaching certification to obtain endorsements in the areas of Teaching English to Speakers of Other Languages (TESOL) and Bilingual Education. For those teachers who do not meet state endorsement requirements, school districts must require that they work toward getting the appropriate training.

### **What are the principles of high quality instruction for LEP students?**

*Principle #1:* Students need to feel good about themselves and their relationships with others in second language learning situations. Educators should foster friendships among LEP students and their teachers, promote cooperative learning opportunities, use the knowledge and back ground of LEP students as resources in the classroom, and provide learning settings in which students feel at ease.

*Principle #2:* Comprehension naturally precedes production during the process of second language development. In order to put the principle into practice, provide information in a manner that is comprehensible within meaningful contexts, give opportunities for reading high quality literature suitable for a students' proficiency level, allow students to show understanding nonverbally, and if possible, use students' native language to develop necessary concepts.

*Principle #3:* Second language competency develops most quickly when the learner focuses on accomplishing tasks rather than focusing on the language itself. Educators should focus on purposeful content-related activities, begin with concrete experiences, and give chances for students to work on group assignments.

*Principle #4:* Students can learn to read and write in a second language while they develop their oral skills. Suggestions for implementation are promoting oral and written communication, providing meaningful writing opportunities, and teaching note-taking skills.

*Principle #5:* Learners acquire a second language through trial and error; mistakes are part of the natural process. Focus on what students communicate rather than on how they communicate, don't correct students all the time, especially when correction interrupts communication, and use students' errors as indicators of their progress in developing second language skills.

References: (From the ODE website)

Krashen, S. & Terrell, Tracy. 1983. *The Natural Approach: Language Acquisition in the Classroom*. Hayward, CA: Alemany Press

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<http://education.ohio.gov/GD/Templates/Pages/ODE/ODEDetail.aspx?page=3&TopicRelationID=501&ContentID=3282&Content=96733>

In research conducted by the National Research Council (Improving Schooling for Language Minority Students: A Research Agency, 1997), the following are characteristics of programs that successfully address LEP students' unique needs:

- Some native language instruction, especially initially
- For most students, a relatively early phasing in of English instruction
- Teachers specially trained in instructing LEP students

Kris Anstrom, in her research, (What are the Defining Characteristics of Effective Instructional Programs for Language Minority Students, 1996) identifies the following characteristics of effective programs for LEP students:

- Promote language and cognitive development
- Provide access to the content-area curriculum
- Create an active learning environment
- Make appropriate use of the students' native language
- Utilize the students' home and community background
- Give students adequate time in special services

According to Alicia Paredes Scribner, writing in *Best Assessment and Intervention Practices with Second Language Learners*, *Best Practices in School Psychology*, in order to provide optimal language conditions for the second language learner, the classroom instruction should provide:

- Consistent opportunity to use and practice the new language
- Oral language development as an added dimension of instruction
- Planned daily instruction to develop critical thinking skills in English
- Balanced program components so that curriculum is integrated
- Structured language learning for success in literacy skills

Ohio Department of Education, Lau Resource Center for English as a Second Language and Bilingual Education, Office of Literacy (January 2005) *What research tells us about the education of Limited English Proficient (LEP) students*.

Columbus, OH. Retrieved from

<http://www.ode.state.oh.us/GD/Templates/Pages/ODE/ODEDetail.aspx?page=3&TopicRelationID=499&ContentID=26566&Content=96735>

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### **What are some common misconceptions about language acquisition and LEP students?**

*Myth#1:* LEP students learn English easily and quickly simply by being exposed to and surrounded by native English speakers.

*Fact:* Learning a second language takes time and significant intellectual effort on the part of the learner. Learning a second language is hard work; even the youngest learners do not simply "pick up" the language.

*Myth #2:* When second language learners are able to converse comfortably in English, they have developed proficiency in the language.

*Fact:* It can take 6-9 years for LEP students to achieve the same levels of proficiency in academic English as native speakers. Moreover, LEP students participating in thoughtfully designed programs of bilingual or sheltered content

instruction remain in school longer and attain significantly higher rates of academic achievement in comparison to students without such advantages.

*Myth #3:* In earlier times immigrant children learned English rapidly and assimilated easily into American life.

*Fact:* Many immigrant students during the early part of this century did not learn English quickly or well. Many dropped out of school to work in jobs that did not require the kinds of academic achievement and communication skills that substantive employment opportunities require today.

<http://education.ohio.gov/GD/Templates/Pages/ODE/ODEDetail.aspx?page=3&TopicRelationID=499&ContentID=3306&Content=107336>

### **Who are the Limited English Proficient students and what languages do they speak?**

According to Dan Fleck, Consultant at the Ohio Department of Education Center of Curriculum and Assessment Lau Resource Center, there are more than 40,000 LEP students in Ohio. The top 10 language groups are Spanish, Somali, Arabic, Japanese, Pennsylvania Dutch (a dialect of German used by the Amish), Russian, Vietnamese, Ukrainian, Serbo-Croatian, and Korean. In Ohio, there are more than 110 different native or home languages.

