State Policies to Advance English Learners' Experiences and Outcomes in California's Schools

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Acknowledgements

Executive Summary

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This report synthesizes findings from extant empirical research to identify nine key policy areas that state policymakers and stakeholders in California can leverage to improve English learners' opportunities and outcomes across the state. Importantly, the report situates these policy areas within the current framework of California state policy, both recognizing major steps that the state has taken with regard to EL policy, and identifying leverage points from which to push the state forward. Specifically, the report tackles two questions:

1) What does research suggest are pressing policy areas regarding EL education in California?

2) For each policy area, what is the status of California policy and law and what additional state actions does the research base suggest might support improved student experiences and outcomes?

A summary of key findings regarding each of the nine policy areas follows.

Policy Area 1: EL diversity

- EL students in California have diverse and individual educational assets and needs that the current EL policy structure does not sufficiently account for.
- Key EL subgroups with policy-relevant assets and needs include ELs with disabilities, newcomers, and long-term ELs, among others. Within each of these groups there is enormous diversity.

Policy Area 2: Access to core content

- Many ELs in California do not have equitable access to grade-level core content instruction.
- ELs are tracked into lower level content area classes and excluded outright from content area classes. Many ELs are also placed into EL-specific content area classes, often called sheltered classes, which also alter their access to core content.
- Limited access to content negatively impacts students' academic outcomes, likelihood of graduating, and post-secondary outcomes.

Policy Area 3: English language development instruction

- ELs benefit from both integrated and designated English language development (ELD) instruction.
- Without careful planning and sufficient resources, designated ELD can displace content instruction.

- Teachers should be adequately prepared to teach using integrated and designated approaches, and in particular, mainstream academic content teachers likely need high-quality preparation as they learn to embed language instruction in content instruction.

Policy Area 4: Bilingual education

- Bilingual and two-way dual immersion programs, on average, benefit ELs' academic, linguistic, social, and life outcomes.
- The effects of bilingual instruction vary due to the quality of such programs, therefore attention to implementation is necessary.
- With the espousal of the EL Roadmap and the Global California 2030 Initiative, the state has embraced bilingual and dual immersion education. Guidance and financial resources are key to scaling up these programs and ensuring that they are of high quality.

Policy Area 5: Teacher preparation

- California faces a severe shortage of bilingual teachers that limits the state's ability to achieve its goal of bilingual education expansion.
- Like all students, ELs benefit from universal good teaching practices such as clear goals, direct instruction, effective modeling, and substantive feedback. ELs also benefit from specific teaching skills such as home language fluency, explicit language instruction, and visual aids.
- Current preservice and in-service preparation for mainstream teachers in California generally does not provide sufficient training for high quality teaching of ELs.

Policy Area 6: EL assessment

- A comprehensive assessment system for ELs includes English language assessment, content area assessment, home language assessment, interim assessment, and formative assessment.
- Test validity and reliability is an ongoing challenge in the assessment of ELs, especially with regard to content area assessments administered in English.
- Home language assessments and formative assessment are underdeveloped and underutilized.

Policy Area 7: Education funding

- An equitable and adequate education for ELs requires funds over and above those for non-ELs. The amount of necessary additional funding depends on both student characteristics and district/school context.
- To benefit ELs, funds must be spent on effective investments for the EL population.
- California's decentralized and flexible education finance system could be strengthened through mechanisms to monitor the use of additional funds for ELs and to ensure that those funds are used effectively to improve EL outcomes.

Policy Area 8: Alignment from early childhood education through college

- ELs' schooling in California is currently fragmented between K-12 education, early childhood education and post-secondary education.
- ELs' opportunities in pre-K impact their K-12 readiness, and their opportunities in K-12 impact their college going decisions and outcomes.
- ELs face many of the same barriers, such as weak teacher preparation and lack of full access to content, across all three levels.

Policy Area 9: Reclassification

- Reclassification policies are highly consequential for students in terms of educational opportunities (courses, peers, and teachers) and outcomes (achievement and graduation).
- Current reclassification policy is highly variable and somewhat arbitrary across California school districts.
- ELs benefit from clear, consistent, and simplified reclassification policies and criteria and alignment of reclassification thresholds to service provision.
- California is currently in the process of determining new reclassification criteria. A key change from past policy should involve the removal of an academic criterion and inclusion of only English proficiency-related criteria.

Introduction

As the primary governing level tasked with U.S. public education, states' roles in envisioning, structuring, and overseeing the education of English learner (EL) students cannot be overestimated. English learners, the official designation given to K-12 students who enter school with a home language other than English and whose English proficiency levels score below set thresholds, continue to be the fastest growing official subgroup of students in the nation (National Center for Education Statistics [NCES], 2018a). California is home to one in three ELs in the country, serving both the largest number of ELs of any state (1.3 million), and the highest proportion of ELs of any state (21%) (California Department of Education [CDE], 2018b; NCES, 2018a). With sizable achievement and graduation gaps between ELs and non-ELs across the state, it is both necessary and timely to examine the current state of EL policy in California and the path forward for improving EL students' opportunities, experiences, and outcomes.

California has been proactively tackling issues of EL education. Most emblematically, in 2017 the State Board of Education adopted the California English Learner Roadmap policy. This policy identifies four organizing principles for EL education in the state and situates them in the context of other state policy reforms in funding, accountability, and standards including the Local Control Funding Formula (LCFF), Local Control and Accountability Plans (LCAPs), eight state education priority areas, and state standards including the English Language Arts/English Language Development Curricular Framework. The four principles in the EL Roadmap represent state policy consensus and are also based in current national research consensus from the National Academies of Sciences, Engineering, and Medicine's 2017 report *Promoting the Educational Success of Children and Youth Learning English: Promising Futures* (Takanishi & Le Menestrel, 2017).

This report synthesizes findings from extant empirical research to identify nine key policy areas that state policymakers and stakeholders can leverage to improve English learners' opportunities and outcomes across the state. Importantly, it situates these policy areas within the current framework of California state policy, both recognizing major steps that the state has taken with regard to EL policy, and identifying leverage points from which to push the state forward. Specifically, the report tackles two questions: **1) What does research suggest are pressing policy areas regarding EL education in California?** and **2) For each policy area, what is the status of California policy and law and what additional state actions does the research base suggest might support improved student experiences and outcomes?** The report organizes the nine key policy areas for state action within the four EL Roadmap principles (CDE, 2017a). An outline of the policy areas situated within the principles is as follows:

EL Roadmap Principle #1 Assets-Oriented and Needs Responsive Schools

Policy Area 1: EL students in California have diverse, individual assets and needs that the current EL policy structure does not sufficiently account for.

EL Roadmap Principle #2 Intellectual Quality of Instruction and Meaningful Access

Policy Area 2: Many ELs in California do not have equitable access to grade-level core content instruction.

Policy Area 3: Both integrated and designated English language development (ELD) instruction benefit ELs, however designated ELD can displace content instruction.

Policy Area 4: Bilingual and two-way dual immersion programs benefit ELs' academic, linguistic, and life outcomes, but expansion of programs and strong implementation are necessary.

EL Roadmap Principle #3 System Conditions that Support Effectiveness

Policy Area 5: California faces a severe shortage of teachers qualified to and competent at teaching ELs.

Policy Area 6: Many high-stakes summative assessments given to ELs have limited validity and reliability while native language and formative assessment are underdeveloped and underutilized.

Policy Area 7: Despite LCFF, funding levels remain low for ELs and mechanisms are weak to ensure that funds targeted for ELs are reaching ELs and are being used in effective ways.

EL Roadmap Principle #4 Alignment and Articulation Within and Across Systems

Policy Area 8: ELs' schooling is currently fragmented between K-12 education, early childhood education and post-secondary education.

Policy Area 9: Reclassification policies are consequential for students and yet implementation is highly variable and somewhat arbitrary.

This report builds on work done by Gándara and Rumberger (2008; 2006) for the first *Getting Down to Facts* project. That study documented the needs of emergent bilingual and EL-classified students in California, identified key weaknesses in service provision, and constructed a framework for identifying the resources the state would need to invest to adequately and equitably support the needs of these students. The current report takes a policy orientation to complement the prior resource orientation in Gándara and Rumberger (2008; 2006).

