Article

Educational Policy
27(5) 770–804

DOI: 10.1177/0895904811432137
epx.sagepub.com
SAGE

Home Language Survey Practices in the Initial Identification of English Learners in the United States

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Abstract

This article is focused on the different Home Language Surveys (HLS) used across U.S. states as a means of identifying students who, with further assessment, may prove eligible for language-support services. The majority of states mandate some form of HLS, be it state- or district-created. However, there is great variation in the number and the phrasing of survey items across states that raises issues of equity. To date, there is a dearth of evidence for the validity of HLS in the procedures used for identifying students for English learner (EL) status. States must recognize that the fundamental role of an HLS in their English-language proficiency assessment systems necessitates its further scrutiny as part of the assessment validation process. The article concludes with a series of recommendations for federal- and state-level actions to help remedy current concerns with EL identification processes around the nation.

Keywords

identification, educational policy, English learners

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An important challenge for U.S. states is to argue convincingly that they possess a fair and valid way in which to initially identify the population of K-12 students within the general student population who will require follow-up assessment to determine their eligibility for language support to succeed in school (Bailey, 2010).[1] Home Language Surveys (HLS) serve as the cornerstone of most states' procedures for making sure that students for whom they are needed receive such language services. However, current practices with the HLS pose a serious threat to the validity of state English-language proficiency (ELP) assessment and language service systems and raise questions about educational equity for English learners (EL) students.

Validity arguments are designed to make transparent the claims or assumptions on which an assessment is built by documenting evidence that an assessment accurately measures the construct it purports to measure and that results are interpreted appropriately. Kane (2006) suggests that "validation involves an appraisal of the coherence of this argument and of the plausibility of its inferences and assumptions" (p. 17). To date, no state has evaluated the extent to which their HLS practices can make the claim that the HLS identifies the "right" pool of students for further screening nor have states tested the assumption that children who are not identified for subsequent assessment and possible services can meet the linguistic demands of the school curriculum.

The HLS is the first in a sequence of steps taken by most states to identify the group of students who are eligible for language-support services under Title III of the No Child Left Behind Act of 2001 (NCLB) and to monitor their language and academic progress while receiving those services (see National Research Council [NRC], 2011, figure 4-1, p. 78). The purpose of the HLS is to distinguish those students who should be further assessed from those who need not be. That is, the HLS is intended to narrow down the K-12 population to a smaller number of students who are assumed most likely in need of support services as a result of their language experiences at home. The purpose of the subsequent ELP assessment or screener administered to this group is to determine students' level of English proficiency. Only after that determination are students who do not meet the criteria for English proficiency part of a protected class under federal law and with their EL status entitled to language-support services. Different states cast their initial net widely or narrowly depending on the types of questions they require families to answer on the HLS. If the net is cast too widely, it may mean overidentifying the number of students for further assessment. However, if the net is not cast wide enough then students who may genuinely need further assessment to prove eligibility for language-support services may initially be missed.

Those students who are not identified by the HLS as coming from a home in which a language other than, or in addition to, English is spoken are commonly referred to as *English-only* speaking students or Non-English language learners (Non-ELLs) or Non-Limited English Proficient (Non-LEP) students. However, among the group of students identified by the HLS as needing further assessment, who might be considered *prospective* EL students, are linguistic minority students who may know a lot, little, or no English, students who are balanced bilingual speakers of English and another language, and even students who *are* English-only speaking irrespective of the linguistic characterization of their homes on the HLS (e.g., reports of parents or grandparents who know one or more languages that differ from English).

It is important to clarify the array of classifications that can be applied to this group of prospective EL students because the precision of these classifications has both legal and educational implications. Such implications not only include the accurate determination of the eligibility of students for language-support services and entitlement to content test accommodations but also include whether teachers, schools, and districts are held accountable for the outcomes of different subgroups of students in a fair manner (Abedi, 2008). Classifications are based on student performance on the LEP assessment or screener. Of course, another set of assumptions underlies this second step in the EL identification and accountability system; namely that the ELP assessment instrument is a valid and reliable measure that can accurately identify students' language skills and place them at a level for instruction that is commensurate with their language-learning needs. These particular assessment validity concerns are, however, outside the scope of the current article. Those students who meet criteria for English proficiency and consequently ineligible for language-support services are typically referred to as Initial Fluent English Proficient (IFEP) students and are likely those proficient bilinguals and English-speaking students from homes where English, in addition to another language, is spoken and for whom the net was cast too widely by the questions posed on the HLS. Students who do not meet the language-proficiency criteria are referred to variably as EL students, ELLs, or, in federal law, LEP students.

The primary purpose of this article is to inform the fields of practice (states and federal governments, educators) and research (measurement and language scholars) about existing HLS and place wider attention on the validity concerns that arise from current HLS practices. We begin with education law as it currently affects the implementation of HLS, followed by a brief history of the use of HLS in U.S. education. We then describe and critique current state practices with HLS giving elaborated examples from

six selected states. We then examine what evidentiary bases exist for current HLS design and how findings from studies of HLS used as research instruments with EL student populations might inform future HLS design. Concluding sections summarize concerns with existing attempts to initially identify students and make recommendations for improvement in guidance and validation at the federal and state levels.

The Law and Implementation of Home Language Surveys

In the United States, no federal law currently mandates the use of an HLS in the identification of the population of students who will require assessment to determine eligibility for language-support services. However, under NCLB, all states must have a means by which to identify students who need language-support services. The federal law defines LEP, in part, to be an individual "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 an individual "who is migratory, whose native language is a language other than English, and comes from an environment where a language other than English is dominant" (Sec. 9109; 115 STAT. 1961). Given this emphasis on the language environment, on the surface it appears to make sense that a survey of language knowledge and usage by students and other individuals at home should play a key role in identification procedures. The law, unfortunately, does not provide any guidance on *how* the identification of students can best be conducted, and thus a wide array of practices and instruments are currently in use across states (Durán, 2008; NRC, 2011).

Thus, although states are obligated to screen or assess further all students identified as prospective EL students within 30 days of school enrollment, there is no requirement that the initial identification be conducted with an HLS. Moreover, there is no standard survey in use across the United States, and so the surveys currently include a variety of questions that may or may not reveal valid and reliable information about the English-language exposure school-age children have accumulated, or their current English-language abilities. Unfortunately, the technical quality of this information is rarely scrutinized (Bailey, 2010). In the absence of reliable information, children who need further screening may initially be missed in the process and be placed in classrooms in which the teacher will then need to identify them as prospective EL students and request further (delayed) assessment. Just as troubling, there are cases of students who are already proficient or even native English speakers who are being identified as requiring further

screening or assessment. Additional evaluation of these students' English-language proficiency comes with costs to the school and state and with a personal impact on individual students and families.

Within some states, state education agencies (SEAs) may condone a variety of options available to local education agencies (LEAs) or school districts to meet the requirements of the law.[2] For example, Montana's Office of Public Instruction (OPI, 2007) lists "acceptable practices" for its school districts in the identification of LEP students.[3] These practices include, but are not limited to, the use of an HLS, an English-language proficiency test, a reading score on the state assessment, an observation scale, and a developmental reading assessment, but no single identification instrument is singled out as obligatory.[4] Although allowing school district control in the creation of an HLS, the Colorado Department of Education (CO DOE), in contrast, recommends at the suggestion of the U.S. Department of Education Office for Civil Rights (OCR) that school districts at a minimum solicit information about (a) whether a language other than English is used at home, (b) what the student's first language is, and (c) whether the student speaks a language other than English (CO DOE, 2008).

