

Meeting the Civil Rights Requirements for Multilingual Learners in Washington State

OSPI Bilingual Education

Committed to Eliminating Opportunity Gaps

**Washington State English
Language Development Programs:
Two Essential Components for Equitable
Services**

ENGLISH LANGUAGE DEVELOPMENT

- Designed to achieve English language proficiency in least amount of time
- Focused on ELD standards - all four domains
- Designed to target student's unique proficiency level
- Provided by teacher with EL expertise
- Provided for all eligible multilingual learners in all program models

Statutes & Guidance

- [ESSA Title III Language Instruction for English Learners and Immigrant Students](#)
- [Washington State Transitional Bilingual Instructional Program](#)
- [Lau v. Nichols US Supreme Court 1974](#)
- [Castañeda v. Pickard US Fifth Circuit Court of Appeals 1981](#)
- [OSPI Guidance Bulletin Part 1 076-20 \(Sept. 2020\)](#)
- [OSPI Guidance Bulletin Part 2 086-20 \(Oct. 2020\)](#)

MEANINGFUL ACCESS TO CONTENT

- Designed to support academic language learning in all core content classrooms
- Scaffolds access to rigorous grade-level content standards using sheltered instruction strategies
- Provided by trained and supported core content teachers and/or EL Specialists
- Involves co-planning and collaboration



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English Language Development

Criteria

English language development, or designated ELD as it is often called, is one of the two essential components of any program for multilingual/ English learners. All identified multilingual/ English learners must be provided designated ELD.^{1, 2} The criteria by which a district may identify if their services are, in fact, providing English language development are:

Planning: Instruction/lessons are designed by or with a language specialist/certificated teacher with a Bilingual Education or EL endorsement.

Instruction: Instruction is specific to the student's proficiency level and targets English language development standards (WIDA ELD Standards Framework).

Resources: Instructional resources are specifically designed or adapted for multilingual/ English learners.

Domains: Instruction addresses all 4 domains of language, based on student needs.

Grouping: Grouping is based on student language needs and proficiency levels.

Instructor: ELD instruction is provided by or in consultation with a certificated teacher with an appropriate endorsement (Bilingual Education or EL endorsement). Paraprofessionals may be used as a supplement to the services provided by qualified EL teachers, however they must be directly supervised by the qualified EL teacher and be trained to provide these services.⁴ (NOTE: Paraeducators may deliver some instruction as a temporary measure while a district actively seeks to employ and/or train bilingual or EL endorsed teachers.)

Districts may use the above criteria to reflect upon the services provided to multilingual learners to determine if the services provide designated ELD. The following table demonstrates common examples and which criteria are met or not met:

Example of common practices	Does the example meet the criteria for designated ELD? (Yes/No)					
	Planning	Instruction	Resources	Domains	Grouping	Instructor
Reading intervention programs not specifically designed for second language acquisition.	No	No	No	No	No	
Paraeducator works with small group by grade level/classroom, uses ELA resources as preview or review.	No	No	No	No	No	No
EL Teacher works with small group and provides ELA content support with ELA resources.	Yes	Yes	No	No	No	Yes
EL teacher works with small group by proficiency level and teaches ELD lesson addressing 4 domains of language using resources specifically designed or adapted for multilingual/ English learners.	Yes	Yes	Yes	Yes	Yes	Yes
Classroom teacher with EL training plans and/or co-teaches ELA lesson with EL teacher using adapted materials to address the specific language needs of EL students in all 4 domains with differentiated support for different proficiency level groups.	Yes	Yes	Yes	Yes	Yes	Yes

Meaningful Access to Content

Criteria

Meaningful access to content is one of the two essential components of any program for multilingual/ English learners. All identified multilingual/ English learners must be provided meaningful access to the full curriculum³ which involves the use of strategies, scaffolds (such as graphic organizers and other visuals), and specific instruction related to the academic language of the content. The criteria by which a district may identify if their services are, in fact, providing meaningful access to content are:

Planning: Language specialists collaborate with core content teachers to identify academic language expectations and needed scaffolds for multilingual/ English learners at various language proficiency levels.

Instruction: Sheltered instruction strategies such as *OCDE Project GLAD®, Sheltered Instruction Observation Protocol (SIOP), and Universal Design for Learning (UDL) are utilized in all core classes in which multilingual/ English learners are enrolled.

Focus: Instruction addresses the most critical academic language functions and features of the lesson as driven by the content standards and content learning objectives of the lesson.

Instructor: Language specialists may co-teach with core content teachers, addressing the language expectations of the lesson, or core-content teacher holds appropriate endorsement or training (i.e., on-going, job embedded support) and addresses the language expectations of the lesson.

Districts may use the above criteria to reflect upon the services provided to multilingual/ English learners to determine if the services provide meaningful access to rigorous, grade-level content. The following table demonstrates common examples and which criteria are met or not met:

Examples of common practices	Does the example meet the criteria for meaningful access to content? (Yes/No)			
	Planning	Instruction	Focus	Instructor
Simultaneous translation provided by paraeducator in some content classrooms.	No	No	No	No
Students receive same whole-class lessons as all students without attention to language proficiency levels or language demand of the lesson.	No	No	No	No
Core-content teacher with EL training uses sheltered instruction strategies such as OCDE Project GLAD®, SIOP, and/or UDL to scaffold academic and content-specific language to provide meaningful access to grade-level learning.	Yes	Yes	Yes	Yes
Co-teaching model is used to provide specific academic language support by an EL-certified teacher working with a core content teacher.	Yes	Yes	Yes	Yes

¹ Castañeda v. Pickard, 648 F.2d at 1007-1008, 1009 (5th Cir. 1981).

² Elementary and Secondary Education Act of 1965 (ESEA). As Amended by Every Student Succeeds Act (ESSA), December 10, 2015.

³ *Lau v. Nichols*, 1974, U.S. Supreme Court.

⁴ US Department of Justice & US Department of Education (2015). Dear Colleague Letter.

*Orange County Department of Education Project GLAD® (Guided Language Acquisition Design)