

From English Language Learners to Emergent Bilinguals

**Ofelia García
Jo Anne Kleifgen
Lorraine Falchi**

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Emergent Bilinguals**

Ofelia García, Jo Anne Kleifgen, and Lorraine Falchi

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... [T]here is no equality of treatment merely by providing students with the same facilities, textbooks, teachers, and curriculum; for students who do not understand English are effectively foreclosed from any meaningful education.

— *Lau v. Nichols*, 1974

What's in a Name?

One of the most misunderstood issues in pre-K-12 education today is how to educate children who are not yet proficient in English. When policymakers refer to these students as English language learners (ELLs)—as many school district officials presently do—or as limited English proficient students (LEPs)—as federal legislators did in the No Child Left Behind Act (NCLB)—it signals the omission of an idea that is critical to the discussion of equity in the teaching of these children.

English language learners are in fact *emergent bilinguals*. That is, through school and through acquiring English, these children become *bilingual*, able to continue to function in their home language as well as in English, their new language and that of school. When officials and educators ignore the bilingualism that these students can and often must develop through schooling in the United States, they perpetuate inequities in the education of these children. That is, they discount the home languages and cultural understandings of these children and assume their educational needs are the same as a monolingual child.

The central idea that will emerge from this review of research is that there is a growing dissonance between *research* on the education of emergent bilinguals and policy enacted to educate them. As we will demonstrate, whereas research has consistently shown the importance of building on the children's first language as they develop English language proficiency,¹ U.S. educational policy has often ignored these research findings. In fact, as we explain in Part I below, in recent years U.S. educational policy on English language learners has become more rigid, viewing these children solely from a deficit perspective and increasingly demanding that English alone be used in their education. Educators, who are closer to the ground than policymakers and traditional researchers, are often caught in the middle of the conflict between research, policy, and the immediacy of having to

educate English language learners. As a result, educators' teaching practices often suffer as educators strive to find alternative ways of carrying out top-down national and local educational policies that are plainly misguided for the education of these children. The conflicting nature of research, policy, and teaching practices is responsible for much of the miseducation of English language learners in the United States and their failure in school.

According to NAEP data, only a very small percentage of English language learners in the eighth grade are proficient in reading (4%)² and in math (6%). And 71% of English language learners scored below "basic" on the eighth grade NAEP reading and math tests (Batalova, Fix, & Murray, 2007). ELLs trail English proficient students by 39 points in reading and 36 points in math on a 500-point scale nationally (Batalova et al., 2007). English language learners are also not graduating in proportionately the same numbers as those who are English proficient. A survey by Hopstock and Stephenson (2003b) revealed that 50% of English language learners fail their graduation tests, compared with 24% of all English proficient students.

In Part I of this review we identify the students who are the subject of our attention: students we refer to as emergent bilinguals. In Part II, we briefly review the policies and practices targeted toward this group of students that have developed over the last 40 years. Finally, in Part III, we review what the research reveals about the educational programs, assessments, curriculum, pedagogy, resources, and family and community involvement necessary to educate these children equitably. In Part III, therefore, we also identify and describe the educational inequities that directly affect the education of these children. Most of these inequities stem from policymakers and often educators' lack of understanding of bilingualism itself. Thus, throughout the third part of this review, we will discuss how such misunderstandings of the nature

of bilingualism have educational equity consequences for some of the most disadvantaged children. We end this review with some recommendations.

There is agreement that English language learners or limited English proficient students (as they are most often known throughout the U.S. school system) are those students who speak a language other than English and are acquiring English in school. Although local and state education agencies may use different definitions, the federal government defines them as students who are between the ages of 3 and 21 and are “enrolled in elementary or secondary education, often born outside the United States or speaking a language other than English in their homes, and not having sufficient mastery of English to meet state standards and excel in an English-language classroom” (as cited in Batalova, 2006). The No Child Left Behind Act of 2001 (NCLB) further describes them as students “whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual the ability to meet the State’s proficient level of achievement on State assessments” (sec. 9101(37)).³

There is little agreement, however, about what name best describes these students. In addition to the terms *limited English proficient* (LEP) and *English language learners* (ELL), students who are acquiring English in the nation’s schools are also variously referred to in the literature as *English learners*, *culturally and linguistically diverse*, *children with English language communication barriers*, *English as a Second Language*, *language minority*, and *bilingual*. Each label has different connotations and problems. Federal documents, agencies, and legislation (including NCLB) all use the term limited English proficient, but critics of this label argue that it focuses on the students’ limitations rather than their potential. The terms *culturally and linguistically diverse* and *language minority* students can also include students who are already bilingual, although the language minority label may better offer a legal basis for their rights and accommodations. *English as a Second Language* refers to a subject and not to people; furthermore, this label does not encompass students for whom English is a third or fourth language. Thus, the term *English language learners* seems to be

the label that is most inclusive, while acknowledging the fact that all these students are learning English in school.⁴ At the same time, this label has its own limitations—it devalues other languages and puts the English language in a sole position of legitimacy.

Nevertheless, we have decided to use the term *English language learners* in Part I of this review, where we discuss who these students are, and in Part II, where we discuss the history of educational policies created to serve them, because it is the commonly accepted, popular term in discussions of this population, their designation, and the policies surrounding them. We prefer and will use the term *emergent bilinguals* in Part III of the review because it has become obvious to us that a meaningful and equitable education will not only turn these English language learners into English proficient students but, more significantly, into successful bilingual students and adults.

Part I.

Who Are the English Language Learners?

In the discussion that follows, we address the issue of how English language learners are identified, counted, and designated, as we elucidate their ethnolinguistic and social characteristics. This part of our review of research also brings to the forefront the mismatch between the policy that dictates how data on their characteristics are collected and considered, the reality of the students themselves, and what research tells us about emergent bilingual students. In other words, the dissonance between the research and the policies enacted that is the central theme of this review begins with the descriptive data that have helped to define these students. As we consider these data, we will point out these contradictions.

How Do We Know Who They Are?

Part of the difficulty in understanding the characteristics English language learners results from the great inconsistency in the data that purport to describe them. The federal government and most states do a poor job of collecting primary data on students needing bilingual services. Under NCLB, each state reports its ELL enrollments to the U.S. Department of Education's Office of English Language Acquisition, Language Enhancement, and Academic Achievement for Limited English Proficient Students (OELA). These data are then shared with the National Clearinghouse of English Language Acquisition (NCELA), which puts together summary reports (James Crawford, March 27, 2007, personal communication). However, state definitions of English language learners vary. Reporting is inconsistent from state to state and data collection procedures have changed over the years to adapt to new requirements. NCLB gives states the flexibility to define the subgroup of English language learners as only those students who receive direct daily services or as both students who are receiving services and those being monitored based on their achievement on academic assessments. State reports also do not reveal the mechanisms by which districts have identified their ELL population or the characteristics of their students.

NCLB requires the U.S. Department of Education (USDOE) to select the more accurate method of counting ELLs — it may use either the state reports or the U.S. Census Bureau data on the ELL population aged 5 to 17 — to distribute funds for bilingual education. Because of what it considers inconsistencies in state reporting, the USDOE uses data from the census known as the American Community Survey (ACS) to make these federal bilingual education funding allocations. The ACS figures, however, are based on estimates of the ELL population. There are huge discrepancies between the numbers of ELLs counted by the Census Bureau and those reported by states. As a result, many states that are unfairly penalized or rewarded in federal funding for bilingual education (Crawford, March 27, 2007, personal communication). Capps, Fix, Murray, Ost, Passel, and Herwatoro (2005) estimate that there is a 12% disparity between state-reported estimates of ELL students and census-based estimates. For example, in 2000, California reported 400,000 more English language learners than were accounted for in the census. Seventeen other states, mostly located in the west (Capps et al., 2005) also showed large discrepancies.

The use of census data has another drawback. While state-reported data is based on the number of ELLs receiving services, the census numbers are not. Therefore, use of census data gives districts no financial incentive to identify and serve English language learners. In the past, such funding formulas have led to widespread discrimination as they did, for example, in Texas before the 1950s (Crawford, 1993).

In summary, both forms of data that the federal government has relied on for ELL counts — the census data and state-reported data — are limited as shown in Table 1.

Table I. Comparison of U.S. Census and State-Reported Data on ELLs

U.S. Census Data	State-Reported Data
Uniform procedures with standardized definition	Procedures and definition vary by state, district, and even school
Evaluates only ability to speak English	Evaluates ability to read and write, as well as speak and understand English
Reported by parents or whoever fills out the census form	Reported by teachers and professions
ACS uses sampling strategies that can omit selected populations	Based on direct counts and more complete
Counts are taken for more general purposes, and are not directly tied to funding opportunities	Counts can be overstated because funding allocations depend on the numbers
Finds fewer students	Finds more students
Includes all children ages 5-17, whether in school or not	Includes all students enrolled in grades K-12, regardless of age

In this review, we primarily use three sources of data, supplemented by other reports, to describe who ELLs are:

1. *The Descriptive Study of Services to LEP Students and LEP Students with Disabilities* (Zehler, Fleischman, Hopstock, Stephenson, Pendizick, & Sapru, 2003), the latest decennial survey funded by the U.S. Department of Education and conducted by Development Associates.
2. *The Survey of the States' Limited English Proficient Students and Available Educational Programs and Services Summary* reports known as the *State Educational Agency Survey* or *SEA Survey*, also funded by the U.S. Department of Education. The latest report available (Kindler, 2002) analyzes data from 2000-01.
3. The U.S. Census, or more specifically the *American Community Survey*.

While these are the best data available for analysis, we recognize that all three of these data sets have limitations, especially in terms of how ELLs are identified, counted, and reported.⁵

How Many ELLs Are There?

However inaccurately they may be counted, we do know that the numbers of ELLs are rapidly increasing.

Between the 1989-90 and the 2004-05 school years, the number of students classified as English language learners by the U.S. Department of Education in grades pre-K through 12 in the nation's schools more than doubled—from 2,030,451 to 5,119,561 (National Clearinghouse for English Language Acquisition, 2006). According to NCELA (2006) this represents approximately 10.5% of the total public school student enrollment by 2005. The 2004-05 number, however, includes bilingual enrollments in U.S. protectorates outside the 50 states, including Puerto Rico and American Samoa.⁶ If we consider the ELL population in the 50 U.S. states alone, we see it has grown from 1,927,828 in 1989-90 (U.S. Department of Education, Office of the Secretary, 1991, p. 10) to 4,459,603 in 2004-05, meaning that this domestic ELL population has also more than doubled in the last 25 years.

Comparing census data from 1980 to 2000, Capps et al. (2005) found that the percentage of all pre-K to fifth grade students who are ELLs increased from 4.7% to 7.4%, whereas the percentage of students in grades 6 to 12 who are ELLs increased from 3.1% to 5.5%. Zehler et al. (2003) claim that overall, from 1991-92 to 2001-02 there has been a 72% increase in ELLs.

No matter which data we use, it is also clear that, nationally, the ELL population in public schools is growing much more rapidly than the English-speaking student

population. Between 1995 and 2005, the enrollment of ELLs in public schools nationwide grew by 56%, whereas the entire student population grew by only 2.6% (Batalova et al., 2007). In fact, the ELL student population seems to be increasing at nearly seven times the rate of total student enrollment (NCELA, 2006). This means that, over time, the proportion of all students who are ELL is growing as well. In 2001-02, an estimated 45,283 of the approximately 91,000 regular K-12 public schools nationwide—approximately one half of all schools—had English language learners (Zehler et al., 2003).

It appears that the rapid growth rate of ELLs is consistent despite the different methods of identifying these students. For instance, as we noted above, the census provides information about the number of students between the ages of 5 and 17 who speak a language other than English (LOTE) at home. The census also asks families who report that they speak a LOTE at home to indicate their English proficiency as speaking English either “very well,” “well,” “not well,” or “not at all.” Children who live in households where English is spoken less than “very well” are considered ELLs according to the federal government. Table 2 indicates the number of 5-17 year olds who speak languages other than English at home, as well as the number who live in families that speak English less than “very well.”

According to the census, there were 2.8 million 5-17-year-old ELLs in 2004; in contrast, the states reported a total of 5.1 million ELLs in that age group for that year.

This discrepancy results from factors that we identified above, namely that the Census Bureau relies on self-reports and asks only whether students speak English but not whether they can read and write English as well. In addition, the census undercounts the undocumented population compared with state data, which are collected through the schools themselves. It is also important to note that although the percentage of youths who speak languages other than English at home is increasing (8.5% in 1979 compared with 18.8% in 2004, as shown in Table 2), the percentage of LOTE speakers who are also ELLs seems to be decreasing (34.2% in 1979 compared with 27.9% in 2004). That is, there is a rise in the number of *bilingual* students who are both speakers of LOTEs and also English proficient.

In fact, the increase in the number of bilingual students who are proficient in both English and another home language in the U.S. school population has been immense. For example, from 1979 to 2004, there was only an 18% increase in the total number of school-age children (National Center for Education Statistics, 2006). However, in the same period, according to census data, the number of school children who spoke a language other than English at home increased by 161% from 3.8 million to 9.9 million (see Table 3). During the same time period, while the number of LOTE children who spoke English less than very well increased by 92%, the number who were proficient in English increased by 154%. Certainly the growth of bilingual English proficient students is greater than that of English language learners.

Table 2. Speakers of LOTEs and ELLs among 5-17 Year Olds in the United States

	TOTAL*	Speakers of LOTE*	% Speakers of LOTE	ELLs*	%ELLs**	% Speakers of LOTEs Who Are Identified as ELLs
1979	44.7	3.8	8.5%	1.3	2.8%	34.2%
1989	42.3	5.2	12.3%	1.8	4.3%	34.6%
1995	47.5	6.7	14.1%	2.4	5.2%	35.8%
2000	52.5	9.5	18.1%	2.9	5.5%	30.5%

* Numbers are given in the millions.

**This number represents the number of English language learners in the entire population.

Source: U.S. Census Bureau, 1979, 1989, 1995, 2005; National Center for Education Statistics, 2006.

Table 3. Speakers of LOTEs, Both ELLs and English Proficient, 5-17-Year-Old Students

LOTE Speakers	1979	2004	% Growth
ELLs	1.3*	2.8	92%
English Proficient	2.5	7.1	154%
Total	3.8	9.9	161%

* Numbers are given in the millions.

Although the growing bilingual student population is an important resource in a globalized world, we focus in this report *only* on English language learners (ELLs) because they are the students who need the most support from the educational system. We warn, however, that as García recently noted (2006b), ELLs are “only the tail of the elephant” (p. 40)— 2.8 million of the 10 million bilingual and multilingual U.S. children. By focusing only on the elephant’s tail, or those students who are not proficient in English, we risk losing sight of the incredible potential of the millions of bilingual and multilingual children in this country who can become national resources in building a peaceful coexistence within a global society and helping the United States remain economically viable in an increasingly multilingual world.

How Are ELLs Designated?

The ways in which students are designated/redesignated in specific categories affect the calculation of numbers of ELLs. Unlike other categories of identification such as ethnicity, race, and gender, the ELL classification is fluid, and children move in and out of being classified as an ELL according to their progress toward becoming fluent in English and the kind of policy that the state or district mandates.

Since the 1970s, based on federal civil rights legislation and federal case law, states have had to identify ELLs and ensure that their schools serve them (Linquanti, 2001). Most states utilize the federal definition of a LEP student as “one who has sufficient difficulty in the use of English to prevent that individual from learning successfully in classrooms in which the language of

instruction is English” (Kindler, 2002, p. 9). But, as we noted above, the criteria used to identify ELLs vary by state and sometimes even by districts within a state (Zehler et al., 2003, p. 4).

Usually, when students first register for a new school, they are given a *home language survey*, which contains questions about the language used at home with caregivers, siblings, and peers. About 80% of all state educational authorities make use of home language surveys (Kindler, 2002). Students are then referred for language proficiency assessment, although the assessment instruments vary greatly, with some school districts using language proficiency tests, others achievement tests, and others locally designed tests (also see Part III, below). Most assessments measure the students’ English listening comprehension and speaking skills for kindergarteners through second grade and reading and writing skills for third graders and up.

Most tests are commercially produced and are either norm referenced, which means each exam is measured against scores of other students, or criterion and standards based, meaning each exam is compared with a specific body of knowledge (see Center for Equity and Excellence in Education Test Database, 2005; Vialpando & Linse, 2005). The most commonly used language proficiency tests are the Language Assessment Scales (LAS), the IDEA Language Proficiency Tests (IPT), and the Woodcock-Muñoz Language Survey (Woodcock-Muñoz) (Kindler, 2002). Among the most commonly used achievement tests are the Stanford Achievement Test (SAT 9) and the Iowa Tests of Basic Skills (ITBS) (Kindler, 2002, p. 8). Some states and school districts have designed their own tests.⁷ Recently, a consortium of states known as World-Class Instructional Design and Assessment (WIDA) have developed an English language proficiency test for English language learners, along with standards, known as ACCESS for ELLs.⁸

For the most part, school districts designate ELLs through a combination of information on the home language survey, previous school achievement, informal teacher assessments, and formal assessment. Sometimes, if the school district is able to provide support or in-

structional services in the students' home language, they are also assessed in their native language.