In 2009, the Arizona Department of Education went from a state-wide mandated three-question survey–determining (1) the primary language of the home, (2) the language most often spoken by the child and (3) the child's first language–down to just a single question. That HLS asked parents "What is the primary language of the student?" and provided parenthetical instructions to interpret the term *primary* as the language used most often by the student (ADE, 2010). If the child's primary language was English, no further assessment was required and a child was at least initially deemed not to need language support services. While a sole focus on the dominant language of students may seem most pertinent, such singularity of focus may lead to under-identification of students for English language services because some students, while more dominant in English than another language, may not have received extensive exposure to English nor reached a level of English proficiency sufficient for learning academic content in English. However, this single-question HLS policy was revoked in 2011 in voluntary cooperation with the U.S. Department of Education and the three-question HLS was reinstated (ADE, 2011).

Indeed, Claude Goldenberg and Sara Rutherford Quach (2010) in a report prepared for the Civil Rights Project/Proyecto Derechos Civiles at UCLA, found that among the students who were eligible for EL status in two target Arizona school districts, 11% of the kindergarten students in one district and 18% of the K-5 students in the second district would have initially gone unidentified using the new single-question HLS. These researchers were able

to capitalize on the July 2009 switch to the one-question HLS after half of the families of new students in the kindergarten-only sample had already completed the three-question HLS and by using the available prior year's completed surveys with the K-5 sample. Consequently, these parents had additionally been able to indicate that a language other than English was mostly spoken at home or by the student as a first-acquired language. Students were identified for further assessment if their parents reported English as the student's primary language and also reported another language as mostly spoken at home and/or acquired first by the student.

Goldenberg and Rutherford Quach (2010) took this unique opportunity to calculate a *before-and-after* effect of the two Arizona surveys. Disturbingly, 86 of the 88 students in the kindergarten-only sample who would have been excluded from further assessment had their parents completed the Arizona HLS after July 2009 were subsequently assessed and found to need English-language services. Likewise, 1,107 of the 1,540 students were additionally identified by the three-question HLS in the K-5 sample. Each of these eligible students would have remained invisible to the EL assessment system had the primary language question solely been taken into account and would have remained so until they very *visibly* started to struggle in school and a mainstream teacher took the time to establish a referral process (see also Kossan, 2009; Zehr, 2010, for further discussion of ADE policy).

A Brief History of the Home Language Survey

Surveys as a means to determine student language backgrounds have been in use by educators for nearly 80 years. Despite the longevity of HLS, few studies have subjected home language measures to rigorous validity testing to ensure the accurate and reliable measurement of operationalized definitions of the *home language* construct. In this section, we briefly trace the history of home language survey usage.

The Hoffman Schedule of Bilingual Background (Hoffman, 1934), the earliest example of an instrument developed to determine bilingual dominance, was designed to be administered through an interview. The assessment was validated with groups of children of Italian and Jewish Eastern-European backgrounds using the degree of bilingual exposure in their family and school backgrounds as its metric. In subsequent decades the Hoffman Schedule was widely used in studies examining the strength of associations between language background and a number of outcomes, including writing and reading in English, verbal intelligence, school adjustment, and creative functioning

(Kaufman, 1968; Landry, 1974; Lewis & Lewis, 1965; Pintner & Arsenia, 1937). The validity and feasibility of the Hoffman Schedule was criticized for relying on self-ratings from the language learner him- or herself and consists of equally rated questions regarding language use with each family member (Mackey, 1972; Zirkel, 1976). Mackey (1972) questioned its validity especially among language learners under the age of eight for whom accurate answering of interview questions about language use is dubious. Zirkel (1976) raised concerns regarding the validity of the Hoffman Schedule with older children who might be susceptible to the influence of their peers. Nevertheless, the Hoffman Schedule of Bilingual Background was regularly adopted and adapted for use in determining language background.

Beginning in the 1970s, greater attention began to be paid to the challenges facing English learners in school. These students garnered more public attention due to the enactment of education and civil rights legislation and ensuing court cases that clarified requirements in federal laws mandating language minority considerations in instruction and assessment. The 1974 U.S. Supreme Court case *Lau vs. Nichols* upheld requirements of Title VI of the 1964 Civil Rights Act that made necessary provision of equal educational opportunity to language minority students. The OCR sets out procedures and reviews the compliance of school districts in providing, as necessary, alternative programming (e.g., English instruction, instruction in the native language) to ensure "the effective participation of language minority students in the district's program" (OCR, 1985). Such "affirmative steps" required of school districts to make sure language minority students access the school curriculum increased the need for valid and reliable measures of English-language proficiency to determine if students needed further assessment and alternative program placement. As a result, a host of measurement strategies emerged to identify the target population of children with language backgrounds other than English, including surname surveys, parent interviews, HLS, teacher- or learner-rating scales of language dominance, learner-focused interview schedules, indirect measures of word association, word-naming, picture-naming, comprehension items and parallel testing of aural–oral capacities in both languages spoken by the student (see Zirkel, 1976, for a review during this earlier era).

During the 1990s, based on a survey of state education agency practices, the Council of Chief State School Officers (CCSSO) made a number of recommendations concerning the assessment of, and data collection with, EL students. Relevant to our efforts in the current report are CCSSO's recommendations regarding the initial screening and identification of EL students. A CCSSO policy briefing states that schools should conduct an HLS for

every student in the student's native language at enrollment and that the SEAs should mandate the use of a uniform HLS across its districts as well as provide training to ensure information on the HLS is completed accurately (CCSSO, 1992). The CCSSO further recommended the survey should include items to determine the student's place of birth, first language acquired, and if a language other than English is spoken at home. Despite being created nearly two decades ago, these recommendations are still considered current and used for guidance by some states to their districts.

Description and Critique of Current HLS Practices Around the Nation

Over the past 30 years, parent-reported surveys have become ubiquitous in the school setting. Whereas the OCR ensures that states comply with NCLB by having some method for identifying and assessing English learners, as mentioned, an HLS is not specifically required for initial identification. We identified two key areas in which state HLS practices can vary: (a) state regulations for HLS implementation and (b) the phrasing and content of survey questions. In this section, we provide descriptions of implementation and question phrasing and content in general, followed by detailed descriptions of the practices of six states, including the impact of these practices on how HLS are interpreted and used by school district personnel.

Method

All SEA websites were consulted to obtain documents containing state procedures for HLS use (The State Home Language Survey Policies chart at www.eveaproject.com provides details of the documents consulted and, where available, HLS item examples of all 50 states and Washington, D.C.). Where there was any ambiguity or lack of information to make a determination of HLS practices, the SEA was contacted directly. Variations in practices that governed the use of HLS in the states were induced from SEA descriptions. We also located current HLS forms that had been made available online by SEAs, or, in some instances, by LEAs where an HLS was not provided by an SEA, and created links to these instruments in the HLS chart mentioned above. We selected six case-study states to provide more detailed examples of HLS practices and interpretation. Case-study states were chosen to represent states with large numbers of the nation's EL population (California and Texas), states with a growing EL populations (Colorado, Oregon, and

Washington), and states with historically small EL populations (Vermont). We conducted thematic coding of the HLS question phrasing and the content solicited by the SEAs in these states. Identification of themes was guided by the second-language acquisition literature which is cited in the discussion of findings below.

