



DISTRICT OF COLUMBIA

OFFICE OF THE STATE SUPERINTENDENT OF

EDUCATION

Resolving Provisional English Learner Identification Statuses

in the 2020-21 School Year

Jan. 29, 2021

Introduction

This state-wide communication reiterates the timeline and process for resolving provisional English learner (PEL) and provisional not English learner (PNEL) statuses across learning environments. LEAs have a deadline of 10 days after returning to full-time, in-person instruction and by March 1, 2021 at the latest to complete full identification or submit documentation for an appeal, otherwise those students' UPSFF English learner (EL) supplement will be returned to OSSE. As March 1, 2021 grows closer and many students continue to with full-time remote learning or transition to hybrid or full-time, in-person learning environments, we are providing additional detail on the procedures for reconciling PEL and PNEL statuses.

This communication clarifies that (a) students in pre-K 3 and 4 must be screened by March 1, 2021 because there are both remote and in-person screener assessments available for these grades; and (b) clarifies that grades K-12 students with PEL status should be included in any scheduled ACCESS testing.

Reminder: Formal EL Identification and Provisional EL Identification Procedures

Identifying ELs in a timely manner is an LEA responsibility under federal education and civil rights law and state policy.¹ The formal process is found in [Delivering Education Services to English Learners: Policies and Procedures for Administrators, Instructional Leaders, and Teachers in the District of Columbia](#), and typically must be completed within the first 30 days of the first day of school and within 10 days for students starting during the school year.

Due to distance learning, The US Department of Education has allowed states to establish a provisional EL identification procedure so that students are not be delayed in receiving English language development services.² OSSE developed the [Provisional Pre-K-12 English Learner \(EL\) Identification Procedure During Distance Learning](#) (released July 17, 2020). The provisional procedure is not a substitute for administering a [state-approved EL screener](#) and students need to have that process completed once it is possible to do so, to ensure they are appropriately identified as EL or not EL. Currently, the only [state-approved EL screener](#) that can be administered remotely is the pre-K 3 and pre-K 4 Pre-IPT Oral Remote.

