

Minnesota Standardized English Learner Procedures

Identification

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Overview

The English learner (EL) population in Minnesota has increased more than 300 percent in the last 20 years. Currently, it is the fastest growing student population in the state. The reauthorization of Elementary and Secondary Education, as amended by Every Student Succeeds Act (ESSA), is an opportunity for creating additional growth towards proficiency of the Minnesota English learner as well as creating opportunities to meaningfully include and support English learners.

In the past, Minnesota did not mandate statewide EL entry and exit criteria or procedures. However, as part of ESSA implementation, states are required to develop and implement standardized entry and exit criteria and procedures. The committee formed in the fall of 2016 engaged and consisted of local English learner coordinators, teachers, and community stakeholders — parent and family groups, researchers and administrators. New statewide procedures and criteria, created by this wide variety of stakeholders identified and eliminated potential difficulties.

Resulting from the input and work of the ESSA Procedures Committee is a manual to be used by every Minnesota public school district and charter school. *Minnesota Standardized Statewide EL Procedures* can be found on the [Minnesota Department of Education website](#). These manuals list step-by-step procedures and criteria needed for state-wide standardization of identification, entrance and exit decisions for all Minnesota English learners. In the future, the established English Learner Stakeholder Input Group (ELSIG) will review the manual for required updates. See the Minnesota Department of Education's website for [additional information on ELSIG](#).

These procedures and accompanying documents were designed for every district and charter school, whether it is rural, urban, suburban, or whether it has high or low incidences of ELs. Additionally, these documents were developed for districts with established language instruction educational programs and for districts receiving their very first English learner. Creating documents that try to accommodate all of the state's diversity and to attempt to develop district implementation systems and required documentation was not easy. As part of the roll-out of the Minnesota Standardized English Learner Procedures, the department and the English learner team welcomes district and individual feedback. All feedback may be sent to mde.el@state.mn.us.

Orientation to English Learner Identification

English learners (ELs) are identified through a two-step process: 1) identification of primary language using responses from parents or guardians on the Minnesota Language Survey (MNL) completed upon enrollment and 2) screening for English language ability using a state-approved language proficiency assessment. All students enrolling in Minnesota districts and charter schools must have a parent or guardian complete the Minnesota Language Survey (MNL). Based upon the results of the survey, a potential English learner must be screened using the age appropriate screener. An assessment would confirm whether or not the student should be identified as an English learner.

Since the entrance process requires two distinct steps, two separate guides have been written which detail the specific processes: 1) Minnesota Language Survey and 2) Screener. The Identification guide provides a brief oversight of the initial identification process of identifying the language used by the student and of the student's proficiency in English language.

The Minnesota Language Survey

All newly enrolling students in a district must have a parent or guardian complete the Minnesota Language Survey (MNL). This will allow for a uniform and consistent method of identifying potential English learners (ELs) throughout the state. All districts and charter schools must use the Minnesota standardized EL procedures and criteria.

The Every Student Succeeds Act (ESSA) establishes that all states implement standardized, statewide entrance and exit procedures for ELs. To support districts and charter schools in implementing the identification procedures, two documents have been created: the Minnesota Language Survey and Screening for English Language Proficiency. The information provided in the guide provides districts and charter schools (hereafter referred to as district or districts) with specific steps they must follow in order to comply with federal law and to assure that the students who are in need of English language instruction are accurately identified.

All staff involved in the process of enrolling new students in the district must adhere to this guidance, which was developed by the Minnesota Department of Education, in order ensure Minnesota's compliance with federal requirements under ESSA. Since staff members with responsibility for enrollment may differ from district to district, it is essential that the district identify precisely who will need to be trained on the processes in this guide. Personnel could work at enrollment centers or schools, and may include enrollment center staff, cultural liaisons, EL teachers, EL paraprofessionals, and other support staff. Furthermore, all staff participating in the enrollment process should be trained in cultural competency in working with parents and guardians of diverse backgrounds and specifically those countries, cultures, and linguistic backgrounds currently represented in the district.

The Minnesota Language Survey asks all parents and guardians, upon enrollment of their students in Minnesota public schools, to respond to four questions regarding their child's language use. The student's primary language is one of the data elements that is communicated to the state. The information provided by the parent and guardians is confidential and must only be shared with district staff who need the information to identify students eligible for English language development programs.

