Guide to Item 14.3
English Language Development Services

Important! OSPI only reviews this item on the Checklist 14 (Civil Rights) for LEAs who *do not* receive funding for English Language Development (ELD) services, in order to ensure that these LEAs are meeting their civil rights requirements to identify and serve English Learner students.

As a result, if your LEA:

- ***Does not* receive Title III or TBIP funding,** please provide the requested documentation for this item here, in Checklist 14 (Civil Rights), even if the LEA does not have any currently identified English Learner (EL) students.
- ***Does* receive Title III or TBIP funding**, please *do* not submit the requested documentation for this item in Checklist 14 (Civil Rights). You will instead submit requested documentation in Checklist 7 (Title III/TBIP), which will be reviewed by OSPI's Multilingual Office.

> **OSPI Tools and Resources**
>
> OSPI Sample Home Language Survey: Available in 40 languages
>
> WA State Policies and Practices Guide: Comprehensive guidance from OSPI (2024)
>
> Multilingual Learner Action Plan Toolkit
>
> English Learner Toolkit (OCR)

Legal Background

Each LEA is required to:

- Provide English language development (ELD) services to English Learners (EL) – national origin minority students with limited-English proficiency.
- Implement a process to identify, assess, and place EL students, which includes a home language survey and provisions for testing students on the state language proficiency assessment.
- Provide ELD services that are based on a sound educational theory, have been implemented effectively, which includes qualified staff and adequate resources and facilities.
- Periodically evaluate its program's effectiveness to determine if students' language barriers are being overcome.

Legal Authority: Title VI, 34 C.F.R. Sec. 100.3; *Lau v. Nichols*, 414 U.S. 563 (1974); Chapter 28A.642 RCW and Chapter 392-190 WAC.

Washington Office of Superintendent of
PUBLIC INSTRUCTION

EL Identification and Placement (14.3.A-C)

Evidence to Provide

Important! *All LEAs must respond to subitems A-C, even if the LEA does not have any presently identified ELs.*

A. Evidence that the LEA identifies the language background of each student upon enrollment (including the first language learned, the language the student uses most often, and the language used in the home). Evidence should include a home language survey or student enrollment form with the required questions.
B. Assessment and placement procedures for ELD services, including testing on the state language proficiency assessment and criteria for determining eligibility and exit.
C. A roster of eligible EL students, indicating language proficiency level and the type and amount of ELD services provided for each student.

Tips for Program Review

- **Using OSPI's [Home Language Survey](#) (available in 40 languages) is the most efficient way to collect this information.** If the LEA does not use the survey, it can instead ask two questions on its enrollment form:
    - What language did your child first speak or understand?
    - What language does YOUR CHILD use the most at home?
- **Additional information about identification and placement procedures** can be found by reviewing OSPI's [Multilingual Learners Policies and Practices Guide](#) (Chapter 1: Identification and Placement).

ELD Services Staffing (14.3.D and E)

Evidence to Provide

Important! *If the LEA does not have any presently identified ELs, please mark subitems D and E as N/A in the Comments field.*

D. A list of all teachers who design, oversee, and evaluate ELD services. For each teacher listed, provide their qualifications to provide EL services, such as EL/ESL endorsement or ongoing training relating to the delivery of ELD services.
E. A list of all paraeducators who assist in providing ELD services. For each paraeducator listed, provide evidence that they instruct under the direct supervision of a qualified teacher and receive ongoing training relating to the delivery of ELD services.

Tips for Program Review

- **Additional information about staffing ELD services** can be found by reviewing OSPI's [Multilingual Learners Policies and Practices Guide](#) (Chapter 4: Staffing and Professional Learning).

EL Student Files (14.3.F)

Evidence to Provide

Important! *If the LEA does not have any presently identified ELs, please mark subitem F as N/A in the Comments field.*

F. Student files with completed home language survey, placement test, and annual language proficiency assessment score sheets.

   Submit documentation from two students at an elementary school, middle/junior high school, high school, ALE or online program, and alternative school, where applicable.

Tips for Program Review

- **Please make sure to include all requested documentation for each student:** (1) home language survey or enrollment form; (2) placement test; and (3) annual language proficiency assessment score sheets.

ELD Program Evaluation (14.3.G)

Evidence to Provide

Note: If the LEA does not have any presently identified ELs, please mark subitem G as N/A in the Comments field.

G. Evidence of evaluation of the effectiveness of the LEA's ELD services (e.g., progress made in language acquisition and academic achievement, feedback from teachers and parents, meeting minutes, etc.).

Tips for Program Review

- **Additional information about ELD program evaluation** can be found by reviewing OSPI's [Multilingual Learners Policies and Practices Guide](#) (Chapter 6: Program Evaluation).

Learn More About ELD Services

- [OSPI Multilingual Education Program](#) (resources and contact information)
- U.S. Department of Education, Office for Civil Rights (OCR): [Dear Colleague Letter, English Learner Students and Limited English Proficient Parents (01/7/2015)](#)
- U.S. Department of Education, Office of English Language Acquisition: [English Learner Toolkit](#)