Decision Trees for Resolving PEL and PNEL Statuses

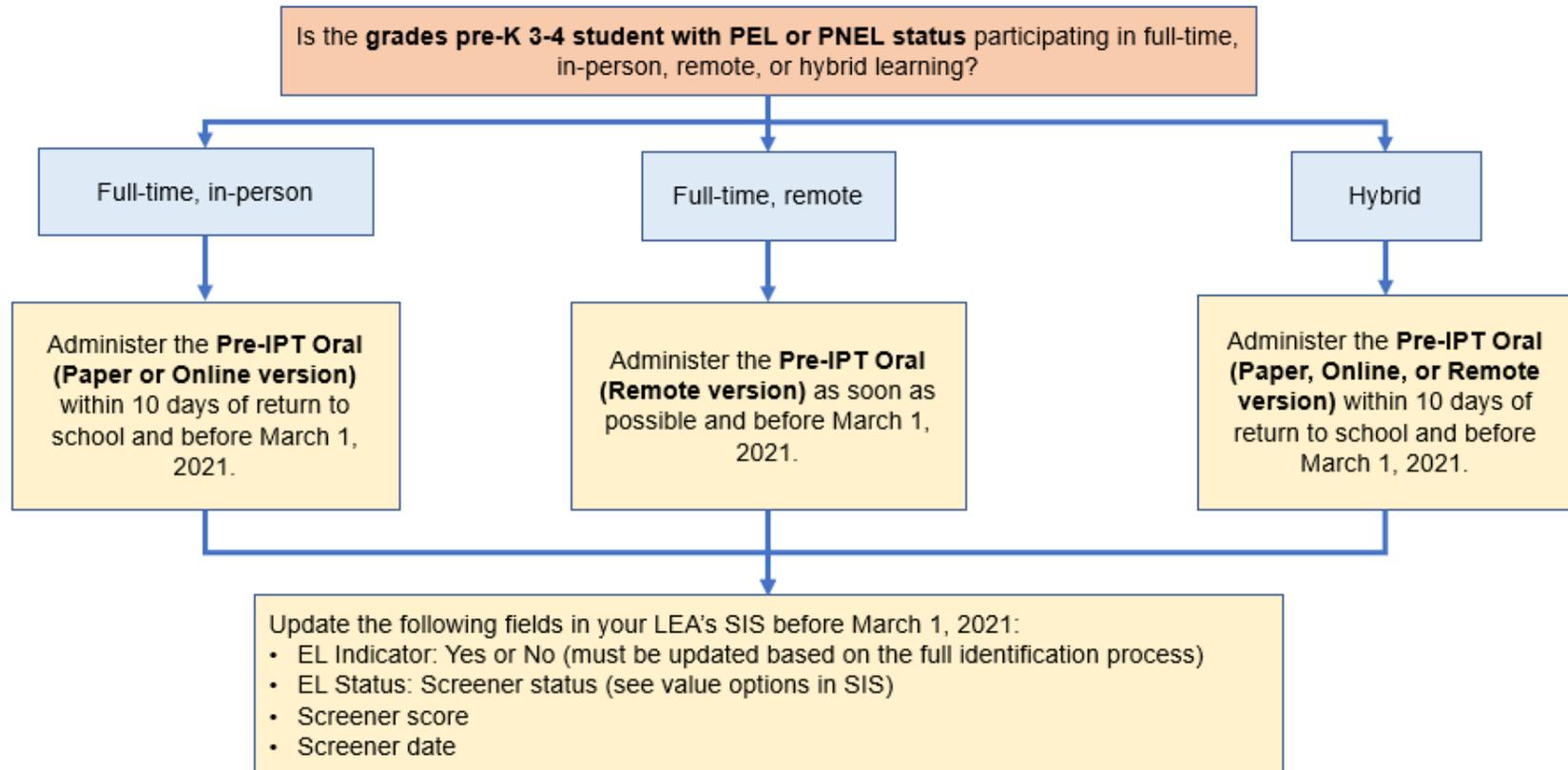
There are several scenarios for screening, depending on the students' grade (pre-K 3-4 or K-12), provisional status (PEL or PNEL), and learning environment (full-time, in-person; hybrid; or full-time, remote), the decision trees on the following pages reflect the [Statewide Assessments Participation and Performance Policy for School Year 2020-21](#) (released January 21, 2021).

¹ 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](#).

² [U.S. Department of Education Addendum to Fact Sheet: Providing Services to English Learners During the COVID-19 Outbreak](#) (released January 19, 2021).