State Regulations for HLS Implementation

A review of HLS usage across all U.S. states and Washington, D.C. suggests a typology of the different state-level regulations. At least four discernable state-level regulations governing HLS practices can be identified:

Practice A: The SEA creates a single HLS form and mandates its use in schools statewide, or the SEA creates a number of mandated items for districts to include in the HLS at a minimum.

Practice B: The SEA mandates use of an HLS and has created an HLS form that it offers as a sample for districts to adopt or to substitute for their own version of an HLS.

Practice C: The SEA mandates use of an HLS and may offer guidance on the kinds of information to be solicited but has created neither a required nor sample HLS; rather the SEA allows districts to create their own set of survey questions for the local context.

Practice D: The SEA does not mandate use of an HLS in identification procedures with EL students.

Table 1 provides information about practices by the 50 states and Washington, D.C. The most common Practice is A in which 23 states and Washington, D.C. require school districts to use the SEA-created HLS or, in the case of five of these states denoted in Table 1, the SEA requires at least a minimum set of state-created items to which LEAs may add. This is followed in popularity by Practice B in which 17 states have provided a SEA-created sample to be adopted or substituted by LEAs. Six further states have stronger local control of educational policy in this area, allowing school districts to ultimately determine what questions would be asked of parents although some provide guidance on question content. Finally, just four states do not require districts to use an HLS in determining the initial EL identification of students who need to be further assessed to establish EL status, although it may still be recommended.[5] Thus, although not quite universally mandated, most states use an HLS with the families of students at

Table 1. Analysis of State HLS Regulations.

Practice	Number of states	States
A	23 & DC	AL[a], AZ, CT, GA, HI, IA, ID[a], IL, IN, KS, KY[a], ME, MN, MO[a], NH, NY, OK, PA, RI, TN[a], TX, UT, VT, WA
B	17	AK, CA, CT, DE, FL, MA, MI, MS, NV, NJ, NC, ND, OH, VA, WV, WI, WY
C	6	AR, CO, OR, MD, NM, SC
D	4	LA, MT, NE, SD

[a]The SEA provides a number of mandated HLS items for the LEA to use but does not provide a state-created HLS.

the time of school enrollment to identify the pool of students who may be eligible for further assessment for language services.

HLS Question Phrasing and Content

The variation in survey items across the states is great, both in the phrasing of requests for similar kinds of information and in the nature of the content requested from parents.

First language. Several states have items that focus on the *first* or *native* language of the child, which may not be relevant if he or she has subsequently learned English sufficiently well to be a balanced bilingual or to have become more proficient in English than the first-acquired language or mother tongue (referred to as L1 by linguists). Full bilingualism occurs when a child has acquired two languages simultaneously or in close succession before the end of toddlerhood (e.g., bilingual first language acquisition, De Houwer, 1995) or becomes equally dominant in two languages later in life. An HLS that cannot take account of these linguistic situations is likely to overidentify the population of students who need to be further assessed to establish EL status—possibly costing a state time and money to establish that such students may be proficient English speakers already. Information about a child's L1 may of course be useful for enrollment and planning purposes to those states that offer bilingual education in a child's L1 and English. This assumes that information from the HLS gets entered into databases at the school or district levels and that there is a mechanism for sharing this with the SEA in a timely manner.

Dominance and exposure. Other HLS items focus on the *frequency* with which a student speaks English or is *exposed* to English by adults. The frequency with which English is used (i.e., the degree of language dominance) and amount of exposure to English are likely to be more pertinent factors in a child's current English-language proficiency than the simple order in which the child acquired English and another language. However, language *dominance,* although likely to be positively correlated with language proficiency, is not necessarily measuring the same construct as proficiency. Dominance describes the most commonly used (and perhaps preferred) language of the child across various settings, whereas proficiency refers to the child's competence in the range of language skills necessary to be fully functional in school and wider society. Thus it is possible to have a dominant language without being fully proficient in it. Moreover, parents may interpret language dominance as oral language dominance and yet proficiency in English print skills will also be critical for accessing the school curriculum.

The exposure or amount of time spent interacting with both spoken and printed English is also a logical prerequisite for the successful acquisition of English used in academic settings, but again, exposure is not the same construct as proficiency and so questions measuring the nature of a student's language exposure can only be suggestive of the student's English-language abilities.

The relationship between exposure and proficiency in a second language (L2) can be made complex by factors such as socioeconomic status and status of the minority language in wider society (e.g., Scheele, Leseman, & Mayo, 2010). Moreover, a threshold amount of exposure may be a prerequisite to proficient acquisition (e.g., Pearson, Fernandez, Lewedeg, & Oller, 1997), and there may also be negative effects of competition between the L1 and L2 in terms of time spent in English interaction, which can take away opportunities to continue learning L1, thus having a subtractive impact on L1 (e.g., Scheele et al., 2010). As described in the section on Evidentiary Bases below, parent reported exposure was not always predictive of student English-language proficiency in the research literature due, perhaps in part, to factors such as social desirability in providing responses. Moreover, studies have found that parents may not accurately report language exposure because they are not always even aware of their own language behaviors with their families (e.g., Goodz, 1989).

Other content. Some HLS items have varying degrees of relevance for determining need for further ELP assessment, including questions about the child's country of origin, time in U.S. Schools, and prior language placements. HLS items that focus on *where* another language is spoken or *what* languages

other than English are spoken, although they may reveal something about the nature of a child's exposure to other languages, do not yield information about the child's proficiency in those languages or about whether he or she speaks English in addition to being exposed to other languages.

Example State HLS Practices

Examples of Practice A above are found in the Texas Education Agency (TEA), the Vermont Department of Education (VDE), and the Office of Superintendent of Public Instruction for the State of Washington (OSPI). Table 2 illustrates the contrast in question phrasing and content solicited as well as some similarities in survey items across these three states and across the other selected states.

As Table 2 shows, TEA has a two-question HLS that is administered to the parent/guardian of all K-12 Texan students at enrollment. The survey is translated and available to parents in 23 different languages. Confusingly, the *Language Proficiency Assessment (LPAC) Manual* (TEA, 2011) states that "the home language survey shall be used to establish the student's language classification for determining whether the district is required to provide a bilingual education or English as a second language program" (p. 59). If English is the response given to both questions (the language spoken at home and by the student), then a student is designated as "non-LEP" or "LEP = 0." However, the LPAC manual then states that if the response given indicates that English and any other language are spoken at home and by the student or if English is not spoken at home and by the student, then "the student shall be tested in accordance with §89.1225 of this title (relating to Testing and Classification of Students)" (p. 59). The Limited English Proficient Decision Chart provided by TEA to guide Texas educators (TEA, 2004; reproduced in TEA, 2011, p. 58) belies the relative simplicity of the generic flowchart found in the NRC report (p. 78). However, even this detailed rendition of the decision-making procedures for determining EL status does not advise Texas educators on what to do if there is a reported difference between languages spoken at home and languages spoken by the child or how to determine whether parents responded to the HLS in terms of the language spoken by the parents rather than the child if they misinterpreted the parenthetical "do you" in the second question to mean parents and not, as the authors of this article assume, a form of direct address to the 9th-to-12th-grade students who are instructed to complete the HLS for themselves. Regardless of these ambiguities in question responses and interpretation, all Pre-K through Grade 1 students who are not designated LEP = 0 on the basis of the HLS are then further

Table 2. Item Examples From Home Language Surveys in Selected States.