LEP students are monitored in EMIS data and have 3 EMIS categories. The first is students who have recently arrived and have been classified as LEP for less than 180 days. The second category is students who have been classified as LEP for more than 180 days. The third category is students who have taken the OTELA (Ohio Test of English Language Acquisition) and have scored a composite 4 and are thus classified as Trial Mainstream students.

The backgrounds of LEP students vary greatly- from a student who was academically proficient in a demanding school in a prior country- as compared to a student who never attended school nor learned to read or write and experienced multiple war-related traumas. Some ESL students were born in the U.S. but come from a background of poverty and frequent school changes (for example, children of migrant workers). According to the ODE Data Warehouse, graduation rates for LEP students are lower than the general population; for the most recent year available (2008-2009), 70.3% of LEP students graduated, as compared to 83% of students who are not LEP.

<http://www.ode.state.oh.us/GD/Templates/Pages/ODE/ODEDetail.aspx?page=3&TopicRelationID=499&ContentID=1809&Content=107338>

### **How long should a student continue with LEP services?**

According to the organization Teachers of English to Speakers of Other Languages, Inc. (TESOL), oral or social language proficiency, which can be achieved within 2–3 years, should not be equated with academic proficiency or literacy in a language. Academic language develops over time, with repeated exposures to content and experiences and can take between 5 and 7 years (Cummins, 1991). [http://www.tesol.org/s\\_tesol/bin.asp?CID=32&DID=371&DOC=FILE.PDF](http://www.tesol.org/s_tesol/bin.asp?CID=32&DID=371&DOC=FILE.PDF) Position Paper on Language and Literacy Development for Young English Language Learners (ages 3-8), Teachers of English to Speakers of Other Languages, Inc.

According to a longitudinal study conducted by Wayne Thomas and Virginia Collier (School Effectiveness for Language Minority Students, 1997) it takes typical bilingually schooled students, who are achieving on grade level in their native language, from 4-7 years to make it to the 50<sup>th</sup> Normal Curve Equivalent (NCE) in English. The biggest predictive factors regarding progress in second language proficiency is prior school experience and proficiency in the student's first language. Most at risk are (older) students who come to this country with no prior school experience.

### **How is Progress Monitored in Ohio?**

Progress is monitored using several methods. The most important is the student's overall progress in the general education curriculum as judged by the educational team working with that student, including parents, student, and teachers. This should include social emotional adjustment as an important component.

Ohio LEP students in grades K-12 students are assessed annually using the Ohio Tests of Language Acquisition (OTELA). OTELA assesses four different language domains: Reading, Writing, Speaking, and Listening and provides a composite score based on performance on these four domains. Effective in 2010, the state developed revised Annual Measureable Achievement Objectives (AMAO's) regarding the progress of English language proficiency for Ohio LEP students. According to the AMAO document, LEP students should increase at least one performance level in either the production (combination of speaking and writing) or comprehension (combination of listening and reading) domains in the OTELA from one year to the next. English proficiency is defined as a composite score of 4 or higher on the OTELA.

### **What are the exit criteria for students to be reclassified as no longer LEP?**

Students are exited from the LEP program when they obtain a composite score of 5 on the OTELA; or obtain a composite score of 4 on the OTELA and subsequently complete a trial period of mainstream instruction and obtain a composite score of 4 or above on the OTELA during the trial period of mainstream instruction. Special conditions regarding exiting students from LEP programming include that students will not be exited before Grade 3; and students who obtain a composite score of 4 or 5 on the OTELA in Grade 2 and obtain a composite score of 4 or above on the OTELA during the completion of a trial period of mainstream instruction in Grade 3 shall be exited from the program.

From Basic Overview, Revisions to Ohio's Title III Accountability Plan, Limited English Proficient Students, Effective School Year 2009-2010 (Revised July 2010).

### **What about Statewide Testing?**

LEP students need to take Ohio Achievement Tests, as well as pass the Ohio Graduation Test in order to graduate. Specifics are addressed in the Ohio Testing Rules Book, page 27. LEP students who have been enrolled in U.S. schools for no more than 180 school days and were not previously exempted do not need to take the state Reading and Writing assessments.

All LEP students may use the following accommodations on the OAA and the OGT; the use of a dictionary and extended time. LEP students may be eligible for additional accommodations, including English read aloud and some language translation in the most common languages, depending on how long they have been enrolled in U.S. schools and their OTELA scores.

<http://www.ode.state.oh.us/GD/Templates/Pages/ODE/ODEDetail.aspx?page=3&TopicRelationID=301&ContentID=43712&Content=103700>

### **How should an Intervention Assistance Team, including a School Psychologist, address a suspicion of disability for a LEP student?**

The short answer is to handle this according to best practices for all students; by addressing instruction, implementing appropriate and thoughtful interventions, and monitoring student progress. The team should address the question of whether the LEP student is receiving appropriate instruction by trained teachers. As noted by Dan Fleck, we know that effective instruction for LEP students needs to be differentiated in the general education classroom and not merely be a pull-out intervention.

