

Reprising the Home Language Survey:
Summary of a National Working Session on
Policies, Practices, and Tools for Identifying
Potential English Learners

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The Council of Chief State School Officers (CCSSO) is a nonpartisan, nationwide, nonprofit organization of public officials who head departments of elementary and secondary education in the states, the District of Columbia, the Department of Defense Education Activity, and five U.S. extra-state jurisdictions. CCSSO provides leadership, advocacy, and technical assistance on major educational issues. The Council seeks member consensus on major educational issues and expresses their views to civic and professional organizations, federal agencies, Congress, and the public.

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Note to Reader:

This document is the first in a series of working papers that elaborate on a framework of four key stages in moving toward a common definition of English learner (EL), as described in the CCSSO publication, *Toward a “common definition of English learner”: Guidance for states and state assessment consortia in defining and addressing policy and technical issues and options* (Linquanti & Cook, 2013). It summarizes a national working session of state and consortium representatives, experts and stakeholders held on September 18, 2013 at the Washington, DC offices of CCSSO. Participants and the institutions they represented are listed in Appendix A. Specifically, the working session deliberated on the CCSSO guidance document’s first stage – identifying a student as a potential English learner – in order to build understanding and consensus among assessment consortia, participating states, and other stakeholders on key issues, and on strengthening related policies, practices, and tools.

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Identifying Potential English Learners via Home Language Surveys

Background

English learner (EL) students are legally entitled and expected to receive specialized instructional services and assessments to ensure they develop academic uses of English that enable them to succeed in school, work, and life (LaCelle-Peterson & Rivera, 1994; Hakuta, 2011). Yet the provision of these supports is largely predicated on accurately identifying potential English learners via Home Language Surveys (HLS) (Bailey, 2010). As noted in the CCSSO guidance for states in consortia required to move toward a common EL definition (Linguanti & Cook, 2013), states should first identify from the overall K-12 student population the group of students that is *potentially* EL. Per the definition of an English learner by the Elementary and Secondary Education Act (ESEA)¹, states are required to identify students with a native language other than English, or who come from an environment where a non-English language either is dominant² or may have affected a student’s English language proficiency. It is this population that is *potentially* EL and will require assessment to determine if they are *in fact* EL and in need of specialized language and academic support services to which they are entitled. This stage does *not* identify English learners *per se*, but only the pool of students who are potentially EL. Confirming (or disconfirming) EL status occurs at the next stage of the guidance’s common EL definition framework.

Current HLS Practices in the US

The vast majority of states use home language surveys to identify potential EL students (Bailey & Kelly, 2010; 2013; Kindler, 2002; National Research Council [NRC], 2011; Wolf et al., 2008). However, as Bailey and Kelly (2013) point out, “The U.S. Department of Education Office for Civil Rights *December 3, 1985 Memorandum* and *1991 OCR Policy* address the requirement to have a program in place for adequately identifying students in need of services, but recognize that this may differ widely due to student demographics. No wording in these memoranda obligates states to specifically enforce the use of an HLS in order to initially identify students” (p. 2). In their review, Bailey and Kelly (2010; 2013) identified four HLS practices common in the states: 1) 23 states and Washington, DC have created a single HLS form and mandate its use in schools statewide; 2) 17 states mandate use of an HLS and have created a sample HLS for districts to adopt or substitute with their own version; 3) six states mandate use of an HLS but have created neither a required nor sample HLS, allowing districts to create their own; and 4) four states

¹ ESEA Sec. 9101(25): “The term limited English proficient, when used with respect to an individual, means an individual — (A) who is aged 3 through 21; (B) who is enrolled or preparing to enroll in an elementary school 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*; or (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*; and (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 State assessments described in section 1111(b)(3); (ii) the ability to successfully achieve in classrooms where the language of instruction is English; or (iii) the opportunity to participate fully in society.*”

² Although this term is used in the legal definition, session participants had concerns about using it with respect to a student’s “language dominance.” See Section B. below. See also Thompson (2013).