All parents and guardians enrolling a new student in the district must be provided the Minnesota Language Survey. Enrollment staff must not make assumptions about a student's language background based upon the student's appearance, last or first name, ethnic background, religious background and/or parent's language ability. To stay in compliance with state and federal law, all students must have a completed language survey on file.

The Minnesota Language Survey is available on the [TransACT.com](https://www.transact.com) website. The Minnesota Department of Education has partnered with TransACT to provide all districts with free access to numerous parent notifications that have been translated into 7 languages: Spanish, Hmong, Somali, Arabic, Russian, Vietnamese, and Karen. Although there is no charge for using TransACT documents, district staff must register for website access using their district email address. The guidance to accompany the Minnesota Language Survey is found on the Minnesota Department of Education's website on the [English Learner Education](#) webpage.

Age Appropriate Screener

Determination of the home language, using the Minnesota Language Survey (MNLS), is the first step in identification of an English Learner. Students who understand one or more languages other than English (as reported on the MNLS) then complete an approved English Language Proficiency (ELP) screener. The ELP screener measures the child's current proficiency level in English in the areas of listening, speaking, reading and writing. Trained district staff score the screener to determine if the student is already proficient in English or conversely, if the student may benefit from ELD instruction. Only students who are not yet proficient in English are identified as English learners. Following initial placement in the district's LIEP, there is a 45-day grace period in which any errors made in determining a student's home language or ELP may be corrected. The district will also have a process to determine if students who were not initially identified as English learners may in fact be eligible for ELD instruction.

There are three approved ELP screeners in Minnesota: the WIDA Screener, the Kindergarten W-APT and the Kindergarten MODEL. The WIDA Screener has an online version and a paper version.

As mentioned above, the purpose of the screener is to accurately verify if the student has sufficient proficiency in English to meaningfully access the grade-level curriculum in English without English language development (ELD) instruction and other support. The screener also helps identify students who will benefit from a Language Instruction Educational Program. Such a program includes standards-based ELD instruction that is aligned with the grade-level content area standards in order to support growth in the four language domains and full proficiency in social, instructional and academic language across the content areas. The program may also include primary language instruction and support.

MARSS Data Elements

This section of the Identification guide is written to assist all district staff in understanding and utilizing the data elements of the Minnesota Automated Reporting Student System (MARSS); home primary language, EL indicator, and EL Start Date. Accuracy within MARSS is critical. The Minnesota Department of Education uses the English Learner identification marker as the basis of allotment of Minnesota State EL funding and federal Title III funding to the Local Education Agency (LEA).

There are three different MARSS elements concerned with English learners:

1. Home Primary Language
2. EL Indicator
3. EL Start Date

All three elements should be reviewed and if needed revised during the year: including the fall and the spring. However, not every element is edited within each of the three EL procedures; Identification, Entrance and Exit. Both the Home Primary Language and the EL Indicator are used during identification. See [Appendix B](#) for additional information.

Home Primary Language

The Home Primary Language element is used for federal and state reporting including programs funded under the Elementary and Secondary Education Act (ESEA), Individuals with Disabilities Education Act (IDEA), Title VI Civil Rights National Origin Desegregation, Student Academic Achievement and Growth section 120B.35 Subdivision 3, and the Education for English Learners Act Sections 124D.59 through 124D.63.

Home Language is obtained from the Minnesota Language Survey. Starting in the 2017 school year, the district must use the Minnesota Language Survey. Additionally, a language survey signed by the parent or guardian must be on file for all students. Any enrolling or continuing student must have a Home Primary Language entered in MARSS. This information is usually provided by the parent or guardian upon completing the Minnesota Language Survey. All languages are entered with a 3 digit number code. For example, if the Minnesota Language Survey indicates that only English is used by the student, the district would record the Home Primary language as 011 (English).

The Home Primary Language is entered into MARSS when the student is enrolling into the district. Data entry of is conducted during the identification process of a student. However, all students, regardless of identification as English learner or not, must have a Home Primary Language entered into the MARSS system. The Home Primary Language is considered permanent for the duration of the students' school career. Even if an English learner becomes EL proficient, the Home Primary Language does *not* change to English. A student with a Home Primary Language of 011 (English) is not eligible to be enrolled in an English language development program or a Language Instruction Educational Program (LIEP).