A caveat, just as Response to Intervention should not be used to delay an evaluation, LEP status should not be used as a reason to delay communicating with parents, providing interventions, and following best practices regarding suspicion of a disability. If there is an obvious need for intervention or evaluation, the team needs to proceed, and parents must be involved and provided with information in a language they understand.

Other specific questions to be addressed by the team when determining whether appropriate alternative/supplemental educational support has been provided include:

Has the student been assessed in terms of English Language Proficiency, cultural background, and prior academic experience?

Based on the results of the initial language and academic assessment, has the student been provided with appropriate alternative/supplemental educational support?

Has the effectiveness of the alternative/supplemental educational support been monitored on an ongoing basis, and have modifications been made to the alternative/supplemental educational support when warranted (student not making satisfactory progress)?

Is the student experiencing difficulties that are typical of LEP students with similar assessed needs?

Have the parents/guardians of the student been involved in the development/modification of alternative educational support?

What are the parents' perceptions of the student's difficulties?

What is the student's functioning at home?

The Columbus Public Schools (Presentation titled: Special Education Referral of Students with Limited English Proficiency, presented by Diane Bachman Fowler, M.A., NCSP, Columbus Public Schools, 2/4/2011) offer the following guidelines for the question of when to consider suspecting a disability:

When a student has had adequate time to develop English proficiency (5-7 years) and still is not progressing

When inadequate instruction can be ruled out

When deficits exceed what is typical for other children of similar background/experiences

When there is a significant medical background

When interventions are unsuccessful

When there are obvious severe disabilities

Some additional questions to ask when deciding whether or not to suspect a disability or to proceed toward an evaluation are:

How long has the child/family resided in the U.S. and how long has the child attended school in the U.S.?

What language/s are spoken at home?

What language does the child use most often with peers?

How many years has the child had instruction in English?

How many years did the child attend school outside of the U.S.?

How did the child perform in other schools?

Does the child have literacy in a language other than English?

Is there literacy in the home?

Did the parents receive formal education and are they literate in their own language?

Are there significant health/developmental history/injuries?

Are there behavioral issues/history of trauma?

### **How should school staff, including School Psychologists, communicate with parents who are not fluent in English?**

It is the responsibility of the school district to provide information to parents in a language they understand. This usually means hiring an interpreter. (There will be a more detailed article on interpreters in the upcoming issue of TOSP.) In some cases, family members may prefer that other family members serve as interpreters, however, the ODE does not recommend this for several reasons; most importantly, due to confidentiality. And, family members may not be able to provide the detailed translation offered by a professional interpreter.

If a disability is suspected, districts need to provide prior written notice and procedural safeguards in the parents' dominant language. In some cases, a spoken language may not have a written counterpart. In this case, it is recommended that school staff use an interpreter to explain to parents, as comprehensively as possible, the students' progress and needs. Translating MFEs into the parents' native language becomes more difficult and is not explicitly

required by the ODE or U.S. Department of Education, but an interpreter and extended time are musts for an evaluation team meeting. Much of the terminology in our paperwork may not have equivalent terms in some languages. Furthermore, some parents may not be literate in their native language.

### **What are some sources for interpreters?**

The Ohio Department of Education (ODE) can offer assistance in locating potential interpreters. According to the ODE Office for Exceptional Children newsletter dated October 25, 2010, "When ODE staff members receive telephone calls from customers who have limited English proficiency, sometimes there is a language barrier. ODE has contracted with a company for teleinterpreters to provide telephone interpretation and document translation services in more than 170 languages."

To assist districts with meeting the requirement of providing the procedural safeguards notice to parents in their native language (3301-51-05 (H)(3)), ODE translated this document into the top 10 foreign languages in Ohio (Albanian, Arabic, Chinese (simplified), Chinese (traditional), Japanese, Korean, Russian, Spanish, Somali, Ukrainian and Vietnamese).

<http://www.ode.state.oh.us/GD/Templates/Pages/ODE/ODEDetail.aspx?page=3&TopicRelationID=968&ContentID=11128&Content=108185>

### **What are considerations when evaluating a LEP student?**

A good multifactored evaluation should take a variety of information and viewpoints, and this is particularly important in the case of LEP students with suspected disabilities. Again, involving parents in the process is of critical importance. The law (Law: 300.501) regarding opportunity to examine records; parent participation in meetings states: (c) (5) The public agency shall take whatever action is necessary to ensure that the parents understand, and are able to participate in, any group discussions relating to the educational placement of their child, including arranging for an interpreter for parents with deafness, or whose native language is other than English.

In addition, prior written notice (PR-01) and procedural safeguards (Whose IDEA Is This?) must be presented in understandable language. If the native language or other mode of communication of the parent is not a written language, the SEA or LEA shall take steps to ensure that the notice is translated orally or by other means to the parent in his or her native language or other mode of communication, that the parent understands the content of the notices, that there is written evidence that the requirements have been met. In an initial evaluation, the Law: 300.532 states, "Each public agency shall ensure, at a minimum, that (a) tests and other evaluation materials used to assess a child under Part B of Act (1) are selected and administered so as not to be discriminatory on a racial or cultural basis; and (2) are provided and administered in the child's native language or other mode of communication, unless it is clearly not feasible to do so."

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