

I. Identifying and Assessing All Potential English Learner Students

One of the most critical “affirmative steps” and “appropriate action[s]” that school districts must take to open instructional programs to EL students and to address their limited English proficiency is to first identify EL students in need of language assistance services in a timely manner.

School districts must provide notices within twenty¹ days (20) from the beginning of the school year to all parents of EL students regarding the EL student’s identification and placement in a language instruction educational program. School districts must, to the extent practicable, translate such notices in a language that the parent can understand. If written translations are not practicable, school districts must offer LEP parents free oral interpretation of the written information.

In light of these obligations and the duty to timely identify all EL students, school districts will need to assess potential EL students’ English proficiency and identify non-proficient students as EL as soon as practicable and well before the twenty² days’ notice deadline.³

The home language survey (HLS) identifies those students who should be referred for an English language proficiency (“ELP”) assessment to determine whether they should be classified as EL students, who are entitled to language assistance services.⁴

[Rhode Island Multilingual Learners \(MLLs\) / English Learners \(ELs\) Screening, Identification, Placement, and Reclassification](#) - Document outlines the state-recommended procedure for identifying English Learners in accordance with [Title 16, Chapter 16-54, sec. L-4- 3,4](#)

The English Language Learner Identification Procedure document outlines the state-recommended procedure for identifying English Language Learners in accordance with Title 16, Chapter 16-54, sec. L-4-3,4. This procedure was developed by RIDE and a group of stakeholders from several LEAs, based on a review of current research and best practices from other states, in an effort to standardize and eliminate uncertainty in the process by which students are identified as ELLs. This will serve many purposes including reducing unnecessary English language proficiency re-screening of students and introducing added stability and predictability for students and parents who move from one LEA to another within the state. A standard process for identification is also important when disaggregating data for analyses and reporting.

RIDE is collecting an additional indicator for ELLs identifying them as having Limited or Interrupted Formal Schooling (LFS). “The English Learner Identification Procedures” document outlines the criteria by which LEAs should identify ELLs as having LFS in addition to identification criteria for ELL status.

¹ Regulations Governing the Education of English Language Learners. (2000, September 10). Retrieved from <http://ride.ri.gov/Portals/0/Uploads/Documents/Inside-RIDE/Laws-Regulations/English-Language-Learners-Regulations.pdf> Authorized by R.I.G.L. 16-54-2

² *Ibid.*

³ *Dear Colleagues Letter: English Learner Students and Limited English Proficient Parents*. (Jan. 7, 2015). Retrieved from <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-el-201501.pdf>

⁴ *Ibid.*