How Are ELLs Reclassified as English Proficient?

Equally important to the question of how many students are classified as ELLs in U.S. public schools is the question of how these students get reclassified as English proficient. Even though *language proficiency* should be the focus for designation as English language learner, *academic achievement in English* is key to their reclassification as English proficient students (Linquanti, 2001).⁹ This means that the assessment used for the reclassification process should be much more complex since multiple dimensions of communicative competence have to be considered (Bachman, 1990; Canale & Swain, 1980). In other words, to be reclassified, students must not only be able to comprehend and communicate effectively, but also do cognitively demanding work in the content areas at the appropriate grade level in English (Bachman, 2002; Linquanti, 2001).

Yet, the most common measure used by educators to reclassify a student as English proficient is an oral proficiency test in English. They also use assessments of classroom performance, literacy tests in English, achievement tests in English, and teacher judgment (Zehler et al., 2003, p. 30). The tests most commonly used for reclassification are the same as those used for ELL identification —LAS, IPT, and Woodcock-Muñoz — along with the SAT 9, the CTB Terra Nova, and various state achievement tests (Kindler, 2002, p. 11). As we will see below in Part III, these tests have little validity and reliability with ELLs (Figuroa & Hernandez, 2000). And because not all tests focus on the same skill domains, children reclassified in one state would not be reclassified in another state.

Reclassification rates are lowest in kindergarten through second grade as well as in grade 9, when many ELL students first enter the school system. This is because, as we will see below, learning a language takes time. Third and fifth grade ELL students get reclassified at the highest rates (Kindler, 2002). We suspect this is

due to a combination of two factors. On the one hand, many of these children have been in school since kindergarten, having had four to six years of exposure to academic English. On the other hand, unlike at the middle school or high school level, the kind of English language academic competency required in elementary school and measured by elementary-level assessments is relatively easy to achieve, as we will explain below.

Where Do ELLs Live and Go to School?

ELLs are heavily concentrated in six states. Table 4 shows the states with the largest number of public school ELLs in 2004-05 and their numbers.¹⁰

Table 4. Number of Public School ELLs 2004-05

State	Number
California	1,591,525
Texas	684,007
Florida	299,346
New York	203,583
Illinois	192,764
Arizona	155,789

Source: NCELA, 2006.

ELL students make up a large proportion of the total K-12 population in several other states, even if their overall numbers are not as large as in these six states. For instance, ELL students make up 25% of the total school enrollment of California, but New Mexico runs a close second with 24% ELL students. After California and New Mexico, the greatest *proportion* of ELL school students is in Nevada (18%), Texas (16%), Alaska (15%), and Arizona (15%) (NCELA, 2006).¹¹

However, the greatest *growth* in the number of ELL students in the last decade has been outside of all of these states in a new set of southeastern and mid-western states, including South Carolina and Indiana (see Table 5).

Table 5. Percentage Growth of ELL Population, 1994-95 to 2004-05

State	Percentage Growth
South Carolina	714%
Kentucky	417%
Indiana	408%
North Carolina	372%
Tennessee	370%

Source: NCELA, 2006.

According to Kindler (2002), in the school year 1999-2000 alone, the greatest growth was in South Carolina (82%), followed by Minnesota (67%). And in the 2001-02 school year, the greatest growth in ELL students in public schools was in Georgia, followed by Montana and then Mississippi (Kindler, 2002, p. 5). Beyond these, the states of Kansas, New Hampshire, and Oregon have also had significant increases in their ELL school population (Kindler, 2002; Crawford, 2002).

Despite the spread of ELLs across the United States, they seem to be concentrated in fewer than half the school districts in the country. In fact, nearly 70% of all ELL students are enrolled in 10% of elementary schools (De Cohen, Deterding, & Chu Clewell, 2005). And school districts that have more than 5,000 ELLs enroll 54% of all English language learners in grades K-12 (Zehler et al., 2003). This points to the high degree of racial and ethnic segregation in the United States and the importance of the concept of *ethnic enclave* (Portes & Rumbaut, 1996), not only for immigrant ethnic subsistence and economic well-being, but also for educating the children of recent immigrants who are ethnic minorities. This concentration is also reflected in the fact that approximately 91% of all ELLs live in metropolitan areas (Fix & Passel, 2003), and nearly 70% of ELLs in elementary grades enroll, on average, in just 10% of the public schools in a metropolitan area (De Cohen et al., 2005).

As a result, the majority of English language learners—53%—go to schools where more than 30% of their peers are also English language learners (Fix & Passel, 2003). In contrast, 57% of English proficient students attend schools where less than 1% of all students have limited English proficiency (Van Hook & Fix, 2000). Thus,

English language learners often attend schools with others who like them and speak little English. Furthermore, the level of linguistic segregation in the United States seems to be rising (Fix & Passel, 2003).

What Languages Do ELLs Speak?

While English language learners in the United States speak more than 460 languages (Kindler, 2002), Spanish remains by far the most frequently spoken language of ELLs. Estimates of the percentage of ELLs who speak Spanish at home range from 75%—according to census data—to 79% (see Kindler, 2002, and Zehler et al., 2003).¹² After Spanish, the most common language is Vietnamese, which is spoken at home by 2.4% of ELLs. Vietnamese speakers are followed by those who speak Hmong (1.8%), Korean (1.2%), Arabic (1.2%), Haitian Creole (1.1%), and then Cantonese (1.0%) (Zehler et al., 2003). These six most represented language groups among ELLs are followed by speakers of Tagalog, Russian, Navajo, and Khmer (Cambodian) (see Hopstock & Stephenson, 2003a; Zehler et al., 2003). Speakers of Armenian, Chuukese, French, Hindi, Japanese, Lao, Mandarin, Marshallese, Polish, Portuguese, Punjabi, Serbo-Croatian, and Urdu each constitute more than 10,000 ELLs, although their percentage of the whole is very small (Kindler, 2002, p. 6). Table 6 provides the distribution of the categories of languages spoken by ELLs, according to calculations from the U.S. Census (ACS, 2004).¹³

Table 6. Languages Spoken by ELLs, 5-17 Years Old

	LOTE Speakers	ELLs	% of All ELLs
Spanish	7,091,000	2,080,000	75%
Indo-European ¹⁴	1,434,000	344,000	12%
Asian Pacific ¹⁵	1,139,000	311,000	11%
Other	286,000	40,000	1%
TOTAL	9,950,000	2,775,000	

Source: American Community Survey, 2004, previously unpublished tabulations (<http://www.census.gov/acs/www/>, November 2005).

Table 7. Proportion of LOTE Speakers Who Are ELLs, 5-17 Years Old

	LOTE Speakers	ELLs	% of LOTE Speakers Who Are ELL
Spanish	7,091,000	2,080,000	29%
Indo-European	1,434,000	344,000	24%
Asian Pacific	1,139,000	311,000	27%
Other	286,000	40,000	14%
TOTAL	9,950,000	2,775,000	

Source: American Community Survey, 2004, previously unpublished tabulations (<http://www.census.gov/acs/www/>, November 2005).

Despite the fact that the greatest proportion of ELLs are Spanish speaking, it is important to point out that, according to the American Community Survey, proportionately, Latinos do *not* report being any less proficient in English than those who speak Asian languages, and the numbers show them to be only slightly less proficient than speakers of other Indo-European languages. Table 7 provides these results.

What Are the Demographic Characteristics of ELLs?

Ethnicity/Race and Socioeconomic Status

According to Hopstock and Stephenson (2003a), Latinos accounted for 77% of the ELL population in 2001-02. After Latinos, most ELLs were Asians and Pacific Islanders (13%). They were followed by non-Latino whites (6%), non-Latino blacks (3%), and finally, American Indian and Alaskan natives (2%).¹⁶

Meanwhile, the most reliable figures related to the socioeconomic status of ELLs also come from the study by Zehler et al. (2003). Using the figures for the number of free- or reduced-price lunch among ELLs, the authors suggest that more than 75% of ELLs are poor. The authors also note that the real poverty rate could be significantly higher since not all poor families provide the needed documentation to get subsidized school lunches.

As we noted above, De Cohen et al. (2005) report that nearly 70% of ELLs are enrolled in only 10% of the schools within a given metropolitan area. These schools are predominantly located in urban poor areas.

Their study shows that 72% of children in “high-LEP schools” (schools with a high proportion of limited English proficient students) qualify for free or reduced-price school lunches compared with about 40% in “low-LEP schools.”¹⁷ We also know that, of the 11 million immigrant children and children of immigrants in the 2000 census, about half were low income (Capps et al. 2005). Forty percent of the principals at the high-LEP schools in the study by De Cohen et al. (2005) cite poverty as a serious issue and identify student health problems as “serious” or “moderate.” August, Hakuta, and Pompa (1994) report that the majority of English language learners live in high-poverty school districts and indicate the need to ameliorate funding inequities among districts. According to a congressionally mandated evaluation of Title I, the federal compensatory education program targeted at poor students, a large percentage of ELLs attend schools where 75-100% of the students live in poverty (Moss & Puma, 1995).

The educational level of ELLs’ family members is equally difficult to ascertain. Zehler et al. (2003) estimate that 54% of the parents of ELLs have not completed eight years of schooling. Of the 16 to 24 year olds, 42% of ELLs had dropped out of school, compared with 10.5% of those who spoke English (August & Hakuta, 1998, p. 9). Furthermore, as we noted above, ELLs frequently attend poor urban schools, which are often crowded and segregated and where teachers lack adequate credentials (more on this below).

In describing schools that have high concentrations of English language learners, De Cohen et al. (2005) summarize:

High-LEP schools are more likely to be located in urban areas and therefore have many characteristics associated with urban schools: larger enrollments; larger class sizes; greater racial and ethnic diversity; higher incidences of student poverty, student health problems, tardiness, absenteeism, and lack of preparation; greater difficulty filling teaching vacancies; greater reliance on unqualified teachers; and lower levels of parent involvement. (p. 19)

Age Distribution of Latino Students and Access to Pre-K Programs

The growing ELL student population in this country is younger than the average K-12 student in the United States and thus clustered more in elementary schools. In 2000-01, for instance, 44% of all ELL students were in pre-K through grade 3, and only 19% were enrolled at the high school level (Kindler, 2002).¹⁸ In 2001-02, 70% of the ELL students were in grades pre-K to 5, pointing to the potential of having bilingual citizens if we truly cultivated this aspect of these young students' education (Hopstock & Stephenson, 2003a). The number of ELLs decreases in the higher grades; over a quarter (26 %) of ELLs were in grades 4 through 8, and only 14% were in secondary school (9 through 12) (Hopstock & Stephenson, 2003a).

Finally, although the high school ELL population numbers have been significantly lower than those in elementary school, between 2000 and 2001 there was a rapid increase of 73% in the ELL high school population, much higher than the 44% increase at the elementary level (Kindler, 2002). It is, then, also important to be mindful of the growing number of adolescent English language learners in our high schools.

At the same time that the total number of ELLs is increasing and more of these students are moving up in the educational pipeline, we see evidence that relatively few of these students are getting the kind of head start they need prior to entering school in kindergarten. In 2000-01, only 1.5% of all ELL students were in pre-kindergarten (Kindler, 2002). In 2005, 43% of Hispanic children aged 3-5 years old attended some form of cen-

ter-based childcare or preschool compared with 59% of white children and 66% of black children (Education Law Center, 2007; National Task Force on Early Childhood Education for Hispanics, 2007). These numbers suggest there is a dearth of public preschool programs available for these students and, thus, there is an important gap in the early childhood education of most ELLs. If these children are not enrolled in any educational programs in their pre-kindergarten years, and there is no funding available for the types of bilingual preschool programs that are most effective at helping the youngest ELLs to achieve an equitable education, then it is no wonder that we often see these same students falling behind as they grow older (Garcia & Gonzalez, 2006; Kindler, 2002).

What Percentage of ELLs Are Foreign Born?

Despite popular perceptions, English language learners are by no means all foreign born. Although there is some disagreement about the exact percentage of ELLs who were born in the United States, estimates range from just under 50% to nearly 66% and even higher for younger students. For instance, according to Zehler et al. (2003), 47% of English language learners were born in the United States. These include children of immigrant or refugee parents, but also children who are Native Americans and Alaskan Natives, as well as U.S. Latinos. Capps et al. (2005) report a higher proportion of native-born English language learners and a breakdown by age group: 76% of ELLs in elementary grades (pre-K to 5) and 56% of ELLs at the secondary level (grades 6 to 12). Fix and Passel (2003) put the figure of U.S.-born English language learners at nearly two-thirds of all ELLs. Another way to examine these U.S.-born versus foreign-born distinctions is to look at the percentage of first-generation immigrant students in K-12 public schools who are ELLs: 36% (Fix & Passel, 2003). But this number declines substantially with the second generation U.S.-born children of immigrants, only 16% of whom are ELLs (Fix & Passel, 2003).

Meanwhile, foreign-born students vary in terms of the number of years they have been in the United States, and this, in turn, affects the percentage of them who are classified as ELLs. In fact, it turns out that nearly a

third, or 31%, of ELLs have been in the United States for less than a year. Another 41% of ELLs have been in the United States for one to four years, and 28% have been in the United States for five years or more (Zehler et al., 2003). Thus, almost three-fourths of all foreign-born English language learners have been in the United States for less than five years. However, it is also important to note the presence of the *long-term ELLs* in the population — that is, the 28% of students who have lived in the United States longer than five years and who have still not mastered English. They represent more than one in four of all ELLs.

It is also difficult to determine the number of foreign-born ELLs who are immigrants, refugees, or children of temporary sojourners¹⁹ or migrant workers.²⁰ Overall, the foreign-born population in the United States is made up of naturalized citizens (31%), documented immigrants (31%), undocumented immigrants (26%), refugees (7%), and documented nonimmigrants (5%) (Fix & Passel, 2003). We know little about how these figures relate to the school-aged ELL population. We also know that approximately 1.6 million children under the age of 18 are undocumented immigrants and an additional three million are native-born U.S. citizens who have undocumented parents (Passel, Capps, & Fix, 2004). But again, we do not know how many of these students are English language learners.

Whichever estimate we accept, it is important to understand that the education of English language learners is not just about immigrant or refugee education alone. The education of ELLs is, in fact, an educational issue that concerns a large proportion of native-born U.S. citizens, who represent anywhere from half to nearly two-thirds of all ELLs.

Do ELLs Live in Homes Where English Is Spoken?

An important issue that overlaps with immigrant status and how many generations their families have lived in the United States is the issue of whether or not ELL students live in homes where English is spoken. In fact, we know that approximately 80% of ELLs live in families where the parents are themselves ELLs (Fix &

Passel, 2003). The census data account for households in which everyone over 14 speaks English “less than very well.” It refers to these households as “*linguistically isolated*.”²¹ In 2000, six out of seven English language learners in grades K through 5 and two out of three ELLs in grades 6 through 12 lived in households where no one over the age of 14 spoke English very well.

How Limited Are the Language Skills of ELLs in English and Their Native Languages?

Approximately 85% of ELLs are able to communicate orally in English; however, they have difficulty using English for academic functions in classrooms (Zehler et al., 2003). This is important to keep in mind as we debate whether census figures are reliable in identifying this population. The Census Bureau only asks families about spoken English, but it is ability to complete academic work in English that is lacking among ELLs. Therefore, relying on Census Bureau figures may be misleading and may underestimate the population.

Estimates of the percentage of ELLs who are proficient in their native language also vary, but school coordinators of ELLs think that approximately 39% of these students nationwide have limited literacy in their native language, compared with what is expected of a native speaker of the same age or grade (Zehler et al., 2003). This fact should be of vital importance to those who coordinate and plan for the education of these students because it turns out that the benefits of what is known as the “linguistic transfer” from one language to assist in learning a second language will not be completely enjoyed by ELL students who are not literate in their first language.

Linked to the issue of ELLs’ proficiency in their home language is the fact that many have experienced interrupted schooling due to issues such as poverty, migratory patterns, or war in their country of origin. Most of these students with interrupted schooling histories are in secondary school. In fact, approximately 11% of ELLs in middle schools and high schools have missed more than two years of schooling since the age of six (Zehler et al., 2003).

Who Are the Latino ELLs?

Spanish is the language spoken by the vast majority—approximately three-fourths—of ELLs. And close to half (45%) of all Latino children going to the nation's schools are ELL students (Lazarín, 2006). In the case of Spanish-speaking ELLs, 50% have been born in the United States. Among the foreign born, 60% of Spanish-speaking ELLs were born in Mexico, followed in number by children from South America (14%), Central America (10%), Puerto Rico (8%) and Cuba (2%) (Zehler et al., 2003).²² Among first-generation Mexican K-12 students, almost half, or 47%, are ELLs (Fix & Passel, 2003). Spanish is the dominant language of ELLs in all but eight states, where other languages dominate: Montana (Blackfoot), Maine (French), Minnesota (Hmong), Hawaii (Ilocano), South Dakota (Lakota), North Dakota (Native American languages), Vermont (Serbo-Croatian) and Alaska (Yup'ik) (see Kindler, 2002).

