



English Learner Teacher of Record Frequently Asked Questions (FAQs)

Updated July 2022

The following information addresses FAQs regarding the teacher of record (ToR) for English Learners (ELs) within Indiana schools. Please review this accompanying guidance from the Indiana Department of Education (IDOE) to support additional questions:

- [EL Program Staffing Memo \(August 2019\)](#)
- [Meeting EL ToR Requirements](#)
- [EL ToR Responsibilities](#)

The U.S. Department of Justice and U.S. Department of Education's Office for Civil Rights released a [Dear Colleague Letter](#) in 2015 to address the legal responsibilities of schools to ELs under civil rights law. The "Staffing and Supporting EL Programs" section of the letter provides relevant background for Indiana's EL ToR licensing requirements. Review the [IDOE EL Guidebook](#) for additional information on federal EL requirements.

General Guidance

Number	Question	Answer
1	How does IDOE monitor local educational agencies (LEAs) for compliance with EL ToR requirements?	<p>IDOE is required to monitor LEAs' compliance with federal EL programming requirements, including the adequate staffing and qualifications of its EL teachers. IDOE annually reviews all LEAs' EL Plans (part of the Title Grants Pre-Application), which detail their core English language development services. This includes information on the number, qualifications, and roles of EL ToRs within LEAs.</p> <p>LEAs chosen for desktop or onsite monitoring for any federal program, including Title I, A, must provide evidence of meeting EL ToR requirements within its provision of an English language development program, as requested. This includes EL ToR qualification documentation, evidence that the ToRs are effectively performing the duties of the EL ToR Responsibilities, and that EL services are being provided in alignment with the LEAs' approved EL Plan.</p> <p>Review IDOE's English Learning and Migrant Education webpage for more information on EL Plans and IDOE's State and Federal Grants and Programs webpage for information on federal program monitoring.</p>
2	The school does not currently have a qualified EL ToR. What actions must be taken to meet compliance?	<p>Changes in Indiana EL teacher licensing requirements were announced in 2019, allowing LEAs sufficient time to address EL staffing needs. LEAs not meeting EL staffing requirements are out of federal compliance, and puts an LEA at jeopardy of losing access to federal Title funding. Efforts must be taken to ensure all EL students</p>



		<p>in the district have a qualified EL ToR.</p> <p>This may entail identifying a currently-employed, licensed teacher who will serve as the EL ToR. EL ToRs must either have obtained English as a New Language (ENL) licensure or have met the rubric requirements on or before September 1, 2022. If the teacher does not meet either by that date, then the individual must apply for an Emergency Permit for ENL through IDOE and make appropriate progress each year of the Emergency Permit in order to renew it (e.g., two ENL classes or sit for the ENL exam if the required coursework is completed) in order to serve as the EL ToR. See the ENL Licensure section of this FAQ for more information on Emergency Permits.</p> <p>Regardless of how the staffing needs are being addressed, it is important to ensure interim measures are in place to address EL student language needs.</p>
3	<p>My corporation has no ELs. What are my requirements?</p>	<p>LEAs must have a plan to serve future ELs that may enroll in the district via a qualified EL teacher. Per Section 1112 of the Every Student Succeeds Act (ESSA), LEAs must begin providing identified ELs language development services within 30 days of the beginning of the school year or within two weeks if enrolling after that window during the school year. With over 90% of all Indiana LEAs having at least one EL enrolled, a corporation or Choice school with zero active ELs is likely to receive EL students in the future. LEAs with zero ELs currently enrolled must not wait to identify at least one teacher in the district to meet the EL ToR requirements, as the timelines above will not be reasonably met if a plan is not developed until after an EL enrolls.</p>
4	<p>What should corporations/schools do if the EL ToR leaves during the school year?</p>	<p>LEAs must provide evidence that they have taken action to replace the position with a qualified EL ToR within a reasonable period of time. LEAs with small EL populations should always maintain two or more teachers who are qualified to serve as the EL ToR to ensure that services are continued appropriately while replacement staff are hired.</p>
5	<p>Could LEAs with low EL populations share one EL ToR to provide services?</p>	<p>If the EL ToR can meet all the requirements under IDOE's English Learner ToR Responsibilities for all students at both LEAs, then the teacher may serve as the EL ToR at more than one LEA. Two or more LEAs may wish to develop a cooperative agreement to share the costs of providing the EL ToR when the incidence rate in each district is very low, similar to how LEAs share costs related to the provision of special education services. All EL students must still be provided with robust services, so the sharing of costs should not greatly diminish the rate at which services are provided (e.g., at least 30 minutes per day, four to five days a week of English language</p>



