

At-a-Glance

KEY ISSUES

- Closing the achievement gap between English language learners (ELLs) and White, African-American, and English-fluent Hispanic student groups is critical to ensuring the academic success of the approximately 2.4 million ELLs in the United States, many of whom lag behind their peers in state, district, and school assessments.
- The No Child Left Behind (NCLB) Act of 2001 holds states, districts, and schools responsible for the success of students learning the English language, but lack of accurate or uniform data from local educational agencies (LEAs) hampers the ability of states to monitor and report the progress of ELLs.
- Improvement in data collection, assessment, instruction, and accurate reporting of academic achievement results for high school ELLs is crucial, not only for accountability but also for shaping policy around improved instruction, effective teaching, and access to appropriate levels of support.

Selected States' Responses to Supporting High School English Language Learners

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INTRODUCTION

The No Child Left Behind (NCLB) Act holds states, districts, and schools accountable for the progress of English language learners (ELLs).¹ To meet the requirements of the legislation, states have attempted to solve the compound challenge of improving instruction and assessment of English language learning and improving the academic content learning of ELLs in a number of ways. At the secondary level, in addition to assessing and reporting ELLs' progress toward proficiency in English as well as reading and mathematics achievement of those who have been in the country for longer than 12 months, states must also report ELLs' high school graduation rates.

State educational agency efforts to promote linguistic and academic achievement for ELLs are critical to improving educational outcomes, such as high school achievement, graduation rates, and postsecondary opportunities. This brief begins with a national snapshot of the achievement and educational outcomes of ELLs and efforts to improve the assessment and reporting of these outcomes. It then focuses on the efforts of Florida, California, Texas, and New York—the four states with the largest population of ELLs in schools—to use their state-level accountability systems and the NCLB mandate to implement and refine policies designed to support ELLs at the high school level. By working to increase the capacity of their region's state departments of education, Regional Comprehensive Centers (RCCs) play an important role in assisting states to meet the goals of NCLB, including those provisions that relate to ELLs. For this reason, this brief also examines how state departments of education and RCCs in the selected states collaborate to promote positive changes to help strengthen the education of ELLs at the secondary level. The profiles of these states are intended (a) to provide a nuanced picture of how states with large populations of ELLs are using the NCLB mandate to improve educational outcomes for ELLs at the high school level and (b) to chart the considerable ground left to cover if we are to see significant, widespread and concrete gains in the support of ELL students.

ACHIEVEMENT AND EDUCATIONAL OUTCOMES OF HIGH SCHOOL ENGLISH LANGUAGE LEARNERS

Given the recent focus on proposals for the reauthorization of NCLB, it is important to take note of where the United States stands in its efforts to improve the academic achievement and educational outcomes of its approximately 2.4 million ELLs in secondary schools. Contrary to popular perception that most ELLs in secondary schools are immigrants, the majority of secondary school ELLs (57%) are second- or third-generation children of immigrants who are U.S. natives and have been educated in U.S. public schools (Batalova, Fix, & Murray, 2007).²

According to the 2005 National Assessment of Educational Progress (NAEP) and state-level tests, the gap between secondary school ELLs and their White peers who score at or above the basic level in reading and mathematics averages 50 percentage points; for example, 29% of eighth-grade ELLs score at basic or above in reading compared with 81% of their White peers. ELLs also lag behind their African-American and English-fluent Hispanic peers in reading and mathematics, though the gaps are smaller; for instance, 51% of African-American students and 55% of English-fluent Hispanic students score at basic or above in reading compared with 29% of eighth-grade ELLs (Fry, 2007). Furthermore,

1. Nearly two thirds of ELLs who graduated from high school were enrolled in a general education course of study, one deemed neither academic nor occupational (Planty, Bozick, Ingels, & Wirt, 2006).
2. More than 50% of ELLs who graduated from high school did not take mathematics courses beyond Algebra II (Planty et al., 2006). Yet, taking mathematics courses beyond Algebra II is one of the greatest predictors of college success (Adelman, 1999).
3. The percentage of ELLs who pass state exit exams in language arts on the first try lags 20–60 points behind the percentage of other students (Fry, 2007).
4. According to the 2000 U.S. Census, about 86% of Hispanic 16- to 19-year-olds either spoke only English or spoke English at least well. The 14% of Hispanic 16- to 19-year-olds who had poor English language skills had a dropout rate of 59% (Fry, 2003).

TAKE-AWAYS FOR STATES

- Building state systems (longitudinal and growth models, etc.) that track student information—such as demographics, test scores, access to rigorous coursework, retention and graduation rates, and other data—allows states to analyze the impact of different instructional options and supports offered to ELLs throughout the state.
- The Regional Comprehensive Centers that serve the states can assist state educational agencies (SEAs) with building the state-level capacity of their LEAs to support assessments, data collection, and technical assistance needs.