American Sign Language as a Home Language

All parents or guardians must complete a Home Language Survey. Parents who are Deaf and use American Sign Language (ASL) may indicate that their child's home language is ASL even if their children are able to hear. These students *MAY* be screened for English Language Proficiency but the district is not required to do so. In certain cases where appropriate, a hearing student whose home language is ASL may be served in the English language development program. However, they will not generate state EL funding.

EL identification procedures should also be followed for students with hearing a loss who come from a home where a language other than English used, as in the following example:

A Somali family goes to a school to register their four children for school. The family primarily speaks Somali at home and the parents respond "Somali" to the MNLS that they complete for three of their children. Their fourth suffered a hearing loss at age 3 and now uses a rudimentary form of ASL. The HLS responses for this child should include both Somali and sign language and the student's English proficiency should be screened.

Additional information regarding students with disabilities will be forthcoming during the 2017-18 school year.

Language Codes

Refer to the lists included in the [MARSS Manual](#), Appendices D and D1. Appendix D is organized by code number while Appendix D1 is organized by language.

New Language Codes

Periodically a language new to Minnesota's list of recognized languages is assigned a Home Language code and Appendices D and D1 are updated. An update to the list of recognized languages does not require schools to resurvey students. As new students enroll, districts and charter schools should use the list of languages to select an appropriate language for the student based on the *Minnesota Language Survey*. If a family is insistent that the district record a language not previously available, the district can update the student's home language using the list available. If a language on the Minnesota Language Survey is not on the list, staff should contact marss@state.mn.us and ask for assistance in establishing a new number.

Data Element

The Home Primary Language 3- digit code should be entered into the student file. Three (3) digit numeric code is located in the Student (B) file. Example: 0 1 1

EL Indicator

The EL Indicator is used while implementing two of the Minnesota Standardized English Learner Procedures: [Identification](#) and [Exit](#). This data element is used to indicate to the State of Minnesota that the student has a primary home language other than English, has been screened for English language proficiency, and was found not proficient. This element is used in several federal reports which generate aid. Additionally, the element is used in the calculation of the English Learner formula of basic skills revenue.

Under Minnesota State Statute, Section 124D.59, Subdivision 2, an English learner is defined as :

"English learner" means a pupil in kindergarten through grade 12 or a prekindergarten student enrolled in an approved voluntary prekindergarten program under section 124D.151 or a school readiness plus program who meets the requirements under subdivision 2a or the following requirements:

- a. the pupil, as declared by a parent or guardian first learned a language other than English, comes from a home where the language usually spoken is other than English, or usually speaks a language other than English; and
- b. the pupil is determined by a valid assessment measuring the pupil's English language proficiency and by developmentally appropriate measures, which might include observations, teacher judgment, parent recommendations, or developmentally appropriate assessment instruments, to lack the necessary English skills to participate fully in academic classes taught in English."

Data Element Values

There are two answers to the EL Indicator- Yes or No. The MARSS Coordinator should enter either a Y (Yes, student was assessed as needing to be enrolled in an EL LIEP) or N (No, student does not need to be enrolled in an EL LIEP).

N – No, Primary Home Language is not English and student is proficient in English.

Y – Yes, Primary Home Language is not English and student is not English proficient as measured by ELP screener or annual assessment.

Special Note: When English Learner indicator is "Y" students cannot have a Home Language of 011 (English) or 042 (American Sign Language).

Students who have a Minnesota Language Survey indicating a language other than English, who have participated in the age-appropriate screener and who have been identified as an English learner must also be identified as "Y" under EL Indicator. Student who have a Minnesota Language Survey indicating a language other than English, who have participated in the age-appropriate screener and who have **not** been identified as an English learner must be identified as "N" (no) under EL Indicator.

In both of the above cases, the Home Primary Language does not change. If the Primary Home Language is English (011) or American Sign Language (042), the EL indicator cannot be "Y" (yes).

Considerations

Parental Refusal

If the parent or guardian refuses to complete the Minnesota Language Survey, the district should document the refusal and place it in the student's cumulative folder.

Timeframe for Identification

A district must begin the process of identification upon enrollment. As mentioned above, all newly enrolling students must have a completed MNLS in their cumulative folder. Within 30 calendar days of enrollment at the beginning of a new school year, the district must have completed the identification process; both the completion of the MNLS and the English language proficiency assessment. A student's parent or guardian must be notified of service within 30 calendar days. If enrollment occurs after the beginning of the school year, the district has 2 weeks to complete the process and notify the parents.