		development for all ELs).
6	Do EL ToR requirements apply to non-public schools?	<p>EL ToR requirements stem from policy and case law pertaining to public education; therefore, the provision of core EL services delivered by qualified EL ToRs is not a requirement. However, non-public schools participating in Choice Scholarship Programs and/or receiving Title III funds do have specific obligations to EL students, including appropriately identifying, reporting, and assessing ELs. Non-public schools that accurately report EL populations to IDOE are also eligible for Title III equitable share and services from the public LEA.</p> <p>All non-public schools should work to effectively meet all students' language needs regardless of accreditation and Title III funding status. Non-public schools are strongly recommended to provide an effective English language development program that involves licensed, qualified EL staff. For more information on EL requirements for non-public schools review this Guidance Regarding Non-public School Participation in Title III and Requirements for English Learners.</p>

ENL Licensure

Number	Question	Answer
7	What are the requirements to earn ENL licensure in Indiana?	Indiana requires ENL candidates to complete an approved program/ENL coursework and pass the ENL licensure examination to become certified. Coursework requirements vary by university.
8	What universities offer the appropriate coursework to complete ENL licensure?	IDOE's Office of Educator Licensing maintains a list of all approved educator preparation programs in the state, including those offering coursework required to attain the Indiana ENL Professional Educator License.
9	How do corporations/schools without a licensed EL ToR apply for an Emergency Permit?	Emergency Permits can be requested by LEAs in areas where staffing appropriately-licensed educators are experiencing difficulty. The Emergency Permit is a temporary credential issued to a school corporation for a person who is not licensed for that assignment. The applicant must possess a minimum of a bachelor's degree from a regionally-accredited university to be eligible for the permit. The Emergency Permit recipient must commit to working toward completion of an approved program to either add the content area(s) to an existing license or obtain an Initial Practitioner license for the content area(s).



10	How long is an ENL Emergency Permit valid?	ENL Emergency Permits are valid for one school year. Once issued, future renewals may be approved by the school if the applicant completes the renewal requirements. A school employer may approve an application for the renewal of an Emergency Permit annually as long as the permit recipient can meet renewal requirements by providing proof of continuing progress toward achieving full licensure in the content area(s). Failure to meet renewal requirements may result in denial of the renewal application. For more information on ENL Emergency Permits, visit IDOE's Educator Permits webpage .
11	How can districts/schools fund ENL licensure coursework?	LEAs may be able to use Title IA, IIA, IIIA, IVA, Non-English Speaking Program (NESP), or Elementary and Secondary School Emergency Relief (ESSER) funds to support teachers in completing ENL licensure coursework. While coursework may be federally-funded, note that the time and effort to provide the core English language development services, including the cost of the EL teacher(s) salaries, must still be funded through local or state funding, such as NESP.
12	Are teachers with valid ENL licensure from another state eligible to serve as the EL ToR?	Indiana maintains reciprocity with several other states, in which IDOE honors other states' licensure requirements if they are similar to Indiana's requirements. For more information, visit IDOE's Educator Licensing webpage .

EL ToRs and Providing EL Services

Number	Question	Answer
13	What are the requirements to serve as an EL Teacher of Service (ToS) if you do not meet EL ToR qualifications?	<p>Qualifications to serve as an EL ToS include:</p> <ul style="list-style-type: none"> • Holding a professional educator's license, and • Having continued participation in ongoing, meaningful, and job-embedded training on English language acquisition and EL best practices, as well as implementing the service delivery model. <p>The EL ToR may assist in providing training to the ToS. This training does not include WIDA assessment administrator trainings and must extend beyond single workshops or conferences. It must also surpass training on instructional expectations of <i>all</i> teachers of ELs, which includes Individual Learning Plans (ILPs) and WIDA Standards implementation.</p> <p>Although in-service training for classroom EL teachers (e.g., sheltered instruction model) are beneficial in meeting students' needs</p>