California's EL-classified students, like EL students across the country, have enormous linguistic, intellectual, and cultural assets that are fundamental to California's identity, growth, and well-being (Callahan & Gándara, 2014; González, Moll, & Amanti, 2013). This report sets out to frame the EL policy context in California from a grounding in the assets of ELs. Gándara, in a recent publication, highlights ELs' resilience, collaboration, optimism, multilingualism, and multiculturalism as key strengths of the EL population (Gándara, 2018), and together with Callahan, they highlight the immense economic importance of ELs and immigrant students

(Callahan & Gándara, 2014). While much research focuses on the needs of ELs and the achievement gaps between ELs and non-ELs, it is critical to acknowledge that many students who enter school as English learners do extremely well; in fact, reclassified EL students, on average, outperform English-only students on most academic and attainment measures (Saunders & Marcelletti, 2012).

Specifically, the report acknowledges California's growing recognition of the immense assets of ELs. This is illustrated by California's current State Superintendent for Public Instruction, Tom Torlakson's, recent statement regarding the Global California 2030 Initiative: "At one point in our recent past, English learners were viewed only as a challenge to the educational system because these students needed extra support. Today, we recognize that these young people are assets to our state and their local communities. Like all students, they bring a rich cultural and linguistic heritage to our classrooms, making our schools more vibrant and diverse" (CDE, 2018d, p. 6). This report, however, will push California to follow through on this assertion and deepen their efforts for a full, equitable education for ELs. The report will challenge the state to build upon recent accomplishments by creating and implementing policies that draw out and extend the strengths of the state's ELs and their families.

In the U.S., states are the constitutional authority in education. The key actors within the state system include the legislature and legislative staff; the governor; the state board of education; the state department of education, headed by the chief state school officer (in California, the State Superintendent for Public Instruction); and the court system (Fowler, 2009). As such, the work that the state does with regard to education is vast and wide-reaching, including but not limited to: setting funding levels and disbursing those funds; creating, and at times overturning, laws; providing technical assistance; forming strategic alliances with other state agencies, as well as private, federal, and non-governmental organizations; developing curricular standards and the tests to assess those standards; setting teacher and administrator certification requirements; monitoring schools' and districts' compliance with state law and policy; and creating state-level education initiatives and goals (Conley, 2003; Fowler, 2009). This report reflects the breadth and depth of state role (Spillane, 2009). Thus, while the research-based recommendations identified in the report are, writ-large, policy recommendations, the types of actions and primary bodies responsible will differ somewhat across recommendations. Some recommendations would require legislative action, while others pertain more to guidance that could be created by or for the CDE, or commissions that could bring together stakeholders from various branches of the state.

For each of the nine policy area sections in this report, there is a similar structure. First, the section summarizes the policy-relevant research base in that area. Second, the section synthesizes key implications of the research base for state-level policy. Third, the section discusses current California policy in that area and highlights possible areas for policy advancement. Before discussing the nine policy areas, however, the report provides a brief demographic description of the state's EL population.

California's English Learner Landscape

This section briefly describes the size of California's EL population, some basic characteristics of the population, and how these students are faring in California schools. California's population of ELs has been relatively stable, albeit with a slight decline, over the past 20 years. The number of EL students over that time ranges between 1.3 and 1.6 million students and between 20% and 25% of the overall K-12 population (see Figure 1). The EL subgroup by definition is not constant, as ELs are evaluated annually to ascertain if they have reached a sufficient level of English proficiency to enter mainstream education services (a process called reclassification). As such, it is helpful to track the ever-EL population, i.e. the population of students who were ever classified in school as EL. The state of California has only collected data on ever-ELs since 2014, during which time this population, as well, has remained relatively stable, between 2.36 and 2.38 million students, constituting between 37.9% and 38.2% of all K-12 students.

Figure 1. California English learners as a percent of total K-12 enrollment
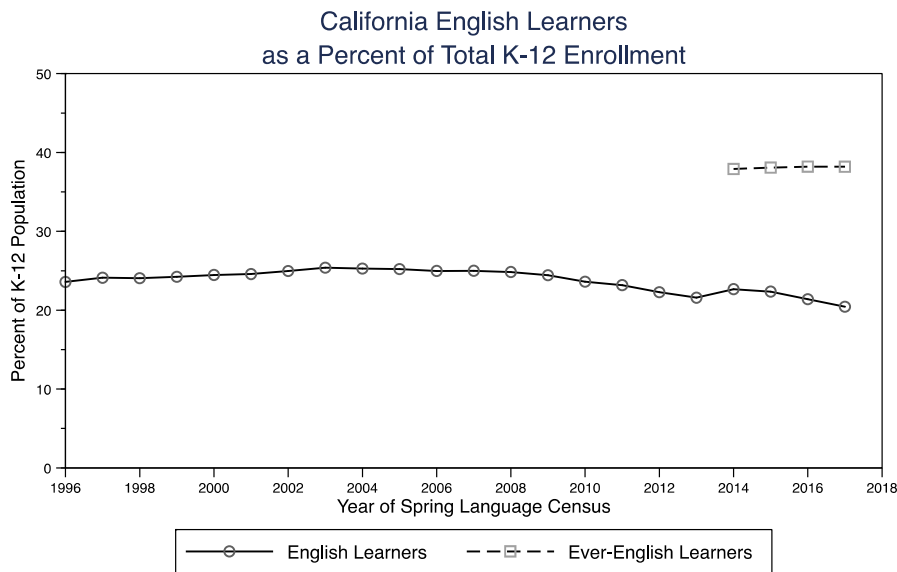
Because of the reclassification process, more ever-EL students are classified as EL than reclassified fluent English proficient (RFEP) in the early grades, while more are RFEP than EL in the later grades. This is demonstrated in the 2017-18 cohort in Figure 2. The figure shows the number of RFEPs in each grade level, as well as the number of current ELs by the amount of time they have been EL. While many ever-ELs reclassify during their K-12 years (and as discussed below, reclassified students, on average, do well in school after reclassification) over a quarter of ever-EL students are current ELs in the final years of high school. This is, in part, because about 3,000-4,000 new immigrant ELs enter California schools each year at the

secondary level (middle and high school), resulting in roughly nine to twelve thousand newcomers (students with up to 3 years in U.S. schools) at those grade levels.

Figure 3 shows the breakdown of the EL population, by proportion rather than count, for the 2017-18 K-12 cohort. It shows the proportion of K-12 students that are ever-EL, current EL, RFEP, and long-term EL (long-term EL status is discussed later in this report; it equates roughly to those ELs who have not been reclassified after 6 years in U.S. schools). Of note, across grades, between 32% and 42% of all California students are ever-EL, again, meaning that they enter school as English learners. The graph also indicates that reclassification slows after the 8th grade, suggesting that the transition to high school may be an important juncture for ELs. Research confirms that current ELs in high school have higher drop-out rates, and that reclassifying by the end of middle school can be protective for ELs (Flores, Painter, & Pachon, 2009; Olsen, 2014; Silver, Saunders, & Zarate, 2008). Evident from the graph, about half of current ELs in the middle and high school years are long-term ELs.

82% of California's EL students speak Spanish as their dominant language. The next largest language groups include Vietnamese, Mandarin, Arabic, and Filipino (see Figure 4). While dwarfed by the Spanish speaking EL population, the number of students in each of these language groups is quite sizable, each constituting between 8,000 and 30,000 students.