State (creation of HLS month/year)	Number of items	Item examples
California (October 2005)	4	Which language did your child learn when he or she first began to talk? Which language is most often spoken by adults at home? (parents, guardians, grandparents, or any other adults)
Colorado (Guidelines and district examples April 2008)	Varies by district	What was the first language that this student spoke? Is there a language other than English spoken at home?
Oregon (n/a)	Varies by district	North Bend District 13: Languages most often used for communication at home. (Fill in the blank) Do the mother and father communicate with their child in their native language? (Circle one: Always; Usually; Not Usually; Never) Sweet Home District 55: Which language did your child learn when he or she first began to talk? Was your child ever placed in a bilingual/ESL program in a U.S. school? (Circle one: Yes; No)
Texas (August 2004)	2	What language is spoken at your home most of the time? What language does your child (do you) speak most of the time?
Vermont (January 2010)	6	What is the native language of each parent/guardian? What language(s) are spoken at your home?
Washington (August 2006)	2	Is a language other than English spoken at home? Is your child's first language a language other than English?

tested with an Oral Language Proficiency Test (OLPT) such as the Texas English Language Proficiency Assessment System (TELPAS) Listening and Speaking subsections. At Grades 2 through 12, students are tested with an OLPT plus the reading/language arts subtest of a norm-referenced standardized achievement test. If the norm-referenced achievement test scores are below the 40th percentile, students are designated LEP = 1 irrespective of their oral language proficiency performance.

Vermont has a six-question HLS that all districts in the state must use and give to the parents of all incoming K-12 students. The survey can be administered in the form of an interview with parents, and interpreter services must be provided to parents if necessary. The instructions to teachers on survey interpretation are vague; it is unclear whether a response to any of the six questions involving "a language other than English," or an overall "survey" that suggests the child's language is a language other than English, should result in a referral to "the ESL teacher for further screening to determine if the student is an English Language Learner (ELL)" (VDE, 2010). In other words, how the six questions are "weighted" is not clear from the written instructions that accompany the HLS.

In Washington, the state-created HLS is mandated statewide and translated into nine languages corresponding to the most frequently spoken additional languages in the state (e.g., Spanish, Russian, Vietnamese, Tagalog, and Somali). An affirmative response to the second item focused on the child's *first* language being other than English triggers further evaluation with the Washington Language Proficiency Test–II (WLPT-II) placement test version. However, the use of the term *first* language in this question is ambiguous (see Table 2). One interpretation of the term is that it means the student's native language, the first-acquired language—that is their L1, in contrast with the L2. However, some educators and parents in the State of Washington interpret the term to mean first in order of dominance (Joe Willhoft, personal communication, June 22, 2010). *First* was adopted in this instance because terminology like *dominant* or *primary* to refer to the student's most proficient language was thought to be misunderstood by parents. However, the ambiguity of *first* to mean either first-acquired language or the most dominant current language means that parents could also be interpreting the question in one of two different ways, and educators using the Washington HLS responses have no way of knowing which interpretation a parent has made. This is a questionnaire item that cannot yield meaningful and reliable responses as it is currently worded. Note that other states have used additional wording to disambiguate the word *first* to make it clear that the HLS means chronological order of acquisition and not current dominance

(e.g., Idaho: "first language learned by the child"; Oregon Sweet Home District 55: "Language . . . when he or she first began to talk").[6]

The Washington parents who interpret *first* to mean their child's L1 (i.e., a child's first-acquired or *native* language), could respond affirmatively referring to a language other than English that the child simply no longer speaks or in which he or she is no longer dominant or that the child is equally dominant in that language *and* English. Parents may even be struck by the fact that the question is simply unanswerable if they consider their child to be a fluent bilingual.[7]

California presents an example of Practice B above, with the state creating a four-item HLS to serve as a sample questionnaire (see Table 2) but which is ubiquitously adopted by districts in the state as if it were the official state HLS (California Department of Education [CDE], 2005). Use of a four-question HLS dates back to 1978 when the state first undertook a language census (Spencer, 1984). Minor wording changes have subsequently been made to the original HLS, but now, as then, answering with a language other than English to any of the four questions triggers further assessment. Currently, the state administers the annual ELP assessment—the California English Language Development Test (CELDT). A drawback to this practice is that if parents report that the grandparents or "any other adult" at home speak a language other than English, this response will trigger evaluation with the CELDT, irrespective of whether the child speaks that language as well. Students are administered this full-scale test of four language domains (Listening, Speaking, Reading, and Writing) because CDE does not use a separate screening test nor is there a shorter placement version of the CELDT. Consequently, students who are misidentified by the HLS are administered a relatively lengthy and costly assessment.[8]

Colorado and Oregon are examples of states which have adopted Practice C above. As mentioned in the section on The Law above, Colorado allows districts to construct their own HLS to determine the dominant language spoken. The Colorado Department of Education (CO DOE), however, offers educators examples of surveys in use in districts around the state in their extensive guidelines and offers teachers training in how to interpret responses to an HLS (CO DOE, 2008). If any answers on an HLS suggest the language spoken by the child or individuals in their home is not English, then a school is required to assess the child with the Colorado English Language Assessment (CELA) to "confirm" the findings of the HLS (as in California, there is no separate state-level screening instrument). Oregon's policy is responsive to the autonomy of the school districts in the state. Each school district maintains its independence and creates its own HLS for the needs of the local

context. This situation leads to great variation in the content of HLS in use in the state as can be seen in the two district examples in Table 2. Oregon does not have a statewide screening test for ELP. Consequently, most districts administer the Oregon annual English Language Proficiency Assessment (ELPA) once the students are determined to be eligible for language services through district HLS.

Evidentiary Bases for HLS and Research Measures of Home Language Background

In this section, we describe the relatively modest amount of research that has been conducted on the HLS as an instrument for reporting information on the language backgrounds of school-age children. We also include here questionnaires of students' language abilities used in educational research not only because of the dearth of information about the validity of state-created or -used HLS but also to identify additional pertinent factors that might be considered for inclusion in future HLS design or that might inform decisions on the continued use of HLS.

