



Office of English Language Acquisition



IES



Institute of  
Education Sciences

*Aligning Structural  
And Instructional Practices  
To Promote English Learner Success  
During the 2020–21 School Year*

U.S. Department of Education | July 23, 2020



@ASKNCELA1

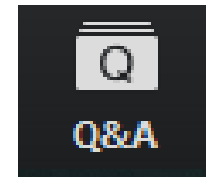


#ELsSchoolSuccess

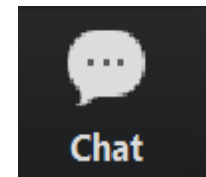
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# Poll #1

I am a/an...

- a. Teacher/practitioner
- b. School/district administrator
- c. Student services staff (e.g., counselors, psychologists, parent liaisons, etc.)
- d. OELA grantee
- e. Other (please type your response in chat)



# Presenters



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Senior Research  
Associate  
REL-West

# Office of English Language Acquisition (OELA)



OELA mission: To provide national leadership in English learner (EL) education by advancing opportunities for educational excellence and equity for ELs and their families.



# Agenda



1. Legal Context for English Learner Education
2. EEOA and English Learners
3. A Theory of Action (TOA) for English Learners Education
4. Evidence-based instructional strategies
5. Evidence-based strategies for Systemic Action
6. NCELA Resources
7. Q&A

# The Legal Context for English Learner Education



# Legal Basis for Civil Right Protections for ELs



- **Title VI** prohibits recipients of federal financial assistance from discriminating on the basis of race, color, or national origin.  
42 U.S.C. § 2000d to d-7.
- **The EEOA** requires SEAs and LEAs to take “appropriate action to overcome language barriers that impede equal participation by [their] students in [their] instructional programs.” 20 U.S.C. § 1703(f).
- **Significant Case Laws:** Lau v. Nichols, Castañeda v. Pickard

# Taking Appropriate Action to Overcome Language Barriers that Impede Students' Equal Participation in Instructional Programs



Emily H. McCarthy,  
Deputy Chief  
Educational Opportunities Section  
Civil Rights Division  
Department of Justice

OELA-Hosted Webinar on July 23, 2020:

*Back to School: Aligning Structural And  
Instructional Practices To Promote English  
Learner Success During the 2020-21 School Year*

# U.S. Department of Justice



These slides provide general information about the Justice Department's enforcement of Section 1703(f) of the Equal Educational Opportunities Act (EEOA), 20 U.S.C. § 1703(f). This presentation does not cover all aspects of the Department's EEOA enforcement efforts, nor does this presentation answer specific compliance questions because their answers are fact-dependent.

## Section 1703(f) of the EEOA



- Section 1703(f) of the EEOA requires state education agencies (SEAs) and local education agencies (LEAs) “to take appropriate action to overcome language barriers that impede equal participation by students in [the agencies’] instructional programs.” 20 U.S.C. § 1703(f).
- SEAs and LEAs, including public charter schools, are subject to the EEOA.

## What does “appropriate action” mean?



- A duty to make “a genuine and good faith effort, consistent with local circumstances and resources, to remedy the language deficiencies of [an educational agency’s] students.” *Castañeda v. Pickard*, 648 F.2d at 1007-1008, 1009 (5th Cir. 1981);
- Intentional discrimination is not required. *See id.*, see also *Issa v. Lancaster*, 847 F.3d 121, 139-40 (3d. Cir. 2017).



## *Castañeda's Three-Prong Test for Evaluating the Appropriateness of an EL Program*



- First, is the EL program informed by sound educational theory?
- Second, are the “practices, resources, and personnel” reasonably calculated to implement the EL program “effectively”?
- Third, do program results show language barriers “actually being overcome”?
  - *Castañeda*, 648 F.2d at 1009-1010.



## ***Castañeda's Second Prong***

- Are the “practices, resources, and personnel” reasonably calculated to implement the EL program “effectively” under the second prong?
- DOJ looks at these issues among others:
  - Are ELs timely identified and properly placed in EL programs?
  - Are EL services adequate and appropriate?
  - Are curricula and materials appropriate for ELs?
  - Are teachers qualified to deliver the EL program?

# Potential Ways to Serve ELs Remotely



- ESL-certified teachers provide synchronous ESL classes using an online platform and small-group options like chat rooms to ensure that ELs practice their listening and speaking skills.
- ESL-certified teachers co-plan and co-teach online lessons with core content teachers to ensure that the lessons are accessible to ELs.
- ESL-certified teachers schedule weekly one-on-one office hours with SLIFE and newcomer ELs to provide additional language support.



# Potential Ways to Train Teachers of ELs Remotely



- Districts create online training regarding effective strategies for teaching ELs remotely.
- Districts provide live training in which they model effective strategies (e.g., using videos).
- Training uses online chat rooms so that teachers can practice the strategies in small groups.
- Small groups share out with the larger group with trainers providing constructive feedback.
- Teachers apply the strategies with their ELs and report back in the next training session.



**THANK YOU!**

**For more information about the Educational Opportunities Section's enforcement of Section 1703(f) of the EEOA, visit our website at <https://www.justice.gov/crt/educational-opportunities-cases#origin>**

*“What do we do when the environment around us changes?”*

*“How do we adapt teaching and learning for the post-COVID context?”*

*“How do we craft a coherent plan and still be prepared to shift practices as needed?”*

# A Theory of Action for English Learner Education



# What is a Theory of Action?

A systematic and visual way to present and share your understanding of the **relationships** among:

- the **resources** you have to operate your program,
- the **activities** you plan, and
- the **changes or results** you hope to achieve.

