



DISTRICT OF COLUMBIA

OFFICE OF THE STATE SUPERINTENDENT OF

EDUCATION

English Learner Identification in the 2021-22 School Year

July 27, 2021

Background

Local education agencies (LEAs) are responsible for identifying all students who are eligible for English learner (EL) services in a timely manner according to the policies and procedure laid out in [Delivering Education Services to English Learners: Policies and Procedures for Administrators, Instructional Leaders, and Teachers in the District of Columbia](#). Due to distance learning, the US Department of Education (USED) issued guidance¹ which allowed states to establish a provisional EL identification procedure, OSSE developed the [Provisional Pre-K-12 English Learner Identification Procedure During Distance Learning](#), and LEAs in the District were permitted to follow the procedures outlined therein. Students screened pursuant to the provisional procedure were granted either a Provisional-EL (PEL) or Provisional-Not EL (PNEL) status. With the reopening of in-person learning in the 2021-22 school year, LEAs are expected to follow federal and state policy for English learner identification² by returning to the District's formal process found in [Delivering Education Services to English Learners: Policies and Procedures for Administrators, Instructional Leaders, and Teachers in the District of Columbia](#).

Scope

This document contains guidance on LEA responsibilities under the Elementary and Secondary Education Act of 1965 (ESEA), other federal laws related to ELs, District of Columbia Municipal Regulations 5-E3101, and state EL policies and procedures.³ While this document does not impose any additional requirements beyond those included in applicable federal and local laws and regulations, this document outlines the requirements for returning to the formal process for identifying students who are eligible for EL services and the implications for non-compliance.

Resolving Lingering Provisional Screening Statuses

Any student who was screened using the [Provisional Pre-K-12 English Learner Identification Procedure During Distance Learning](#) during the 2020-21 school year and still has a status of Provisional-EL (PEL) or Provisional-Not EL (PNEL) must complete full screening using a state-approved screener, as described in [Delivering Education Services to English Learners: Policies and Procedures for Administrators, Instructional Leaders, and](#)

¹ U.S. Dept. of Education, OESE, [Fact Sheet: Providing Services to English Learners During the COVID-19 Outbreak](#) (May 18, 2020).

² ESEA Section 3113(b)(2); DCMR 5E-31: 3101.1-3101.2, [Joint U.S. Department of Justice and U.S. Department of Education Dear Colleague Letter, January 7, 2015](#).

³ 2015 US Department of Justice and US Department of Education Dear Colleague Letter; District Municipal Regulations 5-E3101; [Delivering Education Services to English Learners Policies and Procedures for Administrators, Instructional Leaders and Teachers in the District of Columbia](#).

[Teachers in the District of Columbia](#). Within 30 days of stage 5 enrollment⁴ at the start of the school year, or within two weeks of placement if not identified at the beginning of school, LEAs must complete EL identification and notify parents that their child was identified as needing EL services.

We encourage LEAs to use the [Early Access to English Learner Data Application](#) to access screener data and identify students who have PEL or PNEL status, as well as the numerous other key data points provided in the app.

Limited Provisional Screening Permitted for the 2021-22 School Year

In the 2021-22 school year, the [Provisional Pre-K-12 English Learner Identification Procedure During Distance Learning](#) (released July 17, 2020) may only be used for students who have a [COVID-19 Medical Consent & Certification for Distance Learning](#). **In those rare scenarios**, LEAs will be required to complete full EL identification screening for these students by March 1, 2022.

Status of Second Supplemental Payment

For LEAs receiving supplemental Uniform Per Student Funding Formula (UPSFF) payments, the second supplemental payment will include reconciliation for resolved PEL and PNEL statuses, based on EL statuses as of March 1, 2021. If full screening by March 1, 2022, is not possible due to continued distance learning, LEAs must submit an appeal via OST by Feb. 15, 2022, or risk not receiving the supplemental UPSFF funds for any students with unreconciled PEL and PNEL status markers.

Questions?

For questions about EL screening, programs, and policies, contact Dr. Jennifer Norton at Jennifer.Norton@dc.gov.

⁴ Stage 5 Enrollment is a designation that applies when a student begins attending a school (in his/her seat). Office of the State Superintendent of Education, Delivering Education Services to English Learners: Policies and Procedures for Administrators, Instructional Leaders, and Teachers in the District of Columbia ([Version 5.2, May 2021](#))