There was an upsurge of specialized assessments in the 1980s to test discrete Spanish language skills (i.e., vocabulary, grammar, spelling, and responses to directions) and serve as a primary determiner of language dominance in school-age children (Beringer, 1976; Bernard Cohen Research and Development Inc., 1980; James, 1974; Trudeau, 1985); however, home usage surveys and interviews were still widely used. The Home Bilingual Usage Estimate (Skoczylas, 1971), an interview schedule, reckons an individual's home language usage and classifies the individual as English monolingual, English dominant, apparent bilingual, Spanish dominant, or Spanish monolingual. Validity for the measure was determined by correlating 25 students' classifications obtained on the Home Bilingual Usage Estimate with an experienced bilingual educator's rating of the students' home language usage. The resulting Pearson's product–moment correlation was very high ($r = .95$, $p < .001$). The Home Bilingual Usage Estimate's retest reliability was $r = .97$, $p < .001$. However, research reported by Spencer (1984) suggests that there is no straightforward correspondence between measures of English-language proficiency and the information yielded by an HLS. Three different standardized assessments all purporting to measure English proficiency did not produce comparable results. These assessments had been administered to the same set of students who were identified as either speaking a language other than English or having family members speaking a language other than

English based on the HLS available in California. The assessment results varied greatly in the proportion of the students who would have been classified as limited English speakers. English proficiency, it appears, is highly dependent on the instrument used to measure it, irrespective of home language background.

Amid critique of interviews for determining language dominance solely by focusing on the learner's (or the parent's) self-report, Spolsky and colleagues (Spolsky, Murphy, Holm, & Ferrel, 1972) developed the Spanish–English Language Dominance Assessment, which paired self-report with tests of language knowledge such as word-naming and picture-naming tasks. The measure was intended to be used with 6- and 7-year-old children, and validity was tested using teacher judgments of assessment ratings. The authors reported that teachers tended to agree with students' ratings on the assessment. However, no statistics or other validity studies were provided. Similarly, following Mackey's (1972) concerns regarding the accuracy of self-report from children below 8 years of age, Merino (1976) developed a language background survey that relied on parent-report when assessing young children and learner-report when assessing older children. More recently, Townsend and Collins (2008) used self-report with confirmation of English learner status through official school reports from the CELDT.

Littlejohn (1998) and Abedi (2008) have raised concerns regarding the validity of HLS currently used by states, suggesting that parents may give conflicting information due to concerns of citizenship issues, lack of comprehension of the survey, and worries about equal opportunities for their children. In addition, Littlejohn cited cases when the EL classification was applied too broadly (e.g., a child being identified as LEP based on a speaker of a language other than English having been present at home for a short time). Abedi (2008) compared the ratings supplied by parents on his researcher-developed Language Background Questionnaire (Abedi, Lord, & Plummer, 1997) to school rosters reporting students' official primary (dominant) language as identified by the district's HLS and EL classifications on standardized testing. Significant discrepancies were found between parent ratings on the Language Background Questionnaire and official school reporting of the HLS results. Abedi (2008) concluded that using a single source to obtain language background is unlikely to produce a valid measure of home language background. Indeed, an earlier qualitative study by Gonzalez, Bauerle, and Felix-Holt (1996) made the case for using multiple measures and informants in determining language proficiency and dominance to ensure construct validity. Most recently, the NRC (2011) combined

information from state HLS and the National Assessment of Educational Progress student background questionnaire in an attempt to improve the overall reliability of reported student English proficiency.

While HLS forms are primarily used in the school setting to identify students for further screening and assessment, educational researchers have used HLS instruments to examine cultural and linguistic background characteristics influencing various language and academic outcomes. A review of this broader literature can allow for greater exploration of what types of information in an HLS might prove most useful for states in terms of accurately identifying students' current language abilities and English-language service needs. For example, Gonzalez (1991) developed an HLS to be used in conjunction with teacher ratings and standardized measures of language proficiency in a stepwise multiple linear regression model of language development and conceptual development in L1 and L2. Gonzalez proposed entering multiple continuous variables measuring language *dominance* on the HLS to determine their relative contribution to a model predicting language and conceptual development. She argued this method would counter validity problems faced when otherwise attempting to group students by standardized measures. Gonzalez found that ratings on the HLS better predicted children's verbal than nonverbal conceptual development and better predicted children's performance in Spanish than in English. Although other measures of language proficiency were used in this study, there are no reported comparisons of dominance ratings on the HLS to those obtained from the teacher ratings or standardized tests.

Gutiérrez-Clellen and Kreiter (2003) developed a parent questionnaire to determine the extent to which the child's years of exposure to a language, language(s) spoken at home, as well as language(s) spoken in other settings, are related to a child's grammatical performance on spontaneous narrative samples using a wordless picture book. Results revealed the parent-reported exposure variables combined significantly to predict grammatical performance in Spanish. Percentage of overall exposure to Spanish at home accounted for 26% of the variance in grammatical utterances. However, none of the exposure variables were significant predictors of performance in English.

The authors also related parents' ratings of their child's language proficiency with the child's grammatical performance in English and in Spanish to determine the extent to which parents can aid in identifying their child's language status. Results revealed a high correlation between parent ratings of the child's Spanish and the child's actual use of grammatical Spanish utterances in the narrative task ($r = .75$, $p < .0001$). A moderate correlation

was also found between parent ratings of the child's English and the child's actual grammatical performance in English ($r = .32$, $p < .05$). The authors concluded that parent ratings can be used to accurately determine the child's language status. However, given the context of this article, we caution that the ratings and exposure reports were not especially successful at determining proficiency with English—the children's L2—compared with Spanish, the children's L1.

A parent survey was recently developed by Reese, Thompson, and Goldenberg (2008) to collect information about the language used with the child in specific contexts (e.g., parent speaking to the child, literacy activities) as well as child language use with other adults at home. The authors also conducted parent interviews during which parents were asked to indicate the language heard by the child in various contexts (e.g., at the park; by the babysitter) in addition to the language most commonly heard by the child. Validity and reliability information was not reported. Nevertheless, parent reports from the surveys and interviews provided a rich description of the children's language environment and showed a great deal of variability within and across the 14 communities in the sample. Findings indicated although children primarily used Spanish with adults, they spoke much more English among themselves than with adults.

In a follow-up study, Reese and Goldenberg (2008) related the variability found in the reports of children's home language environment with their literacy development. The authors focused their investigation on links between literacy-related language background variables (i.e., frequency of reading in English and in Spanish with the child, the child's reading language, and the parents' reading language) and the Woodcock Language Proficiency Battery–Revised in English and Spanish (WLPB-R; Woodcock, 1991; Woodcock & Muñoz-Sandoval, 1995). Results that revealed English as the child's reported reading language and English as the parents' reported reading language were each associated with higher Basic Reading and Passage Comprehension scores on the WLPB-R. Furthermore, reported frequency of reading to children in English was associated with higher WLPB-R Passage Comprehension scores.

Of the literature surveyed for the present review, only two studies provided information regarding validity or reliability testing of the survey instrument or both (Duursma, Romero-Contreras, Szuber, Proctor, & Snow, 2007; Leseman & de Jong, 1998). Given that Leseman and de Jong (1998) studied Dutch, Surinamese and Turkish families in inner cities in the Netherlands, the language background questionnaire they developed reflected the majority language of the Netherlands—Dutch. The study report focused on the

internal consistency of items on the language background questionnaire and the retest reliability of the measures administered at three separate home visits. Cronbach's alpha was .95 for the measure at the first visit, .91 for the second visit, and .93 for the final visit. The intercorrelations between measures at each visit were about .90, suggesting the language background measure maintained retest reliability. In this sample, reported home language was related to a number of background characteristics including socioeconomic status, parents' informational and recreational literacy and children's vocabulary development at ages 4 and 7, as well as decoding and reading comprehension at age 7.

