



Guidance for Identifying Eligible American Indian and Alaska Native (AI/AN) Students for English Language Development (ELD) Services Under Title III

To develop comprehensive English language acquisition and academic programs for Multilingual Learners (MLs), districts, schools, and public charter schools must first have accurate knowledge regarding the size and characteristics of the population to be served. Proper identification of MLs helps ensure that the district’s English language development program is best designed to meet the needs of all its students. The following guidance is recommended to support the instructional needs of American Indian and Alaska Native students, with the goal of developing comprehensive English language proficiency and ensuring their academic success.

The state definition of “English learner” is derived from the 2014 Colorado Revised Statutes under the English Language Proficiency Act 22-24-103 (4) and is defined as “a student who is linguistically diverse and who is identified [using the state-approved English language proficiency assessment] as having a level of English language proficiency that requires language support to achieve standards in grade-level content in English. (Chapter 3.1: [English Language Development Guidebook](#))

Requirements under Title III-ESSA

English learner – The term “English learner,” [Known in Colorado as Multilingual Learner (ML)] 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) who was not born in the United States or whose native language is a language other than English;
- D) who is
 - a) a Native American or Alaska Native, or a native resident of the outlying areas; **and**
 - b) 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**
 - c) 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;



- E) whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual:
- a) The ability to meet the challenging State academic standards;
 - b) The ability to successfully achieve in classrooms where the language of instruction is English; or
 - c) The opportunity to participate fully in society. (ESEA Section 8101(20))

Why is Additional Inquiry for ML Identification of American Indian and Alaska Native Students Needed?

Some students who identify as American Indian or Alaska Native may indeed benefit from English language development instruction. This population comprises a diverse array of lineages, backgrounds, and tribal affiliations. Many students who identify as American Indian or Alaska Native have cultural and linguistic influences from their nuclear families, extended families, and tribal communities while appearing to have proficiency in English. It is important, however, that local education agencies (LEAs) do not overlook more nuanced influences that may impact an American Indian or Alaska Native student's ability to gain equitable access to grade-level content without English language instruction. The following guidance aims to ensure the accurate identification of American Indian or Alaska Native students who may be entitled to protection as English learners under Title III of the Every Student Succeeds Act (ESSA).

Step 1: A Home Language Survey (HLS) must be completed as part of the registration process to identify students who have a language influence other than or in addition to English. The HLS does not determine eligibility for Multilingual Learner identification and ELD instruction under Title III; it is a part of the required process for identification and serves as a tool to identify which students are potential Multilingual Learners. Responses on an HLS should be reviewed for accuracy and guard against inaccurate reporting of the student's English proficiency abilities or if reported, to better understand a student's language influence other than or in addition to English. Home language surveys should remain on file, easily accessible to school and district staff, and available for state audits.

Enrollment Procedure Considerations:

- Are there procedures that describe whose responsibility it is to administer the HLS, how it is to be done, and in what forms it should be administered (i.e., orally, written, in English, or in a home language translation)?
- Is the purpose of the HLS survey clear to those who administer the HLS?
- How are parents/guardians informed of the purpose of the HLS? Are they reassured that the HLS is only a school/district internal document?
- Are the questions clear and understandable to those who administer the HLS?



- Has a welcoming environment been established where the HLS is disseminated, made available, or administered? See [The Landscape of Wellbeing and Belonging Within Colorado's Multi-Tiered System of Supports](#) for additional information.
- Do procedures provide specific guidelines for interpreting HLS responses that include but are not limited to the following considerations: (a) Who is reviewing the HLS?; (b) Does the HLS include AI/AN languages or an “other” field?; (c) Which responses indicate that the student has cultural and linguistic influences, possibly impacting grade level proficiency in English?; (d) How should responses be interpreted as a whole?; and (e) What are the next steps if responses are unclear or contradictory?; (f) Are the training procedures for staff in writing and clear regarding any necessary support requested by the student or family?
- Are there procedures to document and describe how to train the staff who will administer the HLS and how often refresher training will occur?
- Are there protocols for informing or reporting district leadership e.g. CLDE Director of students identified for reporting purposes? Consider written procedures in a district-wide CLDE/ELD plan.