Figure 2. California's ever-English learners by years classified as English learner 2017-2018

California's Ever-English Learners by Years Classified as English Learner 2017-2018

Legend:
- English Learner 0-3 Years
- English Learner 4-5 Years
- English Learner 6+ Years
- Reclassified Fluent English Proficient
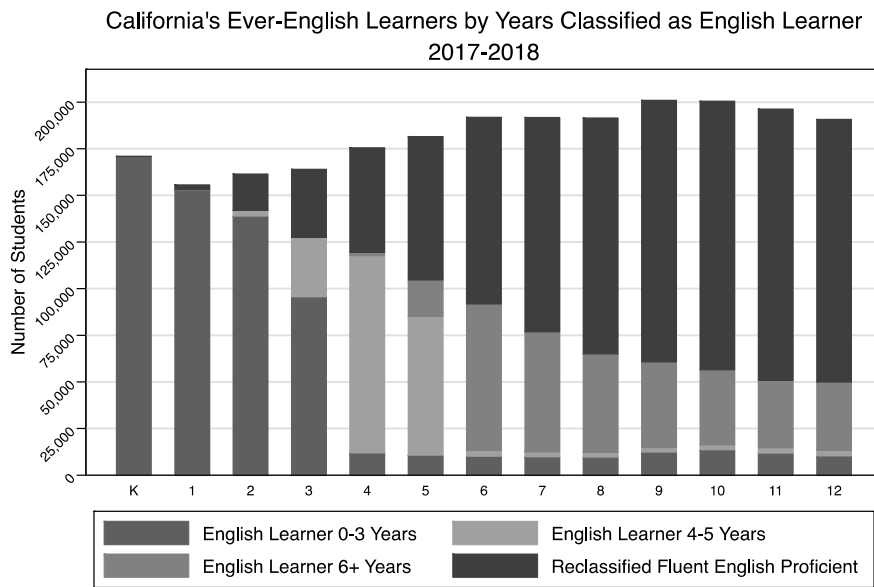
Source: California Department of Education Dataquest: English Learner Data 2017-18
Retrieved August 8, 2018 from https://dq.cde.ca.gov/dataquest/longtermel/ElYears.aspx?cds=00&agglevel=State&year=2017-18

Figure 3. California's English learners as a percentage of total K-12 population 2017-2018

California's English Learners as a Percentage of Total K-12 Population
2017-2018

Legend:
- English Learner
- Reclassified Fluent English Proficient
- Long-term English Learner
- Ever-English Learner
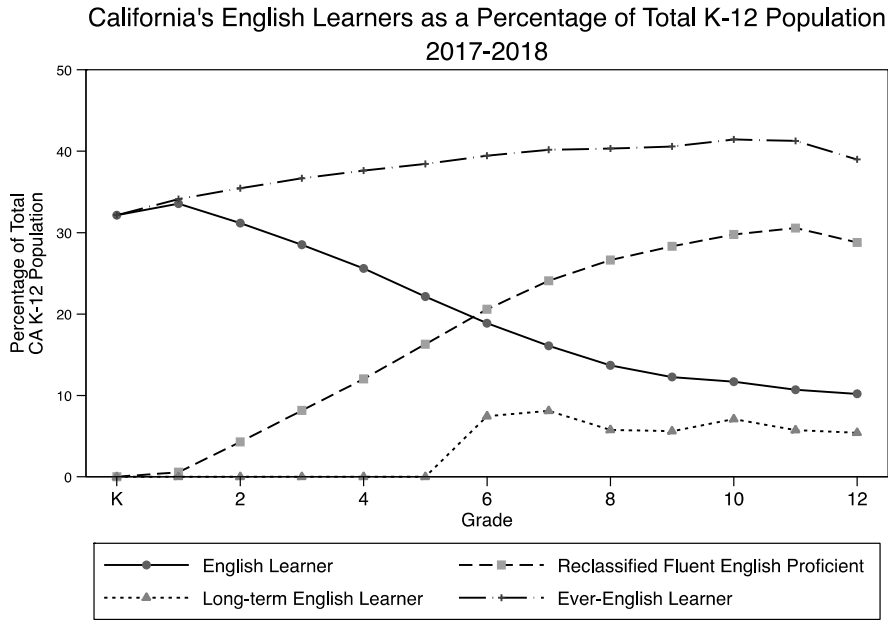
Figure 4. Languages spoken by California English learners

Languages Spoken by California English Learners
2017-2018 School Year

Filipino 1.27%
Arabic 1.5%
Mandarin 1.78%
Vietnamese 2.17%
Other 11.09%
Spanish 82.20%
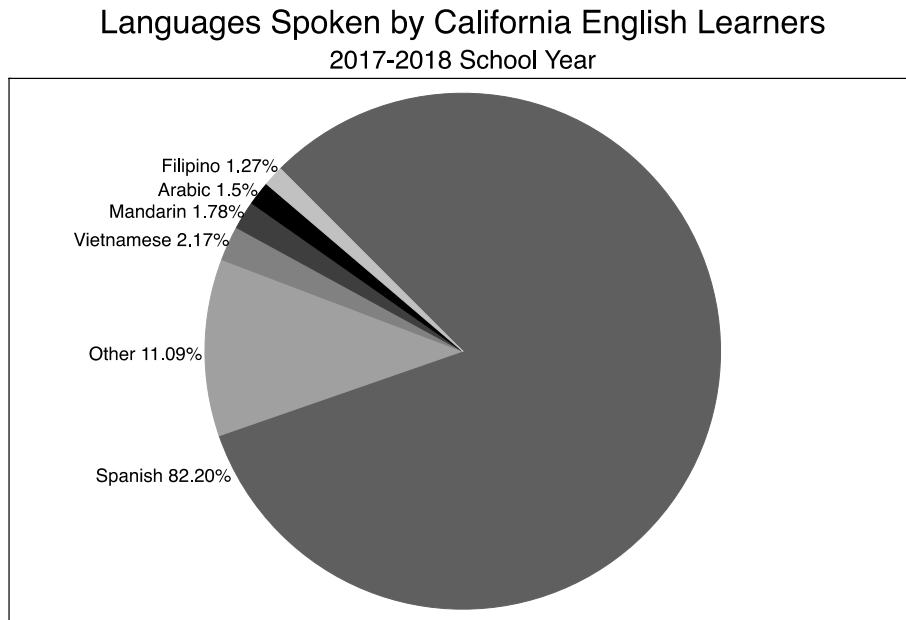
Source: California Department of Education DataQuest: California English Learner Data 2017-18
Retrieved on July 7, 2018 from https://dq.cde.ca.gov/dataquest/longtermel/ELAS.aspx?cds=00&agglevel=State&year=2017-18

Figure 5. California assessment of student performance and progress performance

California Assessment of Student Performance and Progress Performance
2017 English Language Arts/Literacy

Figure 6. California assessment of student performance and progress performance

California Assessment of Student Performance and Progress Performance
2017 Mathematics