# What is a Theory of Action? (cont.)

Also known as:

- Theory/Model of change
- Logic model
- Conceptual/Road map
- Blueprint for change
- Action framework
- Program framework
- Program theory
- Theoretical rationale

# What is a Theory of Action? (cont.)

Theories of action can:

- define a **shared language and vision** for change, goals, or priorities;
- help educators and leaders, **design, implement, monitor, and evaluate** programs;
- guide program personnel in **understanding the program's activities and intended outcomes** more clearly and completely; and
- help program personnel become **more systematic** in thinking through the details of the program and the relationships among its components at various stages.

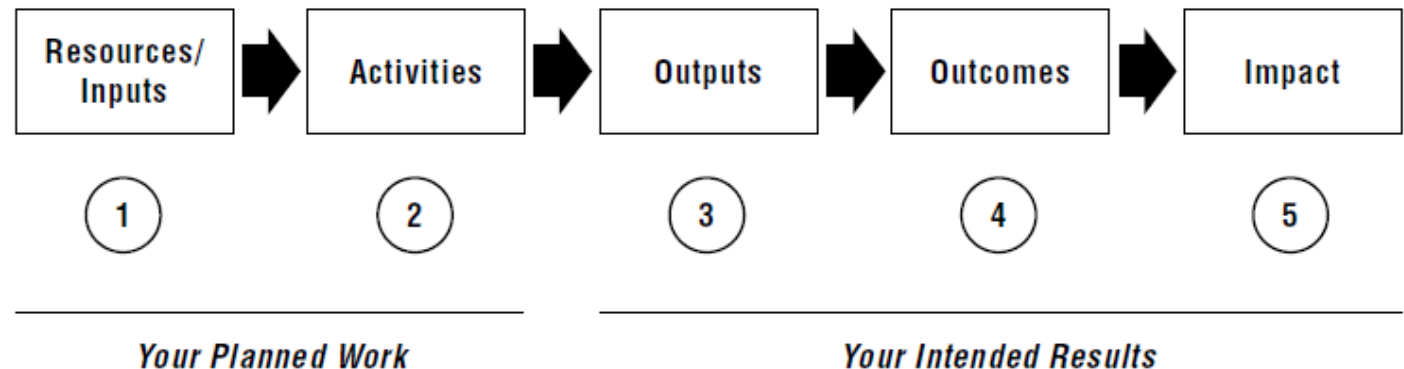
Source: Lawton, et al., 2014

# How to Read a Theory of Action

Characterized by four components:

- **Resources** – inputs to the system.
- **Activities** – aspects of implementation.
- **Outputs** – observable products of the completed activities.
- **Outcomes** (short-, mid-, and long-term) – effects or impacts within various timeframes

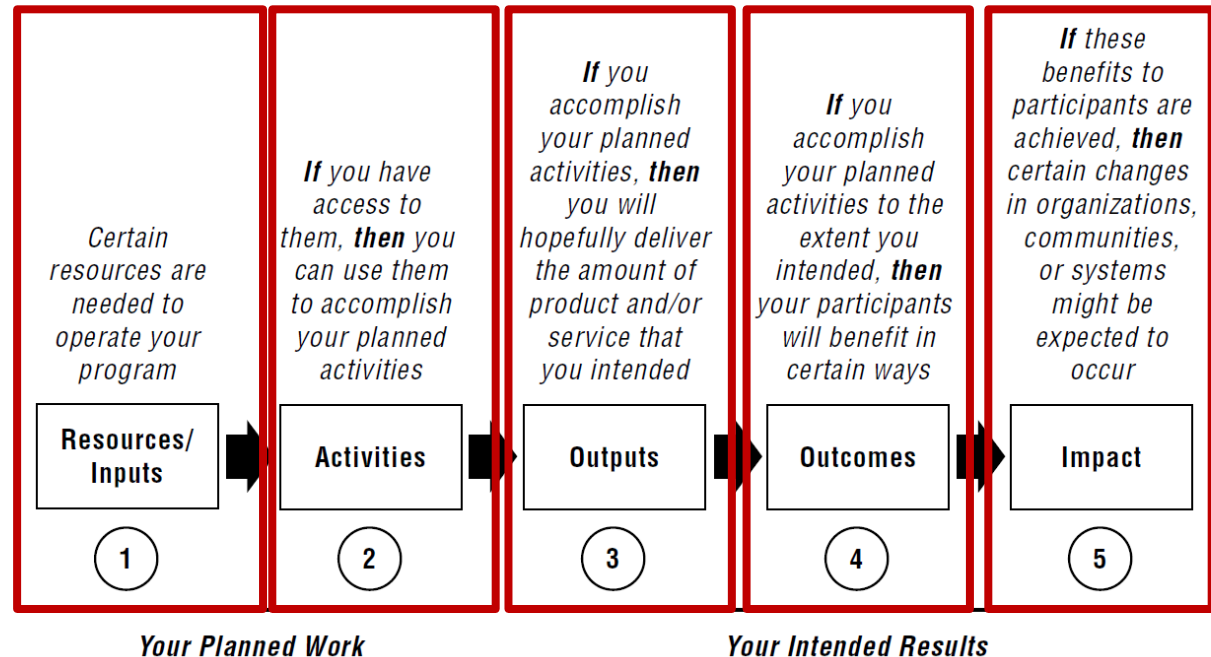
Sources:  
Lawton et al., 2014  
W. K. Kellogg  
Foundation, 2004





# How to Read a Theory of Action (cont.)

“If...then...”  
statements



Source: W. K. Kellogg Foundation, 2004

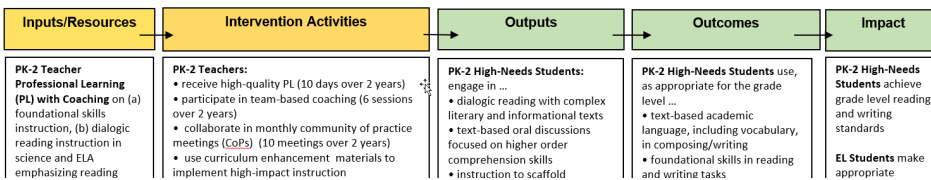
# A Theory Of Action For Serving English Learners In The Post-COVID Context