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do not require use of an HLS but may list its use along with additional recommended practices such as use of existing reading scores on state tests and observational scales.

An HLS is typically administered to parents/guardians at a student's initial school enrollment. They include a varied number of differently worded questions that essentially ask parents/guardians for the same information: to indicate whether a language other than English is spoken by the student, and by the parents/guardians to the student, in the home. HLS are not intended to measure English "proficiency." However, they sometimes have a secondary purpose of yielding information about students' language backgrounds that can aid schools in making programmatic decisions, such as offering bilingual education in English and high-incidence languages revealed by the HLS. To date, no validity studies have been conducted by states on the accuracy of HLS, so little is known about the quality of the information HLS yield (Bailey, 2010). Where there has been opportunity to evaluate HLS, researchers have found them lacking. For example, one study found to be problematic the use of a single question asking for the student's primary language (Goldenberg & Rutherford Quach, 2010), and HLS being used as the lone indicator of potential EL status has been questioned (Abedi, 2008; Bailey & Kelly, 2013).

CCSSO National Working Session on HLS

In light of the federal requirement for states in the four consortia to move toward a common EL definition, and as a consequence of the current concerns with HLS outlined above, CCSSO convened State and Consortia representatives, researchers, and other key stakeholders to explore how to strengthen and align HLS development and use in consortium member states. The group discussion was structured around five key dimensions of HLS:

- A. Purposes and intended uses
- B. Key constructs (aligned to purposes and uses)
- C. HLS question formulation (aligned to constructs)
- D. Administrative procedures
- E. Decision rules

Group discussion of each of these dimensions is summarized below.

A. Purposes and Intended Uses

Session participants reached a general consensus that the purposes and intended uses of the HLS are to:

1. Identify potential members of a protected class under Federal Law by helping school officials identify students who may benefit from and be entitled to specialized English language development services, and services that help ensure full access to the academic curriculum;
2. Identify who should be assessed using the English language proficiency (ELP) screener/test to determine EL status; and
3. Better understand students' language environments and use.

Considerations

1. Clearly defining the purposes and uses of the HLS helps guide identification of key constructs, which in turn facilitates the development of more precise HLS questions.

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2. The purposes and intended uses of the HLS should be made explicit to those administering and those completing the survey.
3. States may want to clearly specify what the purposes and intended uses of the HLS are **not** (e.g., determining immigration status, pre-determining educational services to be provided).
4. Since language use in the federal definition extends beyond the home, states may want to consider calling it the *Language Use Survey*.
5. Some states integrate the HLS into a larger initial intake form, which can impact the HLS format and context, and may blur purpose and intended uses. In these cases, the HLS should be clearly distinguished from other intake purposes and questions. For example, the following “tiered” intake form has been utilized by the New York City Department of Education and consists of three distinct parts:³
 - a. Tier (Part) 1 – “Language Assessment Battery-Revised [screener] Eligibility⁴”: Essential HLS questions presented here; identifies student as in the protected class that requires further screening
 - b. Tier (Part) 2 – “Instructional Planning”: Collects other information needed for instruction/placement decisions
 - c. Tier (Part) 3 – “Parent Information”: Identifies parent’s language of choice for receiving school communications

Issues

1. Sec. 9101(25) (A): Age range 3-21 years: Should Pre-Kinder and adult education (to 21 years old) be included? The Federal definition says in “elementary or secondary” school.
2. Sec. 9101(25) (C) “not born in U.S.”: Should HLS help determine this? The purpose of HLS is not to determine parent or student immigration status, yet U.S. birth status is part of the protected class definition (see next issue).
3. Current ESEA definition of limited English proficient (LEP) includes within the protected class certain national-origin group members (e.g., Native Americans, Alaskan Natives, and natives of outlying areas) who may be primary (or even monolingual) speakers of a non-standard or contact variety of English (e.g., “Village English”)
4. Other speakers of non-standard English varieties are not currently specified within the definition’s protected class (e.g., African American Vernacular English [AAVE] speakers) but may also benefit from systematic opportunities to develop the standard-English code or more academic uses of English; since these students fall outside the current Federal LEP definition, a separate task force may be needed to make recommendations on augmenting these students’ linguistic repertoire.