ASSESSING AND REPORTING THE ACHIEVEMENT AND EDUCATIONAL OUTCOMES OF ENGLISH LANGUAGE LEARNERS

Several recent reports have examined the efforts of states to assess and report achievement for ELLs within the context of NCLB.³ National studies of states' efforts to improve the adequacy of assessments and the transparency of how assessment results are reported for ELLs reveal that during the 2003–2004 school year, states were still struggling with reporting data related to ELLs. In its examination of district-level data for 18 states with the largest percentage of ELLs, the U.S. Government Accountability Office (2006) study found that in 14 states, fewer than 40% of districts reported separate adequate yearly progress (AYP) data for ELLs. Lack of accurate data from local educational agencies (LEAs) hampers the ability of state departments of education to monitor and report the progress of ELLs.

Even when data are reported, both the lack of technical evidence for validity and reliability of assessments and the wide variability in types of tests used to measure ELLs' linguistic and academic progress limit the ability to provide meaningful data (U.S. Department of Education, 2005; Rabinowitz & Sato, 2006; U.S. Government Accountability Office, 2006). The Title III biennial evaluation report to Congress found that states had difficulty reporting the actual number of ELLs who met Annual Measurable Achievement Objectives (AMAOs) for mathematics and language arts in 2003–2004 because states lacked the databases and/or had made changes in the assessments used to measure ELLs' progress and achievement (U.S. Department of Education, 2005). The National Assessment of Title I also reported that at the start of the 2004 school year, 44 states anticipated revisions of the English language proficiency assessments. Interviews conducted with 22 states in 2006 indicate that changes in cut scores defining proficiency or the number of students constituting the ELL subgroup prevent longitudinal analysis of data (Center on Education Policy, 2007).

The difficulties that states have encountered in developing assessments that meet the technical requirements of NCLB and their requests for further technical assistance have resulted in the creation of the U.S. Department of Education's Limited English Proficiency Partnership. One key component, supported by the Department, is *A Framework for High Quality English Language Proficiency Standards and Assessments*. Developed by the Assessment and Accountability Comprehensive Center, the framework is intended "to help with interpretation and implementation of requirements for high-quality English Language Proficiency standards and assessments" (Rabinowitz & Sato, 2007). *A Guide for Plain English/Linguistic Modifications* provides states with a conceptual and research-based framework and practical guidelines to help them with development, implementation, and evaluation of linguistic modifications to state-level academic assessments (Abedi, 2007; Sato, 2007).

The need to improve data collection, assessment, and accurate reporting of academic achievement results for high school ELLs is crucial, not only for accountability but also for shaping policy related to improved instruction, effective teaching, and access to appropriate levels of support. The next section of this brief describes predominant policy structures in four states that are designed to support ELLs in high school.

FLORIDA, CALIFORNIA, TEXAS, AND NEW YORK: EFFORTS TO IMPROVE THE EDUCATION OF HIGH SCHOOL ENGLISH LANGUAGE LEARNERS

The four states chosen for examination have long had large populations of ELLs and have policies in place for the education of ELLs in high school. Taken together, these states educate 54% of the 5,199,561 school-age ELLs in the United States (Capps et al., 2005). The efforts by these states to improve the linguistic and academic achievement of high school ELLs within the context of federal mandates for assessment and accountability provide a glimpse into new, old, and emerging policies and practices.

FLORIDA: ASSESSING, REPORTING, AND IMPROVING THE EDUCATIONAL OUTCOMES OF HIGH SCHOOL ENGLISH LANGUAGE LEARNERS

In the past decade, the number of ELLs in Florida's public schools has increased by 58.3% (Florida Department of Education [FDOE], 2007a). As of the 2007–2008 school year, ELLs comprised 8.7% of the student population K–12 (FDOE Office of Academic Achievement Through Language Acquisition, 2007).⁴

Attention to Florida's increasing ELL population and the impact of it on schools increased in the 1990s. In 1990, a consent decree between the League of United Latin Citizens and the FDOE established that every ELL student receive "equal access to programming which is appropriate to his or her level of English proficiency, academic achievement, and special needs."⁵ The mandated areas of the agreement include professional development; the identification and assessment of ELLs; equal access to appropriate programming, including instruction in English; ELL or home language instruction in reading, mathematics, science, social studies, and computer literacy; and access to appropriate categorical and other programs for ELL students (e.g., access to gifted programs and translation services). As of 1992–1993, the state has required the use of indicators for ELL students that allowed comparisons with minorities and non-minorities. Florida has thus disaggregated data for ELLs since the early 1990s (Hood, 2008).

Florida has since developed a sophisticated student indicator and reporting system. Every student who enrolls in a Florida school receives a unique identifying number that follows the student from pre-K (or time of entry) through Grade 20 of the public education system. Demographic data collected specifically for ELLs include the date they entered the United States (if applicable), years in U.S. schools, prior school, length of continuous enrollment, citizenship status, native language spoken, and primary language spoken at home. Florida also collects specific ELL program service data for ELLs, including basis and date of entry, exit, post-reclassification follow-ups, and home language survey and instructional strategy.

Under NCLB, ELLs who have been enrolled in school for longer than 12 months must be assessed using a state's academic achievement assessment. The Florida Comprehensive Assessment Test measures academic achievement in reading and mathematics for students in Grades 3–10. The test—developed for Florida, field tested with ELLs, and first administered in 1998—uses multiple choice and performance items to measure specific benchmarks that are part of the state's standards.⁶ In 2001, items were embedded across grade levels, and a continuous vertical scale was developed to provide the basis for a growth model that measures a student's gains across a 3-year trajectory. The growth of all students, even those currently proficient, is tracked (with reading and mathematics calculated

separately), using the previous year's achievement data as the baseline for the current year when calculating a growth trajectory for the student. Students must demonstrate that they are "on track" (e.g., that they have demonstrated improvement in core courses each year and are on track to graduate) to be considered proficient for each 3-year trajectory (FDOE, 2007a).

