Measures that Matter

Next Generation State High School Assessment and Accountability: English Language Learners

Delia Pompa
National Council of La Raza

Achieve
The Education Trust

The rapidly increasing English Language Learner (ELL) population across the United States offers valuable possibilities for next-generation ELL policy for assessment, accountability, and best practices. There is now tremendous opportunity to create policies taking into account the needs of ELL students from the outset rather than as an afterthought.

Unsurprisingly, ELL students (students who score below proficient on assessments of English language proficiency), score poorly on academic achievement assessments when these are conducted in English, and they will continue to underperform until their English language skills are fully developed.

This paper presents recommendations for developing the next generation of state assessments and accountability systems appropriate for ELL students. Too little research and too few answers currently guide assessment and accountability policies for ELL students. However, recent interest has led to more high-profile conversations and activity to resolve the challenges of including ELL students in accountability systems. Drawn from this activity and practice of the last two decades, several recommendations emerge for policymakers developing the next generation of assessments. The governing assumptions of the following recommendations are that ELL students will be taught to the same high standards as non-ELL students and the instruction provided them will be appropriate and rigorous:

- Recognize diversity in the ELL population;
- Include former ELL students in the accountability system as a separate category;
- Use English proficiency as a trigger for content assessments;
- Determine appropriate accommodations for English language content assessments;
- Use native language assessments as interim assessments to determine content knowledge;
- Use multiple indicators of achievement to determine the full picture of ELL high school students' performance in order to plan effective interventions; and
- Implement strategies that support ELL student transition into postsecondary education.

These recommendations begin to fill gaps in current state assessment and accountability policies for ELL students. Successful next-generation assessments for these students depend on thoughtful inclusion of ELL students in the teaching and learning process. Carefully constructed policies will lead to assessments that better inform instruction and allow students and educators to demonstrate the outcomes of rigorous instruction. Furthermore, sound policies can ensure fair systems.

Recognize diversity in the ELL population. A variety of factors come together in complex ways to define each ELL student: native language, length of time in the United States, literacy skills, amount of previous formal schooling, the quality of education received in the United States, and proficiency in English. Assessments for English learners must at least account for groupings of this variety. As one would expect, recently arrived ELL students who speak little English and who have little formal education are unlikely to perform well on an English assessment or even on some native language assessments. On the other hand, ELL students who have been in the ELL category for many years most likely speak English and should be expected to show evidence of their achievement on a standard English assessment. In between the two extremes are groups of ELL students whose language and education characteristics must be taken into account as new assessments are developed.

One promising approach still in the initial stages of research recognizes the variety of ELL characteristics by modifying accountability systems, rather than by modifying assessments.[1] This approach recognizes the dynamic nature of ELL status and the effect language has on accurately capturing ELL content achievement. The number of years students have been in the U.S. combined with performance on English proficiency assessments will be combined to create an index setting performance standards on content assessments for different groups of ELL students. The index would not change goals for these students—they would continue to be held to the same goals as all students. But the index would provide information on ELL students' performance and progress, based on the same academic goals for non-ELL students, until ELL students can be appropriately assessed in English. Ultimately, ELL students would be held to the same standards, but teachers and schools would have more accurate information on how ELL students are performing. As this new approach is more fully developed, it should be considered in redefining accountability systems.

Include former ELL students in the accountability system as a separate category. Former ELL students by definition have reached a level of English proficiency allowing them to be removed from the subgroup. Keeping this group as a separate category provides a more accurate picture of ELL group achievement. Current interpretation of federal law allows former ELL students to be included in the Title I accountability system for up to two years.[2] Changing inclusion of this group to permanent would provide a clearer picture of achievement over time, especially if information is tracked by cohort. Schools and school districts would have a historical record of how ELL students who enter the system performing at low levels exit the program after appropriate instructional intervention, and how they perform as compared to all other students. Ultimately, this information would provide patterns of expected gain on both English proficiency and content assessments for ELL students with different characteristics.

Conduct research on English proficiency as a trigger for content assessments. Rather than using arbitrary measures of time in U.S. schools to determine when ELL students can take English language content assessments resulting in valid outcomes, the decision could be based on a predetermined score on an English proficiency assessment. Before implementing this strategy, further research is needed to determine

the level of English proficiency students need to result in scores on content assessment beyond chance. While no large-scale research has been conducted, test developers and other researchers have investigated the process on a small scale. One important point is that a time limit for postponing English language content assessments will be determined and included in the policy.

Determine appropriate accommodations for English content assessments. Accommodations for ELL students are intended to help students demonstrate their knowledge of test content by reducing construct-irrelevant variance due to limited English language proficiency.[3] Good accommodations provide a valid and therefore more accurate picture of ELL performance, but do not create any differences in non-ELL outcomes. Some examples of accommodations include extra time, glossaries, having directions read to students in their native language, and simplified English. Despite inconclusive evidence of their efficacy, 112 different accommodations in state assessments are available for ELL students.[4] While the research on accommodations indicates that those that accommodate linguistic ability improve test scores for ELL students,[5] much more research is needed on which accommodations are appropriate for which students. Moving forward, much more guidance must be provided to schools so they use only those accommodations that are effective.

