Improving Educational Outcomes for English Language Learners: Recommendations for ESEA Reauthorization

Policy Brief

Working Group on ELL Policy

http://ellpolicy.org/

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ISSUE: Unstable identification and reclassification procedures produce a “revolving door” ELL subgroup.

Current approaches to defining ELL subgroup membership lead to faulty data, weakened accountability, and inappropriate instructional services. In fact, the more successful schools and districts are in reclassifying their ELL students, the more poorly their ELL subgroup performance looks. This poses a problem for accountability because it provides faulty information about the performance of the ELL subgroup on long-term outcomes, including graduation rates.

Recommendations:

Establish a “Total English Learner” (TEL) subgroup for Title I accountability purposes to increase the fairness and accuracy of the accountability system.

Require states and districts to report the percentage of long-term ELLs (students still not fluent English proficient after 5 years designated as ELL), and to set annual targets for reducing this percentage.

Further disaggregate the academic performance of the TEL subgroup, separating out the English Proficient Learners (EPLs) from the ELLs, strictly for Title I public reporting and local educational agency planning and instructional purposes.

Rationale:

Establishing an aggregate group of students who are or have been ELLs helps ensure that schools and districts monitor the progress of all these students and do all they can to help them succeed. These recommendations improve accountability for ELL success in three ways:

(1) Maintaining consistent subgroup designation yields more accurate information about performance and progress of the subgroup, thus enhancing program evaluation and improvement efforts.

Currently, ELL subgroup membership fluctuates as more proficient students are exited from the group and less proficient students enter. This fluctuation – which is unlike any other accountability subgroup – systematically depresses the performance of the
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identified group, undermining both accountability judgments and evaluations of practices and programs (see box). If the more successful students are systematically removed from the subgroup category, it is impossible to determine which schools, districts, and practices are successful for these students, and to track ELL performance over time. The current approach is particularly problematic for monitoring graduation rates and college readiness for ELLs because the more proficient and generally more successful ELL students are often redesignated several years prior to graduation and thus are not included in the subgroup statistics.

(2) Continuing to monitor the progress of ELLs throughout their school careers recognizes the developmental nature of second language acquisition and allows better service delivery to students at all levels of English proficiency. There is no question that a student’s English proficiency influences her ability to learn content presented in English and to demonstrate what she has learned through participating in achievement assessments given in English. This situation is temporary for any given child and is resolved as the student develops proficiency in English, which results from effective schooling. Even after reaching proficiency on a state English language proficiency test, English proficient learners (EPLs) continue to gain the deeper competence in English needed to meet grade level standards set for native speakers of English. It is critical that states and districts continue to support and monitor these students beyond the current two-year monitoring timeframe to ensure that they continue to advance academically.

(3) Establishing a TEL subgroup increases fairness and legitimacy of the accountability system. Accurate information is essential to a fair and legitimate accountability system. Increasing the accuracy of ELL subgroup monitoring (see above) would enhance the fairness and acceptance of the accountability measures, as both successes and continued challenges are acknowledged and included in determinations of progress. In addition, forming a TEL subgroup increases fairness by ensuring that more schools and districts serving these students are held accountable for their performance. Currently, many schools and districts are not held accountable for the ELL subgroup because these students are too few in number to yield statistically reliable subgroup information. Under our recommendation, the Total English Learner (TEL) subgroup in many jurisdictions becomes large enough to meet the statistically required group size and far more schools and districts will be accountable for their both their ELLs and EPLs under Title I than is currently the case.

(4) Calling increased attention to long-term ELLs ensures these underserved students receive additional instructional supports. ELL status should be temporary and not long-term. States should therefore report the percentage of long-term ELLs – those who remain ELL after more than five full years in the state’s public schools – in order to ensure they are not “masked” in TEL subgroup results. States should monitor and set targets for districts with disproportionately high percentages of long-term ELLs to reduce this percentage each year, and delineate in their state plans what consequences follow if these targets are not met.
ISSUE: Current accountability provisions pertaining to ELL students are incoherent and misaligned.

The current accountability system does not provide clear information about ELL achievement and is not grounded in the reality of ELL student development in English language proficiency and academic achievement.

Specifically, current accountability provisions for attaining English language proficiency do not require states to incorporate challenging yet realistic developmental trajectories based on available empirical data. Current provisions also set unattainable academic achievement expectations independent of an ELL’s English language proficiency level and time in the state school system.

Recommendations:

Incorporate time explicitly into ESEA accountability provisions for the acquisition of English language proficiency. Consider setting a target timeframe of five years, adjusting by students’ initial English-language proficiency.

Incorporate accountability for English language acquisition into Title I and require states to hold schools and districts accountable for student attainment of content-area achievement targets at each level of English language proficiency.

States should use existing data to empirically establish appropriate timeframes for attaining English language proficiency. States should further use existing data on the relationship between English language proficiency and academic assessments of the state content standards to set progress expectations and accountability targets.