Figure 7. California four-year adjusted cohort graduation rate

California Four-Year Adjusted Cohort Graduation Rate
2011-2016

Figures 5 and 6 show the proportion of all students, English only students (EO; students who speak only English at home and were never classified as EL), ever-ELs, current ELs, and RFEPs that meet or exceed state standards in English language arts (ELA) and math, respectively. These graphs show an important pattern 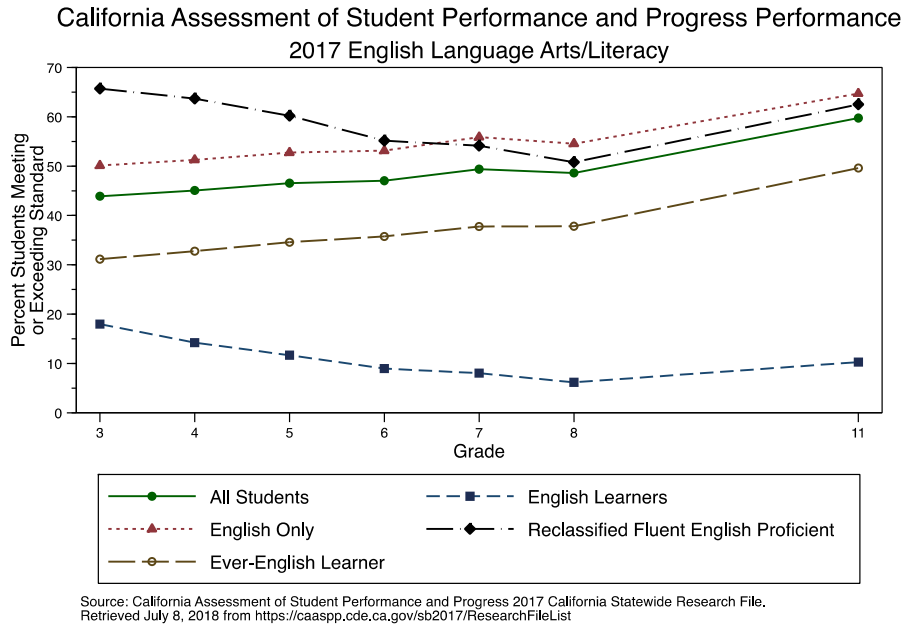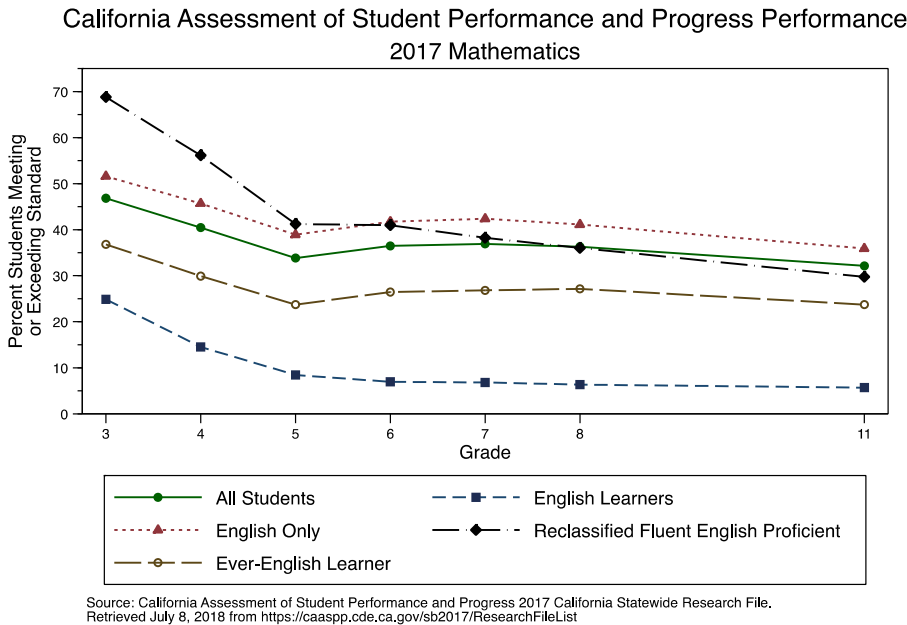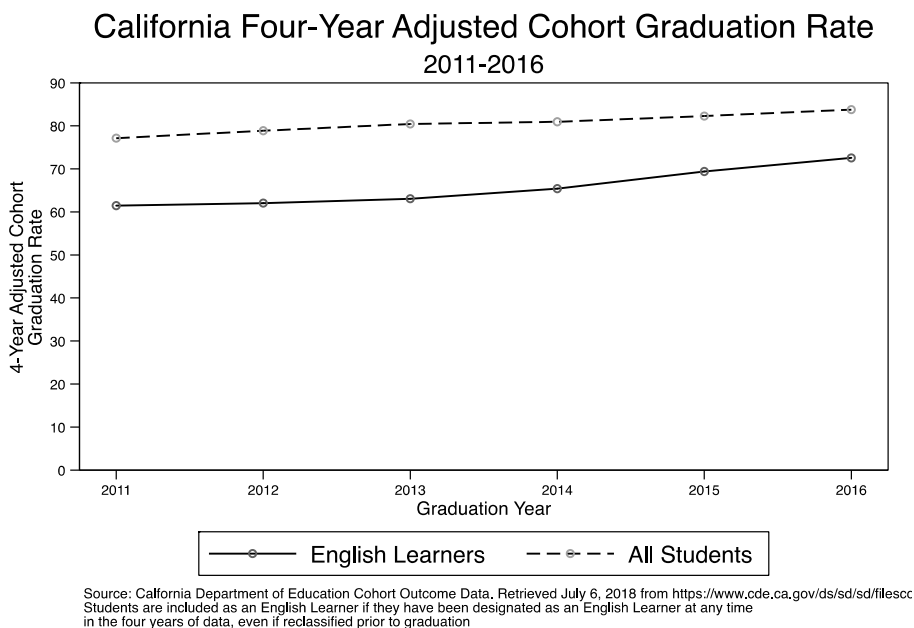in which the average proportions of proficient students are comparatively low for current ELs across grade levels but, generally speaking, is as high or higher than that of EOs for reclassified students. In 2017, across grade levels only 12% of ELs met state standards in ELA, far less than the overall state average of 49%. However, 58% of RFEPs met state standards, considerably more than the state average. The same pattern is true in math where 12% of ELs, 41% of RFEPs, and 38% of all students met state standards (California Assessment of Student Performance and Progress, 2017). Thus, while there is a large achievement gap between the performance of ELs and EOs, that gap is reduced somewhat, though not entirely, when comparing ever-ELs to EOs. Of note, the average scores of ELs decline across grade. This is, again, largely due to higher-performing students being reclassified out of EL status. In other words, the average characteristics of those students who are classified as EL in 3rd grade are very different from the average characteristics of ELs in 8th grade (Hopkins, Thompson, Linquanti, Hakuta, & August, 2013; Saunders & Marcelletti, 2012). The average characteristics of RFEPs also change across grade, as more students reclassify, entering that group. This accounts for much of the decline in average RFEP scores across grade.

As a final indicator of performance, Figure 7 shows 4-year graduation rates for ELs versus all students for the past 5 cohorts. Unfortunately, the state does not provide data on ever-EL or EO graduation rates. The EL graduation rate, therefore, represents that of all students who entered 9th grade as EL. While the gap between ELs and all students has decreased slightly over time, it remains sizable at 11 percentage points. Specifically, in 2016 the

overall state 4-year graduation rate was 84% while that of ELs was 73%. This means that more than one in four ELs did not graduate from high school within a four-year timeframe (although some graduate later).

In summary, California's EL population is large and highly diverse. Overall, four in ten students in California's K-12 system enter school as EL. While predominantly Spanish-speaking, ELs in California speak a multitude of languages. Importantly, the EL population changes across grade level, as higher performing students are reclassified and lower performing students and newly-arrived immigrant students make up larger proportions of the EL population. While ELs have considerably lower educational outcomes compared to their EO peers across multiple measures, average performance of RFEP students is much closer to that of EOs. The report now turns to the nine state policy areas for improving EL students' opportunities and outcomes.

Policy Area #1: EL students in California have diverse, individual educational needs that the current EL policy structure does not sufficiently account for

A first key element of EL education that can be addressed by California state policymakers pertains to the breaking down of the EL subgroup itself. Initial steps in this direction are already in place, however, EL policy can continue to move away from a 'one size fits all' notion and toward more differentiated and individualized planning and service provision. This goal fits into the EL Roadmap Principle 1 of building needs-responsive supports for students by moving toward service provision that is rooted in actual, rather than presumed, assets and needs (CDE, 2017a).

With over 1.3 million individuals, EL-classified students are an immensely diverse group of students (Maxwell-Jolly & Buenrostro, 2016). Diversity of the subgroup is directly associated with diversity of the needs, assets, experiences, and outcomes of the subgroup (August & Shanahan, 2006; de Jong & Harper, 2005; Suárez-Orozco et al., 2010). Too often and for too long, state and federal policy has clustered all ELs together (Crawford, 2004; Garcia, 2011), operating under an assumption that ELs tend to have similar educational characteristics. California policy is increasingly moving away from this simplistic notion and addressing both the needs of groups within the EL subgroup as well as inching toward more individualized service provision. The California EL Roadmap, for example, states: "Recognizing that there is no universal EL profile and no one-size-fits-all approach that works for all English learners, programs, curriculum, and instruction must be responsive to different EL student characteristics and experiences" (CDE, 2017a, p. 24).

This section synthesizes research on some of the key groups within the EL subgroup, highlighting how their characteristics, skills, needs and experiences in school differ. The groups explored in this section are not exhaustive but are instead an attempt to demonstrate some of the range of experiences and needs within the EL subgroup. Specifically, this section discusses students who fall into one or more of the following categories: ELs with disabilities, newcomer ELs, and long-term ELs.

In discussing EL subgroups, one runs the risk of exacerbating the already present tendency to see ELs as 'others' and as different from non-ELs. One runs the risk too of further labeling and categorizing. A theme throughout this report is one of reducing the power and impact of labels, moving away from the tendency to see ELs as a homogenous group set apart from other students. Later, this report will also discuss important ways in which ELs' instructional needs have much in common with those of non-ELs. In this section, a paradoxically parallel point is made – that not all ELs are alike and that individual ELs have individual skills and needs resulting in a need for diverse and nuanced state policies.

English learners with disabilities.

Research base. A significant proportion of EL-classified students will, at some point during their educational trajectory, be identified as having a disability. Nationally, 14% of EL students are identified with a disability, slightly higher than the 13% of the overall population of K-12 students (NCES, 2018b). While publicly available California data does not provide figures on the proportion of ELs that are identified with a disability, applying the national percentage would suggest that roughly 182,000 EL students in California schools today are also identified in a disability category.