Use native language assessments as interim assessments to determine content knowledge. As a specific accommodation, native language assessments can most accurately capture an ELL students' content knowledge. However, when the end goal is for students to demonstrate both content knowledge and ability to use English in an academic setting, native language assessments for high school students have the most promise as interim assessments. Assessing students in their native language is most feasible when there are large numbers of ELL students who speak the same language. Test developers are often challenged by creating native language assessments equivalent to the English version. However, this accommodation holds great promise, particularly for newcomer students who have been educated in their native language.

Use multiple indicators of achievement to determine the full picture of ELL students' performance. Current assessment practices that focus only on one standardized measure deny ELL students the possibility of displaying their full knowledge and curtail schools' ability to demonstrate the full progress of these students. States should develop other valid and reliable measures of student performance to be integrated into everyday instruction. Instructional software (aligned to state standards), native language assessments as described above, and other interim assessments would allow schools and districts to track improvement in English proficiency and academic achievement.

Implement strategies that support ELL student transition into postsecondary education. The recommendations listed above all require extensive research and political will, two elements often in short supply. In addition to implementing the previous recommendations, equal importance must be given to implementing academic goals for each student that match the rigor of the new assessments. Schools must accelerate

instruction for ELL high school students who face a limited amount of time before time for graduation so academic goals for individual ELL students are not determined solely by length of residence in the U.S.

With English proficiency as a graduation requirement, even highly educated newcomer students are often unable to demonstrate their content knowledge on required state assessments. As the high school population becomes more diverse, formal partnerships between schools and institutions of higher education could ease transitions by providing the space for students to begin taking college courses while still working to complete high school graduation requirements. Note that the population of ELL students who cannot meet high school graduation requirements in four years is relatively small and varies by state and even by school districts. These arrangements would depend on rigorous instruction in high schools and a strong alignment between high schools and colleges.

A proposed framework for instructional and assessment decisions

All too often, educators view secondary ELL students as a monolith, failing to consider the variety of students who fall under this umbrella-term. While it would be unreasonable to create instructional and assessment groups recognizing every characteristic, educators can differentiate among groups defined by length of time in U.S. schools, language proficiency, and school experience.

Differentiating instruction based on students' linguistic and education background can lead to higher levels of academic achievement and improve students' academic English language skills. Assessments should help schools to continually gauge where students are in order to differentiate instruction and to accurately measure progress in learning English and acquiring academic skills. Finally, systems of accountability must be flexible enough to accommodate those students who will need additional time to complete graduation requirements and learn English, while at the same time maintain high expectations for all students.

The following four categories are helpful in thinking about distinct groups of ELL secondary students in U.S. schools:

- High school students who arrive in the U.S. fully proficient in their native language and with high levels of academic achievement. They may have limited or no English language skills.
- High school students who were born in the U.S. or who arrived as young children. These students have been educated in U.S. schools, yet they continue to be designated as English language learners, meaning that they have not yet acquired sufficient English language proficiency to be reclassified as fully proficient. Usually, low scores on English language academic achievement tests keep them from being reclassified. Consequently, many of these students struggle academically as well.

- Students who arrive in the U.S. in the middle school years with limited literacy in their native language.
- High school-age students who arrive in the U.S. with limited literacy in their native language, limited exposure to academic skills, and little or no proficiency in English.

Students in the first category will require the least amount of assistance, as they are able to use their strong native language skills to learn academic English, while their academic skills help them master grade-level content.

Students in the second and third categories require more intense and focused instruction, while students in the last category require highly structured, intensely focused instruction, as they have the least amount of time to complete high school graduation requirements.

Chart 1 illustrates suggested approaches to instruction, assessment, and accountability for each group of students. These suggested assessments are in addition to English proficiency assessment. Accountability processes assume exemption from statewide academic assessment in English during students' first year of enrollment in a U.S. school.

Chart 1: Suggested Approaches to Instruction, Assessment, and Accountability for Different Categories of ELL Students

ELL Category	Assessment	Instruction	Accountability
High school age; highly educated in native language; limited English language skills.	Native language assessment to determine level of achievement in content areas. Assessments should be aligned to the state's content standards to allow instruction to be focused on skills students need to develop and strengthen those skills they already have.	Support to develop English language proficiency (such as extra time, tutoring)	Same accountability standards as non-ELL students.
All or most schooling in the U.S.; limited English proficiency.	Assessment of English language proficiency levels.	Content-based instruction with strong emphasis on the development of academic English.	Same accountability standards as non-ELL students.

Arrive at middle school age; limited native language literacy; limited English language skills.	Assessment of native language and academic skills.	Some native language instruction to support academic achievement; strong emphasis on development of academic English.	Same accountability standards as non-ELL students.
High school age; limited native language literacy; limited English language skills.	Assessment of native language of academic skills; assessment should be aligned to the state's content standards.	Highly focused, accelerated instruction to develop academic English and reach proficiency on state content standards; extended time.	Flexibility around graduation timelines (may need five or more years to graduate, depending on grade of entry to the U.S.).