Rationale:

Empirical research suggests four to seven years for academic English language proficiency as a challenging but achievable goal (see box right).
The time required for acquiring English language proficiency is affected by many factors, including how language proficiency is defined and measured as well as a variety of individual student characteristics. Because of these factors, individual ELLs progress in language proficiency at different rates (e.g., ELLs entering with lower English proficiency at higher grades may have more difficulty in meeting this timeline compared to ELLs entering with higher English proficiency at lower grades), and the magnitude of these differences may depend on the type and quality of instruction students receive. For these reasons we do not recommend setting a high-stakes accountability target for the ELL subgroup that 100% of the students meet this five-year goal; rather, we recommend that states establish expectations based on their state data, examine current local education agency (LEA) performance, and set challenging but achievable targets that will lead to \textit{progressively higher percentages} of ELLs achieving proficiency in English within the specified timeframe.

It is clear from existing longitudinal studies of state data that ELLs’ chances of meeting the state’s academic performance standards improve significantly as they become proficient in English.

Several factors contribute to this relationship, the most important being the fundamental role that language plays in knowledge acquisition and content mastery in all academic domains. Educators are responsible for ensuring that all linguistic minority students become proficient in English if they are not proficient in English when they enter school. But it takes time for children to acquire English proficiency even in the best language instructional settings. The current federal accountability provisions ignore these developmental factors. As a result, current accountability systems set unrealistic academic performance expectations for ELL students who are not yet proficient in English.

The current “one standard for all students at all times” accountability provisions define one extreme of the continuum of accountability systems for ELLs. At this end, accountability systems ignore progress students make towards content area achievement standards until they reach academic proficiency. Such systems under-report progress and discourage students and educators. (In fact, growth models were introduced during the current authorization of ESEA precisely to address these problems; our recommendation resolves these problems as they relate to ELLs.) At the other extreme of the continuum, accountability systems could be designed to ignore academic achievement expectations for ELLs until they become proficient in English (e.g., not measuring achievement of ELLs until they attain proficiency in English). Such systems divorce second language development from progress in content area achievement and also have detrimental consequences for ELL achievement.

Our recommendations aim to make growth models meaningful for ELLs and to foster accountability systems that avoid these extremes through developmental targets and a clear timeframe for moving ELLs to the grade-level performance standard.
ISSUE: The validity and reliability of assessments and assessment practices for ELL students need to be strengthened.

Using content assessments that are not valid and reliable for ELLs undermines the accountability system and leads to inappropriate educational decisions for ELLs.

Recommendations:

Require states to implement assessments and associated assessment practices that have been demonstrated to yield inferences comparable in validity and reliability for ELLs and non-ELLs.

Until assessments are certified as comparable for use with ELLs, require states to submit to the Department of Education an Interim Plan specifying how they will establish such a valid assessment system and how they will assess ELL students in the interim, a period of time not to exceed three years.

Strengthen the peer review process with respect to the assessments and assessment practices for ELLs.

Rationale:

Validity and reliability of assessments in English for ELL students will probably never be equivalent to validity and reliability for English speakers being assessed in English, but they can approach a reasonable equivalence for more advanced English language learners with accommodations appropriate for the student’s level of English language proficiency. Some measurement error is associated with all assessments in whatever language they are administered, but the error should not be substantially greater for ELLs assessed in English than it is for English speakers. If it is, the assessment should not be conducted in English without appropriate accommodations. The Department of Education should consult with psychometric and ELL experts and develop standards and guidelines for validity equivalence for use of assessments with ELL students.

While current law allows accommodations, this proposal requires appropriate accommodations (i.e., those reviewed and accepted by an expert panel) be used in all cases with ELLs who do not have sufficient English to be tested on academic subject matter in English in a manner that yields valid and reliable inferences about their knowledge.

Test accommodations are intended to support students’ access to the content of the test without providing unfair advantage. For ELLs, language is a key barrier and appropriate accommodations should provide linguistic access to the test items without invalidating the test construct. While the research on specific accommodations for ELL students is limited, state policies specify a range of available accommodations for content assessments that may or may not support ELLs’ linguistic needs. In defining accommodations for ELLs several factors need to be considered: 1) the heterogeneity of the ELL population; 2) all ELLs cannot benefit from the same accommodations; and 3) accommodations for ELLs need to be clearly distinguished from
those intended for special education students. For example, an ELL at an early stage of learning English and with limited literacy skills in English will not benefit from the availability of a dictionary as might an ELL who has an intermediate or advanced level of ELP. Also, increasing print size or adjusting lighting will not support ELLs’ need to access the language needed to interpret the test content. The most recent descriptive study of state accommodation policies indicates that while states are making progress in using a framework that clearly distinguishes ELLs from students with disabilities, more focus is needed on matching accommodations to ELLs’ level of English language proficiency, including level of literacy in English. State assessment practices that can increase in the validity of inferences made from content assessments given with accommodations include: (1) monitoring accommodations provided for each content assessment; (2) examining student achievement data to evaluate effectiveness of each accommodation; and (3) disaggregating these data by students’ levels of English language proficiency to assess the extent to which particular accommodations support students at different ELP levels.