For the 2006–2007 school year, the growth model was revised and accepted by the federal government for inclusion in Florida's NCLB reporting. Under the plan, schools receive AYP grades based on the percentage of (a) students meeting high standards in reading, mathematics, science, and writing; (b) eligible (non-retained) students making learning gains in reading and mathematics; and (c) lowest performing 25% making learning gains in reading and mathematics. The specific inclusion of gains for the lowest performing students is intended to close the achievement gap between the highest and lowest performing students (FDOE, 2006b). Data from the state indicate that scores of ELL students in Grades 3–10 are improving, and the group with the largest learning gains in reading in the lowest 25% of scores are ELLs (FDOE, 2006b).

The state's ability to track individual demographic information, achievement, program and course enrollment, as well as retention and graduation rates, allows achievement to be analyzed by school, program, staff, and type of curriculum enacted. Florida uses program and achievement data to analyze the impact of different instructional options and supports offered to ELLs throughout the state. At the high school level, monitoring individual ELLs' course track placement and enrollment in advanced courses are two of the equity and access data points the state uses to make comparisons between ELLs and non-ELLs in terms of retention and graduation rates.

In summary, Florida uses data for several purposes:

1. To fulfill federal reporting requirements;
2. To compare the performance of ELLs and non-ELLs, with the purpose of identifying strengths and weaknesses in existing policies and instructional programs; and
3. To hold schools and districts accountable for student achievement.

High School Reform Efforts in Florida That Hold Promise for Advancing Academic Achievement for English Language Learners

Florida is engaged in a major reform effort targeted to improving education and achievement at the secondary level by bringing more rigor and relevance to middle and high school through the A++ Plan for Education and the Secondary School Redesign Act of 2006. The impetus for reform stems from decreasing levels of achievement at the high school level, increasing retention rates at the freshman and sophomore levels, and low graduation rates for minority students, many of whom are also designated as ELLs (FDOE, 2006a).

Under the state's A++ Plan for Education and its status and gain accountability system, schools receive grades based on their performance on the Florida Comprehensive Assessment Test. As part of its NCLB plan, the state proposed that no school be allowed to meet AYP if it received a failing grade under the A++ grading system.

As part of the reform, starting with the freshman class, all students are required to earn 16 core academic credits and 8 elective credits to graduate with a high school diploma. Students also select an area of interest as part of a personalized education and career path. For the eight elective credits, students earn four credits in a major area of interest, which they may change if so desired. The other four credits may be used for a second area of interest. Students who score at Levels 1 or 2 on the reading portion of the Florida Comprehensive Assessment Test are required to take an intensive reading course that may occur during the summer or be integrated within a required English or mathematics course during the following school year (FDOE, 2006a).

Developing the capacity of school leaders in the field is also a key component of the middle and high school reform efforts. For example, at the 2005 Just Read, Florida! K–12 Leadership Conference, sessions were devoted to developing educational leader knowledge about effective practices with ELLs in English classes and in subject area classes. Specific observation tools for both types of classes were also provided (FDOE, 2005). The 2007 conference included specific strategies for vocabulary instruction and language development (Reading First Professional Development, 2007).

Florida State Department of Education and the Florida and Islands Regional Comprehensive Center Collaboration

The Florida and Islands RCC provides training and resources to help secondary schools implement Florida's Secondary School Redesign Act through the RCC's Secondary School Redesign Initiative. In this effort, the Florida and Islands RCC partners with the Florida Association of School Administrators, the International Center for Leadership in Education, and the David C. Anchin Center at the University of South Florida. The Florida and Islands RCC conducts leadership sessions on the initiative at school administrator conferences and assists the state in conducting leadership sessions for LEAs and in supporting schools involved in redesign through regional institutes.

The Florida and Islands RCC also shares research-based resources designed to support ELLs. Examples of these types of resources include publications developed by Comprehensive Content Center partners such as the Assessment and Accountability Comprehensive Center, which released a *Framework for High-Quality English Language Proficiency Standards and Assessments* (2009) and the Center on Instruction's publication *Addressing Promises and Challenges of Response to Intervention Models for ELLs* (Artiles, 2008).

Florida's systemic high school reform efforts are focused on improving achievement and educational outcomes for all students. As such, the effort holds promise for high school ELLs.

CALIFORNIA: ASSESSING, REPORTING, AND IMPROVING THE EDUCATIONAL OUTCOMES OF HIGH SCHOOL ENGLISH LANGUAGE LEARNERS

In California, nearly 1.6 million, or about 25% of, enrolled public school students in Grades K–12 are classified as ELLs, and 1 million are former ELLs. At the high school level, about 300,000 students—1 in 6—are ELLs, many of whom have been educated solely in the United States (Gold, 2006). The academic achievement of ELLs in California high schools continues to lag far behind their peers. In 2004, only 4% of Grade 10 ELLs scored at

proficient or above on the California Standards Test in English language arts (ELA), compared with 42% of English-only students. In 2007, 5% of ELLs scored at proficient or above on the state ELA test, compared with 44% of English-only students (California Department of Education [CDE], 2007c).