Step 2: Create a List of Students Who Self-Report American Indian or Alaska Native on Enrollment Forms. If the district has an Indian education liaison on staff, work with that individual to review enrollment forms. If the district is a Title VI ([Indian Education](#)) grantee, coordinate with district staff managing the Title VI program as they may have already completed the task of individually reviewing enrollment forms. Once a list has been created, continue to update based on newly enrolled students in the district. This list should remain on file in the district office and easily accessible to school and district staff.

Step 3: American Indian or Alaska Native Students' Primary or Home Language is English on the Home Language Survey (HLS) Districts, schools, and public charter schools must establish equitable, standardized, and systemic procedures to identify all Multilingual Learners. [Information about obligations to identify, assess, and place Multilingual Learners in a Language Instruction Educational Program \(LIEP\) for ELD services can be found here.](#)

It is important to have an understanding of the unique language needs that can surface among American Indian or Alaska Native students. Students whose first language is an American Indian or heritage language and who are learning English are easier to identify. However, students who do not speak an American Indian or heritage language, and have not acquired grade-level academic English proficiency, are harder to identify. This unique group of Multilingual Learners has had their English acquisition framed by parents/grandparents, Tribal Elders, and members and/or guardians themselves who were Multilingual Learners who did not fully acquire Standard English and currently speak and model a non-standard or non-academically proficiency variety of English (Carjuzaa and Ruff, 2016). The following are considerations when reviewing responses on the HLS for American Indian or Alaska Native students.



- Determine if the student self-identifies as an American Indian or Alaska Native based on enrollment forms.
- The student's primary language is English on the HLS. When identifying an American Indian or Alaska Native student as a Multilingual Learner, it is important to consider the following.
 - American Indian or Alaska Native students can have unique language needs and these needs may not necessarily fit into the conventional Multilingual Learners portrait. Using information available on the HLS to begin to create a portrait specific to the student around language can help to cultivate a deeper understanding of a student's strengths, interests, learning styles, linguistic background, and home culture(s). When creating such a portrait, it may be helpful to consider: 1. Student's linguistic and cultural background 2. Language proficiency in their home language 3. English language proficiency in each mode of communication ([WIDA ELD Standards Framework, 2020 Edition](#)) 4. What assets does the student bring to the classroom that will help them succeed? 5. Student's beliefs about language learning as well as their family's beliefs about language learning 6. Student's strengths as a speaker of another language 7. Student's interests, passions, and what they are proud of (WIDA: American Indian English Language Learners, 2013).
 - The historical and intergenerational trauma of boarding schools is still ever-present and may have impacted and continue to influence the acquisition of Standard English for some tribal parents, guardians, family members, and Tribal Elders. During the 60's and 70's there are examples of how English as a second language (ESL) was taught separately from content instruction. Little or no accommodations for the linguistic or cultural differences of American Indian and Alaska Native students were made in content instruction and the pedagogical model for ESL was based upon English as a foreign language model. This changed only gradually as materials were developed based upon a more functional understanding of the acquisition of English as a second language within American schools. American Indian and Alaska Native students during this time had the lowest national high school completion and college completion rates of any students in American schools. There were classroom aides who spoke the native language in some classrooms but they mostly helped with paperwork and discipline issues (Dr, Catherine Collier. Retrospective: Language Instruction in Native American Communities).

In June 2021, Secretary Haaland established a federal initiative to examine the history and impact of boarding schools. "The Department of the Interior (Department) must address the intergenerational impact of Indian boarding schools to shed light on the traumas of the past.... While it may be difficult to learn of the traumas suffered in the boarding school era, understanding its



impacts on communities today cannot occur without acknowledging that painful history” (How Historical Trauma Impacts Native Americans Today, 2021).