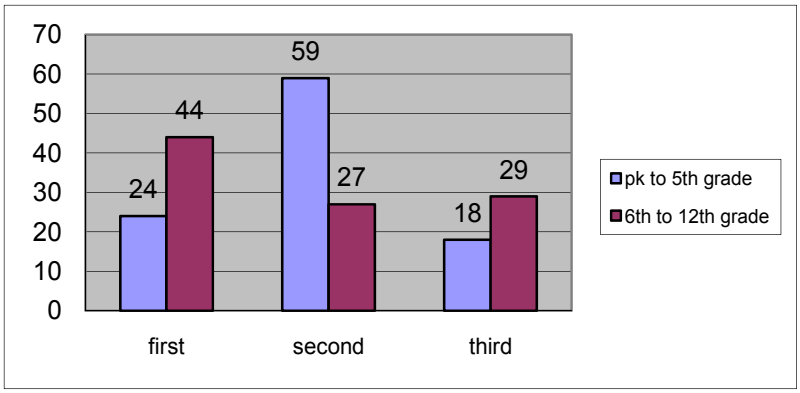
About ELL Students

Over five million K-12 public school students have been identified as ELL students, equivalent to just over 10 percent of the total student population. The group has grown tremendously over the years: From 1995 to 2005, the general K-12 population increased about 2.6 percent, while the ELL population increased 60.8 percent.[6] Before 1995, more than three-fourths of the immigrant population was concentrated in California, Florida, Illinois, New Jersey, New York, and Texas. Since then, the immigrant population in those six traditional destination states has dropped to about two-thirds of the total of immigrant students nationwide as other states have seen rapid growth in their immigrant populations.[7] Twenty-two states have experienced an increase in ELL enrollment exceeding 100 percent. (See Appendix A.)

Although over half of ELL students are found in elementary schools, there has been a larger increase in the number of ELL students in secondary schools as a percentage of total growth in the ELL student population.[8] And secondary schools are more likely to be faced with the challenge of recent immigrant students, who know little to no English and must also master difficult content.

Figure 1[9] shows 44 percent of sixth to twelfth-graders are first-generation American, having been born in another country. However, a surprising number of ELL students at the secondary level are U.S.-born, and 29 percent, in fact, are born to U.S.-born parents.

Figure 1: Percentage of ELL Students by Generation



Their classification as ELL implies that despite having been educated in U.S. elementary schools, the education system has not provided these students appropriate support to develop academic English proficiency. However, a more nuanced interpretation, while not creating an excuse for not serving students appropriately, also takes into account several environmental factors that may exacerbate the challenges presented by English learners:

- *ELL students are either highly concentrated in schools or quite isolated.* About 50 percent of the more than 90,000 public schools in the United States have at least one ELL student enrolled. However, 53.7 percent of all ELL students are concentrated in 168 out of about 15,000 school districts nationwide.[10] In addition to limited exposure to native English-speaking peers, ELL students in schools with high concentrations of English learners may not have sufficient instructional time or one-on-one attention. On the other hand, students in low-incidence ELL schools often do not receive appropriate attention because of poorly trained teachers and general lack of resources targeted to ELL students.
- *ELL students speak many different languages.* About 70 percent of adolescent ELL students speak Spanish as a first language, making it by far the most common language among ELL adolescents. Vietnamese and French come in a distant second and third, with 3.3 percent and 3.2 percent of adolescents speaking those languages.[11] The remaining 23.5 percent of adolescent ELL students speak one of *hundreds* of different languages. In addition, many different dialects and cultural differences exist within the language groups themselves. This variety contributes to the complex challenges of delivering appropriate high-level instruction to all ELL students.
- *ELL students are more likely to come from low-income families where adults have not graduated from high school.* About 60 percent of ELL students in grades 6-12 are low-income, as compared to 32 percent of non-ELL students.[12] And 42 percent of adolescent ELL students have parents with less than a high school education, which is only the case for 12 percent of non-ELL students.[13]

Classifying Students as English Learners

There is wide variation in how states identify, assess, and reclassify ELL students. While federal law provides a general definition for students with limited English proficiency, states may use their own definition. These definitions are usually determined through state legislation and, as a result, each state has a different definition of limited English proficiency. The variation in definitions means that students who are identified as ELL in some states may not be so identified in other states.[14] Typically, states identify their ELL students by using information from a home language survey, data from the English language proficiency assessment used in that state, or a combination of both. Once identified, ELL students are eligible to receive specialized instruction to help them learn English and content.