California is currently working on a statewide student information to track student- and teacher-level data. The California Longitudinal Pupil Achievement Data System (CALPADS) includes statewide assessment data, enrollment data, teacher assignment data, and other elements required to meet federal NCLB reporting requirements and is scheduled to be rolled out in 2009–2010.⁷ Currently, to monitor progress of ELLs under NCLB, the California Department of Education has developed a number of tools and supports for districts and schools to use to meet the requirements of NCLB AYP and Title III accountability.

The state uses the California English Language Development Test to measure progress toward proficiency in English. The test assesses listening, speaking, reading, and writing skills using five levels of proficiency: Beginning, Early Intermediate, Intermediate, Early Advanced, and Advanced. In 2006–2007, a common scale for Grades K–12 was developed along with new performance-level cut scores for each grade and proficiency. Students receive an overall proficiency level score, separate weighted scores for reading and writing skills, and a combined listening/speaking score.

As part of its Title III accountability plan, the CDE has established a 1-year/one-level growth target and the percentage of annual testers that should reach the target. For NCLB reporting, LEAs must report the number of ELLs who meet their growth targets and the number considered proficient on the California English Language Development Test by percentage and length of time in district. To count as proficient, ELLs' overall scale score must equal Early Advanced or Advanced, and all subskill scores must be at the Intermediate level or above (CDE, 2007d).

LEAs also must report the performance of ELLs for the state's assessment system, known as the Academic Performance Index. The standardized assessments used for the Academic Performance Index include the California Standards Tests, the California Alternate Performance Assessment, California Achievement Test, and California High School Exit Examination. For AYP reporting, LEAs report on ELLs' performance on the English Language Arts and Mathematics California Standards Tests in Grades 3–8, a writing assessment in Grades 4 and 7, and the high school exit exam in Grade 10. ELLs who have been reclassified as fluent English proficient are counted in the ELL subgroup for 3 years after they have been reclassified.

If an LEA does not meet AYP, it must submit an addendum to their plan for ELLs. The CDE has developed the English Learner Subgroup Self-Assessment to help LEAs determine how their ELL programs can be improved so that the needs of ELLs are met. The English Learner Subgroup Self-Assessment helps LEAs analyze instructional practices, adequacy of materials, and level of expectations for ELLs in English language development, English language arts, and mathematics courses. The self-assessment also poses questions about provisions for teachers' and principals' professional development focused on improving instruction for ELLs and on actively involving the parents of ELLs in their education (CDE, 2007d).

LEAs must use programmatic and instructional data on ELLs obtained through the self-assessment to analyze the performance of all ELLs on the California Standards Test and high school ELLs' performance on the state's exit exam by level of proficiency and time in the district. Based on the analysis of all data, LEAs propose improvement

procedures designed to result in “a significant, substantial, and positive improvement in the overall academic achievement and English language proficiency of ELL students” (CDE, 2007d).

The Statewide System of School Support and a District Assistance and Intervention Team provide technical assistance to LEAs. The Statewide System of School Support focuses on building the capacity of LEAs to help schools in program improvement (CDE, 2007e). The District Assistance and Intervention Team works with LEAs to investigate and recommend corrective actions related to governance, alignment of curriculum, instruction, and assessments to state standards, fiscal operations, parent and community involvement, human resources, data systems and achievement monitoring, and professional development. The District Assistance and Intervention Team is similar to the state’s School Assistance and Intervention Team in function. The first focuses on LEAs identified for consistently failing to meet AYP targets. The other focuses on schools that fail to meet the state’s Academic Performance Index growth targets. (For more information on the District Assistance and Intervention Team, see California Department of Education [CDE] <http://www.cde.ca.gov/ta/ac/ti/documents/daitblueprint.doc>.)

High School Reform Efforts in California That Hold Promise for Advancing Academic Achievement for English Language Learners

The CDE has initiated a number of reform efforts that focus on improving achievement and outcomes for high school ELLs and other underachieving subgroups. In 2004, the state superintendent formed the California P–16 Council, a statewide assembly of education, business, and community leaders charged with developing strategies to better coordinate, integrate, and improve education for preschool-aged students through college-aged students. Given the persistent and unacceptable achievement gap between different ethnic and linguistic groups, low graduation rates, and lack of preparation for postsecondary schooling and the workforce, the CDE asked the P–16 Council to first focus on high school reform as part of the High Performing High School Initiative. The council investigated and made recommendations on a number of issues related to the reform efforts, making connections to the workplace, developing a sense of community, improving ninth-grade transition, cultivating a supportive learning environment for students, setting teachers’ expectations for students, and involving students and families in academic choices in high schools (CDE, 2006). The 2004 State Superintendent’s High School Summit focused on the high school initiative and recent research about, and promising practices of, high-achieving high schools, including the critical role of literacy in students’ academic and career success.