Latino immigrant children account for more than half (58%) of all immigrant youth in the United States, with more of these students in the upper grades than in the lower grades. Although we do not have good data on undocumented immigrants, we know that many Latino immigrant children are undocumented or are children of undocumented immigrants (Capps et al., 2005). One of the most alarming facts about Latino ELL students is that more than 59% end up dropping out of high school; in comparison, only 15% of Latino students who are proficient in English drop out of high school (Fry, 2003). When thinking about the education of ELLs, Latino ELLs must be the focus of attention, for they constitute the overwhelming proportion—approximately 75%—of all ELLs in the country.

What Do ELLs Have in Common?

Despite the differences among ELLs that we have identified in this section, a few generalizations can be gleaned from our prior discussion:

- most ELLs are Spanish-speaking Latinos (75-79%)
- most are poor (75%)
- most live in households in which no one over the age of 14 is a speaker of English (80%)

- most live in urban areas (91%)
- half live with parents who have not completed eight years of schooling
- half were born in the United States
- although approximately half are in elementary schools, the greatest increase of the ELL population is in high-school-aged students
- there is a dearth of early childhood programs for ELLs, and few are enrolled in school prior to kindergarten

It is with these general characteristics in mind that we turn to reviewing the educational policies that surround the education of English language learners.

Part II.**Policies for Educating Emergent Bilinguals²³**

Since the 1960s, ELLs have been the focus of many U.S. educational policy decisions—at the national, state, and local levels and in all three branches of government. As a result of top-down educational policies and the negotiation of teachers and communities, different types of educational programs for these students exist in the United States. In what follows, we provide a broad overview of the most central such ELL policies first. We then turn to a brief historical section in which we discuss the evolution of these policies. It will become evident that federal bilingual education policy has changed over the last four decades from taking into account the children's home languages and being flexible about educational approaches to being far more rigid in emphasizing English only for English language learners. Furthermore, as we also illustrate, the high-stakes standardized testing movement spurred by NCLB has had much to do with this new rigidity. These developments mean that there is even greater dissonance between the policy and the research today than there has been in the past.

Prevalent Educational Programs for ELLs

Within the U.S. public educational system, there have been six main educational programs used in schools for working with English language learners. These programs range from those that expect students to learn English by simply exposing them to it and treating them like all other students to those specifically designed to help non-English proficient students gain proficiency while at the same time supporting their academic development in all areas through the use of their home language when possible. The educational policies we discuss in this section of the review are critical to the form of instruction that ELLs receive because they either support or provide incentives for schools or districts to adopt one program or the other.

Yet, as we will see, in the next section, the tendency over the last decade has been for policymakers and the public more generally to support English-only programs

and to move away from programs that use the child's home languages, despite abundant research evidence that this is the wrong emphasis. Before we discuss this shift and its connection with the research literature, we very briefly describe these different programs and approaches below.

In the first approach, known as *submersion* or “*sink or swim*” programs, schools, and educators provide ELL students with the exact same educational services provided to native English speakers. That is, they neither provide alternative educational services, nor do they use the students' home languages to teach them. These submersion programs were prevalent before 1970 and still are in many parts of the country, especially in light of recent English-only initiatives in certain states.

A second category of ELL program, called *pull-out ESL programs*, provides some support for students in special sessions outside of the regular classroom. Still another category of programs, called *structured English immersion*, but also known as *sheltered English* or *content-based ESL*, provides ELLs with a great deal of educational support, but uses only English to educate them.

Moving toward the other end of the pedagogical spectrum, there are also ELL-targeted programs that are more “bilingual,” in that they do use the child's native language for a variety of reasons—sometimes to support their transition to English. The first such program is known as *transitional bilingual education*, but also known as *early exit*. This transitional program does use the students' native language to some degree, but the focus is on students' English acquisition as quickly as possible. Another program known as *developmental bilingual education* (also known as *late exit*) supports students' acquisition of both English and the development of their home language. And, finally, the sixth type of program, known as *two-way bilingual education* (also called *two-way dual language*, *two-way immersion* or *dual immersion*) pushes the developmental model even further by supporting

Table 8. Types of Educational Programs for Emergent Bilinguals

Program	Language Used in Instruction	Components	Duration	Goals
Submersion (Sink or Swim)	100% English	Mainstream education; no special help with English; no specially certified teachers	Throughout K-12 schooling	Linguistic assimilation (shift to English only)
ESL Pull Out (Submersion plus ESL)	90-100% in English; may include some home language support or not	Mainstream education; students pulled out for 30-45 minutes of ESL daily; teachers certified in ESL	As needed	Linguistic assimilation; remedial English
Structured Immersion (Sheltered English or Content-Based ESL)	90-100% English; may include some home language support or not	Subject matter instruction at students' level of English; students grouped for instruction; teachers certified in ESL, should have some training in immersion	1-3 years	Linguistic assimilation; quick exit to mainstream education
Transitional Bilingual Education (Early Exit)	10-50% home language; 50-90% English	Initial literacy usually in home language; some subject instruction in home language; ESL and subject matter instruction at students' level of English; sheltered English subject instruction; teachers certified in bilingual education	1-3 years; students exit as they become proficient in English	Linguistic assimilation; English acquisition without falling behind academically
Developmental Bilingual Education (Late Exit)	90% home language initially; gradually decreasing to 50% or less by grade 4 or 50/50 from beginning	Initial literacy in home language; some subject instruction in home language; ESL initially and subject matter instruction at students' level of English; teachers certified in bilingual education	5-6 years	Bilingualism and biliteracy; academic achievement in English
Two-Way Bilingual Education (Two-Way Dual Language, Two-Way Immersion, Dual Immersion)	90/10 model: 90% L1, 10% English in early grades; 50/50 model: parity of both languages	ELLs and native-English speakers taught literacy and subjects in both languages; peer tutoring; teachers certified in bilingual education	5-6 years	Bilingualism and biliteracy, academic achievement in English

fluency in both English and the native language within classrooms that enroll both native English speaking students and ELLs. In these language-integrated settings students learn both languages together, and all students emerge bilingual from these school settings.

In the United States, then, we can identify these six main types of educational programs for ELLs or emergent bilingual students. To help differentiate them in terms of their pedagogy, philosophy, and focus, we display all six programs in Table 8, which is adapted from Crawford (2004, p. 42).

As the table clearly illustrates, the child's home or native language can be used in a wide variety of ways in educational programs. For instance, the home language can either be used *fully*, as in the case of bilingual education programs in which it is a medium of instruction, or *partially*, as when teachers teach only in English but use the child's home language to ensure the child's comprehension or to scaffold instruction in English. For example, the Sheltered Instruction, Observation Protocol (SIOP) model, a widely used program of structured English immersion instruction for English language learners, supports the use of the students' native language to clarify concepts and assignments in situations in which the teacher knows the native language well enough to do this. The developers of this approach state, "We believe that clarification of key concepts in students' [first language] by a bilingual instructional aide, peer, or through the use of materials written in the students' [first language] provides an important support for the academic learning of those students who are not yet fully proficient in English" (Echevarria, Vogt, & Short, 2004, p. 107).

Whether to use the child's first language as a medium of instruction or simply as a scaffolding mechanism is often influenced by the number of students of the same language group in the same school and classroom as well as the ability to find teachers who speak that language. Clearly, in classrooms where English language learners are from different language backgrounds, bilingual education is not feasible, and, as we discuss below, other approaches are appropriate. But, as we noted above, fully 75-79% of all English language learners in the

United States speak Spanish as their native or home language. Therefore, the recent shift toward teaching Spanish-speaking English language learners in English alone with no use of Spanish to scaffold their learning appears to be a result of the public's misunderstanding of the nature of bilingualism and its benefits, as well as cultural politics that have little to do with what is educationally sound for the children.

Further, Table 8 shows the widely divergent durations of different programs for ELLs. These variations need to be considered in light of the research evidence that we introduce in Part III that suggests that to become academically proficient takes considerably longer than to become conversant in a second language.

A Brief History of Educational Policies in the United States for Emergent Bilinguals

The Antecedents

In 1954, the U.S. Supreme Court ruled in *Brown v. Board of Education* that segregated schools were unconstitutional, ushering in a new era in the struggle for civil rights in America. The Civil Rights Act was passed by Congress in 1964, prohibiting discrimination on the basis of race, color, or national origin. According to Title VI of this Act, "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance" (Civil Rights Act, 1964, sec. 601). Thus, Title VI of the 1964 Civil Rights Act has played an important role in protecting the educational rights of language minority students in the United States (see Crawford, 2004; Garcia, 2005; and National Clearinghouse for English Language Acquisition, 2006).

Title VII: The Bilingual Education Act

In 1968, the U.S. Congress reauthorized the landmark Elementary and Secondary Education Act, the broadest and most influential federal education policy. Title VII of that Act, known as the Bilingual Education Act, established a federal goal of assisting limited-Eng-

lish speaking students in the quick acquisition of English and limited participation in this new program to poor students. Title VII of the Elementary and Secondary Education Act did *not* require bilingual education. Rather, Congress put aside money for school districts enrolling large numbers of language minority students that chose to start up bilingual education programs or create instructional material. The Bilingual Education Act (1968) stated:

In recognition of the special educational needs of the large numbers of children of limited English-speaking ability in the United States, Congress hereby declares it to be the policy of the United States to provide financial assistance to local educational agencies to develop and carry out new and imaginative elementary and secondary school programs designed to meet these special educational needs. (sec. 702)

When the Bilingual Education Act was first reauthorized in 1974, eligibility for educational services was expanded to include students of any socioeconomic status who had limited English speaking ability (LESA). The subsequent, 1978 reauthorization of the Bilingual Education Act expanded eligibility for services even further, from students with limited English-speaking abilities to students with “limited English proficiency” (LEP). During this time of expanding access, the federal law did not dictate what type of instructional program had to be used in serving these students. The central focus at that time was to assure students who needed bilingual education services were getting them; the pedagogy was left to the educators.

But, by the 1980s, the tone and focus of the federal Bilingual Education Act had begun to shift support to English-only programs. In fact, the 1984 reauthorization of the Bilingual Education Act first provided funding for “nonbilingual” programs, or programs that used English only in educating English language learners, although only 4% of the funding was reserved for these kinds of programs. The 1988 reauthorization of the Bilingual Education Act further expanded the funding for programs in which only English was used to 25% of

programs funded and also imposed a three-year limit on participation in transitional bilingual education programs, meaning that schools had three years to move ELLs to fluency in English.

In 1994, Congress reauthorized the provisions of the Elementary and Secondary Education Act, including the Bilingual Education Act, yet again under the new Improving America’s Schools Act. Although this reauthorization gave increased attention to two-way bilingual education programs, the quotas for English-only programs that were previously legislated were lifted.

These legislative efforts, beginning with ESEA in 1968, were the first to focus on the need to provide language minority students with adequate education. A legal battle was also waged for the rights of these students shortly thereafter. It was on this legal front that the battles for an equitable education for ELLs have been most mightily fought, as we illustrate below.

Legal Precedents

In the early 1970s, a group of Chinese American parents brought a judicial case against the San Francisco school board on the grounds that their children were not receiving an equitable education. The case was brought under the Equal Protection Clause of the 14th Amendment of the Constitution and Title VI of Civil Rights Act. The case, known as *Lau v. Nichols*, was eventually appealed to the U.S. Supreme Court and was decided on the basis of Title VI. Justice William O. Douglas wrote the majority opinion of the Court, stating,

... [T]here is no equality of treatment merely by providing students with the same facilities, textbooks, teachers and curriculum; for students who do not understand English are effectively foreclosed from any meaningful education.... Basic skills are at the very core of what these public schools teach. Imposition of a requirement that, before a child can effectively participate in the educational program, he must already have acquired those basic skills is to make a mockery of public education. We know that those who do not understand English are certain to find their

classroom experiences wholly incomprehensible and in no way meaningful.... No specific remedy is urged upon us. Teaching English to the students of Chinese ancestry who do not speak the language is one choice. Giving instructions to this group in Chinese is another. There may be others. (*Lau v. Nichols*, 1974)

The Court offered no specific method of instruction as a remedy. It merely instructed school districts to take “affirmative steps” to address the educational inequities for these students and called upon the federal Office of Civil Rights, as part of the executive branch, to guide school districts. The Office of Civil Rights set up a task force that eventually promulgated guidelines for schools and districts. These guidelines eventually became known as the Lau Remedies (1975). In addition to instructing school districts on how to identify and serve ELL students, these guidelines specifically required bilingual education at the elementary level and allowed ESL programs at the secondary level. Emphasizing that English as a second language was a necessary component of bilingual education, the guidelines continued, “since an ESL program does not consider the affective nor cognitive development of the students . . . an ESL program [by itself] is not appropriate” (cited in Crawford, 2004, p. 113). In 1979, the Lau Remedies were rewritten for release as regulations. However, they were never published as official regulations, and, in 1981, they were withdrawn by Terrel Bell, the incoming secretary of education under Ronald Reagan, who called them “harsh, inflexible, burdensome, unworkable, and incredibly costly” (cited in Crawford, 2004, p. 120).

Yet even as the executive branch of the federal government was signaling retrenchment from meaningful bilingual education, limited English speakers continued to have the courts on their side. In another important federal court case (*Castañeda v. Pickard*, 1981), the Fifth Circuit upheld the *Lau* precedent that schools must take “appropriate action” to educate non-English speakers and that such action must be based on sound educational theory; produce results; and provide adequate resources, including qualified teachers, and appropriate materials, equipment and facilities. The case,

however, did not mandate a specific program such as bilingual education or ESL support.

English-Only Education at the Polls: The 1990s

In the 1990s, the use of the child’s native language to support learning came under political siege. The most effective attack against bilingual education was spearheaded by a Silicon Valley software millionaire by the name of Ron Unz. Proposition 227 (California Education Code, Sec. 300-311), also known the “English for the Children” Initiative, was presented to California voters in June 1998. The proposition prohibits the use of native language instruction in teaching ELLs and mandates the use of sheltered English immersion programs, where English only is used for a period not to exceed a year, after which students are put into mainstream classrooms. Parents may request waivers from the one-year immersion program if the child is over 10 years of age, has special needs, or is fluent in English. Sixty-one percent of Californians voted in favor of this proposition, and as a result, it became state law. The Latino vote was two to one against the initiative.

This proposition passed despite the fact that only a minority of ELL students were in bilingual programs in California in the first place. Twenty-five percent of California students are not proficient in English. Yet, prior to the passage of Proposition 227, only 30% of these ELLs were in bilingual programs, with the rest in either ESL programs or regular classrooms (Crawford, 2003). Of the 30% of California ELLs in bilingual programs, less than 20% were being taught by a credentialed bilingual teacher (Cummins, 2003). A year after the passage of Proposition 227, California students in bilingual programs declined from 29.1% to 11.7% (Crawford, forthcoming). Four years after Proposition 227 was passed, only 590,289 ELLs (just 42% of the total in 1998) had become proficient in English, and annual redesignation rates, that is, the rates of English acquisition, remain unchanged. According to the California Education Department (2006 a, b), as of 2006, only 7.6% of ELLs in California were in transitional bilingual education classrooms because their parents signed waivers requesting these

programs. In 1998, 30% of ELLs had been in such transitional programs. In 1998, 29% of teachers were providing transitional bilingual education to ELLs in California. By 2006, just 4.4% of California teachers were providing such programs (California Education Department 2006, a, b; Rumberger & Gándara, 2000). Curiously enough, two-way bilingual education programs are growing in California. And more than half a million of children who participated in these programs have now been “mainstreamed,” meaning that they receive no special help, even though they continue to be classified as ELLs (Crawford, 2003).

A year after California’s Proposition 227 passed, Unz took his English-only efforts to Arizona. In 2000, 63% of Arizona voters approved Proposition 203, which banned bilingual education in that state. Arizona’s statute is even more restrictive than California’s. It limits school services for ELLs to a one-year English-only structured immersion program that includes ESL and content-based instruction exclusively in English. Waivers are almost impossible to obtain.

In 2002, a similar proposition in Massachusetts (Question 2, G.L. c. 71A) to replace transitional bilingual education with structured English immersion programs for ELLs passed by 68%. But, in that same year, Amendment 31 to Colorado’s state constitution that would have made bilingual education illegal was defeated with 56% of voters opposing it. In an interesting twist, the campaign to defeat the amendment focused on the threat to parental choice and local control of schools, as well as the possibility that non-English speaking children would be in the same classrooms as other children. A TV commercial warned that the Unz-backed English-only amendment would “force children who can barely speak English into regular classrooms, creating chaos and disrupting learning” (Crawford, 2004, p. 330).

No Child Left Behind

The final stage to date of this policy evolution away from bilingual education and toward an “English-only” philosophy is the latest reauthorization of the Elementary and Secondary Education Act in 2001, when ESEA

became the more ambitious No Child Left Behind Act and was signed into law by President George W. Bush in 2002. NCLB mandates that, by the 2013-14 school year, all students must achieve the level of “proficient” in state assessment systems. To accomplish this lofty goal, NCLB requires schools and districts to ensure that all their students meet specific state-developed annual targets (adequate yearly progress or AYP) for reading, math, and, after 2006, science. In addition, it is not enough for schools or districts to meet their goals in terms of their aggregate data; they must also show that all subgroups of students—meaning students of different races, ethnicities, income groups, gender, and so on—are meeting AYP goals.²⁴ One of the subgroups that NCLB requires schools and districts to track is English language learners. As a result, local school officials must pay attention to their ELLs’ yearly progress in terms of academic and English proficiency (Capps et al., 2005).