Instructional Programs for Middle School and High School ELL Students

The U.S. Department of Education identified several instructional models that states use with ELL students. (See Appendix B.) Whichever model a school chooses generally must accommodate the diversity of the ELL population in middle and high schools. Students arrived in the United States at different ages, have different native language proficiency and literacy levels, and have had varying levels of prior schooling. And the usual challenges for adolescents living in poverty compound the challenge of limited English proficiency. Therefore, to be effective, programs for ELL secondary school students must be highly individualized. This task is complicated by the lack of bilingual and English as a Second Language (ESL) resources for secondary students; most resources have been targeted toward elementary schools.[15]

Effective practices for ELL students overlap with effective practices for non-ELL students. They include such instructional features as challenging and engaging instruction, authentic learning tasks, increased focus on literacy, and emphasis on the language demands of content-based learning.[16] However, effective programs also include strategies specific to English learners, such as intentional instruction in academic English, second language reinforcement through content area instruction, and native language support when possible.

As results from the National Assessment of Educational Progress (NAEP) indicate, ELL students are not performing to high standards. Because many high schools have dealt with the difficulties of teaching advanced academic content to ELL students by tracking them into remedial or low-level courses, ELL students rarely have access to a rigorous, college-prep curriculum with the appropriate supports. In addition to the low expectations placed upon them, ELL students are often taught only basic skills.[17]

A 2005 study found that course patterns of ELL students predicted their achievement more than their level of English language proficiency.[18] Tracking ELL students into low-level courses clearly exacerbates the large achievement gap between high school ELL students and their English-proficient peers. Too many times, it leaves ELL students ill-prepared to meet graduation requirements, much less college entrance requirements.

Even those ELL students who graduate from high school are often not successful at the college level because their English content skills are not advanced enough.

English Proficiency Assessments

Title I and Title III of the Elementary and Secondary Education Act require states to assess the English language proficiency of ELL students. Titles I and III also changed the way ELL programs are funded, shifting from a competitive grants program that provided funding only to certain school districts to a state formula program. This change meant that all states had to develop English language proficiency standards and assessments to measure students' progress toward meeting those standards. When required to include results of these assessments in statewide accountability under Title III, with a specific focus on students' comprehension, speaking, listening, reading, and writing skills in English,[19] many states did not have appropriate assessments in place. Consequently, several consortia emerged, and many states now use common assessments. The remaining states are using off-the-shelf assessments or assessments that they have developed themselves. (See Appendix C.) For the last two years, through the LEP Partnership, the U.S. Department of Education has provided the states technical assistance and funding to states to improve their language proficiency assessments. The Partnership has focused on aligning the proficiency tests with state standards in reading and writing.

In addition to identifying ELL students and tracking their progress learning English, the English proficiency assessments are used to help determine whether students should be transitioned out of the ELL category. For example, once ELL students score at Level 5 on Indiana's English proficiency assessment, they are reclassified.[20] But other states take a multi-step approach to determine reclassification. In California, for example, there are three criteria that must be met in order for a student to be reclassified:[21]

1. The student must meet the cut point that the district has set for performance on the English language arts (ELA) portion of the state test. The state's recommendation for this cut point is between basic and the midpoint of basic.
2. The student must meet proficiency on the English proficiency exam.
3. The student must pass a review of the teacher's evaluation of academic performance. Districts decide on the indicators, such as report card grades, that will be examined.

Consequently, just as there are a multitude of ways to define what it means to be an English Language Learner, there are a multitude of ways to define what it means to be English proficient.

Annual English proficiency assessment is both costly and time-consuming, yet the information yielded by these assessments is the best indicator that students are acquiring English even while their academic achievement cannot be assessed in a valid and appropriate manner. The nature of language proficiency assessments requires at least some individual administration. Districts serving large numbers of ELL students

invest significant time, personnel, and financial resources in their annual language proficiency assessment. To make the most of this investment, some states have attempted without success to use the same assessment to measure English proficiency and to assess ELA. Attempts to date have been hampered by a lack of rigor in one or other of the assessments. Initial research is underway studying the relationship between language proficiency assessment results and time in the U.S. as related to performance on ELA and math assessments. As noted in another recommendation, predetermined scores on English proficiency assessments would determine when ELL students could participate in English language content assessments.

Assessing ELL Students on High School Academic Content

Under the Elementary and Secondary Education Act, ELL students must be assessed just as their English-speaking peers—the only exception is for ELL students enrolled in their first school year in the U.S., who are exempted from the reading assessment for that year only. The testing policies present an important question for states as they try to interpret data on ELL performance: How much of the student's score is the result of a lack of content knowledge and how much is the result of a lack of language comprehension?

States continue to struggle with the development of assessments that will allow ELL students to focus on demonstrating their content knowledge. Only a handful of states administer alternate assessments specific to their ELL students. The remaining states authorize the use of a variety of test accommodations, which range from allowing ELL students to have the test questions read aloud to them in English, to a linguistic modification of the test directions, to extra time on the assessment. Research in this area is slim, but a recent study has shown that permitting the use of dictionaries and glossaries is the only effective accommodation, and only if the students had experience using them regularly for learning.[22]

Results from state assessments generally show high school ELL students performing at proficiency at a much lower rate than their English-speaking peers—even by almost half—with math performance slightly better than reading/ELA. (See Appendix D.) NAEP results generally echo the trends seen across the states. On the 2005 12th grade NAEP, ELL students were 39 scale score points behind their peers in reading and 30 scale score points behind in math. Though NAEP may give a general picture of how ELL students perform when being assessed on a high level of standards, it does have several limitations. The ELL sample is very small, and may not be representative of the ELL population. And because school staff members make the decisions on whether or not to include ELL students in the assessment, [23] ELL students excluded in one school or state might not be excluded in another. Additionally, because NAEP assesses students in 12th grade, the results might be further skewed depending on how many ELL students have already dropped out of school by then.

