



**#168-21**

**Commonwealth of Virginia  
Virginia Department of Education  
Superintendent's Memo #168-21**

**DATE:** June 25, 2021  
**TO:** Division Superintendents  
**FROM:** James F. Lane, Ed.D., Superintendent of Public Instruction  
**SUBJECT:** **Temporary Procedures for English Learner Identification and Presumptive English Learner Designation Discontinued**

The purpose of this memorandum is to notify school divisions of the requirement to resume the implementation of Virginia's standardized entrance procedures for English learner (EL) identification. The temporary identification procedures and presumptive EL designation that were permitted during the 2020-2021 school year will be discontinued in the coming school year. The United States Department of Education released EL Fact Sheets in [May 2020](#) and [January 2021](#) stating that, "when schools physically reopen, the LEA would complete the full identification procedures to promptly ensure proper identification and placement for new ELs." It is anticipated that all school divisions in Virginia will meet this requirement by the 2021-2022 school year. School divisions that have not resumed implementation of the standardized entrance procedures should take steps to do so as soon as possible but no later than the beginning of the 2021-2022 school year.

Since the temporary identification procedures are being discontinued, the presumptive EL designation, EL Code 5, will be removed from the Student Record Collection (SRC). Virginia's EL entrance procedures, required under the *Every Student Succeeds Act of 2015*, may be referenced in [Superintendent's Memo #149-21](#).

## For more information

If you have EL screening questions, contact the student assessment staff at [Student\\_Assessment@doe.virginia.gov](mailto:Student_Assessment@doe.virginia.gov) or call (804) 225-2102. Questions about Title III should be directed to [Louise.Marks@doe.virginia.gov](mailto:Louise.Marks@doe.virginia.gov).

JFL/SLR/lm