Office Hour FAQ

Culturally and Linguistically Diverse Education

COLORADO
Department of Education

April 16, 2026 Office Hour Topic:

Key Legal Standards

- State Educational Agencies (SEA) are directed to establish statewide entrance and exit procedures to be consistently applied across the State (Federal, Civil Rights Obligations, Title VI).
- The Every Student Succeeds Act (ESSA) and the 2015 Dear Colleague Letter authorize states to require districts and schools to implement mechanisms and procedures that ensure the accurate and timely identification of potential Multilingual Learners (MLs) and the appropriate redesignation of NEP/LEP students to monitor status.
- General rule that, after a student is identified as an ML (NEP/LEP), districts and schools may not remove the ML designation before that student scores proficient on the annual summative ELP assessment. Students are not eligible for redesignation until they, 'satisfy the State's standardized statewide exit procedures' (Title I, Title III, ESSA).

Standardized ML Identification

Districts and schools are obligated to develop comprehensive procedures and processes for identifying potential multilingual learners. This framework includes reviewing the Home Language Survey (HLS) and ML history/data provided by CDE, administering the grade appropriate WIDA Screener, collecting evidence, providing written parent notification and enrolling into an Language Instruction Educational Program (LIEP) to meet federal and state statutory requirements when a student enrolls with potential linguistic needs. Colorado districts and schools must 1) Describe and document how identification is implemented when a potential ML student enrolls any point during the school year (even when there are none currently reported as ML) and 2) Evaluate student's English Language Proficiency (ELP) level within the identification timeline (30 days before Student October or 2 weeks after) and 3) Develop uniform districtwide procedures and processes aligned with CDE guidance using the sample identification form provided in the ML Identification Procedures document or independently create a form which includes all the components/steps described in the sample.

Last school year CDE added WIDA ACCESS scores (Overall and Literacy composite scores) to Data Pipeline to help districts and schools make ELP decisions for enrolling students who have already been identified as ML and/or taken ACCESS. To support efficient enrollment and uninterrupted English language instruction and programming, WIDA Screener administration is not required for:

- NEP and LEP students enrolled in K-12 transferring within CO
- Students with current year WIDA ACCESS scores found in CEDAR/COGNOS or included in transfer records from another CO district or WIDA State
- PHLOTE, FEP or Former ML students transferring within CO who previously met identification or redesignation criteria (collect and evaluate local evidence to confirm student is still language proficient, administer WIDA Screener if local evidence indicates the student is no longer English proficient or a re-occurring barrier to grade level content exists).

NOTE: Parents or guardians of previously identified in state transfer ML students must receive written notification of student's eligibility for English Language Development (ELD)instruction or program placement upon enrollment into the new CO district or school following identification timeline requirements.

Districts and schools must first examine ML Historical Data reports in CEDAR/COGNOS which contain current year WIDA ACCESS Overall and Literacy composite scores to determine enrolling student's ELP level (i.e., eligible to move to monitor status or remaining in ELD instruction). When data reports indicate student has never been enrolled in a Colorado K-12 public district or school, for example students who are incoming kindergarten, homeschool or private school students or new to U.S. or new to CO coming from non WIDA State, administer the grade-appropriate WIDA Screener to determine LIEP eligibility. There are some unique situations that may arise during in-state transfers for the enrolling district and school to follow:

- Student enrolls after they have taken WIDA ACCESS: Do not administer WIDA Screener. Contact the prior district or school that administered WIDA ACCESS to verify the student had completed the test and request results if they are available (electronic

WIDA ACCESS results will be available through WIDA AMS on April 30. Printed reports arriving the following week. Score reports must be shared with parents before summer break. If scores are not yet available at the time of enrollment, keep the student's existing ML (NEP/LEP) designation as it appears in Data Pipeline until a full review of the student's WIDA ACCESS Overall and Literacy composite scores appear in CEDAR/COGNOS (CDE imports scores each July). The student's ELP status and progression are updated in during Student October.