## Improving Reading, Discussion, and Writing in PK-2 Science and ELA—Logic Model

### Project Goals:

1. Increase the percentage of high-needs PK-2 students meeting grade-level language and literacy standards
2. Improve PK-2 teachers' abilities to implement high-quality language and literacy instruction in science and ELA
3. Build capacity and alignment across the PK-2 grades to support student learning needs



## Appendix C. Sample logic model for college readiness program

**Problem statement:** Low-income high school students in selected communities attend college at a lower rate than their middle-class peers, leading to more limited opportunities, higher rates of unemployment, and lower earnings.

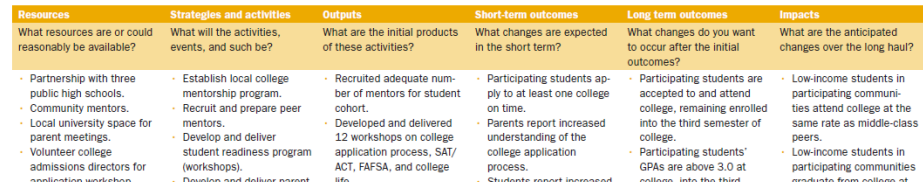
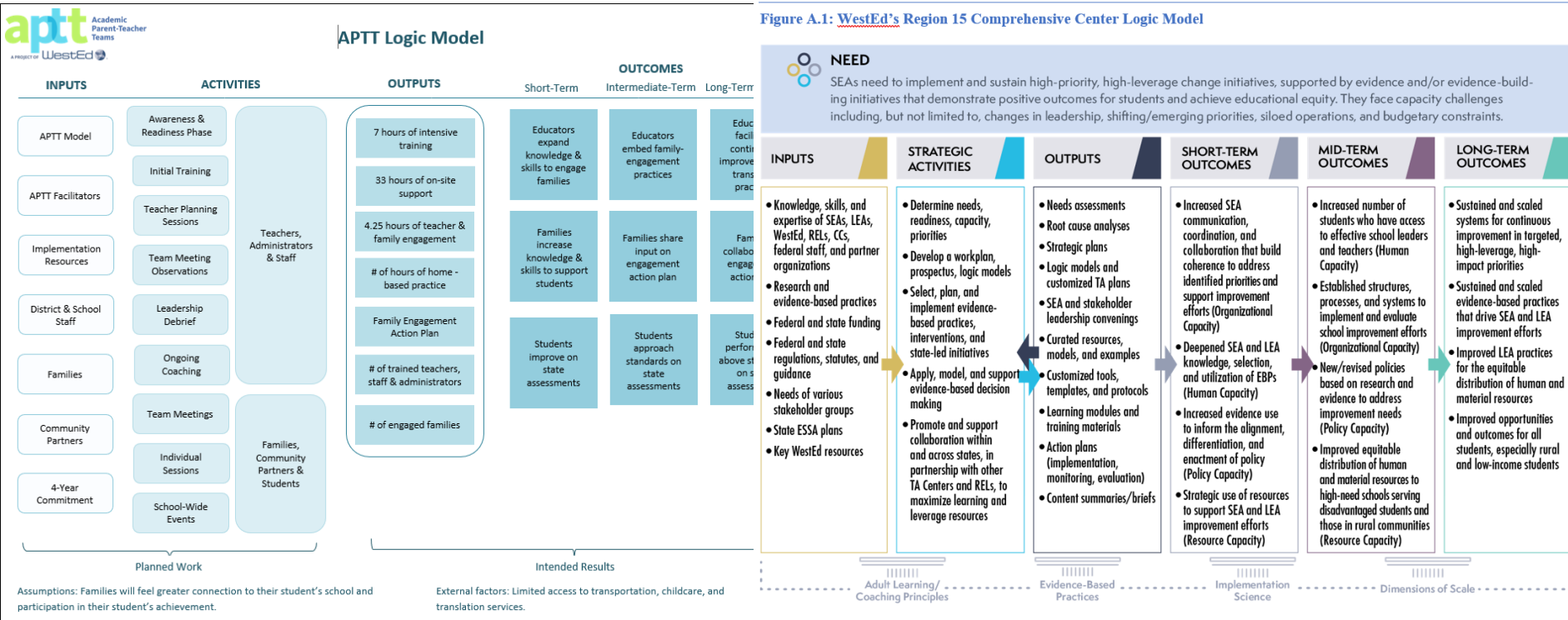


Figure A.1: WestEd's Region 15 Comprehensive Center Logic Model



**Policy Theory of Change:**

What is the underlying belief/spirit of the law we are trying to enact? How does the law propose to realize that belief?

**Process Theory:**

What actions are we going to take, and why do we believe these are the “right” actions to accomplish our goals?

**Impact Theory:**

How do we expect our actions to help us accomplish our goals?

Inputs & Resources	Strategies & Activities	Outputs	Short-term outcomes	Mid-term outcomes	Long-term outcomes

Adapted from: <http://mps.milwaukee.k12.wi.us>

**Policy Theory of Change:** English learners are (1) entitled to certain legal protections and services in virtue of their status as language learners, AND (2) valuable members of the academic community who are capable of rigorous learning and achievement. LEAs must actively include English learners in educational programs and are most successful in accomplishing this when they orient decision-making around these concepts.

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**Process Theory:** To design and implement quality instruction for English learners, educators need guidance, examples, time, leadership, and opportunities for collaboration that are sustained, embedded, and job-relevant.