Duursma et al. (2007) used the Parent Interview and Response Questionnaire (PIRQ; developed in conjunction with the National Institute of Child Health and Human Development and the Center for Applied Linguistics) to elicit information from the parents of 5th-grade EL students about home language use and exposure as well as literacy practices in English and in Spanish. Items on the PIRQ loaded on two factors: Home Language and Parental Help (support for oral discourse, literacy, and school-related tasks). These two scales were then tested for internal consistency; Cronbach's alpha for the Home Language Scale was .93. To test validity of the PIRQ, the authors examined correlations between items on the Home Language Scale and children's English and Spanish WLPB-R letter–word identification and picture vocabulary. Relevant for this review, Home Language was correlated with both letter–word identification ($r = .36$, $p < .01$) and picture vocabulary ($r = .67$, $p < .01$) in English; the authors concluded that the PIRQ is a valid instrument for examining the influence of language background on students' vocabulary. Subtleties emerged when looking across groups of students receiving instruction in English versus instruction in Spanish, with English vocabulary best predicted by support for English literacy by parents for those instructed in English and by the combination of paternal preference for English and student gender for those instructed in Spanish.

The amount of Spanish and English used at home was also studied by Lindholm-Leary and Hernandez (2009) as part of a study of the range of background factors affecting dual-language, Grades-4-through-8 student achievement in English and Spanish language arts. Their results were disaggregated by student language status provided by the schools (presumably based on the state ELP assessment) and show the relationship between language(s) spoken at home and classification of students into EL, Reclassified Fluent English Proficient (RFEP) and (Initial Fluent) English Proficient (EP). The findings suggest that there is no simple association between the language(s) spoken at home and a students' language status in school. While

26% of EL students hear only Spanish at home, perhaps contrary to expectations and stereotypes, students hearing mostly Spanish are not overwhelmingly the EL students (51%) rather they are the RFEP students (61% of them) and even 16% of EP students hear mostly Spanish at home. What characterized the EP students from the other students is the fact that they never hear only Spanish at home and certainly hear mostly English, although very few heard only English (16%).

To summarize, the studies above reveal that the home language construct measured by HLS instruments can be operationalized in different ways; the results that correlate the construct with student language proficiency paint a complex picture and in several instances suggest a lack of connection between home language background and student proficiency in English. A number of factors emerge in the research base that are overlapping with the construct as it was seen to be articulated in many state HLS items reviewed above, as well as revealing of additional facets and concerns about the construct. In both state HLS forms and the research base, there was a very strong emphasis placed on current language dominance of the student and/or parents, also operationalized as the amount of Spanish and English used at home, the language preference of parents, or the language most commonly heard. The research base further refined this dominance construct to take account of differences in oral and literate forms of language dominance with questions probing the frequency of reading in English and in Spanish with the child, the child's reading language, and the parents' reading language.

Both state-created HLS and several studies emphasized amount of language exposure (e.g., years of exposure to a language, language(s) spoken at home) and with whom the home language exposure occurred (e.g., language use with other adults at home). However, the research studies also additionally included items that required parents to elaborate on the details of the language exposure with questions about language(s) spoken in other settings and the language used with the child and heard by the child in specific contexts (e.g., oral vs. literacy-related activities, language chosen for use at the park; language used by the babysitter, etc.).

Unlike the six state HLS items we reviewed in detail here, at least one research study used parents' ratings of their child's language proficiency in its HLS instrument. Moreover, these ratings were reported to be accurate measures of student grammatical language skills in the L1 but to a lesser degree in English (Gutiérrez-Clellen & Kreiter, 2003). No research study relied on information about the order of acquisition of the student's L1 and L2 as a means to identifying the current home language, although some HLS in current use by states did so.

The research yields contradictory findings in terms of the strength and nature of the relationship between home language variables and independent measures of student English-language abilities. Some studies suggest positive (occasionally even strong) associations between the two (Duursma et al., 2007; Reese & Goldenberg, 2008; Skoczylas, 1971; Townsend & Collins, 2008), whereas others found discrepant, weak, or no associations (Abedi et al., 1997; Lindholm-Leary & Hernandez, 2009; see also Duursma et al., 2007 for how the relationship appears to differ by language of instruction for students already within U.S. schools). Yet other studies revealed that parent reports are more concordant with independent language proficiency measures in their reports of Spanish language dominance, exposure, and even proficiency, than in their reports of English-language dominance, exposure, and proficiency (Gonzalez, 1991; Gutiérrez-Clellen & Kreiter, 2003). Unfortunately, however, it is the accuracy of parent report of English-language practices that is arguably the most critical for the validity of the role played by the HLS in identification procedures for the EL population.

Finally, some studies noted limitations in their designs, namely, the often exclusive focus on the relationship between home language background and children's vocabulary abilities, whereas children's proficiency across all language domains will be critical for accessing the school curriculum (e.g., grammar, oral fluency, and discourse-level skills). In addition, some studies recommended future use of observations at home to either verify or complement the home background instruments they had relied on (e.g., Duursma et al., 2007; Scheele et al., 2010). This highlights the current uncertainty around HLS approaches and the imperative for determining the accuracy of the information parents report about their own and their children's language behaviors.

Summary of Concerns With Current Implementation of HLS to Initially Identify Students

Construct Relevance

As mentioned above, a number of HLS created by states or districts included items that focus on the order of acquisition of the student's L1 and L2. On one hand, we question the relevance of this construct in identifying students' current language status. There appears to be a tacit assumption underlying these HLS questions such that contact between two or more languages is detrimental to a student's language development, rather than being viewed as an enhancing or additive form of bilingualism (Lambert, 1977). Certainly,

the order of a student's two (or more) languages is not necessarily an obstacle for English proficiency by the time the student is in school. Even the youngest students at age 5 have had sufficient time to become a fluent, balanced bilingual in both their L1 and English, or they have acquired English-as-a-second-language to a greater degree than even their L1. This may especially be the case if students have been previously enrolled in a predominantly English-language preschool environment.

Thus several current HLS we reviewed lacked a focus on the evidentiary bases related to the more relevant facets of the home language construct for identification of students for further testing of their eligibility for services, namely, current language dominance and the degree of exposure to English. These factors, coupled with the noted reluctance of some parents to complete an HLS accurately if at all, affect the ability to meaningfully measure the home language construct and call into question the continued use of HLS as an effective instrument in EL identification procedures and prompt proposed alternatives for validation in a later section of the article.

Accuracy of Information

A poorly constructed HLS can lead to low technical quality (i.e., inability to discriminate between prospective EL and non-EL students) resulting in the under- or overidentification of students requiring language-support services. Underidentification is costly for students, in terms of lost instructional time both in classes where, ideally, content is made accessible and in classes in which English-language development (ELD) is taught. Even just a few months of lost time for ELD instruction can jeopardize a student's achievement of greater English proficiency; 3 months' time is invaluable especially at the youngest grades or at the very earliest stages of acquisition.