- It is important to review the HLS for accuracy. School staff know the student best. Schedule time with the school’s teachers, counselors, Indian education liaison (if one is on staff), and any staff assigned to work with the student to learn more about whether the student has a language or cultural influence that can impact English language proficiency.
- Information regarding the educational services and identification of American Indian and Alaska Native students should be included in the district’s New Teacher Induction Program as well as embedded in the outreach from Title I Parent Services to offer inclusive services to all students and families served.

Step 4: Further inquiry may be needed to assess whether there is a language influence other than or in addition to English. Begin with a family/student interview and if needed, continue with a review of academic performance and a standardized body of evidence across all 4 modes of communication. If inquiry has led to additional inquiry, conclude with the Language Observation Protocol.

- Conduct a family/student interview to confirm the accuracy of the HLS. Indigenous parenting can be part of a collective community, and relationships are necessary for individual, family, and tribal well-being. Family will be used to describe the parent, guardian, Tribal Elder, and members of the immediate family. The interview can provide additional information regarding a student’s linguistic background and their home language use, English language acquisition, standard vs. non-standard academic English in the home, English variations in the home, cultural background, and its influence on language acquisition. An interview is also an opportunity to connect with the family and begin to build a partnership to best serve the student.
- Conduct an interview with the student’s teacher. The teacher will have already had time to observe the student’s ability to use English in different contexts. They will know the student’s strengths and areas of need across the language modes of communication (reading, writing, listening and speaking).
- The educational needs of diverse Multilingual Learners vary and may not be immediately apparent. It is important to thoroughly review the academic performance of the student as well. This includes, but is not limited to, classroom observations, informal or semiformal data, and district and/or state assessment results. The student’s language could be a factor in accessing and comprehending content and the student may need academic instruction more accessible to the student’s varying English language proficiency level.
- The four modes of communication (or the four skills) are the four ways that we interact with language. We speak and listen; we read, and we write. Of these skills, two of the skills, speaking and writing, are considered productive skills



since we create language with each of these. On the other hand, listening and reading are described as receptive skills because we are receiving from an outside source. This is important to know because the type of skill (or communication mode) determines how to support its development. Review a body of evidence in the four modes of communication using formal and informal data for a more comprehensive look at the skills needed for growth in the English language.

Formal Data Examples of a Body of Evidence in the Four Modes of Communication

Speaking: Individual Proficiency Test (IPT) I-Oral English, IPT II-Oral English,
Listening: Woodcock-Munoz Language Survey
Reading: WIDA Model, WIDA ACCESS, CMAS: Reading, ELA, and other standardized tests aligned to the CELF and CAS standards in reading, IPT Reading and Writing English, Woodcock-Munoz Language Survey, READ Act Assessment: Colorado Emergent Literacy Scales (CMLS),
Writing: WIDA Model, WIDA ACCESS, CMAS: Writing, ELA and other standardized tests aligned to the CELF and CAS standards in writing, IPT Reading and Writing English, Woodcock-Munoz Language Survey

Semiformal Data Examples of a Body of Evidence in the Four Modes of Communication

Speaking: Student Oral Language Observation Matrix (SOLOM), Mondo Oral Language Assessment, WIDA Speaking Rubrics, Common District Grade Level Assessments, Oral reports, presentations, retelling stories, role-playing, interactive read-aloud, collaboratively analyzing complex texts, debating topics relevant to the student, response to questions, proficiency checklists
Listening: Common District Grade Level Assessments, role-playing, following instructions, summarizing using informational text, debating, responses to questions, observation of peer interaction, proficiency checklists
Reading: Reading Samples across content areas, Common District Grade Level Assessments, retelling stories, demonstration of meeting grade level expectations (GLEs) and prepared graduate competencies (PGCs), proficiency checklists
Writing: Student Journals, Rewriting Stories, Student Performance Portfolios, WIDA Writing Rubrics, Writing Samples across content areas, Common District Grade Level Assessments, demonstration of meeting grade level expectations (GLEs) and prepared graduate competencies (PGCs), proficiency checklists

- Complete the [Language Observation Protocol](#)



Step 5: If Inquiry of a Standardized Body of Evidence and/or Results from the Language Observation Protocol have led to a language influence other than or in addition to English Administer WIDA Screener and follow the Office of Culturally and Linguistically Diverse Education's (CLDE) [Standardized Process for Multilingual Learner Identification and English Language Development Services](#). If the student scored at or above the minimum score for English language proficiency on the WIDA Screener assessment, they are not identified as an ML under Title III. A record of the student's WIDA screener scores and HLS should be kept on file.