The proximity of the proportions of ELs and non-ELs with a disability identification (14% and 13%), masks large differences in classification patterns between the two groups across grade levels and disability categories. For example, among ELs with a disability identification (referred to here as *dually-classified* students) close to three-quarters are identified with either a Specific Learner Disability (SLD) or with a Speech or Language Impairment (SLI). This is compared to only 55% of the overall K-12 population in those two same categories (NCES, 2018b).

Several educational challenges are prevalent among dually-classified students, as identified by a growing research base on these students. First, there are challenges with regard to timely and accurate identification of ELs with disabilities (Abedi, 2014; Artiles & Ortiz, 2002; Linan-Thompson, 2010; Ortiz et al., 2011; Wagner, Francis, & Morris, 2005). English proficiency level can obscure evidence of a disability and the presence of a disability can obscure English proficiency level (Abedi, 2014; Shifrer, Muller, & Callahan, 2011; Shore & Sabatini, 2009; Wilkinson, Ortiz, Robertson, & Kushner, 2006). Furthermore, the validity of disability identification assessments administered in English is often limited when used with students who are not yet proficient in English (Chu & Flores, 2011; Figueroa & Newsome, 2006) and few specialists are trained who have expertise in both language acquisition and disability identification (Ferlis & Xu, 2016; Liu, Ortiz, Wilkinson, Robertson, & Kushner, 2008; Shifrer et al., 2011). Some schools and districts systematically delay or block special education identification and evaluation among EL-classified students in order to avoid erroneous disability decisions. However, this practice likely exacerbates identification delays and suspends needed service provision (Klingner & Harry, 2006; Lesaux & Kieffer, 2010; Samson & Lesaux, 2008).

As a result, EL-classified students are disproportionately identified with disabilities. The scope of this issue is large, particularly at the secondary grade levels where dually-classified

students face a bottleneck because many are unable to meet reclassification criteria (Umansky et al., 2017). Statewide analysis shows that between one in five and one in four ELs in grades 6-12 are identified with a disability, compared to fewer than one in ten non-ELs in the same grades (Lieberman, 2018d). Among secondary-aged students classified as long-term ELs (discussed below) the statistic is even starker; recent research in six California school districts found that nearly one in three long-term ELs in middle and high school were also identified with a disability (Umansky et al., 2015).

While earlier work focused largely on the overidentification of disabilities among EL students, more recent work has highlighted underrepresentation in certain grade levels and disability categories (Artiles, Rueda, Salazar, & Higareda, 2002; Donovan & Cross, 2002; Morgan et al., 2015). Representation of ELs in disability categories appears to be highly variable, but recent work suggests that many ELs face delayed disability identification (Hibel & Jasper, 2012; Umansky, Thompson, & Díaz, 2017), and that ELs may be overrepresented in SLI and SLD categories (Umansky et al., 2017). Other work demonstrates that the characteristics of disproportionality vary greatly by locale and program of instruction, indicating varied practices of EL special education identification (Artiles, Rueda, Salazar, & Higareda, 2005; Ortiz et al., 2011). Together, these findings suggest that many students may not be receiving timely and appropriate special education services.

In addition to disproportionality and delayed service provision, ELs with disabilities may be withheld from either EL or special education services altogether, as schools and districts attempt to interpret state and federal law on service provision for one or the other category of student (Kangas, 2018). Dually-classified students may also be withheld from particular services, such as bilingual programs, due to misconceptions about students' abilities to learn and thrive in such settings (Park, 2014).

A final policy-relevant research area regards the criteria, mechanisms and procedures for exiting dually-classified students from either EL-classification or disability identification, when appropriate. ELs with disabilities often face insurmountable barriers to reclassification when reclassification criteria are not modified based on students' abilities (Umansky et al., 2017). Education providers, similarly, lack sufficient rules and guidance on how to modify reclassification criteria (Park, Magee, Martinez, Shafer Wilner, & Paul, 2016; Park, Martinez, & Chou, 2017).

Policy implications.

- Staff with technical expertise on disability identification among students acquiring English, and appropriate, unbiased disability identification assessments are two key resources necessary for the timely and appropriate identification of disabilities among the EL population.
- Many schools and education agencies struggle to provide disability and/or EL services in a meaningful, accessible way to dually-classified students. Policy and guidance on how to provide both types of services to dually-classified students are merited.

- Carefully crafted and well implemented modified reclassification criteria are necessary to avoid bottlenecks in which dually-classified students are unable, based on their disability, to reach standard reclassification criteria. Similarly, appropriate criteria should be in place for accurately reassessing dually-classified students' need for disability services (Park et al., 2016).

California policy. In 2016, the California governor signed into law Assembly Bill 2785. This bill tasked the CDE with developing a manual "providing guidance to local educational agencies on identifying, assessing, supporting, and reclassifying English learners who may qualify for special education services" (A.B. 2785, 2016). This manual will provide guidance regarding all three policy implications described above: identification, service provision, and exit from status. This manual is currently in development, and timely completion is important. The law further requires the development of a professional development plan supporting implementation of the manual's guidance. Funding to enact this implementation plan is critical, especially regarding dissemination such that the guidance provided in the manual is meaningfully implemented in schools throughout the state.

As an example of implementation hurdles, current English proficiency testing guidelines allow for modified reclassification criteria for dually-classified students, however anecdotal evidence suggests that many districts do not know that they can modify criteria and others do not know how to develop and implement modified criteria. As will be discussed below, the state is in the process of revising reclassification criteria to comply with the federal Every Student Succeeds Act (ESSA, 2015). Policy, guidance, and training on how criteria can and should be modified for dually-classified students will be critical to supporting the educational access of this group of students. A model school board policy regarding modified criteria for reclassification of dually-classified students, that individual districts could adopt or adapt, could be a useful tool.

Newcomers.

Research base. A second group of students that demonstrates the diversity of the assets, needs, and experiences of ELs is students that have recently-arrived in the U.S. from their home country or an intermediary country, often loosely termed newcomers (U.S. Department of Education [USDOE], 2016). Among policy-makers and researchers, this group of students is recently coming into focus as having unique educational needs. ESSA (2015) identifies two official groups of students that fall into the newcomer category. The first is *recently-arrived* ELs (RAELs); these are students who have been in U.S. schools for fewer than 12 months and are given assessment flexibility under ESSA (Every Student Succeeds Act, 2015; Linquanti & Cook, 2017). The second is termed *immigrant* students in federal law; Immigrant students refers to students who have been in the U.S. for up to three years. In ESSA, the concentration of immigrant students in a given state is used to determine eligibility for extra federal funds.

Research on newcomer students highlights their unique, and sometimes acute, needs when compared to other ELs, most of whom are born in the U.S. While some newcomers arrive

in the U.S. from relatively privileged backgrounds: with strong prior schooling, home language literacy, and having experienced a safe transition into the U.S., many do not. Specifically, research highlights that newcomers enter U.S. schools with far lower English proficiency levels than their non-newcomer EL peers, and that significant proportions of newcomer students have gaps in formal schooling and, as such, enter school academically behind their grade-level peers (Umansky et al., 2018b). In addition to these educational challenges, many newcomers also have acute economic, health, psychosocial and acculturative needs, as many arrive to the U.S. fleeing war, violence and other hardships; and many experience trauma as they attempt to leave their home country to find a new country and build a new life (Kanu, 2008; McBrien, 2005).

Newcomers come from much more diverse backgrounds than the EL population as a whole, indicating that even within and between newcomers themselves, skills, needs and experiences are highly variable. For example, using statewide data from two states, Umansky et al (2018) find that while roughly 80% of ELs have Spanish as their home language (reflecting the national average), fewer than 50% of ELs who have been in the U.S. up to three years have Spanish as their home language. Sizable proportions of the newcomer population are refugees or unaccompanied minors (Umansky et al., 2018b), and, as shown earlier, newcomers enter the U.S. school system for the first time at all grade levels.

Despite newcomer diversity and the range of educational needs that newcomers have, research suggests that newcomers grow very quickly when they first enter U.S. schools, far outpacing their non-newcomer EL peers, suggesting that the first few years in U.S. schools are a window of opportunity for these students (Umansky & Thompson, 2018). An additional key strength of newcomers is that they tend to have very strong linguistic, cultural, and social ties to their home countries, communities, and families. These ties are protective, helping students succeed in school and beyond (Alba & Nee, 1997; Jiménez, 2010; Portes & Rumbaut, 2006; Valenzuela, 1999).