**Impact Theory:** English Learners will thrive in academic settings when the adults around them have the information and supports they need to confidently design and implement quality instruction that is rigorous, inclusive, and asset-oriented.

Inputs & Resources	Strategies & Activities	Outputs	Short-term outcomes	Mid-term outcomes	Long-term outcomes
			<p>Educators have access to the resources, professional learning, and time they need to design and implement quality instruction for English learners in both remote and in-person environments</p> <p>Educators are aware of the district's vision, goals, and priorities around English learners as students and members of the academic community</p>	<p>English learners can access, participate in, contribute to, and benefit from rigorous academic teaching and learning</p> <p>English learners develop the English language skills and practices to demonstrate target proficiency</p> <p>English learners graduate from HS having received a rigorous academic education, regardless of their language status</p> <p>English learners graduate from HS prepared to pursue a variety of post-secondary pathways</p>	<p>English learners have confidence in their abilities and value as individuals</p> <p>English learners see themselves as agents capable of creating a positive, secure future for themselves and their communities</p> <p>English learners continue to be life-long learners of both language and content</p>

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<p>Educators</p> <p>Programs</p> <p>Instruction</p> <p>Information about student progress &amp; achievement</p>			<p>Educators have access to the resources, professional learning, and time they need to design and implement quality instruction for English learners in both remote and in-person environments</p> <p>Educators are aware of the district's vision, goals, and priorities around English learners as students and members of the academic community</p>	<p>English learners can access, participate in, contribute to, and benefit from rigorous academic teaching and learning</p> <p>English learners develop the English language skills and practices to demonstrate target proficiency</p> <p>English learners graduate from HS having received a rigorous academic education, regardless of their language status</p> <p>English learners graduate from HS prepared to pursue a variety of post-secondary pathways</p>	<p>English learners have confidence in their abilities and value as individuals</p> <p>English learners see themselves as agents capable of creating a positive, secure future for themselves and their communities</p> <p>English learners continue to be life-long learners of both language and content</p>

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<p>Educators</p> <p>Programs</p> <p>Instruction</p> <p>Information about student progress &amp; achievement</p>	<p>Articulate a clear message about systemic and individual-level goals and desired outcomes for English learners</p> <p>Collect and provide educators with examples/ information about what quality instruction for English learners can look like, particularly in remote settings</p> <p>Ensure students have access to the supports they need to participate in, benefit from, contribute to remote (&amp; in-person) learning</p> <p>Provide educators with guidance and strategies to collect and use information about student learning in the absence of standardized test scores.</p>		<p>Educators have access to the resources, professional learning, and time they need to design and implement quality instruction for English learners in both remote and in-person environments</p> <p>Educators are aware of the district's vision, goals, and priorities around English Learners as students and members of the academic community</p>	<p>English learners can access, participate in, contribute to, and benefit from rigorous academic teaching and learning</p> <p>English learners develop the English language skills and practices to demonstrate target proficiency</p> <p>English learners graduate from HS having received a rigorous academic education, regardless of their language status</p> <p>English learners graduate from HS prepared to pursue a variety of post-secondary pathways</p>	<p>English learners have confidence in their abilities and value as individuals</p> <p>English learners see themselves as agents capable of creating a positive, secure future for themselves and their communities! English Learners continue to be life-long learners of both language and content</p>



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# Quality Instructional Practices for English Learners

# Learning Takes Place Through Social Interaction

In order to support ELs' academic success, we must focus on opportunities for students to engage in quality interactions that require the use of language in order to discuss, share, understand, and process academic content.



# Quality Interactions for English Learners

- ***Thinking through speech*** to develop ideas and practices
- ***Sustained talk*** to explore in depth ideas, connections, and relationships
- ***Reciprocal interactions*** with peers, to respond to, revise, refine, and build on each others' ideas

(Walqui & van Lier, 2010)

# What Will Teaching Look Like in 2020–21?

1. **Socially-distant in-person** → Students and teachers are in the classroom together, though spaced apart and/or in smaller numbers or groups than normal.
2. **Synchronous virtual instruction** → Teacher delivers full-class or grouped instruction in real-time via a technology platform (Zoom, Teams, etc.).
3. **Asynchronous instruction** → Students access pre-prepared lessons and engage in follow-up activities.
  - **Virtual asynchronous** → Students use technology to access the above.
  - **Low- or no-tech situations** → Students do not have access to technology and receive asynchronous materials or instructions via hard copy.

Regardless of the setting, how can educators support quality interactions with their ELs?

- The Anticipatory Guide in three different contexts:
  - In the classroom
  - Synchronously
  - Asynchronously or with limited to no technology

# Purpose of the Anticipatory Guide

- To activate students' background knowledge
- To highlight or foreshadow themes or concepts that students will explore in the body of the lesson
- As a diagnostic tool for the teacher. It makes it possible for teachers to learn ahead of the lesson what students know or believe about a certain theme or topic, and what background information they are bringing to the text which may support or impede their understanding

## Lesson 1: Advertising in the Contemporary World: An Introduction to Persuasive Texts

- In this lesson, students are introduced to the use of persuasion in visual, print, and multimodal advertisements. Students explore the different techniques that are used to make them think, feel, or act in a particular way.
- Note: The culminating activity in this unit requires students to analyze a speech and then write their own persuasive essay.



## Fall Scenario #1: In the classroom

- In the classroom, opportunities for quality interactions and a language focus are carefully constructed by the teacher. For example:
  - Students sit in groups of four (small group discussions, round robin)
  - Students work in pairs (think-pair-share, partner collaboration)

# In-Class Anticipatory Guide

Statement	Agree	Disagree	Reasons
1. The purpose of advertisements is to persuade you to buy something.			
2. Changing one word in an advertising slogan can change the meaning of the ad.			
3. Persuasive texts—essays, speeches, or advertisements— always follow the same format.			
4. Modern writers of persuasive texts, including advertisements, use techniques that were used more than two thousand years ago.			
5. The most effective persuasive texts use complex words and sentences.			