Guidance for Accurately Identifying Eligible American Indian and Alaska Native (AI/AN) Students for English Language Development Services (ELD) Under Title III

[Click here to download the PDF desk aid for this guide.](#)

- Compile a list of American Indian or Alaska Native students who indicate a primary home language of English.
- Identify which students are performing below grade level.
- **American Indian and Alaskan Native Multilingual Learner Inquiry Process**
- Conduct Family, Student, and Teacher interview(s):
 - Confirm accuracy on the HLS.
 - Investigate cultural and historical influences on the student's language.
 - Explore exposure to the heritage language if applicable.
 - Explore the use of non-standard English varieties that have grammatical markers of the heritage language, if applicable.
- Review the Standardized Body of Evidence:
 - Include state and district assessment results, observations, and informal or semiformal data.
 - Identify areas of strength and areas of need across language domains (reading, writing, speaking, and listening).
 - Identify academic areas of strength and need.
- Complete Language Observation Protocol.
- After completing the AI/AN ML Inquiry Process, if there is an indication of a language influence in the student's environment that denies the student the ability to successfully achieve in classrooms and meet the challenging state academic standards without the support of a Language Instruction Education Program (LIEP), administer the WIDA Screener and follow the Office of CLDE's Standardized Process for Multilingual Learner Identification and English Language Development Services in the CDE ELD Guidebook.



Family Interview Questions for Multilingual Learner (ML) Identification of American Indian or Alaska Native (AI/AN) Students

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The following interview questions can be used as a resource to develop a deep understanding of the potential historic, cultural, and linguistic influences on the language of AI/AN students who may require additional support as MLs. This is by no means an exhaustive list of the questions, nor must every question be used. The family interview should be conducted by someone qualified on the ML Identification Team and in a face-to-face format whenever possible. The family's responses and interview observations should be documented, stored securely, and shared with the multidisciplinary team.

Your Child

- Does your child understand when someone communicates with them in a language other than English? To what degree?
- At what age did your child begin speaking?
- Does your child follow one-step instructions in their Native language/English?
- Does your child follow two-step instructions in their Native language/English?
- Does your child follow three-step instructions in their Native language/English?
- At what age did your child enroll in public school?
- Do you believe your child might need additional support to learn the language of math, science, reading, or writing?
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Your Child in Your Home, Family, and Community

- Does your child use a language other than English with family, extended family, friends, or community members? To what degree?
- Do you or anyone else use a language other than English in your household?
- Does your child regularly attend Tribal affiliated events where a language other than English is used? How often?
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Your Child's Educational History

- Has your child attended a bilingual school (Tribally affiliated or otherwise) in the past?
- How does your child feel about school?
- Describe the level of support your child needs to complete their homework.
- Has your child felt a sense of belonging in school?



- Who or what makes your child feel a sense of belonging in school?
- Does your child feel comfortable expressing their own needs in school?
- Has attendance ever been an issue for your child? If so, please elaborate.

Notes for the Interviewer

Begin the interview by thoroughly explaining the purpose, the use, and the potential outcomes of the information gathered. Remind the family of the value and importance of multilingualism and multiculturalism. Provide explanations for the questions as needed. Consider inviting multiple family members or conducting interviews with additional family members.



Teacher Interview Questions

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The following interview questions can be used as a resource to develop a deep understanding of the relationship that the teacher and school has with the student and their family. This is by no means an exhaustive list of the questions, nor must all of the questions be used. The family interview should be conducted by someone qualified on the ML Identification Team and in a face-to-face format whenever possible. The Teacher's responses and interview observations should be documented, stored securely and shared with the multidisciplinary team.