Overidentification is also costly. This can lead to additional testing before it becomes clear that a student should never have been in the EL pool to begin with. Our review suggests at least two ways in which poor construction of an HLS may lead to this outcome: (a) some HLS have ambiguous wording and (b) some HLS may have too few items to be meaningful for decision-making purposes, particularly if the questions do not focus on current language dominance and degree of English exposure information. For example, we reported on the fact that *first* language can mean either a student's current *dominant* language or their *first-acquired* language. Even if the SEA or LEA intended it to be interpreted as the dominant language, parents and teachers may infer the alternative meaning and thus not answer or interpret the HLS in the manner in which it was intended.

Additional Facets of Home Language Background Identified in the Research Base

The research base revealed additional facets of the home language construct that could play a role in future HLS used by districts and states. These included information on literacy-related practices at home and the broad range of settings and activities that may support a student's language development. Such facets also suggest the importance of including items soliciting information about additional forms of exposure to English such as a student's preschool attendance. There is indeed a positive impact on the early English literacy skills of young children of immigrant families who use preschools in the United States (Magnuson, Lahaic, & Waldfogel, 2006) and the inclusion of a question about English-language preschool attendance may alone prove useful in ameliorating the initial under-/overidentification of large numbers of students by a state's existing HLS.

Recommendations and Conclusions

The focus of this review has been primarily on the question phrasing and content and the implementation and interpretation of existing HLS across the nation that may affect the validity and reliability of the information yielded. However, we wish to stress that the local administration of an HLS is another critical area that needs careful attention and investigation by states as administration practices also affect the quality of the validity of the information garnered with an HLS. Anecdotal information about local practices in HLS administration suggests the completion of the HLS can easily be open for abuse with, for instance, reports of school staff responding to the surveys for families they think speak little or no English rather than allowing families the chance to complete the survey themselves (e.g., providing translated versions of the HLS).

We have several recommendations for improvement in current state practices with measures of the home language construct, including two areas of recommendation at the federal level of government and two areas of recommendation at the state level.

Federal-Level Recommendations

Recommendation 1: Providing State Guidance

The U.S. Department of Education is urged to provide greater guidance on the use of HLS. By funding or conducting a more comprehensive analysis of

state practices than the one we were able to conduct here—perhaps in the form of a survey administered to all SEAs—a report from the department can provide information about reported best practices across states for the procedures used in survey implementation and interpretation (including how to judge and/or give weight to certain question responses). After such a review, the department may also be in a stronger position to offer concrete advice to states about the kinds of HLS question phrasing and content that are desirable and the kinds that should be avoided. From our own limited analyses, we predict that survey items that are ambiguously worded or focus on a child's first-acquired language will fail to yield pertinent information on student's current language dominance and exposure—two areas that are important for current language proficiency. Finally, the department can disseminate validation studies that have been conducted with HLS and language screening tests to encourage the empirical validation of future practices by all states.

Recommendation 2: Transparency in the Efforts of the Office for Civil Rights

Where the OCR has provided memoranda and policy to guide state interpretation of educational laws, we recommend that potentially confusing sections be further clarified. Specifically, the December 3, 1985 OCR Memorandum, reissued without change in April 1990, states that "many school districts screen students using information such as a language assessment test, information from parents, or structured interviews, to determine *which language minority students* may need further assessment and possible placement into an alternative program" (emphasis added). However, the states must initially try to determine which students within the general student population are most likely to be language minority students needing further screening and assessment to confirm identification, rather than "which language minority students may need further assessment. . . ." Furthermore, even if we interpret the language of the memorandum to apply to the initial identification process that states are faced with, the memorandum refers only to "using information such as a language assessment test, information from parents, or structured interviews" rather than giving any guidance on a specific approach to gathering information using an HLS. No memoranda appear to operationalize the home language construct to guide states. The OCR personnel at regional sites work with individual SEAs to make sure they interpret the laws on identification accurately, but the origins of specific OCR suggestions that show up in state guidelines (e.g., CO DOE, 2008) do not appear to be documented. As a result, we do not know how varied this guidance was or continues to be across states or how it might differ in content. We therefore recommend that

the OCR make efforts to document the guidance they have given to individual states and consider greater coordination across regional sites and states to help ensure the equitable interpretation of federal law. Such efforts would be helpful for making transparent OCR dealings with SEAs on fair and valid practices with EL identification.

State-Level Recommendations

Recommendation 1: Transparency in Initial Identification

We recommend that states work toward a transparent system for initial identification practices in the areas of HLS content, administration, interpretation/ramifications for students' further screening or assessment, and possible alternatives to the use of HLS. Specifically, this transparency should come in the form of a thorough description that includes the following:[9]

1. clear advisement on whether any state-created HLS is the single mandatory form of the survey or merely a sample for districts that may also create their own;
2. a statement about the kinds of information the HLS is expected to yield and a defensible reason why this information is thought to be linguistically and pedagogically meaningful. For example, states can explain to parents and educators that the purpose of survey items asking for family language and literacy practices can provide valuable information about a student's current exposure to oral and printed English which may be related to proficiency;
3. clear guidelines for administrators and teachers on the implementation of the HLS. There should be strict enforcement by district and school personnel that the HLS is completed by families, including clarification of availability of any translated versions of the HLS, or interpreter services; and
4. clear decision rules for interpreting and acting on the information yielded by the HLS need to be made available for educators as well as families. The decision rules for how items determine identification as a prospective EL (e.g., a single answer carries all the weight indicating any language other than English is used at home vs. a combination of answers to establish language dominance). We suggest as a simple start that all states create a flowchart comparable with charts created by Forte and Faulkner-Bond (2010, p. 89; figure 5.1) or by the States of Texas (TEA, 2004) and Colorado

(CO DOE, 2008). Such a chart should also make clear the ramifications for students at each step of the identification process (e.g., dropped from the pool of prospective EL students, retained in the pool for further screening, identified by assessment for placement into services, etc.).

Recommendation 2: Conducting Validation Studies

We also recommend that states adopt a validation plan or series of plans for their existing initial identification practices and learn more about the information their HLS can realistically yield. Specifically, we propose four main plans that include various efforts to establish the efficacy of existing HLS, to enhance the measurement of the home language construct, and to consider alternatives to the HLS.

Plan 1: Under-/Overidentifying Students (Hit Rates, False Positives, and False Negatives). At a very minimum, all states can collect basic data about the efficacy of their current HLS for accurately identifying students in need of further testing for language-support services. Specifically, efficacy of an HLS can be addressed by conducting studies of the "hit rate" data: the number of "false positives" and the number of "false negatives" in identifications made. False positives on the HLS can be defined as the number of students who are subsequently identified as IFEP once tested on the state ELP screening test or assessment. Many educators of EL students may not see this overidentification as problematic; rather it is erring on the side of caution by being more certain of capturing those students who merit language services even if it is more costly to assess large numbers of students many of whom will have test performances that meet the criteria for proficiency rather than warrant EL status. Determining false negatives may be a little more complicated because we must rely on teachers to refer students struggling in all-English instruction for further screening or assessment and different teachers and districts will have different practices about referring students. (See also Speece & Cooper, 2004, for discussion of a range of options for indices used in hit rate analyses in the screening and prevention literature.)