Since ELL performance on content assessments is so poor—and most states with high school exit exams (17 of 26) require ELL students to pass them in the same manner as

their English-proficient peers[24]—one would assume these students struggle to meet graduation requirements. This fact alone argues for strong school accountability for ELL student performance. Currently, only 28 states are able to report a state-wide ELL graduation rate and those numbers indicate ELL students generally lag behind other subgroups.[25] Those numbers do not tell the whole story, though. Massachusetts has become a leader in graduation-rate reporting, and from their levels of disaggregation emerges a slightly clearer picture of secondary ELL outcomes. For the four-year cohort graduating in 2006, the graduation rate for ELL students was 54.5 percent (as compared to 79.9 percent for students overall). What about the remaining ELL students in that cohort? In all, 25.6 percent had dropped out, 14.7 percent were still in school, and 4.6 percent received a certificate of attainment.[26] In the recent report of the 2006 cohort's five-year rate, the graduation rate for ELL students rises to 61 percent, a 6.5 percentage point increase from the four-year rate.

Conclusion

Assessing ELL students and including them appropriately in accountability systems is a complex process fraught with ambiguities and, more importantly, with large holes in the knowledge base. We do know, based on anecdotal and real data, we are not serving ELL students well. In addition, our measures for determining student, school, and district performance are weak and open to psychometric and equity challenges. The next generation of assessments requires sophisticated development and implementation to be inclusive of and responsive to the unique characteristics of ELL students. Moreover, instruction must prepare ELL students to measure up against the highest academic standards.

APPENDIX A

State Trends in ELL Enrollment, from Highest Growth to Lowest Growth [27]							
	1995-2005	2005			1995		
	Percent Change ELL Enroll	Total K-12 Enroll	Total ELL Enroll	Percent ELL Enroll	Total K-12 Enroll	Total ELL Enroll	Percent ELL Enroll
SC	714%	714,190	15,396	2.2%	698,485	1,891	0.3%
KY	417%	636,880	11,181	1.8%	697,866	2,161	0.3%
IN	408%	1,021,243	31,956	3.1%	1,075,631	6,293	0.6%
NC	372%	1,221,062	70,288	5.8%	1,207,404	14,901	1.2%
TN	370%	941,097	19,355	2.1%	1,012,318	4,119	0.4%
AL	337%	729,100	15,295	2.1%	718,065	3,502	0.5%
NE	301%	285,761	16,124	5.6%	326,921	4,017	1.2%
AR	295%	463,115	17,384	3.8%	445,913	4,405	1.0%
GA	292%	1,553,437	50,381	3.2%	1,347,881	12,865	1.0%
CO	238%	766,657	90,391	11.8%	687,835	26,765	3.9%
NV	208%	399,200	72,117	18.1%	261,913	23,390	8.9%
NH	198%	206,852	3,235	1.6%	208,827	1,084	0.5%
DE	183%	119,038	5,094	4.3%	131,539	1,799	1.4%
MO	183%	908,989	15,403	1.7%	977,761	5,442	0.6%
UT	164%	494,574	56,319	11.4%	418,476	21,360	5.1%
MN	161%	838,503	56,829	6.8%	896,538	21,738	2.4%
IA	148%	478,319	14,421	3.0%	545,344	5,807	1.1%
OR	133%	552,342	59,908	10.8%	558,626	25,701	4.6%
KS	132%	445,941	23,512	5.3%	492,558	10,148	2.1%
OH	108%	1,847,116	25,518	1.4%	1,973,114	12,243	0.6%
WY	102%	84,200	3,742	4.4%	101,123	1,853	1.8%
PA	100%	1,798,600	39,847	2.2%	2,047,160	19,889	1.0%
ID	97%	255,843	17,649	6.9%	248,221	8,959	3.6%
FL	95%	2,639,960	299,346	11.3%	2,405,539	153,841	6.4%
IL	80%	2,097,503	192,764	9.2%	2,236,462	107,084	4.8%
WI	73%	864,652	35,871	4.1%	860,581	20,787	2.4%
MD	69%	865,556	24,811	2.9%	947,520	14,687	1.6%
VT	60%	98,399	1,393	1.4%	113,684	869	0.8%
AZ	59%	1,029,509	155,789	15.1%	766,915	98,128	12.8%
MS	51%	494,590	4,152	0.8%	512,753	2,748	0.5%
HI	50%	182,200	18,376	10.1%	216,350	12,216	5.6%
TX	50%	4,405,215	684,007	15.5%	3,788,308	457,437	12.1%
WA	47%	1,021,502	75,678	7.4%	1,010,346	51,598	5.1%
MI	37%	1,720,953	64,345	3.7%	1,788,506	47,123	2.6%
CT	35%	577,401	27,580	4.8%	576,917	20,392	3.5%
CA	26%	6,198,237	1,591,525	25.7%	5,930,864	1,262,982	21.3%
LA	22%	724,002	7,990	1.1%	903,605	6,566	0.7%
RI	20%	156,498	10,921	7.0%	176,752	9,093	5.1%
ME	19%	204,899	2,896	1.4%	224,567	2,430	1.1%
NJ	18%	1,394,000	61,287	4.4%	1,379,586	52,081	3.8%
MA	12%	975,574	49,923	5.1%	1,021,540	44,476	4.4%
OK	6%	629,145	33,508	5.3%	629,108	31,562	5.0%
DC	-9%	74,300	4,771	6.4%	91,721	5,221	5.7%
NY	-14%	2,858,500	203,583	7.1%	3,185,742	236,356	7.4%