English Learner Categories

English learners (ELs) are a diverse group of students. With over 70,000 ELs identified in the state of Minnesota, their life experiences, schooling, family background and specific circumstances may qualify the school and student for additional assistance. Thus, it is important to understand that there are students who may also be eligible for additional identifications. Once a student has been identified as an English learner, the district must screen the student for potential identification and qualification for these additional classifications:

- Students with Limited or Interrupted Formal Education (SLIFE)
- Recently Arrived English Learners (RAEL)
- Immigrant Children and Youth
- Migratory Children
- Special Education

If the student qualifies for an additional category, the information should be noted in the student's cumulative folder and utilized when appropriate. For additional information, see the specific sections below.

Students with Limited or Interrupted Formal Education (SLIFE)

Students with limited or interrupted formal education make up a specific group of English learners. Signed into law in 2014, the Learning English for Academic Proficiency and Success (LEAPS) Act formally defined this group

of English learners in state law and requires the Minnesota Department of Education to report on the acquisition of English and academic progress of SLIFE. The Department does this by annually collecting the names of SLIFE from each district or charter via an online website called the Student Support Data Collection (SSDC) system. Each district or charter appoints an SSDC coordinator to identify SLIFE on the district or charter's own secure SSDC page. The English acquisition and academic progress results for identified SLIFE are then made available on the Minnesota Report Card. Some districts or charters do not have any qualifying SLIFE for a particular year while others have several hundred to report.

Many districts and charters decide to enroll SLIFE in specific courses or programs to maximize the potential of SLIFE. Districts and charters also offer special training for teachers working with SLIFE in order to ensure their success. Designing a graduation pathway for SLIFE is also an essential component to serving SLIFE in schools.

Identification of SLIFE

The Minnesota LEAPS Act defines SLIFE as an English learner who:

- Comes from a home where the language usually spoken is other than English, or who usually speaks a language other than English.
- Enters school in the United States after grade 6.
- Has at least two years less schooling than the English learner's peers.
- Functions at least two years below expected grade level in reading and mathematics.
- May be preliterate in the English learner's native language.

An English learner fitting the definition of SLIFE would be identified as SLIFE on the SSDC System each year. There are many procedures that districts and charters use to determine if a student has two years less schooling than his/her peers and if a student functions at least two years below his/her expected grade level in reading and mathematics.

Additional information

For additional information, see the Minnesota Department of Education's webpage on [Students with Interrupted Formal Education](#) or email the Department at mde.el@state.mn.us

Recently Arrived English Learners (RAEL)

Identification of Recently Arrived English Learners

A RAEL is an English learner enrolled in a school in one of the 50 States in the United States or District of Columbia for less than 12 months.

Additional information

For additional information, contact the Minnesota Department of Education at mde.el@state.mn.us.

Immigrant Children and Youth

Section 3113, subdivision d, of the Elementary and Secondary Education Act (ESEA), Title III, Part A, Immigrant Children and Youth is a source of funding to supplement the resources of local school districts and charters in providing quality education to eligible immigrant students. Its purpose is to provide enhanced instructional

opportunities to help meet the needs of immigrant children and youth. Each year, the Minnesota Department of Education (MDE) reserves 3 percent of the total state Title III award for districts and charter schools welcoming increased numbers of immigrants children and youth.

Not all immigrant children and youth are English learners. In collecting information about immigrant children and youth, LEAs should pose the same question of all students and ensure that the information is not used to discriminate against students in any way.

Identification of Immigrant Children and Youth

District and charter school staff should only request information about a student's date of birth, place of birth, and prior school enrollment. The LEA should note in writing that providing the information is not required and that the requested information will only be used to determine whether the child may be eligible for programs offered in the district that provide enhanced instructional opportunities for immigrant children and youth. The LEA should determine whether a student meets the first two criteria of the definition of immigrant child or youth (confirming age and birth outside the United States). Only after these criteria have been confirmed should the LEA then ask questions to determine the total cumulative number of months that the student has attended schools in the United States.

Additional information

For additional information, see the Minnesota Department of Education's webpage on [Immigrant Children and Youth Grant](#) or email the Department at mde.el@state.mn.us.