		and fulfills ToS qualifications, this training alone does not compare to the rigor required for full ENL licensure. Substantial evidence is needed to demonstrate training is of sufficient frequency and duration for an EL ToS, as services are not directly delivered by teachers with ENL licensure.
14	What is required for EL services to be delivered by an EL ToS rather than the EL ToR?	<p>This structure would require the following:</p> <ul style="list-style-type: none"> • Oversight of EL services by a qualified EL ToR, as detailed in the EL ToR Responsibilities. This includes meeting at least weekly with the EL ToR to determine instructional needs and plan English language development for the student. • Meet training qualifications requirements cited in the previous question. • Clear implementation of the chosen EL program service delivery model (e.g., sheltered instruction) with fidelity. • Detailing of this structure within the LEA's annual EL Plan. <p>Documentation of ToS training and qualifications, EL ToR oversight and collaboration with the ToS, and the fidelity and effectiveness of the chosen model must be readily available in instances such as federal programs monitoring.</p>
15	A classroom teacher previously provided English language development via a sheltered instruction model after being properly trained. Is this still a valid model?	<p>Yes. However, this teacher could not serve as the ToR unless the qualifications of ENL licensure or the ToR requirements are met. They are still able to deliver core English language development instruction via a sheltered instruction model as an EL ToS. This can occur so long as they have been adequately trained in EL best practice and the service delivery model, the service delivery model is being implemented with fidelity, and those services are being overseen by a qualified EL ToR.</p>

EL ToR Rubric

Number	Question	Answer
16	What is the EL ToR Rubric, and how does it differ from full ENL licensure?	The EL ToR Rubric, detailed in the Meeting EL ToR Requirements , was developed as a temporary option for those serving as EL teachers who did not possess ENL licensure to meet EL ToR qualifications. This was a method to honor EL teachers' years of experience without requiring enrollment in a full ENL licensure coursework program. Meeting the rubric includes a coursework requirement as well as evidence of years of service as an EL teacher, and EL professional development professional growth points (PGPs).
17	Can I still meet EL ToR	The EL ToR Rubric requirements must have been met and



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Dr. Katie Jenner, Secretary of Education

	licensure requirements via the ToR Rubric?	documented by the educator and a supervising administrator on or before September 1, 2022. After this date, no new EL ToR Rubrics will be recognized as meeting EL ToR requirements.
18	After successfully completing the ToR Rubric, how long will it be honored?	After meeting the requirements of the EL ToR Rubric, an educator who maintains a valid Indiana Professional Educator License will remain qualified to act as EL ToR in Indiana. If the EL ToR who has met the rubric transfers to another Indiana school, they must maintain that documentation to be verified by the new administrator.
19	After successfully completing the ToR Rubric, what documentation must be submitted or reported to IDOE?	<p>EL ToR Rubric completion documentation (i.e. rubric cover sheet, administrator letter of recommendation, coursework transcripts, and PGPs) does NOT require submission to IDOE for review and approval. This documentation must be reviewed and verified by an administrator and maintained locally. This documentation must be readily available in the case of federal programs monitoring, or if EL teacher qualifications come under scrutiny.</p> <p>IDOE will require that LEAs submit information on EL teachers' qualifications, including its teachers who have met qualifications via the rubric, in the annual EL Plan.</p>
20	Do years as an EL teacher in another state count toward the EL ToR Rubric?	Yes, years of experience as an EL teacher in another state count toward the "Years of Teaching Experience serving as the EL Teacher" indicator on the EL ToR Rubric.
21	What courses or classes can be taught by a teacher who has met the EL ToR Rubric?	Teachers who have met the requirements of the EL ToR Rubric may act as an EL ToR in kindergarten through grade 12, as would an individual who receives an official Indiana ENL license. Please note that obtaining an ENL license or meeting the ToR Rubric requirements does not automatically make the teacher eligible to teach an academic content area if they do not also possess licensure with that content area. EL ToRs could co-teach, team-teach, or provide resource support to the students in content area classes, but cannot provide primary instruction in academic areas with ENL licensure or a ToR Rubric alone.

Please contact IDOE's [Office of English Learning and Migrant Education](#) with any additional questions.