NM	-16%	317,000	70,926	22.4%	354,169	84,457	23.8%
MT	-20%	146,705	6,911	4.7%	172,839	8,599	5.0%
SD	-31%	122,838	5,847	4.8%	151,744	8,517	5.6%
AK	-33%	132,972	20,140	15.1%	128,890	29,929	23.2%
ND	-44%	100,513	4,749	4.7%	128,085	8,531	6.7%
VA	N/A	1,203,847	67,933	5.6%	N/A	N/A	N/A
WV	N/A	280,371	1,236	0.4%	N/A	N/A	N/A

APPENDIX B
APPROVED K-12 PROGRAM TYPES[28]

- **Bilingual Education Programs**
  - *Two-way immersion (also called two-way bilingual)*—Native English speakers and speakers of one other language are integrated into one classroom, where all students gain instruction in two languages (English and the language of the non-native speakers). The goal is for all students to become proficient in both languages; such programs take place during the elementary school years.
  - *Dual-language*—The goal is for non-native English speakers of the same language background to become literate both in their native language and in English.
  - *Late-exit transitional (also called developmental bilingual)*—Students are instructed in the home language in the lower grades, gradually transition to instruction in English, and then are mainstreamed. Skills in the home language are only developed as a bridge to gaining English proficiency.
  - *Early-exit transitional*—The goal is to mainstream students as quickly as possible, so the home language is used at the beginning of instruction, mainly for clarification purposes.
- **English-only Programs**
  - *Sheltered English (also called content-based ESL)*—Students of many different home language backgrounds are placed in the same class, where instruction is given in English. Teachers tailor the content to the students' proficiency levels and use gestures and visual aids as supplements.
  - *Structured English immersion*—ELL students are placed in one class and taught in English. Students learn the English language using a step-by-step process that is guided by highly structured materials.
  - *ESL pull-out*—Students are taken out of the mainstream classroom for ESL instruction, which focuses on grammar, vocabulary, and communication skills.
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Type of Language Instruction Educational Programs Used											
	Dual Language	Two-way Immersion	Transi-tional Bilingual	Develop-mental Bilingual	Heritage Language	Sheltered English Instruction	Structured English Immersion	Specially Designed (SDAIE)	Content-based ESL	Pull-out ESL	Other
AK	x	x	x	x		x	x				x
AL						x	x	x	x	x	x
AR						x	x	x	x	x	x
AZ	x		x		x	x			x		
CA		x	x				x	x			x
CO	x		x		x	x		x	x	x	
CT	x		x			x	x		x	x	
DC	x					x			x	x	
DE	x	x	x			x	x		x	x	x
FL	x				x	x	x	x	x	x	

GA							x		x	x	
HI			x			x			x	x	x
IA	x	x	x					x	x	x	x
ID				x		x			x	x	x
IL	x	x	x	x		x			x	x	x
IN			x			x	x		x	x	x
KS	x	x	x	x		x			x	x	x
KY	x		x		x	x	x		x	x	
LA						x	x		x	x	
MA	x		x				x				
MD					x	x	x	x	x	x	x
ME	x		x		x	x	x	x	x		x
MI	x	x	x		x	x	x		x	x	x
MN	x	x	x			x	x		x	x	
MO						x			x	x	
MS	x		x			x	x		x	x	
MT					x	x			x	x	x
NC	x		x		x	x	x	x			x
ND	x		x		x	x	x	x	x	x	x
NE	x				x	x	x		x	x	
NH						x			x	x	
NJ	x		x	x	x	x			x	x	
NM	x	x	x	x	x	x		x	x	x	x
NV	x		x			x	x		x	x	
NY	x	x	x	x		x			x	x	x
OH		x	x			x	x			x	x
OK	x					x	x			x	x
OR	x	x	x			x	x		x	x	
PA			x			x				x	
RI	x		x			x		x		x	
SC						x			x	x	
SD			x	x	x	x	x	x	x	x	
TN						x	x	x	x	x	x
TX	x	x	x	x		x		x	x	x	
UT	x		x		x	x	x	x		x	
VA						x	x	x	x	x	
VT								x	x	x	
WA	x		x			x	x		x	x	
WI	x	x	x	x		x	x		x	x	x
WV						x			x		
WY						x	x	x	x	x	

APPENDIX C

The table below shows which states have formed consortia in order to facilitate meeting federal requirements for English language proficiency assessments.

