

Identifying English Learners

When enrolling an immigrant who may have just recently arrived in the United States, district personnel face a number of key understandings. One such understanding is that English learners (ELs) are an incredibly diverse group. These students may be refugees, migrants, have limited or interrupted formal education (SLIFE), be unaccompanied minors, gifted learners or students with disabilities. The students' educational backgrounds can be just as diverse. Some arrive having received quality education in their home country, while others have not. Some have taken formal English classes or have attended international schools where English was the language of instruction. The design of the enrollment process gather as much information as possible to identify the strengths and challenges the students bring with them to the school.

The second key understanding comes involves rulings by federal courts on a number of issues involving the rights of English learners in schools. One such ruling states that ELs must be provided equitable access to the educational program meaning any class in which they are enrolled. The court decided that it was insufficient to place students in classes alongside native English speakers without supports, accommodations, or modifications as the students are deprived of a meaningful education (*Lau v. Nichols*, 1974).

This non-regulatory guidance is intended to support districts with enrollment, individual career and academic plans (ICAP) and instructional and assessment strategies. This guidance further endeavors to provide English learners from across the spectrum a motivating pathway to graduation.

Guidelines for Identifying English Learners

Every school district in Missouri must have procedures in place to identify students who meet the federal definition of an English learner. As stated in Title IX of the Education Amendments of 1972, an English learner is an individual who is:

- A) age 3-21
- B) who is enrolled or preparing to enroll in an elementary or secondary school
- C) (i) who was not born in the United States or whose native language is a language other than English; (ii)(I) who is a Native American or Alaska Native, or a native resident of the outlying areas; and (II) who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; (iii) who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant

D) whose difficulties in speaking, reading, writing or understanding the English language may be sufficient to deny the individual – (i) the ability to meet the state’s proficient level of achievement on the State assessments ...; (ii) the ability to successfully achieve in classrooms where the language of instruction is English; or (iii) the opportunity to participate fully in society.

Steps districts must take to identify English Learners