# Formulaic Expressions to Guide the Discussion

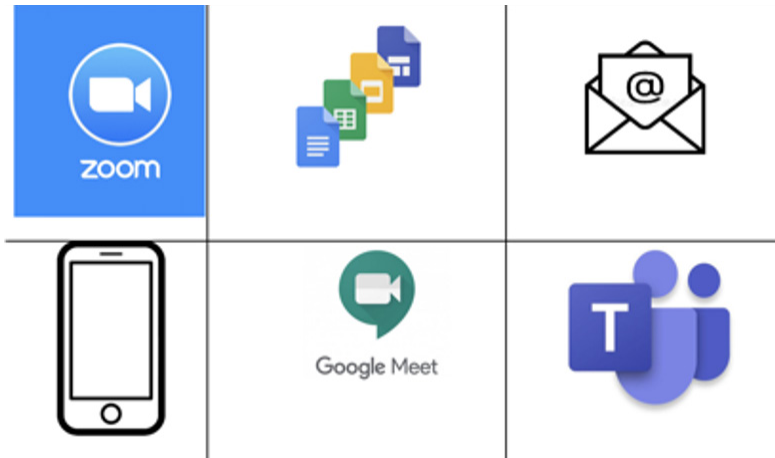
## **PARTNER A:**

- I will read Statement 1. It says...
- I agree/disagree with this statement because...
- So I am going to mark agree/disagree. What do you think?

## **PARTNER B:**

- I agree with you and can add...
- I disagree with you because...
- So I am going to mark agree/disagree.
- Now I will read Statement 2...

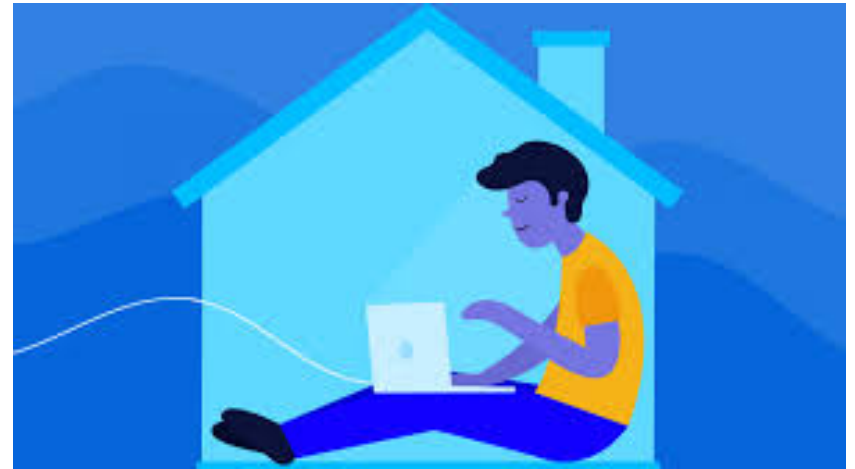
# Fall Scenario #2: Virtual Instruction (Synchronous)



- Modeling
- Guided Practice
- Formulaic Expressions

# Asynchronous or Low/No Tech

We will offer suggestions for asynchronous learning.



# Anticipatory Guide in Asynchronous Distance Learning: Students First Work Independently

In this session, you will begin to think about how advertisers persuade people to feel or act a certain way by:

- Reading statements and deciding whether you agree or disagree.
- Providing reasons for your opinion.

## Directions



**Step 1:** Read each statement and mark whether you agree or disagree.

**Step 2:** Choose TWO statements and explain why you agree or disagree with them.

## Language to Choose

Some phrases you can use are:

- *I agree with this statement because...*
- *I disagree with this statement because...*

# Explicit Modeling

## Sample

Here's an example of what #1 might look like:

Statement	Agree	Disagree	Reasons
1. The purpose of advertisements is to persuade you to buy something.	X		I agree with this statement because the majority of the advertisements I see are trying to sell me something.

Your turn! Fill in the matrix with your own opinions and reasons.

Give it a go! In the chat, respond to Statement 1, using one of the two formulaic expressions below:

Statement	Agree	Disagree	Reasons
1. The purpose of advertisements is to persuade you to buy something.			

**Language to Choose**

Some phrases you can use are:

- *I agree with this statement because...*
- *I disagree with this statement because...*



# Next, invite students to share with a partner.

## Directions



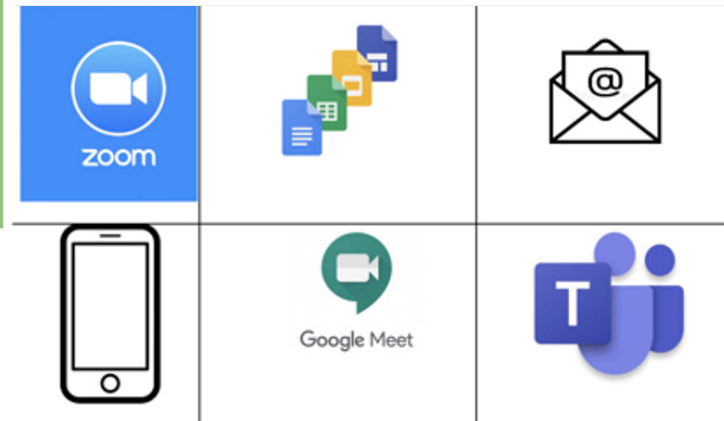
**Step 1:** Decide with your partner who will go first. The person who goes first will select a statement to share, give an opinion

