

Every Student Succeeds Act

Topic Discussion Guide

Under the Every Student Succeeds Act (ESSA), Ohio will create a plan to better align our local, state and federal programs to help all students be successful.

The Ohio Department of Education is committed to meaningfully engaging a diverse group of stakeholders through a variety of methods and opportunities to solicit thoughts, opinions and recommendations concerning provisions in Ohio's state plan. Everyone's input is required to create a plan that is deeply rooted in the needs of Ohio's students.

Ohio is conducting a series of topic-specific webinars. Each topic will have a detailed discussion guide. The seventh topic, English learners, is discussed below.

English Learners

WHAT ARE THE GENERAL REQUIREMENTS FOR ENGLISH LEARNERS?

While English learners have been an emphasis in previous federal law, ESSA places an increased priority on meeting these students' needs. The most significant change requires that states include English language proficiency in their accountability frameworks under Title I, the provision that governs accountability for all students. Previously, accountability for growth in language proficiency was limited to Title III, which provides resources for English learner programs. The change raises the profile of English learners within accountability systems and reflects their growing importance and numbers in student achievement determinations.

Generally, ESSA defines an "English learner" as an individual who, among other things, has difficulties in speaking, reading, writing or understanding the English language that may be sufficient to deny him or her the ability to meet challenging state academic standards.

In Ohio, approximately 50,000 English learner students were served in school districts throughout the state during the 2015-2016 school year. The numbers reflect a steadily growing number of linguistically diverse children and youth who arrive to school with language backgrounds other than English. Spanish, Somali, Arabic, Pennsylvania Dutch (a dialect of German used by the Amish), Chinese, Japanese, Vietnamese, French, Russian and Twi (a language spoken in West Africa) are the most frequently reported home languages, although Ohio's English learner families have traditionally represented more than 110 languages and vernaculars. Many of Ohio's English learner students are children of families who have recently immigrated to the United States.

WHAT DOES ESSA REQUIRE?

There are multiple issues that must be addressed in Ohio's ESSA plan including technical accountability decisions, identification criteria and plans for providing services. Each of these issues will be discussed in detail.

I. **Developing an English language proficiency measure**

Previously, accountability for English learners was captured in two places. Both Academic Achievement and Graduation were addressed as separate subgroups in the Annual Measurable Objectives of the Gap Closing measure. While this will continue, Ohio will need to review and possibly revise the structure of the measure.

Prior to ESSA, Annual Measurable Achievement Objectives required for school accountability determinations were based upon whether English learners did the following:

- 1) Made progress toward achieving English language proficiency;
- 2) Attained English language proficiency; and
- 3) Achieved goals related to participation and proficiency in state assessments and graduation rate.

The Ohio Department of Education, in consultation with the Ohio ELL Advisory Committee, established the Annual Measurable Achievement Objectives targets with approval from the U.S. Department of Education.

Now, Ohio must set expectations for each English learner to make annual progress toward attaining English language proficiency within a state-determined timeline. This measure of progress toward English proficiency must be included in a graded measure on each school and district report card.

II. **Determining how long to exclude English learners from accountability provisions**

The state's ESSA plan must determine the following: 1) Whether to include English learners' test scores in accountability determinations only after they have been in U.S. schools for 12 months, while allowing one-year individual exemptions from the reading and English language arts assessments; or 2) Whether to continue with Ohio's 2016 federal waiver that includes test scores of English learners in accountability determinations after they have been in U.S. schools for two years, while requiring English learners to take all assessments from year 1 and including a measure of growth in year 2 public reporting.

Ohio Revised Code 3301.0711 [Effective 8/31/2016] states:

No school district board shall excuse any limited English proficient (English learner) student from taking any particular assessment required to be administered under this section, except that any limited English proficient student who has been enrolled in United States schools for less than one full school year shall not be required to take any reading, writing, or English language arts assessment. However, no board shall prohibit a limited English proficient student who is not required to take an assessment under this division from taking the assessment.

The state must decide whether to continue a current waiver that removes the scores of English learners from school accountability determinations for two years if they are recently-arrived English learners taking the reading and English language arts assessments during their first year of school attendance in the U.S. The other option, in place before the 2015-2016 school year, allowed recently-arrived English learners to be exempt from taking the reading and English language arts assessments during their first year in school. It also removed recently-arrived students' scores from accountability determinations for one year.

III. How many years to include former English learners in the English learner subgroup for accountability measures?

Previously, former English learners (students who attained proficiency in English through the state's English language proficiency assessment) were included in the English language learner subgroup accountability ratings for two years after exiting the program. ESSA allows them to be included for up to four years. The state's plan must identify how many years students will be included.