Migratory Children

A migratory child is defined in the law as a child ages 3-21 who is, or whose parent or spouse is, a migratory agricultural worker, and who, in the preceding 36 months, in order to obtain, or accompany such parent, spouse or guardian to obtain temporary or seasonal employment in agriculture or fishing work. The student may have moved from one school district to another (Every Student Succeeds Act, Section 1309 subdivision [3][A][B]).

Migratory children and families face unique language, social and academic challenges due to high mobility. As a result of this mobility in search of agricultural work, they may experience challenges such as unaffordable housing, low wages, limited resources to purchase nutritious foods, lack of affordable health and dental care and/or over-/under-immunization, health hazards (ex. exposure to pesticides and other occupational harm), receiving appropriate academic placement and difficulty with credit accrual. Districts can address these needs by making referrals to appropriate resources, assessing students, facilitating inter- and intrastate coordination with the sending districts, and swiftly assessing the language and academic needs of eligible migrant students to ensure services are received in a timely manner.

Identification of Migrant Students

Minnesota receives Title I-C funding to identify eligible migrant children and families. Minnesota offers summer programming that help address language, social and academic needs. However, families often travel to Minnesota in search of agricultural work as early as April and continue to work as late as November, meaning that migrant students may enroll in Minnesota districts mid-year. It is imperative that districts identify eligible migratory children as soon as possible in order to take advantage of the support services such as health, legal, nutritional and educational resources that are available.

The Minnesota Department of Education contracts with Tri-Valley Opportunity Council (TVOC) to identify eligible migrant children. If district staff members believe a student may be migrant, please contact TVOC, who will reach out to the families to determine eligibility for services. For further questions, contact TVOC directly at 952-232-1206.

Migrant Education Program

The Migrant Education Program (MEP) is a national program that provides educational and support services to eligible migrant children between the ages of 3-21 each year. These services help children of migrant farmworkers overcome the disadvantages they face, including the disruption of their education. The goal of the program is to assist all migrant students in meeting the challenging academic standards and achieving graduation with an education that prepares them for responsible citizenship, further learning and productive employment. Minnesota operates summer-only MEPs across the state, many of which are concentrated in the Red River Valley, Minnesota River Valley and Southern area of the state.

Additional information

For additional information, see the Minnesota Department of Education's webpage on [Migrant Education Program](#) webpage or email the Minnesota Department of Education at mde.esea@state.mn.us.

Special Education

Students in special education both have a disability and are in need of specialized instruction. A comprehensive evaluation, conducted by a team from the public school, evaluates and identifies these students. For every student who needs special education services, the team develops a document called an Individualized Education Plan (IEP). Minnesota Department of Education provides information on assessment and eligibility determination guidelines to special education professionals who work with English learners. These guidelines can be used where traditional evaluation procedures may not be appropriate and are based on specific aspects of diversity such as race, culture, the acculturation process, high mobility among families and poverty rates.

Additional information

For additional information, see the Minnesota Department of Education's webpage on [Special Education Diverse Populations](#) or email the Department at mde.special-ed@state.mn.us

Gifted Education

Gifted and talented children and youth are those students with outstanding abilities, identified at preschool, elementary, and secondary levels. The potential of gifted students requires differentiated and challenging educational programs and/or services beyond those provided in the general school program. Students capable of high performance include those with demonstrated achievement or potential ability in any one or more of the following areas: general intellectual, specific academic subjects, creativity, leadership and visual and performing arts.

Additional information

For additional information, see the Minnesota Department of Education's webpage on [Gifted Education](#) or email the Minnesota Department of Education at mde.academic-standards@state.mn.us.

Appendix A- Minnesota Standardized English Learner Procedures Flowchart

See the [Minnesota Flowchart](#).

Appendix B- MARSS Data Elements

English Learner Procedures

Required MARSS Elements	Identification	Entrance	Exit
Home Primary Language	Enter the code for the student's Home Primary Language.	Already in student's MARSS record	Already in student's MARSS record
EL Indicator	Enter "YES" if student qualifies for an LIEP. Enter "NO" if a screened student does not qualify for an LIEP.	Already in student's MARSS record	Enter "NO" if a student is proficient on the ACCESS 2.0 assessment.
EL Start date	Leave blank	Enter first day in a language instruction educational program.	Leave Blank