English Language Proficiency Assessments Used [29]				
	ACCESS for ELLs	English Language Development Assessment (ELDA)	Language Assessment System Links (LAS Links)	Other
AK				IPT
AL	x			
AR		x		
AZ				AZELLA
CA				CELDT
CO				CELA
CT			x	
DC	x			
DE	x			
FL				CELLA
GA	x			
HI			x	
IA		x		
ID				IELA
IL	x			
IN			x	
KS				KELPA
KY	x			
LA		x		
MA				MEPA/MELA
MD			x	
ME	x			
MI				MI-ELPA
MN				MN SOLOM
MO				MAC II
MS				SELP
MT				MONTCAS ELP
NC				IPT
ND	x			
NE		x		
NH	x			
NJ	x			
NM				NMELPA
NV			x	
NY				NYSESLAT
OH		x		OTELA
OK	x			
OR				ELPA
PA	x			
RI	x			

SC		x		
SD				Dakota ELP
TN		x		
TX				TELPAS, RPTE,TOP
UT				UALPA
VA				VSELPT
VT	x			
WA				WLPT-II
WI	x			
WV		x		
WY				WELLA

APPENDIX D

2006 High School Level State Assessment Results*												
	Assessment	Grade	Subject	ELL	Non ELL	Overall		Grade	Subject	ELL	Non ELL	Overall
AK	SBA	9	Reading	49	–	76	AK	9	Math	35	–	56
AK	SBA/HSGQE	10	Reading	49	–	81	AK	10	Math	33	–	62
AL	AHSGE	11	Reading	43	–	86	AL	11	Math	74	–	84
AR	CRT	11	Literacy	31	–	47	AR	EOC	Algebra I	55	–	65
AZ	AIMS HS	10	Reading	–	–	–	AZ	10	Math	–	–	–
CA	CAHSEE	10	ELA	38	83	77	CA	10	Math	48	79	76
CA	CST	9	ELA	7	53	44	CA	EOC	Algebra I	8	26	23
CA	CST	10	ELA	4	44	37						
CA	CST	11	ELA	4	41	36						
CO	CSAP	9	Reading	14	–	66	CO	9	Math	6	–	38
CO	CSAP	10	Reading	14	–	68	CO	10	Math	3	–	31
CT	CAPT	10	Reading	39	81	80	CT	10	Math	38	79	78
DE	DSTP	9	Reading	40	–	75	DE	9	Math	29	–	51
DE	DSTP	10	Reading	25	–	71	DE	10	Math	33	–	59
DC	DC-CAS	HS	Reading	19	32	32	DC	HS	Math	21	26	26
FL	FCAT	9	Reading	5	–	40	FL	9	Math	26	–	59
FL	FCAT	10	Reading	4	–	32	FL	10	Math	32	–	65
GA	EOCT	9	9th Lit	25	–	65	GA	EOC	Algebra I	47	–	64
GA	GHSGT	11	ELA	74	–	96	GA	11	Math	79	–	92
HI	HSA	10	Reading	–	–	43	HI	10	Math	–	–	18
IA	ITED	11	Reading	31	78	77	IA	11	Math	40	78	78
ID	ISAT	10	Reading	46	86	84	ID	10	Math	33	73	71
IL	PSAE	11	Reading	20	–	58	IL	11	Math	30	–	54
IN	ISTEP+	9	ELA	29	68	67	IN	9	Math	40	68	67
IN	ISTEP+	10	ELA	22	67	66	IN	10	Math	36	66	65
KS	KAMM	11	Reading	30	–	77	KS	10	Math	25	–	58
KY	KCCT	10	Reading	10	–	41	KY	11	Math	20	–	38
LA	GEE	10	ELA	4	–	14	LA	10	Math	18	–	25
MA	MCAS	10	ELA	25	–	69	MA	10	Math	35	–	67