In fall 2007, the CDE launched Achieving Success for All Students, a multiagency initiative focused on closing the achievement gap between recognized subgroups in the state and federal accountability systems. As part of the initiative, the state superintendent asked the P–16 Council to develop a plan for closing this achievement gap. In addition to identifying crosscutting themes and principles, the council recommended that CDE focus on narrowing the achievement gap between ELLs and non-ELLs in two ways:

- The first focus is on closing the gap as demonstrated by the achievement on the California Standards Tests between ELLs who have had 5 or more years of schooling in the United States and students identified as non-ELLs.
- The second focus is on closing the gap on California Standards Tests between ELLs who have had 5 or more years of schooling in the United States and former ELLs. The U.S. Department of Education similarly explains

that “The intent here is to also acknowledge and consider a more sensitive gauge of the progress of ELLs than simply proficiency on our rigorous content standards. So we will also consider the gap between ELLs who have had 5 years or more of schooling in the United States yet remain English language learners and those who have been reclassified Fluent English Proficient” (Munitz, 2007).

California Department of Education and California Comprehensive Center Collaboration

The California Comprehensive Center is engaged in two capacity-building efforts with the CDE. The first effort focuses on aligning regionally based programs and services offered through California’s Statewide System of School Support. Three entities are working together on this initiative: the Regional System of District and School Support, which is organized around California’s 11 county superintendent regions; the CDE; and the California Comprehensive Center. The CDE has asked the California Comprehensive Center to assist in developing a coordinated system within and across regions for the delivery of school support services. The second effort focuses on Title III, specifically the District Assistance and Intervention Team process, which helps LEAs understand accountability requirements and consequences of not meeting AMAOs. To address this need, the California Comprehensive Center cosponsored a Title III forum focused on developing an action plan to guide LEAs toward systemic supports to improve language proficiency and academic achievement for the success of ELLs. As part of this endeavor, the California Comprehensive Center contributed technical expertise to develop an online version of the District Assistance and Intervention Team process (CDE & CCC, 2007).

TEXAS: ASSESSING, REPORTING, AND IMPROVING THE EDUCATIONAL OUTCOMES OF HIGH SCHOOL ENGLISH LANGUAGE LEARNERS

In the 2006–2007 school year, Texas public schools enrolled 732,154 ELLs, 90% of whom identified Spanish as their primary language (Texas Education Agency [TEA], 2007b). The assessment and monitoring of ELLs include several approaches outlined below, some responding to state laws and others to the legal requirements of NCLB (TEA, 2007b).

The Texas English Language Proficiency Assessment System (TELPAS) assesses the progress that ELLs make in learning English. The reading component is a multiple choice test administered in Grades 3–12.⁸ Schools use the reading assessment to monitor whether ELLs are making sufficient progress in English acquisition and in the reading skills required by the state curriculum. The test results report four English reading proficiency ratings—Beginning, Intermediate, Advanced, and Advanced High. High school ELLs are included in one of two clusters: Grades 8–9 and Grades 10–12.

To meet NCLB requirements for annual language proficiency assessments in listening, speaking, and writing, the TEA developed the Texas Observation Protocols (now known as TELPAS) to assess listening, speaking, and writing holistically. The state uses a composite rating for all four domains when reporting progress toward the AMAOs (TEA, 2007c, 2007d).

The Texas Assessment of Knowledge and Skills (TAKS), implemented in 2003, assesses student achievement in core areas of the state’s standards-based curriculum. These tests are administered annually in specified subjects at Grades 3–10 and as a high school exit exam beginning in Grade 11. TAKS in Spanish assesses the academic progress of ELLs who are in Spanish bilingual programs.

Texas state law authorizes exemptions for ELLs who are recent immigrants from participating in the TAKS.⁹ For an exemption to be granted, local Language Proficiency Assessment Committees provide documentation that the student in question meets criteria determined by the state and outlined in materials provided to LEAs (guidelines from the Language Proficiency Assessment Committees are available at <http://www.tea.state.tx.us/student.assessment/resources/guides/lpac/index.htm>).¹⁰ High school immigrant ELLs in English as a second language (ESL) programs and non-Spanish-speaking bilingual education programs are eligible for exemptions if they meet other criteria (TEA, 2007d).

The state collects and reports data received from LEAs through its Academic Excellence Indicator System (AEIS). The state collects data about results from all academic tests, attendance rates, annual dropout rates (Grades 7–8, 7–12, and 9–12), completion rates, and college readiness; and disaggregates the results by ethnicity, gender, program placement in ESL or special education, socioeconomic status, and at-risk status (all indicators are not included in all reports). The state uses the data provided through the AEIS by districts to determine AYP compliance.

The above indicators reveal that ELLs at the high school level in Texas are achieving at lower levels than their peers. The *AEIS 2007 State Performance Report* indicated that in 2006 ELLs in Grade 10 scored 22–58 percentage points lower than other subgroups in ELA and 6–63 percentage points lower in mathematics (TEA, 2007a). ELLs in Grades 7–12 were retained at twice the overall rate of non-ELLs. The 2006 graduation rate for students in bilingual/ESL programs was 41.8%, compared with 80% for the state as a whole (TEA, 2007c, 2007e).