**Step 2:** Take turns until you have each shared at least two statements.

## Language to Choose

Some phrases you can use are:

- *I agree with this statement because...*
- *I disagree with this statement because...*

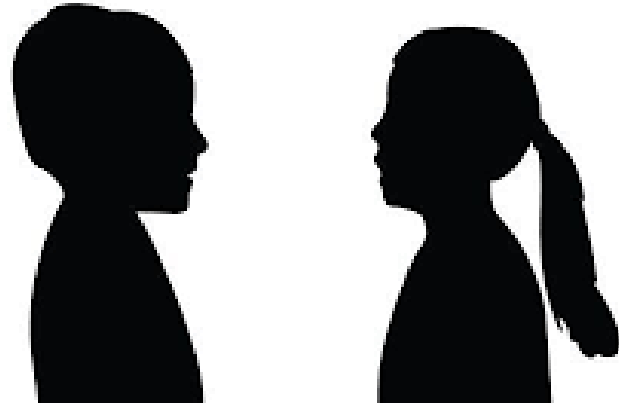


And finally, students compare and contrast two of their responses in writing:

Sample	
Statement	Summary
1. The purpose of advertisements is to persuade you to buy something.	We both disagree with this statement because sometimes it makes you want to do something
5. The most effective persuasive texts use complex words and sentences.	Alberto agrees with this statement because complex words help with complex ideas while Brenda disagrees with it because shorter is sweeter

# Low or No-Tech Situation

- Printed Packet
- Sibling or Caregiver Interactions



# Scaffolding that Supports Oral Language Development

- Opportunities to work independently as well as with a partner or small group
- Explicit modeling of both the process and the language expectations
- Formulaic expressions
- Opportunities to write, read, speak, and listen

# Systemic Actions and Leadership Strategies to Support Quality Instruction



**Policy Theory of Change:** English learners are (1) entitled to certain legal protections and services in virtue of their status as language learners, AND (2) valuable members of the academic community who are capable of rigorous learning and achievement. LEAs must actively include English learners in educational programs and are most successful in accomplishing this when they orient decision-making around these concepts.

**Process Theory:** To design and implement quality instruction for English learners, educators need guidance, examples, time, leadership, and opportunities for collaboration that are sustained, embedded, and job-relevant.

**Impact Theory:** English learners will thrive in academic settings when the adults around them have the information and supports they need to confidently design and implement quality instruction that is rigorous, inclusive, and asset-oriented.

Inputs & Resources	Strategies & Activities	Outputs	Short-term outcomes	Mid-term outcomes	Long-term outcomes
Educators	Articulate a clear message about systemic and individual-level goals and desired outcomes for English Learners	An explicit statement about the LEA's vision, goals, and priorities for English learners as individuals and as a group.	Educators have access to the resources, professional learning, and time they need to design and implement quality instruction for English learners in both remote and in-person environments	English learners can access, participate in, contribute to, and benefit from rigorous academic teaching and learning	English learners have confidence in their abilities and value as individuals
Programs	Collect and provide educators with examples/ information about what quality instruction for English learners can look like, particularly in remote settings	A resource hub for educators to access resources (documents, videos, templates, material) to support their planning and implementation of quality instruction for English learners.	English learners develop the English language skills and practices to demonstrate target proficiency	English learners graduate from HS having received a rigorous academic education, regardless of their language status	English learners see themselves as agents capable of creating a positive, secure future for themselves and their communities
Instruction	Ensure students have access to the supports they need to participate in, benefit from, contribute to remote (& in-person) learning	Time and professional learning opportunities to support educators in taking advantage of resources and planning quality instruction.	Educators are aware of the district's vision, goals, and priorities around English Learners as students and members of the academic community	English learners graduate from HS prepared to pursue a variety of post-secondary pathways	English learners continue to be life-long learners of both language and content
Information about student progress & achievement	Provide educators with guidance and strategies to collect and use information about student learning in the absence of standardized test scores.	Guidance for educators about formative assessment and data use.			

# Strategy #1: Articulate a Clear Message

**Action:** Articulate a clear message about systemic and individual-level goals and desired outcomes for ELs.

**Output #1:** An explicit statement about the LEA's vision, goals, and priorities for ELs as individuals and as a group.

# Strategy #1: Articulate a Clear Message (cont.)

## Examples:

- [New York Blueprint for English Language Learner/ Multilingual Learner Success](#)
- [Arizona Language Development Approach](#)
- [California English Learner Roadmap](#)
- [Oakland Unified School District ELL Master Plan](#)
- [Clark County School District Academic Language and Content Achievement \(ALCA\) Model](#)



# Strategy #2: Provide Information and Examples

**Action:** Collect and provide educators with examples/ information about what quality instruction for ELs can look like, particularly in remote settings.

**Output #1:** A resource hub for educators to access resources (documents, videos, templates, material) to support their planning and implementation of quality instruction for ELs.

**Output #2:** Time and professional learning opportunities to support educators in taking advantage of resources and planning quality instruction.