The Working Group recognizes the complexity of developing assessments and assessment systems that yield valid and reliable results for ELLs and understands that this will be an incremental process. Ensuring that the best decisions are made with sufficient quality assurance will require the knowledge and deliberation of the best expertise in the country on these issues, over an extended period of time.

Our recommended mechanism to ensure this issue is addressed is an independent ELL Expert Committee on Assessment and Accountability (ELLECAA) appointed by the Secretary and selected from a recommended list provided by the National Academy of Sciences, the National Academy of Education, professional associations, and ex officio membership from key offices in the Department of Education. This committee will advise the Secretary on: (1) developing and approving standards pertaining to ELLs for use by the Secretary in the review and approval of statewide accountability systems required by Section 1111; (2) developing regulations and guidance pertaining to the inclusion of ELLs in assessment and accountability systems; (3) forming Title I peer review panels with regard to the inclusion of ELL experts and processes; and (4) conducting research directly relevant to the implementation of ESEA accountability provisions for ELLs, and, with the approval of the Secretary, commissioning such research.
ISSUE: Teacher capacity is unequal to the linguistic and academic needs of an expanding ELL student population.

Insufficient attention to preparation, training and professional development for educators of ELLs limits their effectiveness in serving this increasing student population.

Recommendations:

Require states to demonstrate—as a precondition for receiving funds under Title II and Title III—that their credential requirements and alternative routes to certification of teachers of core content include components that are effective in preparing these teachers to address both the content and academic language needs of English language learners.

Define English as a Second Language (ESL) as an additional core academic subject for ELLs within ESEA, and apply the same requirements to ESL/ELD teachers as to other teachers of core academic content areas.

In ESEA provisions regarding the evaluation of teacher effectiveness, require specific measures of teachers’ effectiveness in meeting the linguistic and academic needs of ELLs.

Rationale:

ESL teachers help ELLs acquire English language proficiency, which is only part of the educational needs of ELLs. Civil rights law, following Lau v. Nichols (1974) mandates that educational programs meet ELLs’ language and the content needs. Currently only five states—Arizona, California, Florida, New York, and Pennsylvania—require that all teachers have training in working with ELLs.

Mainstream teachers, as academic content instruction experts, have the obligation to help ELLs learn academic content. By providing meaningful and accessible instruction, they also make a key contribution to ELLs’ English language development. Furthermore, the Common Core Standards (http://www.corestandards.org/) places responsibility for literacy demands into the content areas, including science and social studies, so that language and literacy needs of students are addressed not just by ESL teachers and English Language Arts teachers, but also by teachers in the other content areas.

In addition to meeting the requirements specified in law and policy for all content area teachers, content area teachers with ELLs in their classrooms need to be prepared to use instructional strategies that make content accessible to ELLs and help students develop academic English language proficiency through content instruction. Moreover, teachers who are fluent in the language of the students are assets, and if they are instructing in students’ native language, they must be highly proficient and instructionally competent in the native language of the students. These competencies should be integrated into state credential and training requirements for teachers.

While Title III provides grants to school districts for professional development in the area of English-as-a-second-language (ESL) and to teacher programs for pre-service teachers serving
ELLs, ESEA as currently authorized has no provisions calling for teachers of ELLs to be certified in ESL, nor does the law require educators who teach students in classes that develop their English proficiency to meet the “highly qualified” requirements under federal law. This presents a significant educational equity challenge in that many teachers of ELLs teach out of field. For example, in California, a state with approximately 25% of the ELL students in the country, “a survey conducted in September, 2009 found more than 11,000 teachers teaching out of field from 2003-2007, accounting for more than half of all out-of-field assignments during that period in the state.”

In contrast to this current reality found in many states, both federal case law and a recent research synthesis have established that providing ELL students with explicit, systematic instruction in ESL is both a central educational responsibility and a critical support for ELLs’ academic success. Moreover, current federal law requires states to have English language proficiency standards, aligned state ELP assessments given annually to ELLs, and increasing accountability targets for ELLs’ learning English and attaining English-language proficiency. Finally, the long-established professional development work of professional organizations such as Teachers of English to Speakers of Other Languages (TESOL) to ESL teachers in K-12 settings, as well as recognition of the discipline by the National Board for Professional Teaching Standards, which certifies K-12 teachers in English as a new language, all point to the need to recognize that ESL is a core academic subject area that is essential for ELLs, and should be treated as such with respect to federal highly qualified teacher requirements.

Mechanisms for measuring teacher effectiveness are moving toward incorporating student achievement data. The capacity of teachers to meet the needs of English language learners must be a component in all mechanisms for determining teacher effectiveness. In evaluating teacher effectiveness with English language learners, student achievement must be measured in ways that are valid and reliable for ELLs, meeting the standards described in the recommendations on assessment and accountability above. Definitions for what constitutes student growth for ELLs should be consistent with available data on the actual learning trajectories of ELLs and may be different from definitions of what constitutes student growth for the native English-speaking student population, as discussed above.

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*This policy brief was prepared by Kenji Hakuta and Robert Linquanti, and summarizes key recommendations made in the Working Group’s more extensive recommendations and Q&A, available at: [http://ellpolicy.org/](http://ellpolicy.org/).