NCLB requires assessments for English language learners under Title I (funding for poor students)²⁵ and Title III (funding for ELLs) of the Act. Under Title I, which, as we noted, is the federal compensatory education program for poor students, if English language learners or other subgroups do not meet their test score targets, their schools can be designated “schools in need of improvement” (SINIs) and can be subject to interventions. Parents whose children attend SINIs are allowed to send their children to a non-SINI in the same school district, provided that school has room and the services each student requires. Parents of students in schools designated as SINIs for an additional year are offered supplemental services such as after-school tutoring programs. If the schools continue to fail to meet the performance targets, they must eventually be restructured or closed (NCLB, 2002).

Meanwhile, the purpose of Title III of NCLB, now titled Language Instruction for Limited English Proficient and Immigrant Students (the old Title VII under ESEA), is “to help ensure that children who are limited English proficient, including immigrant children and youth, attain English proficiency” (sec. 3102). Schools must evaluate the English proficiency of all students enrolling for the

first time in school, establish criteria to determine eligibility for ELL programs and services, and implement appropriate educational services. States must hold Title III subgrantees accountable for meeting three annual measurable achievement objectives (AMAOs) for English language learners: (1) make annual progress; (2) attain English proficiency; and (3) meet AYP requirements set by their states and measured by state standardized tests.

If the local educational authority (the school district) fails to meet the AYP targets for ELLs for two consecutive years, it must develop an improvement plan. But if it fails to meet the AMAOs for four consecutive years, the state will intervene and may withdraw Title III funds. This places unprecedented demands on the states for improvements in both the academic proficiency and the English proficiency of ELLs.

One way that states have tried to cope with the unreasonable demands of large-scale assessments of English language learners under NCLB is by manipulating the minimum size of the subgroup. For example, Kossan (2004) has shown that, in 2004, an Arizona decision that schools must have at least 30 English language learners in the same grade in order to have an ELL subgroup made it possible for 680 schools to avoid keeping separate data on ELL students and risk a failing subgroup designation. Texas has set its minimum group size at 50 students per grade (Castro, 2005). As Wright (2006) has pointed out, this is a mechanism by which schools without large ELL populations can avoid having data on their ELL subgroup scrutinized.

As to the use of “reclassification” data—data on how many ELLs become English proficient and transition into mainstream classes—to gauge the success of states in educating English language learners, many believe these data to be meaningless. Usually states calculate reclassification rates by putting the number of reclassified students in the numerator and the remaining English language learners in the denominator (Linguanti, 2001). However, this is futile as it only creates a moving target. The remaining ELLs include the students who have just arrived and therefore cannot possibly be ready

for reclassification. So, depending upon where particular schools’ ELLs are in their trajectory toward exit—the number of years of schooling in the United States, their preparation in English prior to arriving in the United States, their literacy in their home language—their reclassification rates may appear to be higher or lower.

Under a 2004 NCLB regulation, states are permitted to exempt recently arrived immigrant students—those who have attended schools in the United States for less than a year—from taking the reading/language arts assessment. Although all students, including the most recently arrived, must be tested in mathematics, and, beginning in 2007-08, also in science, this new regulation regarding the reading tests permits states to ignore the scores of students who have been in U.S. schools for less than a year in AYP determinations.

Unlike other subgroups, emergent bilinguals eventually become bilingual, and thus, they move out of the category of “limited English proficient.” Therefore, the progress toward proficiency of English language learners is difficult to demonstrate, since only those who fail to progress remain in the category. Realizing this, the 2004 NCLB regulation permits states to include former ELLs within the ELL category for up to two years after they have been reclassified for the purposes of making AYP determinations. However, these former ELLs cannot be included in the ELL subgroup for state or local educational agency report cards.

NCLB defines “limited English proficient” as those students whose “difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual the ability to meet the State’s proficient level of achievement on State assessments” (our emphasis). This signals a significant shift in political culture and ideology. And, thus, the focus of our federal and, by extension, state and local policy has clearly shifted from that of trying to provide ELLs and their families with greater access to educational resources and more equal educational opportunities to become truly bilingual to that of closing the achievement gap through testing and English immersion.

The Silencing of Bilingualism and Bilingual Education

As we showed in the policy section of our review, NCLB is simply the most recent iteration of a broader change in policy orientation toward bilingual education in the United States. In fact, as many have remarked, the use of the word “bilingual” — what Crawford has called “the B-word”—is disappearing; public discourse about bilingual education policies and programs for ELL students has been increasingly silenced (Crawford, 2004; Garcia, 2003; García, 2006a; Hornberger, 2006; Wiley & Wright, 2004). García (forthcoming) illustrates this silencing of the word “bilingual” within the context of federal educational policy in some of the key name and title changes that have occurred in legislation and offices in Washington, D.C., since the passage of No Child Left Behind (see Table 9).

As shown in the first row of Table 9, the replacement of Title VII of the Elementary and Secondary Education Act (the Bilingual Education Act) by Title III (titled Language Instruction for Limited English Proficient and Immigrant Students) is indicative of the shift away from support of instruction in children’s home languages through bilingual education. Zehler et al. (2003) have established that, although between 1992 and 2002 the number of ELLs in grades K-12 grew by 72% nationwide, their enrollment in bilingual programs declined from 37% to 17%. Crawford (forthcoming) estimates that approximately half of ELLs in California and Arizona who would have been in bilingual classrooms in 2001-02 were reassigned to all-English programs.

In the final section of this review we explore what we have learned through social science research about educating non-English speakers to achieve to high standards. As we noted in our introduction, the gap between the policy and the research is quite wide.

Table 9. Silencing of Bilingualism

Title VII of Elementary and Secondary Education Act: The Bilingual Education Act →	Title III of No Child Left Behind: Language Instruction for Limited English proficient and Immigrant Students
Office of Bilingual Education and Minority Languages Affairs (OBEMLA) →	Office of English Language Acquisition, Language En- hancement and Academic Achievement for LEP Students (OELA)
National Clearinghouse for Bilingual Education (NCBE) →	National Clearinghouse for English Language Acquisition and Language Instruction Educational Programs (NCELA)

Part III.**Equity Issues in the Education of Emergent Bilinguals:
What the Research Shows**

Now that we better understand who these emergent bilingual students are and what policies have been enacted to educate them, we turn to the heart of the matter: *What does the research tell us about how best to educate and assess emergent bilingual students? Are we using accepted theories and evidence in the education of these students? We provide evidence to show that we are not.*

In this final section of our review we focus on evidence from the research literature on the education and assessment of English language learners. This section draws on research from different fields—sociolinguistics and psycholinguistics, psychometrics and assessment, education and curriculum, sociology, and economics. In the context of the research findings related to English language learners' experiences in school, we address four different but critical equity issues for emergent bilingual students:

1. providing educational programs that are tailored to meet these students' linguistic and academic needs
2. providing fair assessments
3. providing adequate resources
4. involving parents and communities in these students' education

As we said in the beginning, we use the term emergent bilinguals to emphasize one of our central themes, namely that issues of inequity in educating and assessing these students frequently evolve from incomplete understandings of their emergent bilingualism on the part of the policymakers and educators who shape their educational experiences. The research literature, on the other hand, helps to explain the educational needs of these emergent bilingual students.

Providing Emergent Bilingual Students with Educational Programs That Are Tailored to Meet Their Linguistic and Academic Needs

Emergent bilingual students very often do not receive the meaningful educational programs that they need. Because of the lack of recognition of these students' evolving bilingualism and the importance of the use of their home language in their learning process, educational programs for emergent bilinguals are frequently inconsistent in their goals (see Table 8). There are also unreasonable time limits placed on students to develop their academic English by both schools and policies such as Proposition 227. As we noted above, some programs focus narrowly on the acquisition of English, while others focus more broadly on educating meaningfully while promoting the children's English-language acquisition. In this section, we consider the theoretical constructs and empirical findings that support the use of a student's first language in a meaningful education. We also examine the theories and research on second-language acquisition that speak to the developmental process of acquiring English not just for verbal communication but also for academic work. And, finally, we present research evidence on the appropriate use of the child's first language in education. The section ends by considering the present status of the education of emergent bilinguals.

Important Theoretical Constructs

Over the last three decades, researchers have developed frameworks for understanding the relationship between a student's native language and a second language, which must be used in school for the purpose of academic achievement. A pioneer in this work has been Jim Cummins. We describe what he has proposed and then point to alternative frameworks proposed by Brian Street and other scholars in the area of social

studies of literacy. We argue that although there are differences in how these scholars make sense of these issues, these frameworks can be compatible, and, together, they can provide a context for equitable education for emergent bilinguals.

Linguistic interdependence. It might seem counterintuitive to support the use of a child's first language in the process of helping that child achieve to a higher level in an English-language school system. But the benefits of such practices are explained by the concept of *linguistic interdependence*, which means that the two languages bolster each other and thus the student in his or her acquisition of knowledge. Cummins (1979, 1981, 2000) explains linguistic interdependence by saying, "To the extent that instruction in Lx [one language] is effective in promoting proficiency in Lx [the same language], transfer of this proficiency to Ly [the additional language] will occur provided there is adequate exposure to Ly [the additional language]" (Cummins, 2000, p. 38). Cummins (2000), however, does not posit that the child's home language needs to be fully developed before the second language is introduced. Rather, he argues, "the first language must not be abandoned before it is fully developed, whether the second language is introduced simultaneously or successively, early or late, in that process" (p. 25).

Linguistic interdependence is stronger in the case of languages that share linguistic features (such as, for example, Spanish and English) where students can derive interdependence from similar linguistic factors, as well as familiarity with language and literacy practices and ways of using language. Yet, even in cases where the two languages are not linguistically congruent, such as Chinese and English, Chinese-speaking students learning English will benefit academically if they have developed literacy in Chinese because they will understand, for example, that reading is really about making meaning from print and that writing requires the ability to communicate to an unknown and distant audience. In addition, they will have had practice in decoding, a sense of directionality of print, and the mechanics of writing in their own language — useful metalinguistic understandings that help orient

learners to text in another language.

A related theoretical construct is that of the *common underlying proficiency* (Cummins, 1979, 1981), which posits that knowledge and abilities acquired in one language are potentially available for the development of another. Researchers have consistently found that there is a cross-linguistic relationship between the students' first and second language, and proficiency in the native language is related to academic achievement in a second language (Riches & Genesee, 2006). This is particularly the case for literacy. Lanauze and Snow (1989), for example, found that emergent bilinguals, even those students who were not yet orally proficient in their second language, exhibited similar complexity and semantic content in their writing in their first and second languages.

Academic language. Skutnabb-Kangas and Toukoma (1976), working with Finnish immigrants in Sweden, proposed that there is a difference between the way in which language is used in academic tasks as opposed to conversation and intimacy. The *surface fluency* so evident in conversational language or in writing to someone we know intimately is most often supported by cues that have little to do with language itself—gestures, repeating, providing examples. Cummins (1981) has called this use of language, which is supported by meaningful interpersonal and situational cues outside of language itself, *contextualized language*. Contextualized language, supported by paralinguistic cues, is what one uses for *basic interpersonal communication* (BICS) (Cummins, 1981). Contextual support, Cummins (2000) explains, can be *external*, having to do with aspects of the language input itself. But contextual support can also be *internal*, having to do with the shared experiences, interests and motivations that people engaged in conversations may have.

To complete school tasks, and especially assessment tasks, a different set of language skills is needed. Students in school must be able to use language with little or no extralinguistic support in ways that are very different from the way in which we use language in everyday informal communication. That is, more *abstract language*²⁶ is what is needed in order to participate in most classroom discourse, in order to read texts that are sometimes de-

void of pictures and other semiotic cues, or texts requiring background knowledge that students do not always have. Students also need this abstract language in order to write the academic essays that require an unknown audience with whom communication is important, and in taking multiple choice tests that force students to choose only one answer. Cummins (1979, 1981, 2000) refers to the mastery of these abstract language skills as *cognitive academic language proficiency* (CALP) and proposes that it takes *five to seven years* to develop these skills in a second language. Meanwhile, students can usually acquire the language of everyday communication in a second language in just one to three years. As shown in Table 8 in Part II of this review, many programs actually provided to English language learners do not afford sufficient time to gain these language skills.

Literacy skills and practices: Toward a theoretical synthesis. Cummins's framework has been tested, revised, and, like any groundbreaking proposal, subjected to criticism. Without rejecting the notion that the metalinguistic capacities available to learners through their first language can support the learning of spoken language and literacy skills in the second or third language, an alternative framework rejects a binary view of language and suggests that both BICS and CALP are oversimplified terms. This alternative framework recognizes that the linguistic repertoire is a complex phenomenon comprising multiple codes and modes or channels of expression and that language is contextual (Zamel & Spack, 1998).

For instance, Brian Street, a key figure in new literacy studies (NLS), challenges scholars and educators to examine the uses of academic language as a series of *social practices*. Rather than thinking of literacy as a monolithic construct made up of a discreet set of skills, he recommends that we consider, first, that literacies are multiple, and, second, that they are embedded in a web of social relations that maintain asymmetries of power (Street, 1985, 1996, 2005). In other words, learning academic language is not a neutral activity, easily divided into two modes of communication—spoken and written. Rather, as recent scholarship has shown, learning academic literacy entails much more: full academic literacy

requires skills that are multimodal—spoken and written modes intricately bound up with other visual, audio, and spatial semiotic systems²⁷ (Jewitt & Kress 2003; Kleifgen, forthcoming; Kress, 2003; New London Group, 2000). These literacy scholars note that the acquisition of these complex technical skills is contingent upon wider societal factors beyond the school.

Taking the notion of language variation and complexity further, García, Bartlett, and Kleifgen (2007) build on the concept of plurilingualism, which accounts for the complex language practices and values of speakers in multilingual contexts where people hold—and value—varying degrees of proficiency in a variety of languages, dialects, registers, and modes of communication. Drawing on this framework, García, Bartlett, and Kleifgen (2007) propose the concept of *pluriliteracy practices*, which are grounded in an understanding that equity for emergent bilinguals must take into account the benefits of having strong native language and literacy skills for attaining academic achievement in another language. Equity must also account for the power and value relations that exist around the various languages, language varieties, and literacy practices in the school setting and in society. It is thus important for schools to value the pluriliteracy practices of emergent bilinguals, those in which they are engaged at home, and in community efforts and schools in other contexts or countries, in other languages and scripts. An equitable education for emergent bilinguals builds on all these practices and enables them to develop a powerful repertoire of multiple literacies.

Empirical Evidence

Academic achievement in English. Around the world, there is near consensus among researchers that greater support for a student's native language development and academic development in that language are "positively related to higher long-term academic attainment by LEP pupils" (Ferguson, 2006, p. 48). Because in the United States the notion of bilingual education itself is so politically loaded, research about the question of whether bilingual education or monolingual, English-only education works best for these emergent bilinguals is often contradictory. Nevertheless, and on balance,

there is much research support for the positive effects of bilingual education over monolingual education for these children.

In the late 1970s, two nationwide studies on bilingual education were conducted—one by the U.S. Government Accountability Office, then called the General Accounting Office (U.S. General Accounting Office, 1976), which is the investigative arm of Congress, and the other by the American Institutes for Research (AIR) (1978) (see also Danoff, 1978). The GAO panel concluded that “the research showed positive effects for transitional bilingual education on students’ achievement of English-language competence” and also pointed to more limited data that supported the use of native languages for learning in subjects other than English. The AIR study, on the other hand, concluded that participation in Title VII Spanish-English transitional bilingual education programs did not produce gains in English language arts or mathematics. But a review and analysis of 12 studies performed by Rudolph C. Troike (1978) concluded that “students in the bilingual programs exceeded the achievement levels of control groups or district norms, and in several instances they exceeded national norms in English, reading, and math” (p. 5).

In 1981, Baker and de Kanter concluded that there was no consistent evidence for the effectiveness of transitional bilingual education and “exclusive reliance on this instructional method is not justified” (p. 1). But in 1985 Willig conducted a meta-analysis of the studies that had been reviewed by Baker and de Kanter in 1981, in which she measured the program effect in each study, even if not statistically significant. Willig (1985) concluded that there were positive effects for transitional bilingual programs for all academic areas. In 1987, the GAO surveyed 10 experts and found that they looked favorably on the use of bilingual education to teach language minority children and were quite critical of approaches that used English only (Crawford, 2004).

In fact, several large-scale evaluations (Ramírez, 1992; Thomas & Collier, 1997) demonstrate that using the home language in instruction benefits language minority students. For instance, the Ramirez study (1992)

was a longitudinal study of 554 kindergarten-to-sixth-grade Latino students in five states (New York, New Jersey, Florida, Texas, and California) who were in English-only structured immersion programs, in transitional early-exit programs, and in late-exit developmental bilingual programs. In this study, two-way dual language education programs were not evaluated. The results of the Ramirez study favored late-exit developmental bilingual programs, that is, programs that use bilingual students’ home languages for at least five to six years. Although there were no differences between programs among students in the third grade, by sixth grade students in late-exit developmental programs were performing better in mathematics, English language arts, and English reading than students in the other programs.