The TEA provides technical assistance to LEAs and schools that fail to meet AYP for 2 consecutive years through the School Improvement Resource Center at Region XIII Education Service Center. The School Improvement Resource Center is a statewide initiative that serves in an advisory capacity to schools in need of improvement that receive the Title I supplemental school improvement funds (TEA, n.d.-b). To meet NCLB requirements, the state implemented Linguistically Accommodated Testing for ELLs who, under NCLB, must participate in academic testing after 1 year in U.S. schools. At the high school level, Linguistically Accommodated Tests in ELA, mathematics, and science are available for ELLs in Grade 10 (TEA, 2007d).

High School Reform Efforts in Texas That Hold Promise for Advancing Academic Achievement for English Language Learners

State-level efforts to improve the achievement and educational outcomes of underperforming high school students include the Texas High School Project, a public–private initiative focused on increasing high school graduation rates and postsecondary success. The project focuses on increasing ELL and minority student access to dual-credit Advanced Placement/International Baccalaureate programs and forming early and middle college partnerships. Four key strategies are emphasized: rigorous curriculum, effective teachers, building leadership, and multiple pathways. The Texas High School Project also includes grants for high schools to offer tutoring, online acceleration programs, and other interventions (TEA, n.d.-a).

Beginning in 2005, the TEA partnered with the Texas State University System to improve mathematics education for ELLs in Grades K–12 through a program called the Texas State University System Mathematics for English Learners (TSUS MELL). The program focuses on identifying causes of ELLs' low performance in mathematics,

developing instructional tools especially designed for ELLs, and developing professional development and train-the-trainer modules. The program also provides best practices training for schools at which ELLs' mathematical achievement, including course-taking patterns, lags behind their peers (TSUS MELL, n.d.). The Critical Campuses Partnership component of the project focuses specifically on improving mathematics education for ELLs at the high school level. Each of the five universities in the state system partners with secondary schools that serve large populations of ELLs within a university's geographical area. The project works with schools to analyze master scheduling and course-taking patterns for ELLs and to identify potential areas for teachers' professional development. Schools work in a consortium with the area university (TSUS MELL, n.d.).

Texas Education Agency and Texas Comprehensive Center Collaboration

The Texas Comprehensive Center supports the TEA in improving high school outcomes for ELLs by developing a train-the-trainer professional development model for the TSUS MELL project. The TEA requested that the Texas Comprehensive Center develop a train-the-trainer model for the state's Regional Education Service Centers, the regional technical assistance and professional development providers for the state. In particular, the Regional XIII Education Service Center serves as a liaison between the TEA and the local school districts and the schools they serve by disseminating information and conducting training and consultation for both federal and state programs. The Regional Service Center also can be helpful in distributing the Texas Comprehensive Center's work and models. The Texas Comprehensive Center developed a four-session train-the-trainer model and assisted the regional service centers in working with 20 regional teams composed of content specialists and ELL specialists by co-training and by providing promising practices.

The Texas Comprehensive Center convenes follow-up sessions to the mathematics professional development provided by the Regional Education Service Centers. The goal of the follow-up meeting is to further collaboration between the Regional Education Service Center mathematics and ELL staff and to hone the capacity of such staff to deliver research-based professional development of the highest quality. The Texas Comprehensive Center also continues its best practices approach by providing Regional Education Service Center staff with materials and tools that can be used to promote instructional dialogue with secondary mathematics teachers (Texas Comprehensive Center, n.d.).

NEW YORK: ASSESSING, REPORTING, AND IMPROVING THE EDUCATIONAL OUTCOMES OF HIGH SCHOOL ENGLISH LANGUAGE LEARNERS

As of spring 2007, 193,711 ELLs, or 6.7% of the total student population for New York (which is 2,741,258 students), were enrolled in New York state public schools.¹¹ Of that number, 36,282, or approximately 20%, were in Grades 9–12. The majority of all ELLs, about 70%, were enrolled in New York City public schools, and Spanish was the main at-home language.

Based on information gathered at the time of a student's enrollment in New York state public schools, school-level staff administer the Language Assessment Battery–Revised, an English language proficiency test used for instructional placement. When a student is designated as an ELL, he or she then takes the New York State English as a Second Language Achievement Test each year.¹² Before the U.S. Department of Education ruled that New York

state could not use the English proficiency test for NCLB reporting in ELA, ELLs were not required to take the ELA assessment. Now, after 1 year, ELLs must take the exam.

New York has a long history of state-level high school assessments through its New York State Regents Exams. New York also has a long tradition of translating assessments, with the exception of ELA, into the main languages spoken by ELLs enrolled in public schools. ELLs may take the Regents Exams in mathematics, science, and social studies in their home language. If a test is not translated into that language, the school may request a translator to translate the test orally into the student's primary language. ELLs may respond in their home language when answering open-ended questions. The school must arrange for scoring answers that are not written in English.¹³

New York currently assigns each student a unique identification number that follows him or her through the K–12 system. The New York State Student Identification System is one part of a multitiered accountability system that feeds into the state's Student Information Repository System (New York State Education Department [NYSED], 2004). The 2007 New York state budget authorized the development of an enhanced accountability system that would allow for a P–16 longitudinal data collection system, and was recently awarded a grant from the Institute of Education Sciences' Statewide Longitudinal Data Systems Grant Program beginning in April 2009.¹⁴ Individual student progress reports that provide information on a student's performance on state assessments are, under the state budget, to be issued soon (NYSED, 2007b). This will allow the state to follow students' progress longitudinally and will also allow it to collect information about ELLs that was previously collected locally by districts or schools.