# Strategy #2: Provide Information and Examples (cont.)

## Examples/Resources:

- [Archived Webinar Series: Supporting Multilingual and English Learner Students During Distance Learning](#)
- [Supporting English Learners During School Closures: Considerations for Designing Distance Learning Experiences](#)
- [How Educators Can Support English Learner Students in Distance Learning](#)
- [Current Webinar Series: Perspectives on English Language Learning: Aída Walqui in Conversation with Leading Scholars](#)
- [“Persuasion Across Time and Space” lesson for digital platforms](#)

# Strategy #3: Guidance Around Data Use

**Action:** Provide educators with guidance and strategies to collect and use information about student learning in the absence of standardized test scores

**Output:** Guidance for educators about formative assessment and data use.

# Strategy #3: Guidance Around Data Use (cont.)

## Examples/Resources:

Provide educators with guidance and information on formative assessment practices:

- [Focusing Formative Assessment on the Needs of English Language Learners](#)
- [Formative Assessment: Stories of Language and Literacy Learning](#)
- [Progress Monitoring Ideas for English Learners](#)

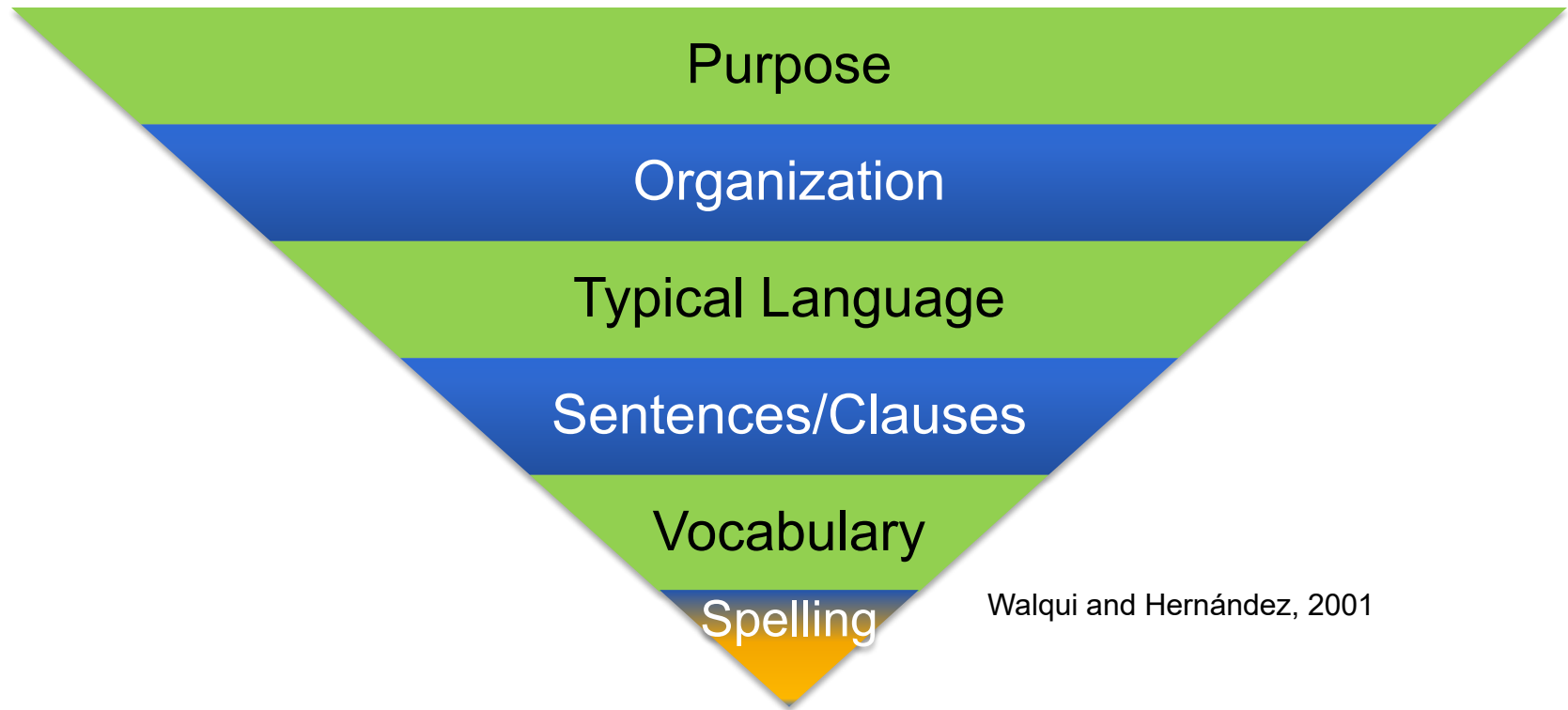
# Strategy #3: Guidance Around Data Use (cont.)

## Examples/Resources:

Use technology tools to collect samples of student work:

- [FlipGrid](#) (share video and voice recordings online)
- [Vocaroo](#) (online voice recorder)
- [Nearpod](#) (formative assessment and online lesson design)

# Providing Feedback to Students



Walqui and Hernández, 2001

# Next Steps and Additional Resources



# Additional Resources from IES and the RELs

- [REL West Webinar: Engaging Parents and Students from Diverse Populations in the Context of Distance Learning](#)
- [REL West Video: Scaffolding Structures to Support Academic Conversations for English Learners](#)
- [All REL English learner resources](#)
- [Practice Guide: Teaching Academic Content and Literacy to English Learners in Elementary and Middle School](#)



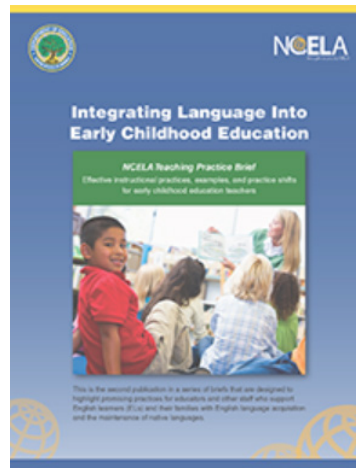
# References

Lawton, B., Brandon, P.R., Cicchinelli, L., & Kekahio, W. (2014). Logic models: A tool for designing and monitoring program evaluations. (REL 2014–007). Washington, DC: U.S. Department of Education, Institute of Education Sciences, National Center for Education Evaluation and Regional Assistance, Regional Educational Laboratory Pacific. Retrieved from <http://ies.ed.gov/ncee/edlabs>.