Plan 2: Comparing the Efficacy of Existing HLS Forms. We can use the variation across districts within certain states (viz., those states that follow Practice C and allow districts to construct their own HLS) to conduct natural experiments of the efficacy of certain items on HLS forms. Given that states are required to conduct further screening or assessment of initially identified

students using a statewide instrument, there should not be large differences in hit rates if the student demographics and HLS forms are comparable. We hypothesize that HLS forms that focus on current dominance and degree of exposure to English will result in greater hit rates and fewer false negatives and false positives than those HLS forms that focus on language dominance only and/or other, arguably less relevant home language factors (i.e., order of language acquisition).

Plan 3: Enhancing the HLS. States can create "enhanced" HLS forms by adding new questions in areas identified in the review of the research studies. For example, new items can supplement existing HLS forms by focusing on the degree of English-language exposure. Language exposure items could take in the range of oral language/literacy practices and activities at home and other out-of-school contexts (e.g., after-school programs, summer camps, etc.). Surveys should be scrutinized for accessibly and ease of interpretation of wording and then piloted with parent and teacher focus groups. A balance will need to be struck between the number of items needed to yield reliable information about language dominance and exposure and the extra burden to parents that enhanced surveys may create. Validation efforts can also include the comparison of hit-rates before and after implementation of enhanced surveys.[10]

Plan 4: Use of Additional or Alternative Measures of Student Language Background. Abedi (2008) and Gonzalez et al. (1996) argue the need for multiple measures of student language background rather than reliance on an HLS alone. Therefore, we suggest that states consider the inclusion of additional measures of student language background to determine if the use of combined measures increases their current hit rates (e.g., information about kindergarten and first-grade students' preschool experiences as well as data from preschool staff based on their firsthand observations of language proficiency).

Unfortunately, implementing multiple preschool language observations and assessments to pass on to kindergarten staff, as well as having school districts administer multiple assessments or interviews with newly enrolled students in the higher grades, may be impractical given current limitations placed on school budgets and staffing. We recognize that despite compelling reasons to include multiple measures such as those made by Abedi (2008) and Gonzalez et al. (1996), there remains a strong impetus for a *single* measure to initially determine the language dominance of students.

While considering remedies for the shortcomings of the HLS, for completeness, we might also consider replacing it entirely. Although also likely to be cost-prohibitive, the field of education should be in a position to harness

technology and knowledge of child language development to efficiently target key language competencies in a short, incisive screening tool administered at enrollment to all students. Specifically, a screener should include age appropriate oral language skills and both oral language and literacy skills for older students first enrolling in U.S. schools at the higher grades—skills that have been found to be predictive of later language proficiency and/or academic success (e.g., recognition of derived word forms, ability to give formal definitions).[11]

To conclude, states can at the very least begin to take note of the data that comes from closer scrutiny of the HLS in ways we outline above. Such data can address initial questions about the efficacy of existing HLS and initial identification practices more broadly, such as the following:

- Is the state failing to initially identify students who are later referred for screening or assessment by classroom teachers?
- Is the HLS systematically failing to identify students for further assessment who come from certain language, socioeconomic, or ethnic backgrounds?
- How quickly do adjustments occur for the students who are underidentified and potentially missing critical time in English-language services?
- Can a universal screening tool make a more accurate identification of students' language abilities and thus provide a more fair and valid practice for initial identification?

Generating answers to these and similar questions is fundamental to knowing how well states are performing in terms of accurately identifying prospective EL students for further assessment and eligibility for language services. Characterizing what is practiced across states and what works best will be the first critical steps in creating a more valid and equitable system of access to language-support services for all students in the nation.

Declaration of Conflicting Interests

The authors declared no potential conflicts of interest with respect to the research, authorship, and/or publication of this article.

Funding

The authors disclosed receipt of the following financial support for the research, authorship, and/or publication of this article: We would like to acknowledge funding

from the Enhanced Assessment Grant (CFDA 84.368) awarded by the U.S. Department of Education to the OSPI of the State of Washington and Co-PIs Ellen Forte, (edCount, LLC), Marianne Perie (Center for Assessment) and Alison Bailey (UCLA). All opinions expressed are our own and do not represent those of the U.S. Department of Education, OSPI, edCount, the Center for Assessment or UCLA. All errors, of course, also remain our own.

Notes

1. Depending on the state, the selection of language-support services in the United States may include Transitional Bilingual Education that uses the student's dominant language in service of acquiring English and academic content until English is sufficiently proficient to access content; Dual-Language or Bilingual Maintenance programs in which both English and another language are promoted and academic content is acquired through both languages, and/or Structured English Immersion in which the student's dominant language plays a minimal role in the acquisition of English and academic content (see Forte & Faulkner-Bond, 2010 for a description of current language-support programming and best practices).
2. The U.S. Department of Education Office for Civil Rights December 3, 1985 Memorandum and 1991 OCR Policy address the requirement to have a program in place for adequately identifying students in need of services but recognize that this may differ widely due to student demographics (OCR, 1985, 1991). No wording in these memoranda obligates states to specifically enforce the use of an HLS to initially identify students.
3. We adopt a state's chosen terminology for students acquiring English as an additional language when referring to the policies of that state (e.g., LEP is used by Montana and used in this article when referring to Montana's practices). In all other cases, we use English learner (EL) to refer to students acquiring English following current U.S. Department of Education nomenclature.
4. While every attempt has been made to verify information from publicly available documents at the time of writing (January 2011), states are urged to contact the authors with corrections or updates if any information in this article misrepresents a state's current practices with an HLS or if content on a state website is outdated.
5. Wolf, Kao, Griffin, Herman, Bachman et al. (2008) identified Louisiana, Nebraska and South Dakota as three states that do not mandate the use of an HLS. In Louisiana, administration of an HLS to the parents of all students is *recommended* only. Nebraska recommends districts develop their own home language surveys conforming to requirements laid out by the OCR. South Dakota strongly encourages the use of an HLS. We additionally identified Montana as a state that does not mandate the use of an HLS; rather, as already mentioned,

the state includes use of an HLS as just one of several district options for initial identification.

6. Similarly, recall that the one-question HLS briefly used in Arizona disambiguated the use of *primary* for parents by instructing them to answer the question with "the language used most often by the student."
7. OSPI staff have recently undertaken modifications to the existing state-mandated HLS.
8. Predating NCLB, California has traditionally given the CELDT in the fall of the school year so it can be used for program placement. However, with the requirements of NCLB, the CELDT also serves as the state's annual ELP assessment used for federal accountability purposes (reporting the three Annual Measurable Achievement Objectives) despite the fact that it is still administered in fall rather than spring of the school year when learning could more reasonably be expected to have occurred. However, recent changes to the Californian educational code will in the future require the annual ELP assessment to be administered after at least 55% of the school year has been completed.
9. Note that this set of recommendations largely echoes the guidelines to SEAs proposed by CCSSO in 1992 but still bears restating today.
10. By extension, oral versions of "enhanced" HLS could be developed and translated to improve accuracy of information on students from speech communities where parents are known from experience not to be literate in their L1.
11. With a universal screening tool, native English-speaking students may also be identified as needing further assessment for English-language services. These cases may not be false positives but rather students with genuine language needs, particularly in the areas of academic uses of language or speech–language–hearing disabilities. These additional purposes would of course necessitate their own validity arguments and validation plans.

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