The NYSED submits reports on the data it collects to the Board of Regents. The state-funded Bilingual/ESL Technical Assistance Centers also use ELL data to help LEAs make decisions about teacher professional development. The Bilingual/ESL Technical Assistance Centers also provide direct technical assistance to teachers and assist parent and community outreach programs and activities that support and enable ELLs to be successful in school.

The Registration Review process is the primary method by which the New York Board of Regents holds schools accountable for their performance, and no district may operate a public school whose registration has been revoked. The process has six steps, and schools may be closed after three years of being identified as needing improvement if they do not meet state performance standards after this period of time, or are providing poor learning environments.¹⁵ Under these guidelines, the state has placed schools under Registration Review when ELL students consistently have not achieved targets on state ELA or mathematics assessments. A 2007 state law specifies that the commissioner of education increase the number of lowest performing schools identified for improvement and support by 5% by 2011. State laws also require that new accountability standards, based on state assessments and other indicators of progress, such as graduation rates or college attendance, be established (NYSED, 2007c).

With the exception of the New York City Department of Education, the state currently uses a status model of reporting for statewide achievement. New York City's 2006 decision to use a growth model to evaluate the effectiveness of schools is considered to be relatively advanced. The state Board of Regents and the NYSED report that the governor has proposed that New York use, subject to U.S. Department of Education approval, a growth model by the 2008–2009 school year (New York State Board of Regents–NYSED, 2007).

High School Reform Efforts in New York That Hold Promise for Advancing Academic Achievement for English Language Learners

In 2006, it was reported that 64% of the students in the cohort who entered high school in 2000–2001 graduated in 4 years; however, only 34.5% of ELLs in the cohort graduated in that time (University of the State of New York & New York State Board of Regents, 2006).¹⁶ The existence of this gap has served as a call to action for NYSED, Board of Regents, and NYC Department of Education. Partnership agreements that define what state and local partners will do to support high school reform have been made between the Board of Regents and the superintendents of the largest school districts (New York City, Buffalo, Rochester, Syracuse, and Yonkers) (Mills, 2006). The agreements specify the kinds of targeted collaboration and support for closing the achievement gap that the NYSED and its funded networks provide to these large districts (Kadamus, 2005). The agreements also specify local responsibility for leadership, instruction and curriculum, and teacher professional development (Mills, 2006).

The commissioner of education has asked the Board of Regents to support the improvement of high school outcomes by building on policy already established. These policies include the board's long-term commitment to higher standards and accountability, course requirements for graduation, a pre-K–16 comprehensive governance plan, and improving teacher quality (Mills, 2006). The commissioner also asked the Board of Regents to direct reform at the 127 worst-performing high schools by requiring that the schools set targets for graduation and attendance and develop plans to meet them; that local school boards be held accountable for the performance of these schools; and that each school must have teachers certified in the subjects they teach by an established date (Mills, 2006).

Destination Diploma forums are more immediate outcomes of the state's reform efforts. The forums focus on disseminating research-based principles and emerging practices on important issues facing educators regarding high school completion, such as adolescent literacy and closing the achievement gap. School district teams from the 127 lowest performing high schools in the state attend these forums, along with state and regional technical assistance providers. Forum workshops bring together educators and stakeholders to discuss effective ways to provide extra help to students who do not read adequately and who need added support and encouragement to succeed (University at Albany, 2005).

New York State Education Department and New York Comprehensive Center Collaboration

The New York Comprehensive Center works with the NYSED in building its capacity to implement a statewide system of support for all districts and schools, as required by NCLB and state law. The impetus for this work came from the state's evaluation of current school improvement strategies and partners and its desire to develop a coherent, integrated system of support. One finding of the report was that the state currently has 22 school improvement partners, including 16 networks, each of which has different mandates (NYSED, 2007b).

To develop the state's capacity to reform the existing fragmented support, the New York Comprehensive Center works closely with the NYSED to define the elements, principles, roles, and responsibilities of a comprehensive system of support; to convene key stakeholders and leaders who will use resources to implement a system; and to design feedback mechanisms to measure the implementation and impact of the system (New York Comprehensive Center, 2007).

Additional areas of work related to developing the NYSED's capacity to improve educational outcomes include enhancing the state's efforts to improve adolescent literacy. A beginning point for this work occurred in summer 2007 with the presentation of key findings from the Center on Instruction's publications on adolescent literacy and the education of ELLs. The New York Comprehensive Center also focuses on supporting the NYSED's efforts to implement effective intervention programs and teacher professional development in mathematics (New York Comprehensive Center, 2007).

THE NEED IS URGENT

The need for improving the educational outcomes for high school students, especially students of color and ELLs, is urgent. Most reform efforts described in this brief are in process. Thus far, improvement in educational outcomes mandated for ELLs by NCLB are uneven. Only two of the four states—California and Texas—met all three AMAOs in 2006–2007 (U.S. Department of Education, 2008). In Florida, only 2 of the 56 districts reporting AMAO data to the state met all AMAOs in 2007–2008 (FLDOE, 2008). New York is in the process of revising its AMAO reporting (Abrams & Ruiz, 2008).