B. Key Constructs

The review of state HLS practices (Bailey & Kelly, 2010; 2013) suggests that the constructs being captured on HLS to date have focused primarily on a student’s first language learned, language “dominance”, and exposure to English and/or other language(s) (i.e., language(s) spoken among adults

³ For further information see The New York City DOE Parent/Guardian Home Language Identification Survey at http://schools.nyc.gov/NR/rdonlyres/2CF11E0F-BDBE-4DCB-9E7B-7452A6AB6CDF/0/HLIS_5_24_07_ENGLISH.pdf

⁴ On February 1, 2014, the New York State Identification Test for English Language Learners (NYSITELL) will replace the LAB-R as the instrument used to confirm (or disconfirm) EL status for initial EL classification.

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in the home, and/or language(s) spoken to a student in the home). Other foci in extant HLS included country of origin, prior language services placement, and time in U.S. schools. As noted above, especially when schools and districts use multi-purpose intake approaches, these latter constructs may reflect some HLS being used for purposes beyond collecting information on home language use (e.g., eligibility for immigrant student services).

Considerations

1. Identifying key constructs to be represented on HLS is central to developing more precise HLS questions.
2. Given the purposes of HLS noted in Section A above, the constructs captured by HLS can be considered in terms of degree of relevance for a student's *current* English abilities:
 - a. **Essential:** (student's current language(s); frequency of English language use by student; frequency of English language exposure provided by others)
 - b. **Associated:** (Languages spoken among adults in the home; history of student's language environment, such as "linguistic history" [a student's first language spoken]; use of other language(s); years in U.S. schooling, etc.)
 - c. **Irrelevant:** (country of origin⁵)
3. The HLS is not intended as a measure of English "*proficiency*"; rather it is a tool to help gauge the language environments a student has been exposed to and thus the *likelihood* a student has acquired English abilities prior to enrolling in a U.S. school.
4. English language exposure and contexts of English use include these relevant environments:
 - a. the home/household
 - b. school/child care settings
 - c. recreational (non-home/school) settings
5. States participating in consortia can more consistently address essential constructs (see consideration 2a above) by using common HLS questions.
6. **Essential** constructs may be measured by questions that appear as "Tier 1" on a tiered intake form, identifying a student as a member of the protected class requiring follow-up English language proficiency screening/assessment.
7. **Associated** constructs may be measured by questions that appear as Tier 2 on a tiered intake form, collecting additional useful information as needed for instruction/placement.
8. In any multi-purpose intake form, the HLS should be clearly demarcated, with its questions exploring only essential and associated constructs (Tiers 1 and 2).

Issues

1. Participants raised the question of whether to include on HLS (perhaps via Tier 2 questions) the use of non-standard varieties of English (with students in the protected class only).
2. Participants considered the construct of student language *dominance* to be outmoded. Rather, participants focused more on the *contexts of exposure* to English as key to providing relevant information about the likelihood of potential EL status.
3. Reporting fluent bilingualism in English and an additional language should not lead to over-identification of potential EL status *if* the focus is on student English language exposure and use.
4. Participants concluded that parents' use of language(s) (between themselves and among others but not with the student) may be misleading in identifying student's potential EL status.

⁵ However, see section A., Issue 2 above.

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5. Participants expressed concern that over-identification of potential EL status may occur where parents report the first language as non-English (although not accurate) due to cultural pride; this constitutes another reason why student's first language used (vs. current language use) may not be an essential construct for determining potential EL status.
6. Concern was also expressed that a student's SES may be associated with lack of exposure to academic English.
7. Distinguishing between a student's comprehension (receptive) and production (expressive) abilities in English could be explored in validation studies.
8. Exposure to literacy could be educationally valuable to surveys (Tier 2) for students who have already received schooling in the U.S. or elsewhere.