Newcomers have needs, therefore, that are different from those of their peers, both EL and non-EL. Because of this divergence in needs, education systems often grapple with how and when to integrate newcomers with other students versus how and when to separate them from other students (Carhill-Poza, 2014; Feinberg, 2000; Kanu, 2008; Oikonomidoy, 2009). Integrated models typically include placement into heterogeneous classes that incorporate modified instruction for newcomers, integrated or push-in English language development instruction, and/or co-teaching models where general education teachers co-teach with EL specialists. Separated models often take the form of separated classes, tracks, programs or even schools for newcomers. The larger the difference in perceived needs between newcomers and non-newcomers, the more a school or district tends to separate newcomers (Umansky, Hopkins, & Dabach, 2018a). There is little empirical work, however, on the relative effectiveness of newcomer integration versus separation (Short, 2002).

Secondary school-aged newcomers face particularly acute challenges in school. Many students who enter U.S. schools for the first time in middle or high school struggle to complete

graduation requirements before being pushed out of the K-12 school system (Umansky et al., 2018b). Schools and districts push newcomers out of school for a combination of reasons, including social and safety concerns regarding including older students in school settings with younger students, financial disincentives once students no longer qualify for funding (age 21 in California), and other disincentives, such as accountability metrics that calculate four-year graduation rates (many high school-aged newcomers need more than four years to meet graduation requirements).

The current federal climate around immigration, including sharp cuts in the number of refugees allowed into the U.S., particularly from Middle Eastern and North African countries; increased Immigration and Customs Enforcement (ICE) arrests and raids, some around schools and workplaces; harsh border enforcement policies which have resulted in the separation of thousands of children from their parents; and hostile rhetoric from federal leaders about immigration and the role of immigrants in the U.S. have combined to create an environment of great difficulty for students who are themselves immigrants or are the children of immigrants. Specifically, recent research demonstrates that this climate is negatively impacting students' mental health, attendance rates, academic achievement, and parental participation, among other outcomes (Costello, 2016; Gándara & Ee, 2018; Henig & Lyon, 2018). In a survey of 47 school districts around the country, 79% of educators reported witnessing emotional or behavioral problems linked to students' concerns about immigration enforcement and 64% of educators reported that their students were expressing open concern about how immigration enforcement was impacting them, their families, and the people they know (Gándara & Ee, 2018). In a report conducted for *Getting Down to Facts II* on how federal law and policy impact California education, Henig and Lyon make the case for a greater state role in supporting districts disproportionately impacted by federal immigration policy (i.e. those serving a disproportionate number of EL and Latino students) and call for increased staffing of licensed counselors within heavily-impacted schools (Henig & Lyon, 2018). Importantly, this climate does not only impact newcomer students. Many students affected are themselves born in the U.S. but are experiencing stress and anxiety due to fear for the safety and well-being of their parents, siblings, or other close family members.

Policy implications.

- For newcomers, it is important to integrate school policy with larger wraparound services that support the integration and inclusion of families, and the psychosocial well-being of students (McBrien, 2005; Taylor & Sidhu, 2012; Umansky et al., 2018b). These wraparound services can be provided directly through education agencies or through robust partnerships with other public, private, or non-governmental agencies.
- Schools and districts need support and guidance in determining the balance between newcomers' separation for targeted services and their integration for access to mainstream content and peers. This guidance should focus on the twin goals of maximizing learning and minimizing exclusion.
- Policy should target improving secondary-age newcomers' abilities to graduate high school. Possibilities include allowing for more than four years of high school enrollment,

when possible enrolling newcomers in advanced level courses in their home language (e.g. Advanced Placement Spanish), providing credit-recovery opportunities, awarding credit for courses taken outside the U.S., and creating formal linkages with community colleges for students who have aged-out of the K-12 system.

- Using five- and/or six-year graduation rates as accountability metrics, rather than relying solely on a four-year rate can incentivize schools and districts to retain their newcomers and support them through graduation.

California policy. California has no policies in place that specifically relate to the education of newcomer students. However, Assembly Bill 2121, if passed, would require schools to allow 11th and 12th grade newcomers to attend a 5th year of high school to complete local graduation requirements if they attend a newcomer program (Lieberman, 2018c). Recent policy out of Los Angeles Unified School District (LAUSD) makes progress in this direction. Their policy allows newcomers who arrive in the U.S. in high school the option to remain in high school until all graduation requirements are met, or until the age of 21 (LAUSD, 2016). Assembly Bill 2121 would also begin to address challenges with international transcripts by requiring districts to award credit for coursework from outside the US.

The state should consider revisiting its use of the four-year graduation rate to examine unintended consequences for newcomer students. New York state, for example, is now planning to report five- and six-year EL graduation rates for this reason (New York State Education Department [NYSED], 2017). California can also take steps to ensure that newcomers' proficiency in their home languages is valued and counts toward graduation. For example, not all heritage language classes currently count toward the state's required coursework for post-secondary eligibility (termed *A-G* coursework) (Lieberman, 2018a). California should also consider instantiating its position in Principle 1 of the EL Roadmap of "schools [that] value and build strong family and school partnerships" through policy and resource provision that creates and strengthens school-community-family bridges, especially for newcomers whose success, in part, will derive from their ties with family and community (CDE, 2017a, p. 25).

Long-term English learners.

Research base. A final example of a subset of ELs that needs focused policy attention is long-term ELs. Long-term ELs (LTELs) are typically defined as students who have been classified as ELs for more than 5, 6, or 7 years (definitions vary by state). California has in place a more specific definition for LTELs that is described below. Long-term ELs are a unique set of EL students because they are students who have not exited EL classification within a timeframe that is considered typical for students acquiring English (Olsen, 2010). Critics note that while the term 'long-term EL' labels the student, the onus of responsibility may lie in the barriers in place in schools that limit academic, linguistic, and reclassification outcomes among these students (Menken & Kleyn, 2010; Menken, Kleyn, & Chae, 2012).

Indeed, several studies have identified structural barriers faced by students who become LTELs including a lack of alignment between how academic reading is taught in

classrooms and how it is assessed on standardized tests (Brooks, 2015), a devaluation of students' and families' language practices (Flores, Kleyn, & Menken, 2015), and inconsistent instruction as students are moved between different educational programs (Menken et al., 2012). Furthermore, as will be discussed later in this report, many ELs are withheld from full access to core academic content, content that is then tested for reclassification eligibility (Callahan, 2005).

While LTELs are themselves a highly diverse set of students, many LTELs have advanced oral and communicative English skills but more limited academic, reading and writing English skills (Menken et al., 2012). As noted earlier, significant proportions of LTELs are dually-classified ELs with disabilities, some of whom may not be able to reach standard reclassification thresholds and who are not provided with appropriately modified reclassification mechanisms (Umansky et al., 2015). Finally, the complexity of reclassification criteria in multiple-criteria states like California, and the inclusion of academic (rather than English proficiency) outcomes as reclassification criteria can keep students classified as ELs who have advanced English proficiency skills (Umansky & Reardon, 2014) and/or relatively high academic performance (Estrada & Wang, 2018; Thompson, 2015a). Together, these barriers contribute to a situation in which students who might otherwise have reclassified are held in EL status and become long-term ELs.

Policy implications.

- Simplifying the reclassification process, and putting into place modifications for dually-classified students, can improve eligible students' ability to reclassify, thus avoiding LTEL classification.
- Removing academic criteria from reclassification requirements, prohibiting the use of measures unrelated to English proficiency, and ensuring that assessments required for reclassification align with the instruction that EL students receive can support students' likelihood of becoming reclassification-eligible.
- Policies that address ELs' access to core content instruction, improve instructional quality (both access and instruction are addressed later in this report), and those that support dually-classified students (many of whom become long-term ELs) would also likely both reduce the number of students classified as long-term ELs and improve their experiences and outcomes in school.

California policy. In 2012, California passed legislation (CA EDC § 1-313.1) defining the term long-term English learner:

> 'Long-term English learner' means an English learner who is enrolled in any of grades 6 to 12, inclusive, has been enrolled in schools in the United States for more than six years, has remained at the same English language proficiency level for two or more consecutive years as determined by the English language development test identified or developed pursuant to Section 60810, or any successor test, and scores far below basic or below basic on the English language arts standards-based achievement test administered pursuant to Section 60640, or any successor test.