Many of the secondary school reform efforts described here, particularly in regard to assessment and accountability systems, are similar and not unique to these states. These changes are necessary, but they are not yet sufficient. Sustained research is needed to better ascertain the impact that these initiatives and practices are having on the education of ELLs at the secondary school level.

ENDNOTES

¹ For more information regarding NCLB's Title III—Language Instruction for Limited English Proficient and Immigrant Students—visit <http://www.ed.gov/policy/elsec/leg/esea02/pg39.html#sec3001>. For additional resources on NCLB requirements as they pertain to ELLs, please reference the end of this brief.

² Available data on ELLs are separated by elementary (Grades K–5) and secondary (Grades 6–12). ELLs in secondary schools are a diverse group, composed of recent immigrants who may or may not have attended school in their native countries and second- and third-generation students who have been designated as ELLs since entering U.S. schools in kindergarten or first grade. The academic and linguistic achievements of these “long-term” ELLs are not reported separately from the achievement of ELLs who are recent immigrants.

³ Rivera and Collum's (2006) analysis of 1999–2000 state-level data—the data available at the time of the study—revealed that 2 years before NCLB, only 19 states reported any data about ELLs' performance (due to *n* size). The study also found that available data varied considerably in definitions of ELL status, in what was assessed, and in the level of disaggregation of data for ELLs' academic performance relative to other subgroups.

⁴ Statistics for 2007–2008 are current as of August 21, 2008. Florida also collects data on former ELLs, counting the number of students who have exited ELL programs and are followed for 2 years and the number who have completed the 2-year follow-up. For the 2006–2007 school year, 83,038 former ELLs were within the 2-year exit date and 189,594 had completed 2 years of follow-up.

⁵ The consent decree resulted from a class action suit alleging that the Florida State Board of Education failed to ensure that ELL students receive equal and comprehensible instruction guaranteed under the law (MacDonald, 2004).

⁶ Grade 10 assessments are used for a graduation requirement.

⁷ For more information on CALPADS, including system documentation, project timelines, legislation, and data requirement changes, please visit <http://www.cde.ca.gov/ds/sp/cl/index.asp>.

⁸ In spring 2008, the exam's name changed to TELPAS Reading after some revisions in the elementary grades (TEA, 2007b).

⁹ The Texas Administrative Code states that ELL students who are recent immigrants may postpone the initial administration of the exit level test one time. The term "recent immigrant" is defined as an immigrant who first enrolls in U.S. schools no more than 12 months before the administration of the test from which the postponement is sought ([http://info.sos.state.tx.us/pls/pub/readtac\\$ext.Tac](http://info.sos.state.tx.us/pls/pub/readtac$ext.Tac)).

¹⁰ Exemption criteria require examination of an immigrant student's schooling outside the United States, the number of years of enrollment in U.S. schools, and, for students enrolled for 2–3 years, the student's rating on the TELPAS Reading assessment. Specific exemption criteria address the quantity and quality of education the student received outside the United States and the progress the student has made in school in the spring of a school year. Students enrolled in a Spanish bilingual program are not eligible because of the availability of Spanish versions of the TAKS assessments.

¹¹ The New York State Education Department (NYSED), under the direction of the commissioner of education, is the administrative arm of the University of the State of New York. The Board of Regents governs the University of the State of New York.

¹² Students are tested in grade bands of K–1, 2–4, 5–6, 7–8, and 9–12. Each grade band has four modalities (Listening, Reading, Speaking, and Writing), and students are scored at Beginning, Intermediate, Advanced, or Proficient in English.

¹³ Please see the NYSED Web site for information about the state testing program (<http://www.nysed.gov/>).

¹⁴ For more information on this grant, please see <http://nces.ed.gov/Programs/SLDS/state.asp?stateabbr=NY>.

¹⁵ For more information on the process and six steps, please see http://www.edexcellence.net/detail/news.cfm?news_id=2&pubsubid=13.

¹⁶ The 4-year graduation rates for the 2002 cohort are even lower: 67% for the total student population compared with 27% for English language learners (Mills, 2008).

NCLB AND ENGLISH LANGUAGE LEARNER REFERENCES

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- This article provides an overview of NCLB implications for ELL students as well as information on achievement and proficiency testing.

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- This Web site provides an overview of what states are doing with longitudinal data system grants from IES, Individual states may provide additional information about practices serving ELL populations.

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- This Web site provides information on NCLB as it relates to closing achievement gaps for ELLs, as well as updates on legislation and assessments impacting ELLs.

Office of English Language Acquisition: <http://www.ed.gov/about/offices/list/oela/index.html>

- This Web site provides more information on NCLB and its impact on ELLs, including the following: “Title III of the Elementary and Secondary Education Act (reauthorized as the No Child Left Behind Act of 2001) requires that each state ‘provide for an annual assessment of English proficiency (measuring students’ oral language, reading, and writing skills in English) of all students with limited English proficiency in the schools served by the State educational agency’ (ESEA, Sec. 1111(7)).”

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