C. HLS Question Formulation

Participants generated and discussed the following possible HLS questions.

Note: None of these questions has been piloted for ease of comprehension; they are only suggested starting points for further adjusting of wording when tried out with parents/guardians.

Considerations

Tier 1 questions might include:

1. *Which language(s) does your child **currently** . . .*
 - a. understand? [receptive language]
 - b. speak? [productive language]
2. *Which language does your child most often **use** . . .*
 - a. at home . . .
 - i. with you?
 - ii. with siblings?
 - iii. with extended family members?
 - b. in school/educational settings (i.e., preschool; child-care)?
 - c. outside of school (with friends, for recreational activities)?
3. *Which language does your child most often **hear** . . .*
 - a. at home . . .
 - i. with you?
 - ii. with siblings?
 - iii. with extended family members?
 - b. in school/educational settings (i.e., preschool; child-care)?
 - c. outside of school (with friends, for recreational activities)?

Tier 2 questions might include:

1. *Is your child's language variety of English called by an alternate name (e.g., Indian English, Creole, [adjective as locally appropriate]-English)?*
2. *What language do you (the parent) most frequently use with other adults in the home?*
3. *Which language did your child speak when he/she first began to speak?*
4. *What other languages does your child regularly use/hear?*
5. *Does your child read/write in English?*

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6. *Does your child read/write in a language other than or in addition to English?*
7. *How many years has your child attended U.S. schools?*

Tier 3 questions might include:

1. *In what language would you like to receive written information from the school?*
2. *In what language would you prefer to communicate orally with school staff?*

Suggestions

1. Question wording should be straightforward; parent and school personnel focus groups exploring specific question wording/formulation may be valuable.
2. Use of “your child” in the example questions above may inadvertently preclude a wider spectrum of guardians of school-age children. Consider using “the student” as a substitute.
3. Questions should be piloted with a sample of parents/guardians and school personnel across a wide range of different language groups to ensure questions are interpreted as intended and information yielded is meaningful.
4. Questions should be piloted in both print and oral forms.
5. Questions should be piloted using both translation and interpreter formats for additional (locally appropriate) languages.
6. Questions may need refinement based on parent and school personnel focus groups and piloting.

D. Administrative Procedures

Session participants reached a general consensus on the following administrative procedures:

1. Clearly state within the HLS the purposes and intended uses of information being gathered, *particularly if the HLS is embedded within a larger intake form*. In larger intake forms, clearly indicate which questions constitute the HLS.
2. Have administrative procedures reflect whether HLS administration is delivered centrally (district office) or locally (school site).
 - a. Training should be standardized and annually conducted for those administering HLS
 - b. Standardization should address both oral administration as well as any written forms
 - c. Instructions should be provided in simple-to-use scripts (for oral administration), and frequently asked questions (FAQs) should accompany written forms.
 - d. Documentation (e.g., handbook) of procedures should be provided.
3. Provide oral administration and written forms in a language and manner recipients understand
 - a. All forms should be translated accurately.
 - b. Scripts for oral presentation should be accurately translated into all languages needed and delivered by fluent speakers with sufficient oral proficiency to assist respondents if necessary.
4. Document all HLS responses and store electronically in a district central data system tied to the individual student. Responses should be part of the student’s permanent data record.
 - a. HLS responses documenting potential EL status (Tier 1) should be collected *once*.
 - b. HLS responses documenting Tiers 2 and 3 (e.g., instructional purposes, home/school communication preferences) may be updated.

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5. Administrative procedures should describe exception scenarios (e.g., multiple, contradictory forms completed/provided; contradictory answers within a given form) and delineate how to resolve these contradictions:
 - a. Clarify procedures for further review if HLS data are questionable, especially if other evidence indicates student is possibly EL (e.g., false negative) (see also Bailey, 2011).
 - b. Coordinate with any screening for students with disabilities (SWD) or gifted & talented identification; if possible, this coordination should occur concurrently with or before ELP screener (to avoid false positives).
6. Administrative procedures should specify next steps in EL identification process.