Walqui, A., & Lier, L. van. (2010). *Scaffolding the academic success of adolescent English language learners: A pedagogy of promise*. WestEd.

W.K. Kellogg Foundation. (2004). *Using Logic Models to Bring Together Planning, Evaluation, and Action: Logic Model Development Guide*. W.K. Kellogg Foundation. <https://www.wkkf.org/resource-directory/resources/2004/01/logic-model-development-guide#back=https://www.wkkf.org/resource-directory#pp=10&p=1&q=logic%20model>

# Additional Resources from OELA: Publications





Cookie policy

OELA Podcast Series

Integrating Language into Early Childhood Education

SOUNDCLOUD

Share

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<https://ncela.ed.gov/>

# Additional Resources from OELA

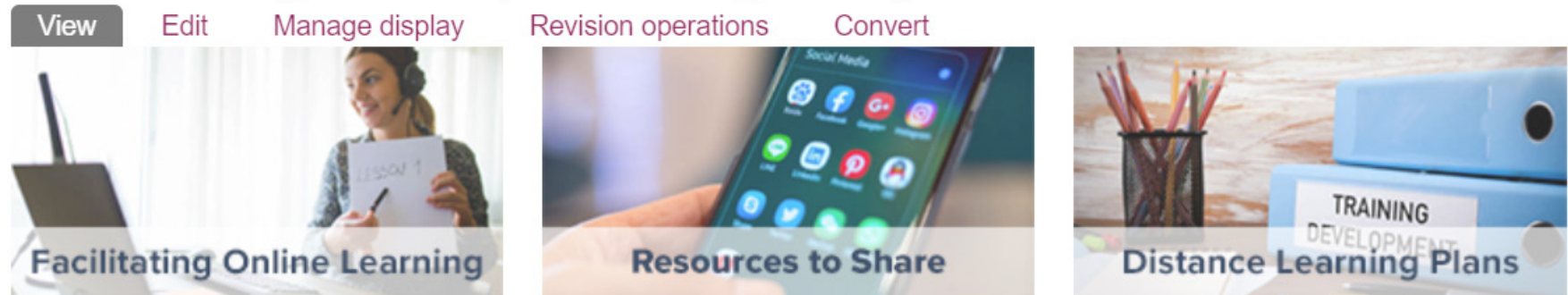


- [Providing Services To English Learners During The COVID-19 Outbreak](#)
- [Engaging English Learners and Families through Distance Learning](#)



# •Resources: *New NCELA Webpage*

## NEW: Ensuring Continuity Of Learning And Operations



The Office of English Language Acquisition (OELA), knows how important it is that districts and schools have access to resources that recognize the unique learning profiles and needs of English learners in order to facilitate their education during unplanned school closures.

These resources are intended for school personnel and institutions of higher education to improve distance learning and the support of English learners and their families during school closures. All resources are free. Additional resources will be added, please check back periodically. To submit resources for consideration, please complete the Remote Learning Resources Submission Form

<https://ncela.ed.gov/new-ensuring-continuity-learning-and-operations>

# Upcoming Publications



- **Integrating Language While Teaching Math**
  - NCELA Teaching Math Practice Brief: Effective instructional practices, examples, and practice shifts for math teachers
- **Title III Biennial Report Congress 2014–2016**

# Q & A





# OELA Contact Information



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# Webinar Feedback

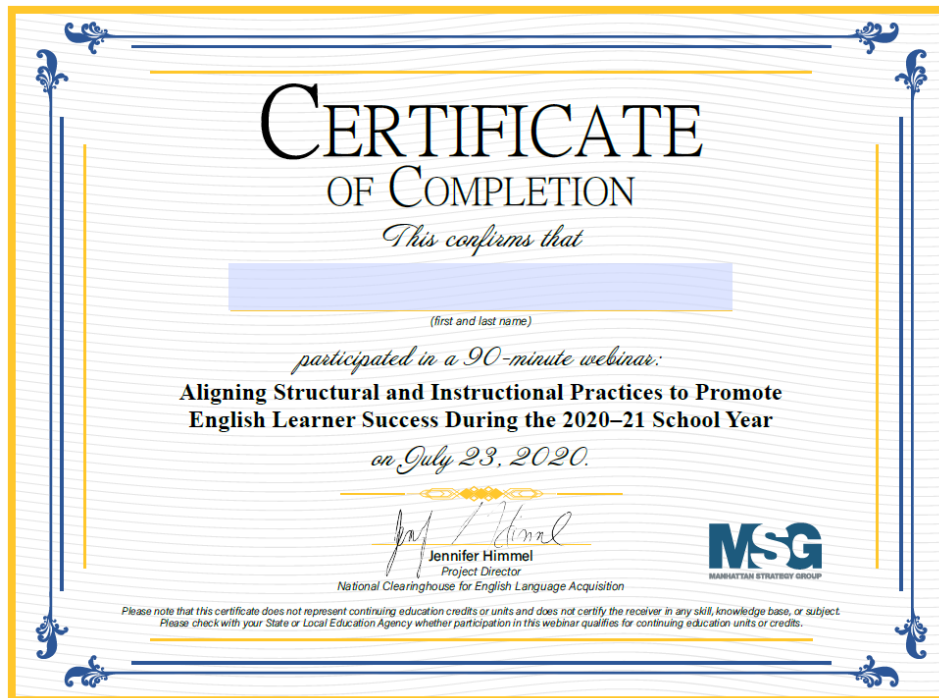
- Brief survey at the end of the webinar.
- Please complete it and submit.
- We appreciate your feedback!





# Certificate of Completion

- You can receive a Certificate of Completion if you completed at least 90% of this webinar
- Email [askncela@manhattanstrategy.com](mailto:askncela@manhattanstrategy.com)





**Institute of  
Education Sciences**

**Thank You!**