- Student misses WIDA ACCESS test widow (January-February): Do not administer WIDA Screener. Continue the student's existing ML (NEP/LEP) designation and coding sequence as it appears in Data Pipeline. Because the annual summative ELP assessment opportunity has already passed, the student's ELP status and progression are updated only after the next valid WIDA ACCESS assessment is completed and scored.
- Student does not have WIDA ACCESS results for two or more consecutive years: Administer WIDA Screener. For example, if ML (NEP/LEP) student is missing Overall and Literacy scores from 2025 and 2026, administer the grade appropriate WIDA Screener. Screener results should be used to inform instructional decisions, scaffolds, or strategies for best supporting the student in the classroom. Score results are also used to update the student's current ELP level, designation or coding.

Collecting Body of Evidence Update: evidence is required when student's documented disability precludes* them from taking any WIDA Screener test domain. Evaluate local evidence in the non-tested domain(s) prior to determining student's ELP level. In addition, for very rare cases, when there is reasonable cause to believe WIDA Screener scores do not accurately reflect student's language abilities that directly effects eligibility for ELD instruction or programming, evidence must be collected, evaluated, and documented. However, evidence is not required when students are able to complete all four WIDA Screener test domains (student was not precluded from assessing the contents of the test, or WIDA Screener accommodations were provided to assist the student overcome the impacts of their disability during testing). Evaluating evidence would be primarily used to inform instruction, scaffolds and supports but is optional. *Screener accommodations are not available and/or do not support the student to overcome the impacts of their disability.

WIDA Alternate Screener

- WIDA Alternate Screener is a new assessment used to measure English Language Proficiency (ELP) level for students 1) with an active Individualized Education Program (IEP) who are identified with Intellectual Disabilities and 2) have the Most Significant Cognitive Disabilities (MSCD) and 3) qualify for instruction based on the Extended Evidence Outcomes (EEOs). Refer to the WIDA Alternate Screener guidance for more important information about the 3 part eligibility requirement.
- Alternate forms of assessment are not special education assessments; they are assessments delivered to students with IEPs who receive instruction on modified standards.
- Decisions to administer WIDA Alternate Screener must be made by the Special Education (SpEd) team, not by an individual educator or administrator prior to testing. Administered to incoming students in grades K-12 (not intended for pk students).

Standardized ML Redesignation

All Multilingual Learners (NEP and LEP), including students with disabilities, must participate in the summative ELP assessments annually, WIDA ACCESS Assessments: WIDA ACCESS (grades 1-12), WIDA ACCESS for Kindergarten, and WIDA Alternate ACCESS. Furthermore, students must be considered for redesignation when they achieve the state's minimum cut scores (WIDA ACCESS 4.0/4.0 or WIDA Alternate ACCESS 3.0/3.0). Students are not eligible for redesignation when the state's minimum cut scores are not achieved; i.e., they must not be exited from ELD instruction or programs; must retain their ML (NEP/LEP) designation and coding in Data Pipeline and; continue participating in WIDA ACCESS until redesignation criteria are fully met. Refer to the Standardized ML Redesignation procedures for more details and information.

SY26-27 Data Logic will now validate general ACCESS and Alternate ACCESS scores with language proficiency level (NEP-LEP-FEP) reported by district. Errors must be addressed before submitting data reports to CDE. Warnings do not need to be addressed.

- *Warning*: Student has met redesignation criteria yet continues to be reported NEP/LEP. This data logic update notifies the reporting district that student is eligible for redesignation based on test scores. Example: Student scores 4.1 Overall and 4.0 Literacy but continues to be coded LEP.
- *Warning:* Student does not meet redesignation score criteria yet reported as FEP M1. This data logic update notifies the reporting district that student is not eligible for redesignation based on test scores. Example: Student scores 3.8 Overall and 3.9 Literacy but is coded FEP M1. This Warning is likely to change to an Error after the WIDA ACCESS standard setting.