As a background, the purpose of including former English learners in accountability calculations for English learner cohorts stems from the fact that districts and schools need to take advantage of the progress former English learners are making while at the same time being accountable to the challenges faced by those in the program.

Some stakeholders have suggested that former English learners be included for the full four years as a way to identify the long-term effects of the English learner program. This also would likely increase the number of students in the subgroup, and in some cases (depending on N-size determination), make a difference whether or not the subgroup is large enough to be publicly reported.

However, other stakeholders are concerned that including exited students does not provide an accurate and current (annual) description of the status of students who most recently received support.

IV. Goal-setting requirements

Moving forward, Ohio must develop ambitious long-term goals and measurements of interim progress for English learners toward attaining English language proficiency, as measured by the state's English language proficiency assessment. The goals and measures must be applied consistently to all English learners in the state and take into account the students' English language proficiency levels.

The measures also may consider one or more of the following student-level factors at the time of a student's identification as an English learner:

- 1) Time in language instruction educational programs;
- 2) Grade level;
- 3) Age;
- 4) Native language proficiency level; and
- 5) Limited or interrupted formal education.

The proposed regulations (§ 200.13) clarified that the long-term goals must include both annual progress toward English language proficiency and actual attainment of English language proficiency for all English learners.

V. Developing a consistent process for identifying and reclassifying (exiting) students as English learners out of specialized services.

Currently, Ohio schools use a two-step process to identify students as English learners as part of initial school enrollment. The first step is to administer a Home Language Survey to determine potential students who may benefit from language instruction support. The Home Language Survey solicits information regarding students' native language backgrounds and

exposure to languages other than English. The second step is to assess those students who have been identified as having languages other than English for English language proficiency using a commercial screener that provides information about individual student's strengths and needs in listening, speaking, reading and writing English. This two-step process has been used by Ohio to properly identify students as English learners (or limited English proficient) so that they become eligible for English learner services and accommodation supports. Currently, school districts choose from recommended commercial screeners of English language proficiency. Districts will have the option to use a new online screener that is aligned with the Ohio English Language Proficiency Standards in 2017. Additional information about this screener is forthcoming as ESSA requires the state, in consultation with stakeholders, to develop standardized entrance criteria for classifying students as English learners as well as a standardized statewide process for how English learners exit specialized services. The standardization of entry and exit criteria will allow educators to better serve students with high rates of mobility by making the definition of an English learner consistent across the state.

VI. Parental rights and notification

ESSA continues the requirement that school districts, after properly identifying students as English learners, inform parents of the English as a second language educational program to be provided to their children and their right to accept or decline services offered. As in NCLB, school districts must communicate to the parents in a language and manner that is understandable to them: 1) The program of language instruction and support the child will receive; and 2) The right of the parents to choose another program or method of instruction, if more than one program or method is offered.

One change in ESSA states that after an English learner is in an English language instruction program, parents retain the right to immediately remove the child from such a program upon request.

VII. Standards and assessments

ESSA requires Ohio to develop English language proficiency standards that are derived from the domains of speaking, listening, reading and writing; address the different proficiency levels of English learners; and are aligned with the state's academic standards. Last year, Ohio developed English Language Proficiency Standards that meet federal guidelines and were used in the development of the Ohio English Language Proficiency Assessment. Ohio provides no exemptions for taking the Ohio English Language Proficiency Assessment, and all identified English learners are required to participate.

Content assessment

ESSA requires that Ohio assess English learners in reading or language arts, math, and science assessments and recommends the use of appropriate accommodations (including assessments in the language and form most likely to yield accurate information on what those students know and can do in the content area assessed).

VIII. Supporting the needs of English learners

The needs of English learners must be addressed as part of school's and districts' overall improvement plans. The state-designed, long-term goals and measures of interim progress will serve as indicators to support the development of effective language instruction education programs for all English learners.

Ohio school districts continue to serve and meet the needs of English learners with instructional supports and services through the following:

1. Providing flexibility to parents in choosing a high-quality language instruction education program that is most effective for English learners, including English learners with disabilities;
2. Increased parental participation and engagement and communication with parents and families of English learners in a language that is meaningful and understandable; and
3. Ongoing and consistent professional development regarding effective instructional strategies to support effective instructional programs and supports for English learners.

With these proposed changes and in consultation with you and other stakeholders, Ohio will develop a state plan that is deeply rooted in the needs of Ohio's students and reflects the input of all Ohio stakeholders.