Collier (1995) stresses that four factors are important for the equitable and successful education of emergent bilinguals: (1) a socioculturally supportive environment, (2) the development of the students’ first language to a high cognitive level, (3) uninterrupted cognitive development, which best occurs through education in the first language, and (4) teaching the second language with cognitively complex tasks. Thomas and Collier (1997) provide evidence that development of first-language skills provides a sound foundation for subsequent academic success in and through English as a second language. They state:

The first predictor of long-term school success is cognitively complex on-grade level academic instruction through students’ first language for as long as possible (at least through grade 5 or 6) and cognitively complex on-grade level academic instruction through the second language (English) for part of the day. (p. 15)

Thomas and Collier (1997) conclude that at the elementary level two-way bilingual education (two-way dual language) is the best program because students develop academic and second language proficiency, as well as cognitive understanding, through their first language. As in the Ramirez study, these advantages are not evident until the sixth grade.

In 2002, Thomas and Collier released a study of the effectiveness of different kinds of educational programs for language minority student achievement. They compared the achievement on nationally standardized tests²⁸ of students in different kinds of programs who entered a U.S. school district with little or no proficiency in English in kindergarten to first grade, following them to the highest grade level reached. They concluded that developmental bilingual education programs, that is, programs that cater to only one ethnolinguistic group but that taught in two languages from the beginning seem to be the most successful. Two-way 50/50 programs, that is, programs that devote equal time to English and the minority program from the beginning and until the end seem to be more effective than two-way 90/10 programs.

Lindholm-Leary (2001) conducted a comprehensive evaluation of programs serving emergent bilinguals in California: (1) English-only programs, (2) transitional bilingual education, and (3) two types of two-way bilingual education or two-way dual language programs (what she called simply dual language education or DLE). The two types of DLE programs included (1) the 50:50 model, meaning that 50% of the instruction is in the child's home language, and 50% is in the additional language; (2) the 90:10 model, meaning that, *initially* 90% of the instruction is in the child's first language and 10% in the other language, as it gradually moves to a 50/50 arrangement. Lindholm-Leary concluded that students who were in instructional programs where English was used for only 10-20% of the time (whether transitional or 90:10 dual language) did as well on English proficiency tests as those in English-only programs or in 50:50 dual language programs. By grade 6, however, Latino students in dual language education (two-way bilingual education) outperformed transitional bilingual education students. In mathematics all students in dual language education performed 10 points higher than those educated only in English.

Oller and Eilers (2002) conducted a large-scale study of these two-way dual language education programs in Miami. They compared 952 bilingual and monolingual students from kindergarten to fifth grade in dual language education and English immersion classrooms.

By the fifth grade, there is no gap in English language test performance between students. Their study also found that regardless of school type and age, Latino students spoke predominantly in English.

A recent meta-analysis of the literature on the teaching of emergent bilinguals shows that those in bilingual education programs outperform those in English-only programs on tests of academic achievement (Krashen, Rolstad, & MacSwan, 2007). This was also the conclusion of the two recent reviews of the research literature (Rolstad, Mahoney, & Glass, 2005; Slavin & Cheung, 2005). Slavin and Cheung (2005) reviewed 16 studies comparing structured English immersion with transitional bilingual education. They found that most of the studies favored transitional bilingual education, and that no study reviewed significantly favored structured English immersion programs. Rolstad, Mahoney, and Glass's (2005) meta-analysis found evidence that the use of a child's home language is more beneficial for emergent bilinguals than structured English immersion. Likewise, the National Literacy Panel on Language Minority Children and Youth, chosen by the Bush administration, concluded that bilingual education approaches in which the child's first language is used are more effective in teaching children to read than are English-only approaches (see August & Shanahan, 2006).²⁹

In their recent synthesis of the research evidence in the education of emergent bilinguals, Genesee, Lindholm-Leary, Saunders, and Christian (2006) repeat that students who are in educational programs that provide extended instruction in their native language through late-exit bilingual education programs (developmental and two-way bilingual education/dual language) outperform students who only receive short-term instruction through their native language (early-exit transitional bilingual education). They also found that bilingual proficiency and biliteracy were positively related to academic achievement in both languages. Finally, these researchers found that emergent bilinguals who participated in primary school programs that provided first language support had acquired the same or superior levels of reading and writing skills as students in English-only programs

by the end of elementary school, while developing their bilingualism and biliteracy.

Despite the evidence that two-way dual language programs are quite successful in developing the academic language of emergent bilinguals, we cannot conclude that they are superior to other forms of developmental bilingual education. In reality, and despite the promise of two-way bilingual education, not all localities can implement these programs because many language majority communities are not eager to have their children schooled with language minority students. What is evident from the research is that the use of the child's first language is most important for their long-term academic achievement in English as well as cognitive growth.

What have been the effects on achievement in states where bilingual education has been banned and all ELL students are in English-only programs? It seems that in California, Arizona, and Massachusetts, changes to English-only instruction have not improved the education of ELLs. Crawford (2006) summarized some of the key studies emanating from these states as follows:

- A five-year study commissioned by the California legislature found no evidence that all-English immersion programs had improved academic outcomes for English learners in the state.³⁰ In 2004-05, only 9% of these students were reclassified as fluent in English—a rate that was virtually unchanged since the year before passage of the English-only law (California Department of Education, 2005).
- Researchers at Arizona State University reported that 60% of English learners in Arizona made “no gain” in English in 2003-04, while 7% actually lost ground; all were enrolled in English-only programs (Mahoney, MacSwan, & Thompson, 2005). Another ASU study (Wright & Pu, 2005) found that the academic achievement gap between English learners and other students in Arizona was widening.
- In Massachusetts, more than half of the ELL students were still limited in English after three

years in structured English immersion classrooms (Sacchetti & Tracy, 2006) (p. 7)

Cognitive benefits of bilingualism. Since the seminal article by Peal and Lambert (1962), which found that bilingualism is an important factor in cognitive development, the literature on this topic has been extensive. Peal and Lambert concluded that the bilingual 10 year olds in their Montreal study were “more facile at concept formation, and have greater mental flexibility” than the monolingual students (p. 22). Since then, many empirical studies have detailed various aspects of cognitive advantages for bilingual children (for a review of these, see Blanc & Hamers, 1985, p. 49, and Hakuta, 1986).

Bialystok (2004), for instance, has pointed out that children's knowledge of two language systems results in a more analytic orientation to language, what is known as greater *metalinguistic awareness*. Bilingual children also have two ways to describe the world and thus more flexible perceptions and interpretations, that is, more *divergent* or *creative thinking*. Finally, bilingual children have more practice in gauging communicative situations, giving them more *communicative sensitivity* (Ben-Zeev, 1977)

The development of academic proficiency in two languages has been associated with enhancements in cognitive function. August and Hakuta (1997) conclude: “Bilingualism, far from impeding the child's overall cognitive linguistic development, leads to positive growth in these areas. Programs whose goals are to promote bilingualism should do so without fear of negative consequences” (p. 19).

The need for long-term development of academic English. The finding that it takes five to seven years to develop academic proficiency in a second language has also been supported by much research. Hakuta, Goto Butler, and Witt (2000) have found that it takes five years or longer to develop academic skills in English fully. They add, “In districts that are considered the most successful in teaching English to EL students, oral proficiency takes 3 to 5 years to develop and academic English proficiency can take 4 to 7 years” (p. 13). Likewise, Thomas and Collier (1997) found that it takes students between four and ten years to achieve “on grade” levels of

performance in reading in English. Gándara (1999) reports that by grade 3, listening skills in English may be at 80% of native proficiency, but reading and writing lag behind this number. High school students need a vocabulary of approximately 50,000 words, and the average student learns 3,000 new words each year (Graves, 2006; Nagy & Anderson, 1984). Thus, in four years of high school, emergent bilinguals might have acquired 12,000 to 15,000 words, falling short of what they would need to engage with the complex coursework of high school (Short & Fitzsimmons, 2007).

We now turn to our central question. Given the evidence about the role of emergent bilinguals' first language and the development of academic English, are these students being educated according to accepted theories and current research?

How Are Emergent Bilingual Children Being Educated Today?

Despite the overwhelming evidence in support of the use of children's home language in their schooling, emergent bilinguals are increasingly in classrooms where their home languages are disregarded. In fact, many more of these students now than before are in classrooms where nothing, even in English-only instruction, is being done differently to help them. Crawford (1997) estimates that in 1994-95, 23% of all emergent bilinguals were in submersion classrooms where not only was their home language not used, but also they were simply receiving the same education as everyone else, with no accommodation or support. Zehler et al. (2003) report that in 2001-02, 12% of emergent bilinguals were receiving no special services whatsoever, and 36% were receiving some services, meaning they were getting at least ESL pull-out support. According to the survey, only 52% of those identified as ELLs were receiving an educational program substantially different from that of their monolingual counterparts.

The pull-out ESL approach continues to be the program of choice in the United States (Crawford, 1997). In this approach, students are taken out of their regular classrooms (usually daily for one to two periods of instruction) and given one-on-one or small group instruc-

tion in English, which is usually unrelated to the content-area instruction they receive while in their mainstream classrooms. In the Thomas and Collier (1997) study, pull-out ESL programs made up 52% of their sample. Although it has been found that ESL taught via content-area instruction (social studies, math, science, and so on) is associated with higher long-term educational attainment than ESL pull-out (Thomas & Collier, 1997), there are more pull-out ESL programs than programs that teach English via content-area instruction.

Furthermore, Zehler et al. (2003) found that in 2001-02 a majority of ELL students across the country, that is, 59 %, were receiving all instruction in English. They also found that only 20% of ELLs were being educated with significant use of the native language, as in bilingual education. An additional 20% of their sample was receiving instruction that made some use of the native language, although that support might have been very limited.

In a national study done by Hopstock and Stephenson (2003b), it was found that the most common service received by emergent bilinguals was in English only and only 24% were receiving extensive services in ESL. Significant use of the native language was provided for only 16% of the emergent bilinguals, and, of these, most were Spanish speakers. Schools that had a majority of Spanish speakers also had more two-way bilingual immersion programs (10% versus 0.7% for other schools). In California, where most emergent bilinguals live, 20-25% of these students were in submersion classrooms in 1997, and between 1995 and 1997, only about 30% of California's ELLs were enrolled in any kind of bilingual education (Crawford, 1997; Gándara, 1999). This was prior to the passage of Proposition 227.

It is noteworthy that although the numbers of emergent bilinguals are increasing and there is near consensus in the research community about the crucial role of the home language in their education, there has been a significant decrease in the use of their native language in their instruction over the last decade. Between 1992 and 2002, the percentage of these students who received ELL services exclusively in English increased

substantially from 34% to 48% (Zehler et al., 2003). At the same time, the percentage of ELLs whose education made significant use of the native language, as in bilingual education, decreased by more than half—from 37% to just 17% (Zehler et al., 2003). While transitional and developmental bilingual education programs significantly decreased, two-way bilingual education programs were the only services to experience an increase. Although this might be good news for this type of program and for the future possibility of a less monolingual society, it is somewhat less optimistic in terms of the number of emergent bilinguals who can participate in these programs since at least half of the students in each two-way bilingual class are already proficient in English. Thus, these two-way bilingual programs, on average, serve fewer language minority children, although they have the advantage of focusing on the emergent bilingualism of all children.

Given the backlash against bilingual education and the push for English-only instruction in the United States, this decrease in the use of children's home language in their education might not surprise us. It is significant to find that between 1992 and 2002, the percentage of students who qualify for ELL services but received only mainstream instruction and no such services also increased from 4% to 12% (Zehler et al., 2003). Thus, ELL students, or would-be emergent bilinguals as we like to refer to them, are increasingly being educated in mainstream classrooms with little specialized educational support either in English or in their native languages.

Another interesting fact is that, although emergent bilinguals at the secondary level have a much more difficult task than students at the elementary level given the complexity of the subject matter they need to master to graduate, elementary students are much more likely than those in high school to have instruction in which the native language is used in any significant way. Zehler et al. (2003) summarize the declining conditions in which these children are being educated: "Compared with prior years, LEP students are now more likely to receive instructional services provided in English, and less likely to receive extensive ELL services" (p. 35).

Finally, despite the substantial research evidence that it takes between five and seven years to develop academic proficiency in academic English, many states insist that emergent bilinguals may stay in special programs for only one year (California, Arizona, and Massachusetts) or for a maximum of three years (New York State and Washington, for example). Zehler et al. (2003) report that according to their national survey, emergent bilinguals, on average, maintain their ELL status for 3.55 years and receive some type of service for 3.51 years. Thus, emergent bilinguals are receiving educational support for about half the time that they will most likely need it, according to the research.

As we have said, even when the students' home language is used in bilingual programs, most programs in the United States are "early exit," meaning that native languages are only used for two to three years before the children are completely mainstreamed into English classrooms. These early-exit bilingual education programs often have the secondary effect of tracking emergent bilinguals into remedial programs (Ovando & Collier, 1998). The effect of such policies is that *bilingualism* does not emerge; instead, academic failure is on the horizon for these students.

Providing Emergent Bilingual Students with Fair Assessment³¹

One of the key equity issues in the education of emergent bilinguals concerns the ways in which these students are assessed according to national mandates and their state's accountability system. Although teachers have developed instructionally embedded assessment that may measure emergent bilinguals' academic progress in more equitable ways, as we will show, large-scale fair assessments have yet to be developed for this population.

The devastating effect of high-stakes testing in English for language minority students in the United States has been well documented. It has been widely demonstrated that as a result of these tests, emergent bilinguals experience more remedial instruction, greater probability of assignment to lower curriculum tracks, higher dropout rates, poorer graduation rates, and disproportionate

referrals to special education classes (Artiles, 1998; Artiles & Ortiz, 2002; Cummins, 1984).

Because the ELL subgroup by definition cannot possibly meet the proficiency targets, *all* programs serving English language learners are being questioned. As Menken (2008) proposes, mandating high-stakes tests in English for all has acted as language policy. Valenzuela (2005) argues that high-stakes testing in Texas has been the most detrimental policy for Latinos and emergent bilinguals and recommends that there be local control over assessment.

The current debate over assessment and emergent bilinguals in the United States largely results from policymakers' different goals for their education. For English language learners, education often focuses narrowly on the *acquisition of English language skills* and not on acquisition of content knowledge. Houser (1995) affirms this by saying that if content area knowledge were the primary interest, students would be assessed in their native language. However, assessing students in their home language is generally considered inappropriate because of policy concerns around the economic advantages associated with fluency in English.

It is important for all bilingual students to be *included* in all assessment. But there are important equity concerns having to do with two main issues: (1) disentangling academic language proficiency from content proficiency, and (2) the validity of the tests themselves for emergent bilinguals. In this section we review what researchers and psychometricians have to say about these two issues and then propose alternative policies and practices based on the research evidence.

Disentangling Academic Language Proficiency from Content Proficiency

Every assessment is an assessment of language skills (American Educational Research Association, American Psychological Association, & National Council on Measurement in Education, 1985), and, thus, assessment for emergent bilinguals who are still learning the language of the test is not valid unless language is disentangled from content. *Academic language proficiency* is usually

assessed in schools by evaluating comprehension and use of specialized vocabulary and language patterns, the linguistic complexity of oral interaction and writing, and the demonstration of appropriate usage of the sound system (phonology), grammatical structure (syntax), or meaning (semantics) of the language (Gottlieb, 2006, p. 25). *Content proficiency* refers to whether the student has actually acquired proficiency in the subject matter. As we discussed in Part I, to assure equitable and meaningful educational opportunity for English language learners, it is extremely important to make the distinction between simple English language proficiency and the more complex proficiency required for academic achievement in English.

Shepard (1996) has argued that a fair assessment framework for emergent bilinguals should integrate the two dimensions—*academic language proficiency* and *content proficiency*. Academic performance of bilinguals should be seen as a continuum that is related to language acquisition, so that the language of the assessment is adapted according to the place of the continuum in which the student is situated. Duverger (2005) has suggested that another way of disentangling the effects of language proficiency on content proficiency is to have a double scale of criteria: criteria relating to the content being delivered and criteria relating to the *language* being used (p. 101). When content learning takes place through a student's weaker language, in this case English, subject-matter knowledge should have a higher coefficient and language errors should not mask satisfactory handling of the content.

Issues Concerning Validity

In order for assessment results to be equitable, emergent bilingual students must be included in the design and piloting of the assessment so that the *norming* of the test is not biased, and the test has both validity and reliability for bilingual students (Abedi, 2004; Abedi & Lord, 2001). Given the intermingling of language and content effect that we described above, there are concerns over the validity of standardized assessments for emergent bilinguals since the test may not measure what it intends to measure. Furthermore, these tests have little

content validity for these students since the performance of emergent bilinguals does not reveal much about their learning (Lachat, 1999). Worse still is the *consequential validity* of these tests for emergent bilinguals; that is, the consequences with regard to the teaching and learning process for these students (Cronbach, 1989; Messick, 1989). Because tests are constructed for monolingual populations, they always contain a built-in content bias. These monolingual tests neither reflect the language nor the language structures that the emergent bilingual students know. Furthermore, monolingual tests do not include activities, words, or concepts from both of the worlds of bilingual students (Mercer, 1989). Nor do monolingual assessments take into account the cultural norms of the bilingual children being assessed.

