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**MEMORANDUM**

**TO:** School District Superintendents

**FROM:** Hershel Lyons

**DATE:** December 1, 2017

**SUBJECT: Accountability for Recently Arrived English Language Learners as a Result of Hurricanes**

**Contact Information:**

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**DPS: 2017-163**

Section 1111(b)(3)(A)(ii) of the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act of 2015, provides an accountability exception for students who qualify as English Language Learners (ELLs) recently arriving from outside the 50 states or the District of Columbia. We have received confirmation from the U.S. Department of Education that newly enrolled students from Puerto Rico and other U.S. territories **who are English Language Learners (ELLs)** fall under this exception.

These students will not be included in the achievement components for the 2017-18 school grades. Based on the school grades criteria, students who are recently arrived ELLs are not included in the achievement components until they have been enrolled in a U.S. school for more than two years. The data element that collects this information uses the date the student entered school in the United States (any of the 50 states and the District of Columbia, excluding U.S. territories and possessions).

In addition, the school grades calculation would not include these students in the learning gains components because they would not have prior year Florida Standards Assessments scores. They would also not be included in the middle school acceleration component because they do not have a prior year mathematics assessment score.

Please contact the department if you have further questions or needs in supporting these students.

HL/he