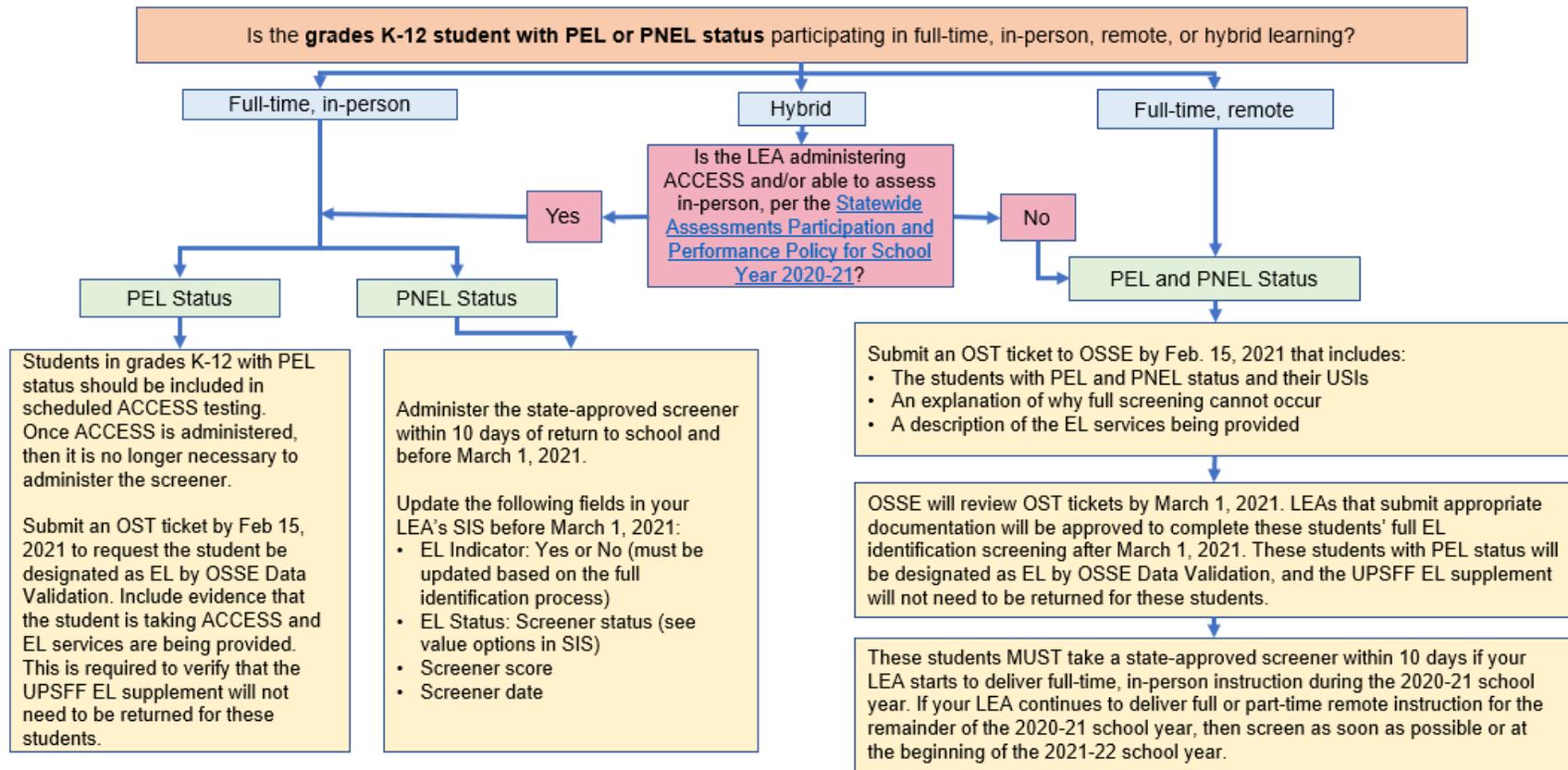


Decision Tree for Reconciling PEL and PNEL Statuses for Students in Grades Pre-K 3 – 4





Decision Tree for Reconciling PEL and PNEL Statuses for Students in Grades K-12





DISTRICT OF COLUMBIA

OFFICE OF THE STATE SUPERINTENDENT OF

EDUCATION

Process for Submitting Documentation to Appeal the March 1, 2021 EL Screening Deadline

If it is not possible to conduct full EL identification screening for a student by March 1, 2021, the LEA should submit documentation to OSSE by Feb. 15, 2021 to provide evidence that (a) EL services are being provided and (b) why the screening cannot be completed. Documentation is requested by Feb. 15, 2021, given that LEAs will plan in advance for the return to in-person learning. OSSE will review the documentation submitted and notify LEAs of approval by March 1, 2021.

Documentation must be submitted through the OSSE Support Tool and may be submitted in one batch by including the USIs for all of the LEAs' students who are affected. An example of acceptable documentation is a written statement from the Head of School or Principal describing that screening cannot occur because the specific student(s) have been participating in distance learning only, and what EL services are being provided.

LEAs will be approved to complete full EL identification screening for these students after March 1, 2021. This means that these students with PEL status will be designated as EL by OSSE Data Validation, and the UPSFF EL supplement will not need to be returned for these students.

The April LEA quarterly payment will include reconciliation for resolved PEL and PNEL statuses, based on EL statuses as of March 1, 2021 and the approved documentation. The LEA will not receive EL funds for (a) students with unreconciled PEL status after March 1, 2021, (b) students with PEL status who then withdraw after audit without completing formal screening, and (c) students designated as not EL as a result of full screening using state-approved screeners.

LEAs will continue to receive EL funding for students included in the enrollment audit that are designated as EL after the enrollment audit date. Funding for these students will be included in the supplemental payment process.

Questions?

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

For questions about ACCESS test administration, contact Michael Craig at Michael.Craig@dc.gov.