Accommodations and equity. A way of attempting to improve validity of monolingual assessment is to provide students with *test accommodations*. Many educational authorities provide accommodations for emergent bilingual students when tested in their nondominant language. For example, as a result of the new accountability systems associated with No Child Left Behind, accommodations have been implemented to test emergent bilinguals in many states. But state accommodation policies vary substantially (Rivera & Collum, 2006). Rivera and Stansfield (2001) divide accommodations into five categories:

1. *Presentation*: permits repetition, explanation, simplification, test translations into students' native languages, or test administration by a bilingual specialist
2. *Response*: allows a student to dictate his/her answers, and to respond in his/her native language or to display knowledge using alternative forms of representation
3. *Setting*: includes individual or small group administration of the test, or administration in a separate location or multiple testing sessions
4. *Timing/scheduling*: allows for additional time to complete the test or extra breaks during administration
5. *Reinforcement*: use of dictionaries and glossaries.

Abedi and Lord (2001) show that linguistic modification for test items that are shorter and less complex has resulted in significant differences in math performance among emergent bilinguals in the United States. In fact, additional research has shown that the only accommodation that narrows the gap between emerging bilinguals and other students is *linguistic modification of questions* that have excessive language demands (Abedi, Hofstetter, & Lord, 2004; Abedi & Lord, 2001).

Test translations and equity. Another accommodation that is sometimes provided to emergent bilinguals is to use *translations* of the tests. This is not always feasible or appropriate. It might be possible to develop translations into Spanish since the numbers of Spanish-speaking English language learners would merit it, but it might be more difficult to develop them into less commonly used languages. Furthermore, assessments conducted in different languages may not be psychometrically equivalent (Anderson, Jenkins, & Miller, 1996). Maintaining construct equivalence is difficult when the test is either translated directly from one language to another or when tests in two languages are developed. There is the problem of the nonequivalence of vocabulary difficulty between languages, making comparisons for content proficiency between tests given in different languages totally inappropriate (August & Hakuta, 1998). The *Standards for Educational and Psychological Testing* by the American Educational Research Association, the American Psychological Association, and the National Council on Measurement in Education (1985) state,

Psychometric properties cannot be assumed to be comparable across languages or dialects. Many words have different frequency rates or difficulty levels in different languages or dialects. Therefore, words in two languages that appear to be close in meaning may differ radically in other ways important for the test use intended. Additionally, test content may be inappropriate in a translated version. (p. 73)

Sometimes, emergent bilinguals are allowed to use both the home language version and the dominant language version of the test. But developing and validating

equivalent versions of a test (two monolingual versions side by side) is difficult and costly (Anderson, Jenkins, & Miller, 1996). Furthermore, research on this issue has repeatedly shown substantial psychometric discrepancies in students' performance on the same test items across both languages (August & Hakuta, 1997, p. 122). This means that test items are not measuring the same underlying knowledge.

In addition, translations are only viable when emergent bilinguals have been effectively educated in their home languages. If students have limited literacy in that language, the assessment is invalid to test content proficiency. Furthermore, translations are only appropriate if the students have been taught through the language of the test. If the language is not used for instruction, then assessment for content proficiency in the students' native language may be counterproductive. The language of the assessment must match students' primary language of instruction (Abedi & Lord, 2001; Abedi, Lord & Plummer, 1997).

Transadaptation is a strategy with promise. Transadapted tests are created in the home language from the beginning and are developed and normed for the bilingual population that will be using them. They work to eliminate cultural biases, which are prevalent in assessments that refer to cultural experiences or historical backgrounds to which many English language learners have not been exposed (Johnston, 1997). As such, they have more validity than translations. This type of testing is now being used in Texas, where transadapted Spanish versions of the Texas Assessment of Knowledge of Skills (TAKS) have begun to be developed. However, even transadapted tests, because they are monolingual, do not fully take into account the full range of challenges and skills of emergent bilingual students, whose full capabilities are enmeshed with their bilingualism.

Problems with Kinds of Tests

Criterion-reference assessments in which each exam is compared with a specific body of knowledge are a vast improvement over *norm-referenced assessments* in which each exam is measured against the scores of other student, but they are still not appropriate to test

emergent bilinguals. In criterion-referenced assessments, students are graded according to whether they have met a defined criteria or standard, which determines what students should know and be able to do in various subject areas. But emergent bilinguals by definition should not be able to meet the standard. Thus, they are often judged not to be competent.

It has been shown that *performance-based assessment*, which asks students to produce a product such as a portfolio or a presentation, is better for bilingual students than *multiple-choice assessment* because it provides a wider range of opportunities to show what they know and can do in both language and content areas (Estrin & Nelson-Barber, 1995; Navarrete & Gustke, 1996). Genishi and Borrego Brainard (1995) say that performance-based assessment "can be oral, written, 'performative,' as in dance, or visual/artistic" (p. 54). Because student problem-solving skills may be documented in different ways, performance-based assessment is less language dependent than traditional tests, enabling teachers to better differentiate between language proficiency and content proficiency.

But since the interpretation of performance assessments relies on the judgment of those scoring the tests (Lachat, 1999), it is crucial that individuals who are knowledgeable about the linguistic and cultural characteristics of emergent bilinguals participate in the development of rubrics for scoring student work. In this way, scorers may be able to disentangle academic performance on the assessment from language proficiency. Another difficulty of performance-based assessment is that it taxes teachers' time. Time must be built in to reflect and adequately assess student work.

Alternatives Based on the Research Evidence

The most valid way to assess the content proficiency of emergent bilinguals (and not solely their English proficiency) is to develop large-scale assessments that build on their bilingual abilities. Students should be assessed via a *bilingual mode*, a way of rendering the child's bilingual competence visible. For example, questions can be put in one language and responses requested in the other. Or written tests

can have the question in English and the responses are to be provided in the home language or vice versa. Or the written text could be produced by the learner in English and the oral presentation in the home language or vice versa, thereby providing the teacher with a measure of productive skills across two modes and for both languages in the child's environment, while at the same time giving the child the opportunity to use both languages and language abilities in different contexts and for different purposes. Thus, this bilingual mode of assessment would give educators not only a better picture of what students really know without having language as an intervening variable, but it would also offer a much clearer picture of students' English language capacities.

In cases where school authorities are interested in students' progress in learning English only, students could also be assessed via a *bilingual tap mode*, a way of tapping their home languages in order to produce English. This type of assessment would, for example, give instructions and questions in the students' home languages and ask them to respond solely in English. In this way, the home language would be used to activate knowledge for assessment in much the same that bilingual children uses their home language and culture to make sense of what they know. This *bilingual-tap assessment* builds on recent work on bilingual language processing by Dufour and Kroll (1995), Kecskes and Martinez Cuenca (2005), and Jessner (2006).

García and Pearson (1994) support the notion that emergent bilinguals be given performance-based assessment that is *dynamic*, in the sense that it should find out what the student can do with or without the help of the teacher. In this way, teachers are able to evaluate the kind of support that bilinguals need to complete tasks. The authors explain kinds of assessments for culturally diverse learners across a wide range of subject matters and test types. For example, teachers may assess students in English, the home language, or in both languages. They may assess their students' interpretations of material and vocabulary from diverse cultural and linguistic perspectives based on their backgrounds or build on that knowledge to assess them on their understandings

of mainstream perspectives. Also, bilingual students can demonstrate their knowledge of native-language reading to assist them in their second-language reading.

It is clear that the best way to assess bilingual students is for teachers to observe and listen to their students and record these observations systematically over long periods of time. These ongoing descriptive reviews of children can develop a multidimensional portrait of bilingual learners. Rather than labeling emergent bilinguals as "limited" or "at risk" or "deficient," these kinds of assessments provide avenues for assessing what bilinguals do know. Authentic, formative assessments are much better ways of obtaining valid, reliable information that then informs teaching.

Providing Emergent Bilingual Students with Quality Instruction and Adequate Resources

When we narrow the program so that there is only a limited array of areas in which assessment occurs and performance is honored, youngsters whose aptitudes and interests lie elsewhere are going to be marginalized in our schools. The more we diversify those opportunities, the more equity we are going to have because we're going to provide wider opportunities for youngsters to find what it is they are good at. (Eisner, 2001)

Research on teaching and learning has validated the importance of collaborative social practices in which students try out ideas and actions (Lave & Wenger, 1991) and thus, socially construct their learning (Vygotsky, 1978). Effective classrooms include a great deal of talk, or what Tharp, Estrada, Dalto, and Yamauchi (2000) call instructional conversation, and groups of students engaged in cooperative learning (Kagan, 1986). Emergent bilinguals need this type of quality instruction and more. Cummins (2000) has called for a "transformative/intercultural pedagogy" for language minority students where the students' language and cognitive abilities are engaged in the learning process and where students' identities are affirmed. He defines transformative/intercultural pedagogy as "[I]nteractions between educators and students that attempt to foster collaborative

relations of power in the classroom” (Cummins, 2000, p. 246). Furthermore, he notes that such an approach “recognizes that the process of identity negotiation is fundamental to educational success for all students, and furthermore that this process is directly determined by the micro-interactions between individual educators and students” (pp. 253-254).

Research on teaching and learning also supports that students be given opportunities to participate in rigorous academic work that promotes deep disciplinary knowledge and encourages higher order thinking skills. Walqui (2006) has called attention to the importance of high expectations for emergent bilinguals and having educators provide them with rigorous academic work.

Research has also shown that teachers and school leaders make a difference in students’ education. For example, value-added assessment studies in Tennessee have shown that students who have high-quality teachers over a period of three years achieve, on average, 50 percentile points more on standardized tests than those who have low-quality teachers (Sanders & Rivers, 1996). And teachers with less teaching experience produce smaller gains in their students compared with more experienced teachers (Murnane & Phillips, 1981).

Despite these research findings that confirm the importance of educational programs, pedagogies, and personnel, emergent bilinguals are often excluded from meaningful educational programs and rigorous instruction. They are also often being educated by inadequately prepared teachers (more on this below). We turn now to research findings on these curricular, pedagogical and personnel issues, as they produce inequities in the education of emergent bilinguals.

Because quality instruction rarely happens without adequate resources, we also consider the appropriate levels of funding needed to provide this type of education for emergent bilinguals.

Inadequate Curricular Opportunities

Early inequities. When emergent bilinguals enter kindergarten they are already disadvantaged. Accord-

ing to data from the Early Childhood Longitudinal Study (ECLS), about half of kindergarteners who speak English at home but no more than 17% of kindergartners who speak a language other than English at home, perform above the 50th percentile in California (Gándara et al., 2003). This disparity has to do with the fact that emergent bilingual kindergarteners cannot understand English well enough to be assessed in English. As a result, the placement of these children in remedial education starts when they enter school. It has been shown that early childhood education programs can help narrow gaps in preparation for elementary school (Haskins & Rouse, 2005; Takanishi, 2004). And yet, as we have already stated, emergent bilinguals are less likely to be enrolled in any early childhood program than their monolingual counterparts. Furthermore, we know that the best form of early childhood education for emergent bilinguals would be one that builds on the linguistic and cultural strengths they bring from home, and such programs are extremely rare (Garcia & Gonzalez, 2006).

Remedial education and tracking. Kindergarteners and others who score low on tests are likely to be placed in remedial education (Gottlieb, Alter, Gottlieb, & Wishner, 1994). Because emergent bilinguals are only seen as English language learners from whom little is expected, they often go to schools that offer more remedial programs where the emphasis is on drill and remediation (De Cohen et al., 2005). As a result, their learning is often about compensating for their limited English language skills (Harklau, 1994; Olsen, 1997). They are often given multiple periods of English as a Second Language instead of meaningful content, a product of the emphasis on developing English. To accomplish this English acquisition goal at the expense of other learning, these students are often taken from their regular classes for “pull-out ESL,” creating further inequities (Anstrom, 1997; Fleishman & Hopstock, 1993). Furthermore, although it is widely accepted that a balanced approach to literacy that incorporates more time to discuss, create, read and write, as well as to learn “phonics,” is central to literacy development (Birch, 2002; Honig, 1996), most English language learners are taught to read exclusively through heavily phonics-based approaches.

In a standards-based era, alignment of instruction with state standards is most important. Yet, it has been found that the alignment of instruction for emergent bilinguals with state standards is a great deal poorer than for English proficient students (Gutierrez et al., 2002; Hopstock & Stephenson, 2003b). It has also been found that there is a lack of appropriate material to assist teachers in doing this (Hopstock & Stephenson, 2003b).

For academic courses other than English, the English language learners are also regularly tracked into courses that do not provide them with challenging content (Callahan, 2003, 2005; Oakes, 1990). Sometimes they are given shortened day schedules and excused from courses that are not considered relevant to them (Olsen, 1997). Or they are given physical education or art classes rather than core subject content classes (García, 1999). In fact, often their learning of content-area academics is delayed until English has been acquired (Minicucci & Olsen, 1992). Or alternatively, when newcomers are taught subject matter through English only, instruction often takes on a slower pace, and less content is covered (Minicucci & Olsen, 1992). In California, only 41% of the teachers reported being able to cover the same material with emergent bilinguals as with their other students (Gándara et al., 2003). Only when the home language is used to teach academic subjects, in recognition of these students emergent bilingualism, can challenging academic content be taught (García & Bartlett, 2007).

In a study of secondary schools in California, less than one fourth of the schools surveyed offered the full range of content courses for emergent bilinguals (Minicucci & Olsen, 1992). This produces an inferior education; by the time the emergent bilinguals develop their full proficiency in English, they have not taken the appropriate high-level courses compared with their grade-level English speaking counterparts, and thus, they score lower on college admission tests (Durán, 1983; Mehan, Datnow, Bratton, Tellez, Friedlander, & Ngo, 1992; Pennock-Román, 1994). In a major test case on the viability of curriculum tracking as an educational practice, *Hobson v. Hansen* (1967), the Washington, D.C., Superior

Court noted that sixth-grade students who are taught a grade 3 curriculum are likely to end the year with a third-grade education (Gándara et al., 2003).

Special education. English language learners are also overrepresented in some categories of special education, particularly in specific learning disabilities and language and speech impairment classes, and most especially at the secondary level (Artiles, Rueda, Salazar, & Higuera, 2002). Emergent bilinguals who are in bilingual programs are less likely to be in special education than those students who are in English-only programs (Artiles et al., 2002). Gándara et al. (2003) have shown that English language learners who have low proficiency in both English and their home language are even more vulnerable. They are 1.5 times more likely at the elementary level, and twice more likely at the secondary level, to be diagnosed as speech impaired and learning disabled.

The overrepresentation of ELLs in the learning disability category (57% in this category vs. 53% in this category among the rest of the student population) and in the speech/language category (24% in this category vs. 19% among the rest of the population) suggests that many educators may have difficulty distinguishing students with disabilities from those who are still learning English (Yates & Ortiz, 1998). Many ELLs in special education have been classified erroneously as having a speech/language disability (Zehler et al., 2003). This error comes as a result of the shortage of special educators who are trained to understand issues of bilingualism and second language development (Ortiz, 2001).

According to Zehler et al. (2003), approximately 9% of the total ELL population in public schools was in special education classes in 2001-02.³² Of these, 61% were male, indicating an overrepresentation of male ELLs with disabilities, since only 51% of all ELLs were male (Zehler et al., 2003). Most ELLs in special education programs were at the elementary level (50.5%), followed by middle school (22.8%) and then high school (18.6%) (Hopstock & Stephenson, 2003b).³³

Spanish-language ELLs represented 80% of the total special education ELL population, indicating that they are slightly overrepresented in special education programs compared with ELLs overall (Zehler et al., 2003). This overrepresentation may have to do with the increased availability of special education Spanish-English bilingual teachers and bilingual school psychologists, as well as the abundance of assessment instruments in Spanish, compared with other languages. It could also relate to cultural biases against Latino students.

Exclusion from gifted programs and Advanced Placement. The other side of the coin for emergent bilinguals when it comes to access to the most challenging educational programs is their underrepresentation in “gifted and talented” programs. Only 1.4% of English language learners nationwide are in gifted and talented programs, in contrast to 6.4% of the English proficient population (Hopstock & Stephenson, 2003b). Although 3.2% of all high school students are enrolled in Advanced Placement (AP) mathematics and science, only 0.8% of English language learners are enrolled in AP science and 1.0% in AP math (Hopstock & Stephenson, 2003b). Although other data on participation by emergent bilinguals in college preparatory courses are not available, these students’ placement in remedial literacy and mathematics courses and lower-level core academic courses is well documented (Gándara et al., 2003; Parrish, Linqunti, Merickel, Quick, Laird, & Esra, 2002). Yet the data suggest that because of emergent bilinguals’ performance on invalid standardized tests, they are too often judged to be unfit for mainstream college preparatory classes (Koelsch, n.d.).

