

ATTACHMENT A

In voluntary cooperation with the U.S. Department of Education, Office for Civil Rights and the U.S. Department of Justice, ADE is enacting the following. Effective immediately, ADE is revoking the ADE requirement that local education agencies (LEAs) use the single-question HLS, which asks "What is the primary language of the student?" ADE is also revoking ADE No. Ex.-48 (dated 8/27/09, which superseded the 7/8/09 version) entitled, "Process for Administering of AZELLA by Home Language Survey of Mainstream Classroom Teacher."

Effective immediately, ADE now requires that all LEAs use the attached three-question HLS, which asks:

- (1) "What is the primary language used in the home regardless of the language spoken by the student?";
- (2) "What is the language most often spoken by the student?"; and
- (3) "What is the language that the student first acquired?"

If the response to any of the three questions is a language other than English, the LEA must timely assess the student's English language proficiency with Arizona's English proficiency assessment. Any student identified as not proficient on the English proficiency assessment is entitled to ELL services. It is important for all LEAs to use the three-question HLS as soon as possible because the student registration process for the 2011-12 school year is underway or fast approaching. All new students registering for the 2011-12 school year shall receive the three-question HLS.

In addition, all LEAs must inform their administrators, entire instructional staff, and persons involved with registration in writing that:

- a) For students (i) whose parent or legal guardian completed the one-question HLS between July 1, 2009, and the date of this directive, (ii) who are still enrolled in the LEA for the 2011-12 school year, (iii) whose parent or legal guardian the LEA is able to locate, and (iv) who have not already been assessed with the English language proficiency assessment, the LEA must contact the students' parent or legal guardian to inform them that the three-question HLS must be completed and the LEA must make available to the parent or legal guardian the three-question HLS (e.g., in person, by mail, via e-mail, or by phone). Communications with the parent/legal guardian about the HLS must be in a language comprehensible to the parent/legal guardian. Consistent with ADE's English Language Learner Monitoring Process, all documentation regarding the HLS must be in English and in a language comprehensible to the parent/legal guardian. (LEAs will not be required to make the three-question HLS available for any student for whom the response to the one-question HLS indicated that the student's primary language was a language other than "English" or who has already been assessed with the English language proficiency assessment.)
- b) An answer of other than "English" on any one of the three questions will trigger a timely assessment with the English language proficiency assessment.
- c) The provisions in (a) and (b) above will be implemented in time for the start of the 2011-12 school year.

Each LEA must retain records reflecting its implementation of paragraphs (a) and (b) and report to ADE by November 1, 2011, and June 15, 2012: (i) the number of students whose English proficiency was assessed pursuant to paragraphs (a) and (b) above and the number of such students identified as ELL.

You may contact ADE's Office of English Language Acquisition Services if you have any questions regarding this new process at (602) 542-0753 or lori.arnold@azed.gov. Additionally, ADE will provide training on the administration of the three-question HLS in the near future.