Considerations:

- Conducting the HLS online may allow other options for presenting questions and offering responses (e.g., use of a scale to indicate frequency of language use).

E. Decision Rules

Although time to explore this dimension was limited, session participants identified several important considerations and guidelines related to decision rules, which are summarized below. Further discussion and elaboration of this dimension would be beneficial.

Considerations & Guidelines:

1. Decision rules should specify how survey responses should be interpreted to arrive at a decision.
 - a. Must all responses indicate English, or only some?
 - b. Are questions weighted? If so, how should the weighting of questions be determined?
2. Question weighting rules should be devised for school personnel to apply straightforwardly (e.g., “English” given as one of the child’s languages for Tier 1 sample questions 1a. and 1b., as well as “English” given for minimum of 3 responses to questions 2[a-c] and 3 [a-c]).
3. In larger, multipurpose intake forms, *only those questions reflecting HLS purposes and intended uses should be utilized in decision rules* (see constructs and administrative procedures above).
4. Decision rules should synchronize with current state and/or local laws (e.g., education code, OCR resolution agreements, etc.). Changes to decision rules may require changes to current laws/regulations.
5. Age considerations may influence procedures or decision rules (e.g., Pre-kindergarteners through Grade 2 vs. Grades 3-12).
6. Hypothetical student profiles or scenarios based on HLS response patterns may help to carefully evaluate potential EL status in light of students’ range of possible language use:
 - a. Preponderance of evidence vs. absolute trigger, using key HLS question responses
 - b. One example: (% of HLS responses suggesting English/LOTE⁶ exposure/use: Decision)
 - i. 100/0 or 95/5: Don’t Assess
 - ii. 90/10 or 80/20: Watch for possible assessment
 - iii. 60/40 or 50/50 and below: Assess

⁶ Language Other Than English

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7. Empirical/experimental studies should be conducted on HLS answers in relation to ELP assessment results (to improve quality) and should include students whose parents' HLS responses suggested students were *not* potential EL.
8. Decision rules using each HLS question should be pilot-tested as a “pre-validation” check.

Conclusion

It became clear to participants during the course of this working session that many opportunities exist to strengthen the identification of potential English learners. As detailed above, the session produced insights, considerations, and suggestions for improving the tools and the procedures educators use at this critical first stage of serving language-minority students. These include:

1. Clarifying the key purposes and intended uses of the home language survey;
2. Identifying essential and associated constructs aligned to those purposes and uses;
3. Formulating HLS questions that target those essential and associated constructs;
4. Recommending key administrative procedures to ensure effective survey provision; and
5. Suggesting guidelines for decision rules to strengthen the reliability and validity of inferences and actions derived from survey results.

Importantly, working session participants came away with a view that the home language survey itself might more properly be called the *language use survey* because it should capture the language exposure and use that students experience in the multiple contexts of household, afterschool/childcare, and recreational settings. Finally, there is clearly a need to empirically test the proposed HLS questions and decision rules in relation to ELP screener/assessment results in order to strengthen survey quality as well as to validate that the right students are being appropriately identified as potential English learners. In effect, enacting the above suggestions and recommendations may optimize the weave of the net that the home language survey casts across all new registrants to our school systems so that it more often captures those students who should move forward to the next stage of confirming potential EL status.

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Appendix A.

Participants in the National Working Session on Identifying Potential English learners
(September 18, 2013, CCSSO, Washington, DC)

Participant	Representing the following institutions/organizations*
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Mariana Castro	WIDA
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James Ferg-Cadima	Mexican-American Legal Defense and Education Fund
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Margaret Ho	ELPA21 (Washington)
David Holbrook	ASSETS (Wyoming)
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Carsten Wilmes	WIDA
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*May differ from participant's institution of employment.