Inadequate Resources

Instructional materials. Oakes and Saunders (2002) have argued that there is a clear link between appropriate materials and curriculum and student academic outcome. Emergent bilinguals need developmentally appropriate materials to learn English, but they also need appropriate content materials in their home languages. More often than not, emergent bilinguals do not have these materials. Only 25% of teachers surveyed in an AIR study reported that they used a different textbook

for English language learners than their English proficient students; and only 46% reported using any supplementary materials for them (Parrish et al., 2002). More than one quarter of the teachers in California reported not to have appropriate reading material in English, and almost two-thirds of those with high percentages of English language learners in their classes had little instructional material in Spanish or other languages (Gándara et al., 2003). In another study, teachers with high percentages of English language learners had higher rates of reporting that their textbooks and instructional materials were poor, and that they and their students had less access to technology (Gándara et al., 2003).

Although Title III of NCLB requires states to have English language proficiency standards that are aligned with the state academic content standards, the alignment of instruction for emergent bilinguals with state standards is a lot poorer than for English proficient students (Hopstock & Stephenson, 2003b). There is also little instructional material to support this alignment (Hopstock & Stephenson, 2003b).

School facilities. Research has shown that classrooms for English language learners are often located on the periphery of, in the basement of, or outside of, the school building (Olsen, 1997). English language learners also go to schools in buildings that are often not clean or safe. For example, in a 2002 survey of 1,017 California teachers, conducted by Lou Harris, close to half the teachers in schools with high numbers of English language learners reported that their schools had unclean bathrooms and had seen evidence of mice, compared with 26% of teachers in schools with few if any ELLs (Gándara et al., 2003). English language learners attend the most impoverished and underresourced schools, which is clearly related to their growing isolation and segregation within the public educational system (Orfield, 2001).

School leaders, teachers, and other adults. Teacher and principal quality are two of the most important factors in determining school effectiveness and, ultimately, student achievement (Clewel & Campbell, 2004). But few school leaders and not enough teachers are well versed in issues surrounding bilingualism. Thus, it is even

more difficult to find quality teachers for bilingual students than it is for students in general.

Although principals and teachers at schools with large number of English language learners are more likely to be Latino or Asian, both principals and teachers also tend to be less experienced and have fewer credentials than those at schools with few or no emergent bilingual students (De Cohen et al., 2005). Forty percent of Asian teachers and 45% of Latino teachers nationwide teach in schools with high levels of emergent bilinguals (De Cohen et al., 2005). These Latino and Asian teachers are more likely to be bilingual and knowledgeable of the child's culture, thus enabling the support of the students' languages and identities. And yet, these teachers tend to be less experienced. Teachers in schools with high numbers of English language learners have fewer credentials on average than teachers at schools with few or no emergent bilinguals (De Cohen et al., 2005). Although slightly more than 50% of teachers in schools with high levels of emergent bilinguals have full certification, almost 80% of teachers in other schools do.

In California, the least experienced teachers are placed disproportionately in schools that have the greatest number of minority students (Esch & Shields, 2002; Esch, Chang-Ross, Guha, Humphrey, Shields, Tiffany-Morales, Wechsler, & Woodworth, 2005; Gándara et al., 2003). In 2002, 25% of teachers of emergent bilinguals in California were not fully certified, as compared with 14% statewide (Rumberger, 2002). Schools with high concentrations of emergent bilinguals have more difficulties filling teaching vacancies; they are more likely to hire unqualified teachers and rely on substitutes (De Cohen et al., 2005). And although California's bilingual education certification—the BCLAD³⁴—is the most comprehensive of all California certification, it is also the rarest. Only 5% of California teachers who instruct emergent bilinguals have a full credential with BCLAD authorization (Gándara et al., 2003). More than 40% of the teachers of English language learners report receiving only one in-service workshop that focused on the instruction of their students in the previous five years (Maxwell-Jolly, Gándara, & Méndez Benavídez, 2006). The 2006 GAP

report also shows that states have much difficulty in finding qualified personnel to teach emergent bilinguals.

As the numbers of emergent bilinguals increase, the shortage of qualified teachers for these students has been exacerbated. In 1986 there was one bilingual teacher to every 70 English learners students in California; by 1996 there was one for every 98 emergent bilingual students (Gándara et al., 2003).

According to Gándara et al. (2003), there is also a dearth of school professionals to assist emergent bilinguals. Bilingual speech pathologists are sorely needed. Guidance counselors with bilingual skills are also in short supply. In California less than 8% of the school psychologists are bilingual and capable of conducting an assessment in an ELL student's home language.

Although classrooms with large numbers of English language learners may have more teaching assistants, these students actually interact less with English speaking adults (Gándara et al., 2003). In fact, it turns out that parents and other adults spend *less time* in classrooms with emergent bilinguals (Gándara et al., 2003). In other words, although parental participation has been identified as a most important factor in furthering a child's education, as we will see in the next section, the strengths of parents of emergent bilinguals are seldom included in classrooms, leading to their isolation from the school community.

Funding. One of the most important equity issues surrounding the education of emergent bilinguals involves the ways in which programs are funded. Currently, the major funding source for public educational programs for emergent bilinguals is the federal government; virtually all funding comes through what was Title VII of ESEA, the Bilingual Education Act, and is now Title III of NCLB.³⁵ Until 2002, Title VII of the Elementary and Secondary Education Act (ESEA) had provided funding for projects and services for ELL students at the state, district, and school levels on a competitive basis; that is, they were *discretionary grants* that states and districts applied for and used to fund schools and programs serving ELL students. In contrast, under Title III of No Child Left Behind there are *performance-based formula grants* that

the federal government awards directly to the states. These federal grants to the state are determined by two factors that are weighted differently in the formula: (1) the number of English language learners (80% of the formula) and (2) the population of recently immigrated children and youth³⁶ (relative to national counts of these populations) (20% of the formula.).

Once the individual state departments of education receive their federal money, they award subgrants to local educational authorities who apply for them based on the number of ELLs and immigrant students in each district. States are allowed to set aside up to 5% of these funds for state-level activities, such as test development. In addition, Title III requires each state to use up to 15% of its formula grant to award subgrants to school districts with significant increases in school enrollment of immigrant children and youth, before distributing the remainder across school districts in proportion to the number of students with limited English proficiency.

Despite this provision and the fact that total funding has increased with NCLB (Borkowski & Sneed, 2006), Title III only reaches approximately 80% of the 5.1 million ELLs nationwide (Office of English Language Acquisition, 2006). Furthermore, the funds are spread very thin, as the program continues to be underfunded within NCLB. A 2004 report from the Council of Great City Schools found an average Title III subsidy of \$109 per student, insufficient to meet the educational needs of emergent bilinguals.

As we noted in Part I, there are numerous problems with efforts to count ELL students via the census or school reports, so the federal funding is not always accurately distributed across states and districts. As a result, some states have done better and others worse. Crawford and Krashen (2007) summarize this matter by saying, "In 2004-05, for example, California served 516,000 more ELLs than the Census Bureau counted through its American Community Survey; Texas served 140,000 more; and Arizona served 53,000 more. By contrast, New York served 128,000 fewer ELLs than the ACS reported; New Jersey, 45,000 fewer; and Georgia, 28,000 fewer."

In addition, not every local educational authority applies to its state for Title III funding. For example, in 2006 in New York, fewer than 200 out of 780 districts in the state applied (Pedro Ruiz, 2007, personal communication). New York State gets \$53-54 million in Title III funding. It counts approximately 192,000 ELLs — though the real number is probably 200,000.³⁷ Assuming this funding were distributed to each district accurately based on the number of ELL students, each student would be allocated approximately \$270 in additional funds per year. Per-pupil funding figures also assume that schools target funds to those who need the ELL services and distribute funding somewhat evenly among them. In reality, the money allocated for each school is given directly to the principal in one lump sum, and he or she decides what to do with it. Little information exists on how these funds are allocated at the school level.

What do costing-out studies tell us? Striving for transparency is a central part of seeking equitable funding, a process that some believe entails more public engagement and judicial oversight (American Institutes of Research/Management Analysis and Planning (AIR/MAP), 2004; Rebell, 2007). Since 1991, when the press for higher standards and more accountability became more intense, courts, state legislatures, and education advocacy organizations have requested "costing out" studies to obtain more information on how to fund students, including ELL students, equitably. Such research helps to inform the legal movement to seek adequate funding for groups deemed in need of additional resources, including English language learners (AIR/MAP, 2004; Rebell, 2007).

In examining this costing-out literature as it relates to ELL students, most studies have shown that it costs more to educate emergent bilinguals than it does to educate native English speakers (Baker, Green & Markham, 2004; Parrish, 1994), although a few studies have argued otherwise (AIR/MAP, 2004). Still, estimates of these additional costs per emergent bilingual student vary greatly and range from 5% more to 200% more than the cost of educating mainstream students (Baker et al., 2004; Crawford, March 26, 2007, personal communication).

In other words, there is great variation in this literature on the cost of meaningful bilingual education, but some consensus is beginning to emerge, as we will describe below.

Overall, it has been established that emergent bilinguals require additional personnel at rates of approximately 20 students with one full-time teacher and one or more instructional aide per teacher. This leads to an additional cost (above a regular program) of \$2,403 to \$3,822 per pupil at the elementary level and \$2,851 to \$4,937 per pupil at the secondary level, depending on the per-pupil cost and teachers' salaries in a given state and district in optimally sized schools (Baker et al., 2004). These additional costs of educating emergent bilinguals can also vary by district size, concentration of students, and the type of instructional program offered.

Parrish (1994) has found that the most expensive educational programs for emergent bilinguals are English as a Second Language (ESL) programs. In 1994, ESL programs cost \$2,687 per pupil, more even than two-way dual language programs, which cost \$2,675 per pupil. In the same year, the least expensive educational programs were transitional bilingual education programs, with early exit programs estimated to be the least expensive at \$1,881 per pupil and late exit at \$1,976 per pupil. Sheltered English programs follow, costing approximately \$2,050 per pupil.³⁸

Clearly, additional funding is needed to provide emergent bilinguals with the educational services they need and deserve to be able to achieve to high standards in English. Before we can establish precisely how much more is needed for their education, the local context in which these emergent bilinguals are being educated and the goals for their education would need to be carefully examined.

Involving Parents and Communities in the Education of Emergent Bilinguals

Both folk wisdom and research over the years have supported the notion of parental involvement in their children's schooling, the premise being that several caring adults (school personnel and family members), working

together, can accelerate their learning. It is "the mantra of every educational reform program" (González, 2005, p. 42), including the current NCLB legislation, which requires schools to reach out to parents and involve them in their children's education. Research has shown the benefits of such collaboration: parent involvement leads to better attendance, higher achievement, improved attitudes about learning, and higher graduation rates. In addition, of particular importance for this review, children from minority and low-income families gain the most from parent involvement (Epstein, 1990; Henderson, 1987; Henderson & Berla, 1994; Henderson & Mapp, 2002; Hidalgo, Siu, & Epstein, 2004; Jordan, Orozco, & Averett, 2001). A meta-analysis conducted by Jeynes (2005) of 41 studies involving urban elementary schools demonstrates a significant relationship between parental involvement and academic achievement; this relationship holds for whites and minorities as well as for both boys and girls. Jeynes found positive effects for secondary school students, as well, in his meta-analysis of 52 such studies (Jeynes, 2004/2005).

Stigmatization of Ethnolinguistic Minority Parents and Children

Despite these findings, the parents of emergent bilinguals, who in many cases have limited formal schooling themselves and may not communicate proficiently in English, continue to be stigmatized and considered incapable educational partners (Ramirez, 2003). This deficit view is also applied to their children. Yet, the research demonstrates that, in fact, it is their schools that are deficient — schools with the least funding and limited resources as well as teachers who have not been prepared to work with families for whom English is not their first language and to engage effectively with the parents (Gibson, Gándara, & Koyama, 2004). We argue that the schools have to revise their valuation of these parents' educative role and redouble their efforts at involving the parents in order to help pave the way for greater educational equity for emergent bilinguals.

Ways of knowing and speaking begin at home. We all know that education begins in the home, and because children in U.S. schools come from diverse linguistic and

cultural backgrounds, family educational practices can take on distinctive characteristics. In other words, emergent bilinguals' families possess endogenous knowledge and skills that are often overlooked by educators who too often ignore John Dewey's much earlier call to arrange teaching to take into account children's prior experiences (Dewey, 1938).

Research has demonstrated variation in ways of knowing among families from different backgrounds. Philips's (1983) classic work on the Warm Springs Indian reservation in Oregon showed that Indian children learn participation structures at home that are different from the participation structures in the school, resulting in white teachers' misinterpreting the children's turn-taking behaviors and other ways of speaking. Heath (1983) demonstrated how practices in the home sometimes clash with school practices in her research describing the home-school relationship of three communities in the Piedmont Carolinas: Maintown (representative of the middle class) and Trackton and Roadville, representing working-class black and white mill communities, respectively. Literacy activities in the working-class communities differ from the literacy taught in schools, which represent middle class "ways with words." Heath (1983) argues that literacy is practiced in all three communities in situations with rich mixtures of orality and literacy, but that teachers often fail to recognize and build upon the literacy practices of some communities, particularly those most marginalized in the larger society.

Other studies have shown how teachers can learn about communication patterns in the home, which can be adapted for improved learning opportunities in the classroom. For example, Rosebery, Warren, and Conant (1992) found that native speakers of Haitian Creole use certain discursive practices that are culturally congruent with the discourse of argumentation in science, thus demonstrating how the home language can be a resource rather than an impediment for learning, as is often assumed.

In a similar vein, Au (1993) described efforts to meet the needs of native Hawaiian children, with particular attention to children's reading development, demonstrating that these students' reading improves

when the participation structure of reading lessons maintains a close fit with the discourse of talk-story, part of the Hawaiian storytelling practice. These and similar studies show that, working with parents, teachers can effectively draw on family and community linguistic and other knowledge to guide students towards educational attainment.

Exclusion of community funds of knowledge. Many educators still consider family practices to be barriers to student achievement. For example, parents are often exhorted to "speak English at home," in the mistaken belief that this will improve their children's English at school. This advice, while well intentioned, devalues the home language and at the same time encourages inconsistent, often poor, "linguistic input" from nonnative speaking parents (see Ross & Newport, 1996). In a major effort to counteract the stigmatization of families of emergent bilingual children, a group of anthropologists from the University of Arizona have developed a program of research, spanning nearly two decades, on "funds of knowledge" for schooling (e.g., Greenberg, 1989, 1990; González, Moll, & Amanti, 2005; Moll, Amanti, Neff, & González, 1992; Moll & Greenberg, 1990).

The concept of "funds of knowledge" refers to different strategies and ways of knowing needed for a household to function effectively. It is based on the notion that everyday practices, including linguistic practices, are sites of knowledge construction and that these resources can be brought into the classroom. These scholars' program of research has focused on teachers' visits to the homes of Latino families to learn about a variety of skills that they possess, such as carpentry, mechanics, music, knowledge about health and nutrition, household and ranch management, and extensive language and literacy skills and practices. López (2001) describes parents' efforts at teaching their children the value of hard work, a value that is transferable into academic life. The central communicative resource children learn at home is the home language, and their first exposures to print include "local literacies" such as Bible reading, reading and writing family letters, record-keeping, and following recipes (Delgado-Gaitan & Trueba, 1991; Mercado, 2005b).

Mercado (2005a) describes funds of knowledge in two New York Puerto Rican homes as developing in three areas: intellectual, social, and emotional resources. The families draw on both Spanish and English literacy to address their needs in health, nutrition, legal matters, and for spiritual development. Browning-Aiken (2005) and Tenery (2005) both describe how social networks are formed with extended family, friends, and the wider community. In short, parents of emergent bilinguals have a great deal to teach teachers about knowledge and skills that originate in their households that can and should be translated into academic success in schools.

Broadening the View of Parental Involvement

There is, of course, the question regarding what parental involvement in the schools means. The “mainstream” view of parental involvement includes parental presence at school or their assistance with students’ academic work. In general, it is the school that decides how parents can become involved with their children’s education, which, according to Seeley, is a “delegation” model (Seeley, 1993).³⁹ One definition that takes into account family and community practices is that of Pérez Carreón, Drake, and Calabrese Barton (2005), who developed the concept of *ecologies of parental engagement* to refer to the participation of parents in a child’s schooling in a manner that goes beyond the physical space of the school and is rooted in the understanding of a family’s cultural practices. The ecologies of parental engagement view takes into account the different styles of action taken by parents of diverse ethnolinguistic backgrounds. The authors offer the examples of Celia, a mother who engages with the teacher as a helper inside the classroom, and Pablo, an “undocumented” immigrant father, who engages with a network of neighbors and his son’s teacher outside the classroom to question what is happening in school.