MD	HSA	10	English 2	20	61	60	**MD**	EOC	Algebra	38	67	67
ME	MHSA	11	Reading	11	–	46	**ME**	11	Math	16	–	40
MI	MME**	11	Reading	15	60	60	**MI**	11	Math	15	47	46
MN	MCA-II	10	Reading	26	66	65	**MN**	11	Math	7	31	30
MO	MAP	11	Comm Arts	13	–	43	**MO**	10	Math	16	–	42
MS	SATP (pass)	EOC	English II	67	–	78	**MS**	EOC	Algebra I	95	–	91
MS	SATP (profct)	EOC	English II	23	–	37	**MS**	EOC	Algebra I	61	–	54
MT	CRT	10	Reading	27	77	75	**MT**	10	Math	11	56	54
NC	EOCs	EOC	English I	46	84	83	**NC**	EOC	Algebra I	64	81	81
ND	NDSA	11	ELA	29	74	73	**ND**	11	Math	18	58	57
NE	–	11	Reading	55	–	86	**NE**	11	Math	63	–	82
NH	NHEIAP	10	Reading	9	49	49	**NH**	10	Math	12	42	41
NJ	HSPA	11	Lang Art Lit	17	–	58	**NJ**	11	Math	25	–	45
NM	NMSBA	9	Reading	25	–	43	**NM**	9	Math	16	–	33
NM	NMHSSA	11	Reading	35	–	58	**NM**	11	Math	12	–	31
NV	HSPE	10	Reading	50	–	91	**NV**	10	Math	23	–	64
NY	Regents	HS	English	24	71	69	**NY**	HS	Math	39	73	71
OH	OGT	10	Reading	62	90	89	**OH**	10	Math	60	83	83
OK	OCCT EOI	EOC	English II	30	–	65	**OK**	EOC	Algebra I	32	–	34
OR	OSA	10	Reading	12	–	55	**OR**	10	Math	14	–	45
PA	PSSA	11	Reading	16	–	65	**PA**	11	Math	26	–	52
RI	NSRE	11	ELA	14	–	54	**RI**	11	Math	11	–	43
SC	HSAP	10	ELA	18	53	52	**SC**	10	Math	30	50	50
SD	DSTEP	11	Reading	17	–	73	**SD**	11	Math	18	–	65
TN	Gateway	EOC	English II	68	–	91	**TN**	EOC	Algebra I	71	–	83
TX	TAKS	9	Reading	41	–	88	**TX**	9	Math	19	–	58
TX	TAKS	10	ELA	32	–	86	**TX**	10	Math	23	–	62
UT	CRT	9	ELA	51	82	79	**UT**	9	Math	41	70	67
UT	CRT	10	ELA	47	80	77	**UT**	10	Math	28	52	49
UT	CRT	11	ELA	46	79	76	**UT**	11	Math	16	33	31
VA	SOL	EOC	English	73	91	90	**VA**	EOC	Algebra I	84	88	88
VT	NSRE	11	ELA	–	–	–	**VT**	11	Math	–	–	–
WA	WASL	10	Reading	36	–	82	**WA**	10	Math	13	–	51
WI	WKCE/WAA	10	Reading	28	77	75	**WI**	10	Math	37	72	71
WV	WESTEST	10	Read/LA	56	–	76	**WV**	10	Math	76	–	69
WY	PAWS	11	Reading	–	–	63	**WY**	11	Math	–	–	58

*Assessment results were consolidated from data on each state's Department of Education website. For all states, the percentage proficient is reported. For exit exams, the passing percentage of first-time first-year test-takers is reported. A (–) indicates that the particular data point was not reported or was unavailable.

APPENDIX E

History of ELL Requirements

Several important pieces of historic legislation set out requirements for specialized education programs for non-native English speakers. The Bilingual Education Act (BEA) of 1968 provided the first designation of federal funds for bilingual education, but it was not until the 1970 Supreme Court case *Lau v. Nichols* applied the elements of Title VI of the Civil Rights Act to ELL students, that districts began to pay attention to English Language Learners in a systematic way. The Supreme Court ruled that the San Francisco school district had violated Title VI because even though its Chinese students were receiving the same materials, teachers, and curriculum, the students were not getting access to the same curriculum because they did not understand the language in which it was being taught. For an educational opportunity to be equal, students must be given services in such a way that they will obtain some benefit from them. The Court then ordered school districts that were receiving federal funds to take steps to teach English to non-native speakers; however, it did not decide on a specific program for schools to implement.[30]

This court ruling was expanded so that it applied to all public school districts through the Equal Educational Opportunity Act of 1974. Any school district with students who were non-native speakers was required to take steps to provide English instruction to the extent that the students would ultimately be able to participate equally in the American educational system.[31] In 1975, the Department of Health, Education and Welfare set forth standards for implementing the Lau decision. Included in these standards were guidelines for identifying and classifying ELL students, including assessing students for English proficiency and content knowledge. In 1984, the Department attempted to define the types of programs that schools could use. This attempt failed, ending in a compromise that required a curriculum that would meet the needs of the specific students it was serving, providing a structured English language component to ensure that students would become proficient in English.[32]

The final set of changes came in 2001 with passage of the No Child Left Behind Act (NCLB). Title III of NCLB encompasses instruction for students whose native language is not English. The goals of Title III are to ensure that ELL students "attain English proficiency, develop a high level of academic achievement in the core academic content areas, and meet the academic achievement targets set by each state for all its students."[33] States must not only provide English instruction to ELL students, but must also assess their English proficiency to track their progress. Additionally, schools are held accountable for ELL students' academic achievement under Title I.

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