Teacher-Student Relationship

- Does the student identify with a tribal nation?
- Describe what you understand about the child's cultural background.
- What educational challenges is the child experiencing?
- How would you describe the child's English language proficiency in each mode (reading, writing, speaking, and listening)?
 - What data do you have to support your answer?
- What steps have been taken to ensure the student can demonstrate a sense of belonging in the school community?
- How does the student see themselves reflected in the curriculum, and how are they able to make connections between the content and their lived experiences?
- How have you adapted instruction or activities to meet the student's needs?

Teacher-Family Relationship

- What is your understanding of the family's Tribal identity?
 - Is the family enrolled or affiliated with a Tribal nation?
 - Does the family consider itself to be traditional?
- How do you typically communicate with the family?
- How is the student's family included in the child's education (i.e., class content, volunteering, fieldtrips, etc.)
- Who is available to help the student with educational activities at home? (family member, extended family member, community member)

School Supports

- What evidence suggests that I have developed a strong, positive relationship with the child and their family?
- What information has been gathered about the child's cultural background, linguistic practices, and prior experiences, including academic experiences?



- How is instruction personalized, valuing the child's linguistic and cultural background? In what ways does instruction connect classroom learning to the child's daily experiences?
- In what ways does instruction give sufficient attention to affect, interest, and motivation?
- How does instruction pay sufficient attention to the development of oral language?

Notes for the Interviewer

Begin the interview by thoroughly explaining the purpose, the use, and the potential outcomes of the information gathered. Remind the teacher of the value and importance of multilingualism and multiculturalism. Provide explanations for the questions as needed. Consider interviewing multiple teachers who work with and know the student well.



Student Interview Sample Questions

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Ask questions at low levels of difficulty and progress in difficulty.

Grade	Low Level	Moderate Level	High Level
K-1	What is your name? How old are you? What is your favorite color?	Tell me about someone in your family. What do you like to do with your friends? What shows do you like to watch on TV? What foods don't you like? Why?	How is a dog different from a cat? How is a dog the same as a cat? What is your favorite book or movie? Tell me why. What would you do if you fell down and hurt your knee?
2-5	What is your name? How old are you? When is your birthday?	What would you want to do on your next birthday? What is your favorite game? How do you play it? What do you like to do with friends/family? What foods don't you like? Tell me why. What kind of food do you like? Tell me why.	What is your favorite subject in school? Tell me why. How is a banana different from an orange? How is a banana the same as an orange? Describe your favorite book/movie. Can you tell me about a character in a book/movie? If you could have one wish, what would it be? Tell me why.
6-8	What is your name? Where do you live? Tell me about someone in your family. What do you like to do after school?	What do you like to do on the weekends? What shows do you like to watch on TV? What kind of music do you not like to listen to? Tell me about your favorite [sports team, video game, toy, or hobby].	What is your favorite subject in school? Why? Convince me why I should like your favorite [sports team or video game]. How is a television different from/the same as a computer? Tell me about a special place you have been to. Explain why this place is special to you. Your best friend is crying. What would you do?
9-12	What is your favorite color? Where do you live? Tell me about a special person in your life.	Tell me about your favorite family trip. What kind of books do you like to read? What is your favorite TV show? Tell me why.	What job would you never want to do? Tell me why. How is a car different from/the same as a motorcycle? Tell me something I might not know about the place you were born. What would do if there was a fire in the house? Describe a job that you think is useful for society. Explain why. Describe your favorite teacher, friend, or family member.

Student Interview Sample Questions adapted from the NY State Education Department.



Additional Resources

- [FLCV: Southwest Indigenous Language Development Institute at Ft. Lewis College](#)
- [US Department of Education, Office of English Language Acquisition \(OELA\)](#)
- [National Clearinghouse for English Language Acquisition \(NCELA\)](#)
- [WIDA](#)
- [English Learner Toolkit \(US ED\)](#)
- [Title III - Non-Regulatory Guidance](#)
- [English Learner Family Toolkit](#)
- [Culturally Responsive Instruction for Native American Students](#)
- [Native American Language Resource Center](#)

References

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