



Health and Education Justice Initiative
Advancing justice in child health and well-being

KNOW YOUR RIGHTS: RIGHTS OF ENGLISH LANGUAGE LEARNERS

Did you know? Students who are learning English for the first time in school are called “English Learners” (ELs). Federal and Missouri state laws give ELs and their families important rights and protections. ELs have the right to equal education, which means schools have to provide appropriate language assistance services so they can participate like everyone else. These laws apply to all schools that get money from the federal government, including private schools that get that money.

WHAT DOES THE LAW REQUIRE?

FEDERAL LAW:

- School districts have to make sure ELs can participate equally and are not discriminated against because of their language or background.
- States must set rules for how well ELs should know English and check how they are improving over time.

MISSOURI LAW:

- Missouri requires school districts to identify which students are ELs, test their English skills, and give them the right help.
- Missouri also uses English Language Development Standards to guide schools on teaching and testing ELs.
- Teachers working with ELs must have special training to teach English as a second language.
- Every year, all ELs in Missouri must take a test to track how well they are doing in English. If they are not learning, schools must try new ways to help.

THE ASSESSMENT PROCESS:

- When a student enrolls in school, the school district uses the Language Use Survey (“LUS”) to learn about their background and what languages they use.
- If the student’s answers to any of the questions on the LUS show that they speak or understand a language other than English, the student is potentially an EL. The school district must take next steps to see if the student qualifies for a Language Instruction Educational Program (“LIEP”).
- School districts in Missouri must use a test called the WIDA Screener as to decide if a student qualifies for the district LIEP.
- If a student is identified as a potential EL by the LUS and does not have a previous WIDA score, they must take the WIDA Screener test within the first 30 calendar days after they enroll in school.
- “Reclassification” means an EL student no longer needs EL services because they have shown they are now skilled enough in English.