The complexity of the definition means that a significant number of students who have not reclassified after 6 years are not counted as LTELs. Specifically, in 2017-18 only 57% of ELs who had been in California schools for six or more years were identified as LTEL (CDE, 2018b). California's LTEL definition, thus, masks the scale at which students are not reclassifying (due to inferior content access, multiple reclassification criteria, or other factors, as mentioned above).

The same legislation requires districts and schools to annually report how many of their ELs are LTELs or are at risk of becoming LTELs (also defined in the bill). A subsequent bill, Assembly Bill 81 (2017) , requires districts to notify families of their children's status as LTEL. While these laws allow the state – and families – to identify this important group of students, California has room to grow in terms of providing guidance or regulation that supports LTEL-classified students and that works to decrease the number of students who become LTELs.

As mentioned above, LTELs, newcomers, and ELs with disabilities are not the only subgroups of ELs that merit policy attention. However, they constitute three important groups that demonstrate the immense diversity of English learners and the range of policies that can support these students. While students within any one of these subgroups often have shared needs or experiences, their differences are also important. Prior research has pointed to a need to develop more individualized supports for EL-classified students (Baecher, Artigliere, Patterson, & Spatzer, 2012; Kibler, Walqui, & Bunch, 2015). A more direct policy step that California could consider is one which would establish policies and procedures for individual education planning and service provision for ELs (or all students). This could be done through individual education plans or multi-tiered systems of support. Student-based planning would align with the root of the EL Roadmap's Principle 1 of "Assets-Oriented and Needs-Responsive Schools" that are "responsive to different EL strengths, needs, and identities" (CDE, 2017a). Some California districts are moving closer to individualized planning, such as Sanger Unified School District which has in place a policy and practice of Individualized Learning Plans for their LTELs (Sanger Unified School District, 2016) and Los Angeles Unified, which is implementing Individual Reclassification Plans for LTELs, along with an accelerated academic program for LTELs (LAUSD, 2018).

Policy Area #2: Many ELs in California do not have equitable access to grade-level core content instruction

We now move on to describe three state policy areas that relate to EL Roadmap Principle 2: "Intellectual Quality of Instruction and Meaningful Access." Federal law surrounding the education of EL students is framed around two core rights: the right to English language instruction for English acquisition and the right to equitable and accessible grade-level content and standards (*Castañeda v. Pickard*, 1981; *Lau v. Nichols*, 1974). As such, these are two main areas of state policy regarding EL education. This section explores policy needs and existing policy in California regarding ELs' access to core content.

Research base. Federal law is somewhat vague regarding students' right to equitable access to grade-level content. The lack of clarity pertains to how and when ELs should have access to grade-level content. Students can be provided content instruction alongside their grade level peers using modifications to make that content accessible (considered *simultaneous* English language development and content instruction), or EL students can be withheld from some core content area instruction during an initial period of intensive English instruction, so long as compensatory supplemental content instruction is then offered to catch students up to their grade level peers (considered *sequential* English and content instruction). Specifically, the federal ruling in *Castañeda v. Pickard* states:

> In short, § 1703(f) [the 1974 Equal Educational Opportunity clause of U.S. code] leaves schools free to determine the sequence and manner in which limited English speaking students tackle this dual challenge [English acquisition and content acquisition] so long as the schools design programs which are reasonably calculated to enable these students to attain parity of participation in the standard instructional program within a reasonable length of time after they enter the school system. (*Castañeda v. Pickard*, 1981)

While federal law allows for sequential content provision, California state policy has identified a clear preference for simultaneous provision of English instruction and content instruction. This is laid out in the EL Roadmap board policy which states: "English language proficiency development … can take place as an integrated process simultaneous with academic content learning…." (CDE, 2017a, p. 21).

Despite this stance, there is evidence both within the state of California and across the country that many ELs do not have equitable access to grade-level core content instruction – either simultaneously or sequentially. This evidence is particularly clear at the middle and high school levels where analysis of course-taking is possible. As reported in the Assembly Education Committee analysis for proposed Assembly Bill 2735 (2018), lack of access to core content instruction is the most frequent compliance violation found by the CDE during EL compliance monitoring (Lieberman, 2018b). Numerous studies support this finding. In a 2005 study, Callahan found that less than 2% of ELs in a high school in California were taking a sufficient number of college preparatory classes to be able to apply to a 4-year university. More recently, research identifies that EL students are disproportionately placed into lower track and remedial classes and fewer advanced level and college preparatory classes (they are also far less likely to be identified for Gifted and Talented programs). In addition, research shows that ELs frequently experience exclusionary tracking in which they are withheld from enrollment in core content area classes, including English language arts, math, and science (Estrada, 2014; Gubbins et al., 2018; Kanno & Kangas, 2014; Umansky, 2016a; Zuniga, Olson, & Winter, 2005). EL tracking is often not explained by prior academic achievement but instead driven by English proficiency level and EL status (Callahan, 2005; Umansky, 2016b). Reclassified ELs often also experience language-based tracking (Kanno & Kangas, 2014) and these tracking patterns have been documented at both the middle and high school levels (Estrada, 2014).

In addition to low track placement and exclusion from core content, a third type of tracking that uniquely effects ELs is placement into separate content area classes, often called *sheltered* classes, that are designed to teach content in ways that are accessible to students acquiring English. As such, sheltered classes may include more explicit language instruction, visual aids, or extra time for practice (Goldenberg & Coleman, 2010). While sheltered classes do not necessarily limit access to content, numerous studies examining instructional practices within sheltered classes suggests that many sheltered classes are characterized by less content overall, less advanced-level content, and weak student-teacher relationships (Barajas-López, 2014; Dabach, 2014, 2015; Harklau, 1994b; Lillie, Markos, Arias, & Wiley, 2012; Olsen, 1997; Valenzuela, 1999).

Rather than a temporary withholding that is compensated for in a timely fashion, EL tracking has the opposite effect – it places EL students on trajectories that increasingly separate them from their peers who have full access to content, with likely negative effects on achievement and reclassification (Oakes, 2005). Delayed reclassification and low achievement, in turn, negatively impact ELs' long-term outcomes, including high school graduation and college attendance (Carlson & Knowles, 2016; Thompson, 2015b).

Importantly, simply placing students directly into core content classes without appropriate modifications for EL-accessibility is not the answer, as work shows that EL students in those settings may fail their classes (Thompson, 2015b). Qualitative research involving observation of instruction in mainstream classes often shows that ELs are marginalized as teachers struggle to adequately scaffold instruction for them (Harper & de Jong, 2009; Olsen, 1997; Reeves, 2004; Stephens & Johnson, 2015; Valdés, 2004; Verplaetse, 1998).

Policy implications.

- EL-classified students should to be afforded full access to core content as soon as possible and in ways that are linguistically accessible. For students with beginning English proficiency levels, such as many newcomers, bilingual programs that offer content in students' home languages are a promising possibility.
- Policies should address both students' enrollment in core content area classes and also in the level of those classes, to ensure that EL students are not disproportionately ushered into low-track and non-college preparatory classes nor excluded outright from content classes. For example, policies could attend not only to students' access to a full course load, but also to ELs' access to Gifted and Talented programs, Advanced Placement classes, dual credit enrollment classes (i.e. high school classes that award college credit), and honors level classes.
- Schools that provide access to content through the use of separate, sheltered, classes for ELs should ensure that the content and rigor of those classes is high and matches the content and rigor of non-sheltered courses.
- Policy that mandates ELs' inclusion in full course sequences will not be sufficient to ensure that ELs are able to learn and succeed in those classes. Instead, guidance,

support, training, and professional development is necessary to build teacher capacity to effectively teach ELs within an integrated, grade-level setting.

- Students would likely benefit from increased statewide attention toward EL access to content, for example by including EL course enrollment as a statewide indicator of student success (Callahan & Hopkins, 2018).

California policy. California's espousal of full and simultaneous access to content for ELs is clear. It is demonstrated in both the state EL Roadmap (CDE, 2017a) and the state's Local Control Accountability Plans' (LCAPs') priority area #7, "course access" (CA EDC § 2-52060). To date, however, the state has yet to establish specific policies, guidance, or resources that support this commitment. One exception is that districts' LCAPs are required to describe how programs and services will enable English learners to access English language arts and mathematics state-adopted Common Core state standards (CA EDC § 2-52060).

In addition, the California state legislature currently has a proposed bill that would prohibit districts from withholding ELs from core content classes unless the student was recently-arrived to the U.S. or was in a newcomer program (Lieberman, 2018b, 2018d). If signed into law, this bill would clarify when sequential content access as opposed to simultaneous content access would be permissible in the state.