For the sake of brevity, we focus on studies of Latino families’ styles of action. Zentella’s (1997, 2005) research in New York and Valdés’s (1996) research in California provide evidence that parents of various Spanish-speaking backgrounds are involved in their children’s education in a variety of ways, including rich linguistic exposure

to story-telling and print in the native language at home. Zentella explores the lives and rich, varied language patterns of working-class Puerto Rican families with a focus on five girls, whom she follows from childhood until they become young adults. Zentella’s (1997) observations of family language practices lead her to emphasize the importance of teachers building on students’ home language for learning — including vernacular varieties — to support students’ self-worth/identity and to help children see connections with the standard variety, in this case, standard Spanish. For Zentella (2005), becoming bilingual maintaining the home language and developing strong English language and literacy competencies — gives students a chance at economic advancement. She states that parental goals for their children also include becoming *bien educado* [well educated], a term that encompasses moral values and respect along with having book knowledge.

Valdés (1996) describes first-generation Mexican parents’ beliefs about their role in their children’s schooling. For these parents, the teachers were to be entrusted with the children’s academic skills. Mothers and fathers, who did not feel that they had the academic preparation to help with these skills, focused instead on giving advice, instilling respect, and fostering moral values (see also Suárez-Orozco & Suárez-Orozco, 2001). Valdés makes a strong argument in this research that school officials’ and teachers’ response to these parental beliefs has been that the parents are disinterested in the children’s education. As we have seen in the research reported throughout this section, this notion is far from the truth; parents want to learn how to help their children at home (Epstein, 1990), yet they have in some cases felt disregarded and left powerless in their attempts to be involved in the school (Pérez Carreón, Drake, & Calabrese Barton, 2005).

Community Organizing

Research shows that language-minority parents are beginning to question the existing power relations in the home-school relationship. Some parents have begun to form grassroots organizations to address their schools about concerns they have regarding their children’s edu-

cation. These groups have grown in numbers over the last several years. Delgado-Gaitan (2001) studied a Latino parent organization, Comité de Padres Latinos/Committee of Latino Parents (COPLA), where parents learned to make sense of the school system, build leadership, and become their children's advocates. Delgado-Gaitan (2001) explained: "Shaped by the lesson of their own pain, [the] parents placed their children's needs center stage, giving rise to and sustaining their activism in the community" (p. 8). Community organizations like these are beginning to require more equitable and responsive actions by the public education system.

In short, the literature we report here suggests that there be a balance of power with school personnel, parents, and community working to achieve closer mutual engagement for the education of emergent bilinguals.

Conclusion: Recommendations

We conclude this review of research and data on the educational needs and outcomes of emergent bilinguals by drawing from the analysis above, framed around the central theme of the growing dissonance between the research and inappropriate educational programs, assessment, and instruction, low levels of resources and funding, and exclusion of parents and community. We offer a set of recommendations for a more equitable education of emergent bilinguals. These recommendations take on greater urgency today given the increase in the number of students—citizens and noncitizens alike—coming into U. S. classrooms who speak a language other than English. Some of these recommendations can be carried out by advocacy groups and grassroots organizations; some need the leadership of government, at the federal, state and local levels, and school officials, to move forward; and others are the realm of researchers.

For advocates:

- Educate the American public through the media to become well informed about the nature of bilingualism, particularly the fact that, in acquiring

English, children become bilingual, and, thus, any English language teaching develops bilingualism.

- Educate the American public through the media about the benefits of bilingualism as a national resource, especially in the context of a globalized world.
- Urge federal funding for quality schools that provide appropriate support for the education of emergent bilingual students
- Urge federal funding for research in the assessment of emergent bilinguals that is valid and reliable, that is, assessment that takes into account the difference between testing academic knowledge and testing linguistic knowledge and that recognizes the value of multiple indicators of students' academic achievement.

For policymakers and education practitioners:

- Develop a definition of an English language learner that is stable across federal and state lines. The federal government should require stable and accurate data reporting and classification.
- Design educational policy based on current theory and research regarding the benefits of an equitable education for emergent bilinguals.
- Support and expand educational programs that have been proven to provide rigorous, high quality education, and that build on the strengths children bring to school, particularly their home languages and cultures.
- Support and expand student access to high quality materials, including new technologies, especially in high-poverty schools, to facilitate access to the changing communication mediascape and give students a better chance to reach academic attainment.
- Start bilingual educational support early—through meaningful bilingual early childhood programs.

- Extend educational support to emergent bilinguals beyond the elementary level.
- Require that school leaders, teachers and other school personnel be well versed in issues of bilingualism and understand the importance of the home language and culture for the child. Promote strong preservice education that prepares teachers to work with emergent bilinguals.
- Require schools to recognize the funds of knowledge that exist in emergent bilingual children's families and communities, to be accountable to them, and to achieve closer mutual engagement for a higher quality education.

For researchers:

- Develop assessments that tap into children's knowledge construction in English through languages other than English.
- Strengthen research on bilingual acquisition and evaluation of education for English language learners by conducting, for example, more multidisciplinary and multimethod studies that will aid educators and school officials in making informed decisions about programs and practices.

As this review has shown, our current, top-down policies for the education of emergent bilinguals are misguided. They are in contradiction to what research has concluded and scholars and educators have maintained. They also diverge from the way in which our society must learn to engage in a globalized world with its growing multilingualism. But despite restrictive educational policies, we see, on the ground, reflective educators who continue to use a commonsense approach in teaching the growing number of these children, building on the strengths of their home languages and cultures.

American educators, however, should not be left alone—or even worse, forced to hide what they are doing—when implementing practices that make sense for the children and the communities they are

educating. For emergent bilinguals to move forward, and not be left behind, educators need to be supported by policy and resources that bolster their expertise and advance their teaching. They need to observe students closely and document their work with and through language, as well as their learning, instead of focusing only on performance in invalid assessments. They need to continue to teach individual children, instead of seeing teaching as a master plan of scores. They need to work with the good aspects of governmental policy, at the federal, state and local level, as we advocate for changes in those parts of the policy that make no sense for emergent bilinguals. For changes to be effective, the different levels of policy must work in tandem, with educators and language minority communities. Only then, will we begin to address closing the gap between levels of abstract policies and local realities through which most disadvantaged children, such as emergent bilinguals, fall through. We must start filling up the gap of inequity for emergent bilinguals by naming the inequities as we have done in this review, and then taking action to support their meaningful education.

Notes

1. Sometimes, this is accomplished through bilingual education, about which we will say more below. But other times, this can be accomplished in programs where only English is formally used as a medium of instruction, but where teachers acknowledge and build on the languages that the students bring to the classroom.
2. NAEP data have little validity in the case of these English language learners, since these are, by definition unable to reach proficiency on English-language assessments (see section on assessment below).
3. According to NCLB, section 9101, paragraph 25, a limited English proficient student is defined as an individual
 - (A) who is aged 3 through 21;
 - (B) who is enrolled or preparing to enroll in an elementary school or secondary school;
 - (C)(i) who was not born in the United States or whose native language is a language other than English;
 - (ii)(I) who is a Native American or Alaska Native, or a native resident of the outlying areas; and
 - (II) 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
 - (iii) who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; and
 - (D) whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual —
 - (i) the ability to meet the State's proficient level of achievement on State assessments described in section 1111(b)(3);
 - (ii) the ability to successfully achieve in classrooms where the language of instruction is English; or
 - (iii) the opportunity to participate fully in society.
4. Even the term ELL can be problematic, as a participant at a recent conference on the teaching of languages attested when asking, "You mean these are English [meaning British] students who are learning languages?"
5. Both the Descriptive Study and the SEA Survey use samples of the population, and some of their enrollment figures are just estimates of the number of ELLs actually being served. Both the Descriptive Study and the SEA Survey were conducted prior to the implementation of NCLB. Data from the first *Descriptive Study of Services to Limited English Proficient Students*, which was conducted in 1984 (Young et al. 1984), are not comparable to the second and third studies. Because the second (Fleischman & Hopstock, 1993) and third Descriptive Study (Zehler et al., 2003) had similar goals, the data for the latter two studies are slightly more comparable. As for the SEA Survey, although the U.S. Department of Education has been gathering data through this questionnaire since 1990-91, these data are not comparable, either. The surveys underwent extensive revisions in 1996 to conform to the Improving America's Schools Act of 1994 and again in 2002 under the requirements of NCLB. For example, up to 2000, only ELLs enrolled in public schools were counted, but starting in 2000-01, non-public school students were also surveyed, although those data were not readily available and were not included in the 2002 report. Thus, little comparison across time can be made using these data.
6. The 2004-05 NCELA numbers are distorted by the inclusion of Puerto Rico, where 99.9% of students are classified as ELLs, and other outlying areas (Micronesia, American Samoa, Guam, Marshall Islands, North Marianas, Paulau, and the Virgin Islands). Public schools in these U.S. protectorates are eligible for Title III, bilingual education, funding. Excluding these areas outside the 50 states, the ELL enrollment was 4,459,603 in 2004-05.
7. The "big states" according to the number of English language learners have developed their own assessments for English language proficiency, as follows: California - California English Language Development Test (CELDT); Texas - Texas English Language Proficiency Assessment (TELPAS); Florida - Comprehensive English Language Learning Assessment (CELLA); New York - New York State English as a Second Language Achievement Test (NYSESLAT); New Mexico - New Mexico English Language Proficiency (NMELEPA); Arizona - AZELLA. Illinois and New Jersey belong to the WIDA consortium (see footnote 8).
8. The WIDA consortium consists of Alabama, Delaware, the District of Columbia, Georgia, Illinois, Kentucky, New Hampshire, New Jersey, Maine, North Dakota, Pennsylvania, Oklahoma, Rhode Island, Vermont, and Wisconsin.
9. How academic achievement should be defined has received a great deal of attention in the field of educational measurement. Some argue, as we do here, that language ability should be measured separately from content knowledge; in this view, the language variable in large-scale assessments of academic achievement (such as NAEP) is interpreted as a measurement error. Others contend that knowledge of the content area necessarily includes the specific discourse embedded in it. (See Koenig, 2002, for a discussion of these issues.) We thank Lyle Bachman for calling this to our attention.
10. The numbers reported by Kindler (2002) were 1,511,646 in California, 570,022 in Texas, 254,517 in Florida, 239,097 in New York, 140,528 in Illinois and 135,248 in Arizona, different from those above.
11. For the period 2001-02, Kindler (2002) reports the percentages as follows: California (25%), New Mexico (20%), Arizona (15%), Alaska (15%), Texas (14%) and Nevada (12%).

12. We believe that the 75% estimate is more accurate, given the inclusion of Puerto Rico in calculations other than the census.
13. As in all cases where we use U.S. Census figures, we calculate ELLs by adding up all those who claim to speak English less than very well.
14. Indo-European is not synonymous with European. It includes all languages of this linguistic family except for English and Spanish. French, German, Hindi, and Persian are all classified as Indo-European. Hungarian, on the other hand, is lumped into "other language."
15. Asian Pacific includes languages indigenous to Asia and Pacific islands areas that are not also Indo-European languages. Chinese, Japanese, Telugu, and Hawaiian are all classified here.
16. Scholars point out that categories of race and ethnicity are confounded in the U. S. Census as well as in educational policy, where the terms *linguistic minority*, *race*, and *ethnicity* are often ambiguously used (Macias, 1994; Wiley, 2005).
17. High-LEP schools are those that have 25% or more LEP students. Low-LEP schools are those where LEP students represent less than a quarter of all students.
18. Whereas 70% of ELL students were in pre-K to fifth grade in 2001-2002, only 40% of students nationwide were at the same grade levels in 2006-07 (U.S. Census, 2007).
19. Temporary sojourners are usually business persons who are on a short-term visit.
20. The term *migrant workers* usually refers to persons who work at seasonal jobs and move around, and in the United States it usually describes low-wage workers in the agriculture field.
21. This term is contested since children growing up in English-speaking homes are never referred to as "linguistically isolated."
22. These numbers do not include the 6% of Spanish speaking ELLs who are said to be from places other than these countries.
23. Some of the history in this section is taken from García, forthcoming. A most important source is Crawford, 2004.
24. The subgroups of students are racial and ethnic groups (Asian/Pacific Islander, Black, Hispanic, American Indian, White), economically disadvantaged, free/reduced lunch, students with disabilities, and limited English proficient.
25. Title I, Improving the Academic Achievement of the Disadvantaged, provides financial assistance to schools with high numbers or high percentages of poor children to help ensure that all children meet challenging state academic standards.
26. Cummins called this *decontextualized language*, a term that has been controversial, since no language, however abstract, can truly be called decontextualized.
27. This in no way refutes Cummins's theories but stretches them further.
28. These included the ITBS, CTBS, Stanford 9, and Terra Nova.
29. The Panel's report was not released by the government. The authors were given the copyright, and the report was published by Lawrence Erlbaum.
30. The year after the proposition passed, the scores of English language learners on the Stanford 9 test rose, but so did the scores of all groups in California because teachers and students became more familiar with the test that had been introduced only one year before the English only law. Since then, researchers have found no difference among the scores of emergent bilinguals who are in districts that offer bilingual education and those that don't.
31. Some of this section is taken from Chapter 15 of García, forthcoming.
32. According to Zehler et al. (2003), the percentage of ELL students reported to be in special education was smaller than the percentage of all students in special education (9% vs. 13%). This may have to do with an underidentification of ELL students in need of special education services.
33. Eight percent of ELL students in special education were in multilevel classrooms and thus are not included in this count.
34. BCLAD stands for Bilingual, Crosscultural, Language and Academic Development. CLAD is the certification needed to teach English learners in California. BCLAD is the certification to teach English learners in bilingual programs.
35. Typically, state and local tax revenues provide most of the money for public education in the United States, 92% of the total on average, but this is not so for English language learners where the funding mostly comes from federal initiatives, as do other categorical programs to serve disadvantaged students.
36. NCLB defines these as 3-21 year olds not born in the United States and not being in school attendance for more than three full academic years.
37. The inconsistency between these numbers of ELL students in New York has to do with the fact that this is the actual count given in the 2005 ACS of 5-17 year olds with limited English proficiency. But in the Biennial Report to Congress on the Implementation of Title III, NYS reported serving only 32,202 in 2002-04. This has to do with the inadequate reporting mechanisms of states which are now being addressed.
38. These numbers include the cost of the base education plus any additional costs.
39. See Spear-Ellinwood and Moll (2005) for a concise history of home-school relations in the United States.

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About the Authors

Ofelia García is a professor at Teachers College, Columbia University, in the Department of International and Transcultural Studies. She co-directs the Center for Multiple Languages and Literacies, and is the faculty coordinator of the bilingual education program. García has been dean of the School of Education in the Brooklyn Campus of Long Island University and professor of bilingual education at The City College of New York. She is co-editor of *Spanish in Context* and was the editor of *Educators for Urban Minorities*. Her latest publications include *Imagining Multilingual Schools* (with Tove Skutnabb-Kangas and María Torres-Guzmán), *A Reader in Bilingual Education* (with Colin Baker), and *Language Loyalty, Continuity and Change: Joshua Fishman's Contributions to International Sociolinguistics* (with Rakhmiel Peltz and Harold Schiffman). Among her other books are *The Multilingual Apple: Languages in New York City* (with Joshua Fishman), *Policy and Practice in Bilingual Education* (with Colin Baker); *English Across Cultures: Cultures Across English*, *A Reader in Cross-Cultural Communication* (with Ricardo Otheguy). In addition, she has published numerous academic articles in the areas of bilingual education, bilingualism, sociology of language, U.S. Spanish, and the education of language minorities. She is a fellow of the Stellenbosch Institute for Advanced Study (STIAS) in South Africa and has been a Fulbright scholar and a Spencer fellow of the U.S. National Academy of Education.

Jo Anne Kleifgen is associate professor of linguistics and education at Teachers College, Columbia University. She is a founding member and co-director of the Center for Multiple Languages and Literacies. She teaches courses in linguistics and education, bilingualism/biliteracy, discourse analysis, and new media for language and literacy. She has conducted research on language use in multilingual classrooms and the use of technologies to develop Haitian and Latino students' bilingualism/biliteracy. Her articles have been published in edited books as well as in *Anthropology and Education Quarterly*, *Discourse Processes*, *Language in Society*, *Research on Language and Social Interaction*, *Reading Research Quarterly*, and *Text*, among other scholarly journals. More recently, she concluded a multiple-year study of language practices in a high-tech, multilingual workplace in the Silicon Valley, with particular attention to Latino, Chinese, and Vietnamese immigrant workers. A book on this research, *Assembling Talk: Multilingual Communication in a High-Tech Firm*, is in preparation. She also has edited a volume (with George C. Bond) entitled, *The Languages of Africa and the Diaspora: Educating for Language Awareness*, forthcoming with *Multilingual Matters*. Currently, she is involved in a research project that is testing the uses of new technologies to support the language and literacy development of immigrant students living in the New York area. She has served as consultant to language programs and has been a visiting scholar in both the United States and abroad.

Lorraine Falchi is a doctoral student and instructor in the Department of Curriculum and Teaching at Teachers College, Columbia. She has taught early, middle, and upper elementary grades in bilingual education programs in New York and California. Both in teaching and supervising student teachers in bilingual programs in Spanish/English and Italian/English at Columbia, Teachers College, she has been involved in teacher education. Her research interests include multilingual education, multiple literacies, critical literacies, and teaching of culturally and linguistically diverse students.

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The Campaign for the Educational Equity

Teachers College, Columbia University
525 W. 120 Street
New York, NY 10027
www.tcequity.org

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