High school graduation is, not surprisingly, a California education priority area, as is college preparedness (CA EDC § 2-52060). As such, California policy could directly address EL students' access to the state's minimum graduation requirements, to district-established graduation requirements, and/or to the state higher education eligibility course requirements (A-G). As a policy example, Washington state is working to improve ELs' college preparedness by providing high school world language credits, a requirement for college eligibility, for students who can demonstrate proficiency in their home language (State of Washington Office of Superintendent of Public Instruction, 2018).

New York state has recently turned their focus to EL course access in a manner that California could examine. In that state's *Parents' Bill of Rights for New York State's English Language Learners* they specify:

> The right for your children to receive all core content instruction, and to learn English and other subjects such as Reading/Language Arts, Math, Science, and Social Studies at the same academic level as all other children. Being entitled to ELL services does not limit the ability to get core content instruction (NYSED, 2016, p. 1).

Additionally, Massachusetts, among other states, has included course-taking measures in their statewide accountability plan under ESSA. That state includes measures of both student success in 9th grade coursework and enrollment in broad and challenging high school courses, by subgroup, in their ESSA plan (Massachusetts Department of Elementary and Secondary Education, 2017). California's college and career ready indicator for California's statewide accountability plan under ESSA is still in development. This is an opportunity to include course-

taking data in the state's accountability system, and increase attention to this important indicator of access and success.

Policy Area #3: Both integrated and designated English language development (ELD) instruction benefit ELs, however designated ELD can displace content instruction

Research base. The second core right of students acquiring English is instruction in the English language toward English proficiency. This is considered a fundamental responsibility of schools given that English proficiency is a necessity for accessing mainstream instruction (when provided in English) and full social, economic, and political access within the larger U.S. society (*Lau v. Nichols*, 1974). Research on English language development (ELD) instruction points to two main policy-relevant findings.

First, ELs benefit from high-quality ELD instruction that is provided in both integrated and designated formats. Up until recently, most ELD was provided through designated instruction in which EL students were provided with focused English instruction, for a set period of time each day, often grouped by English proficiency level (August & Hakuta, 1997). This separated, focused ELD instruction is termed *designated* ELD. Several studies, including both randomized trails and longitudinal analyses, have shown a benefit of targeted, small group, leveled instruction in English language skills on EL's English proficiency and English reading outcomes (Linan-Thompson, Vaughn, Prater, & Cirino, 2006; Saunders, Foorman, & Carlson, 2006; Vaughn et al., 2006).

Recently, schools and districts are moving toward *integrated* ELD instruction in which English instruction is embedded within content area instruction such as science, math, and language arts. Bunch (2013) defines this as "purposefully enact[ing] opportunities for the development of language and literacy in and through teaching the core curricular content" (p. 298). Attention to integrated ELD emerged with the Common Core State Standards due to the rich inclusion of language – both reading and writing – across content area standards (Bunch, Kibler, & Pimentel, 2012). Experimental and quasi-experimental studies of integrating language instruction into content area instruction in classes such as math, science, and ELA show benefits for ELs in both English proficiency development and content area learning (Echevarria, Richards-Tutor, Canges, & Francis, 2011; Llosa et al., 2016; Meltzer & Hamann, 2005; Schleppegrell & de Oliveira, 2006; Short, 2017; Warren & Miller, 2015; Zwiep & Straits, 2013). Importantly, research also shows that a language learning orientation within content area instruction also benefits non-ELs (Llosa et al., 2016; Schleppegrell & de Oliveira, 2006).

Integrating language and content instruction requires specific skills and training, however, and several studies suggest that many content area teachers feel underprepared to do so (de Jong & Harper, 2005; Harper & de Jong, 2004; Santibañez & Snyder, 2018; Walker, Shafer, & Iiams, 2004). Teachers may end up using traditional sheltering methods that separate ELs from full access to content (Stephens & Johnson, 2015). As such, most of the interventions referenced above have incorporated strong professional development components.

A second important, policy-relevant, aspect of ELD instruction is how it is structured into EL students' school days. State policy in Arizona mandating a four-hour ELD block for certain ELs (ARS § 15-756.01) led to a proliferation of research related to whether and when designated ELD might crowd-out access to core content instruction. Because most schools structure the school day within set hours for all students, any time that EL students are separated for ELD instruction displaces content that non-ELs receive. When the amount of time devoted to ELD is larger, so too is the amount of content displaced. As a result, research examining the impact of Arizona's 4-hour ELD block shows that students who received that ELD instruction lost significant content instruction, and did academically worse than those ELs in mainstream academic settings (Rios-Aguilar, Canché, & Sabetghadam, 2012). Even in settings with less extensive ELD instruction, evidence suggests that ELD can crowd-out core content, supplanting, rather than supplementing, core content instruction (especially English language arts; ELA) (Estrada, 2014; Umansky, 2016a).

Policy implications.

- ELs need targeted instruction in the English language, instruction that can – and arguably should – be offered through both designated and integrated settings to maximize instruction, cover language skills throughout the academic curriculum, and minimize displaced content.
- Teachers should be adequately prepared to teach using integrated and designated approaches, and in particular, mainstream academic content teachers likely need high-quality preparation as they learn to embed language instruction in content instruction.
- Policy should focus on how schools and districts can offer designated, leveled ELD in a manner that minimizes displaced content. Policy could provide, for example, resources for schools to offer ELD instruction during an extended-day or could provide regulations or guidance on what content can or cannot be displaced by ELD.
- Finally, certain ELD courses, such as advanced level ELD, may merit the awarding of both ELD and ELA credit to students. This would alleviate crowding-out of ELA and help advance ELs toward graduation and post-secondary requirements.

California policy. In California, ELD instruction is framed by the 2012 state ELD standards (CDE, 2014). In addition, in 2015, the California State Board of Education adopted the CDE's *English language arts / English language development framework for California public schools* (CDE, 2015). This framework establishes a "blueprint" (p.1) for the implementation of California ELA and ELD standards and discusses the relationship of one to the other. The framework also states that all ELs in California should be provided with *both* designated and integrated ELD (CDE, 2015). This policy reflects current research on the important benefits of both designated and integrated English instruction.

However, preliminary evidence suggests that implementation of the standards and framework may be weak. A recent evaluation of 29 California school district accountability plans (Local Control Accountability Plans; LCAPs) concluded that over two thirds of districts had weak (68%) or no (4%) plans in place for the implementation of the state's ELD standards and

ELA/ELD framework (Olsen, Armas, & Lavadenz, 2016). The CDE has been creating resources to support improved implementation, including videos and extensive lesson planning supports such as suggested activities, strategies, and critical questions to guide instruction (CDE, 2018d), however, more attention should be devoted to implementation. In particular, the state could play an important role in ensuring that teachers receive the quantity and quality of professional training necessary to fully enact their new language teaching responsibilities.

With regard to crowded-out or supplanted content, California does not currently have policy in place aside from the proposed bill pertaining to EL course access discussed in the prior section (A.B. 2735, 2018). Because ELD instruction appears to be a main driver in limiting content area access, specific policy related to how schools might provide designated ELD without compromising access to content may be warranted.

Policy Area #4: Bilingual and two-way dual immersion programs benefit ELs' academic, linguistic, and life outcomes but expansion of programs and strong implementation are necessary

The final policy area that falls into the second EL Roadmap principle regarding high-quality and accessible instruction is that of bilingual and two-way dual immersion programs (CDE, 2017a). Bilingual programs are programs that serve language minority students and provide instruction in English and students' home languages. Two-way dual immersion programs likewise provide instruction in English and a target language, but serve both speakers of that target language and English-only students. Both bilingual programs and two-way dual immersion programs fall under the umbrella of bilingual education.

Research base. A large body of research over the past several decades has examined the effects of bilingual education on ELs' linguistic, academic, and social outcomes. This research base finds that bilingual education, on average, benefits EL students, resulting in improved outcomes in English proficiency, target language proficiency, reclassification, academic performance, and social outcomes (Burkhauser et al., 2016; Curiel, Rosenthal, & Richek, 1986; Marian, Shook, & Schroeder, 2013; Wright & Tropp, 2005). For example, August and Shanahan (2006) use a meta-analytic technique to synthesize the findings of high-quality experimental and quasi-experimental evaluations of bilingual education on English reading outcomes and conclude that bilingual education has a small to moderate positive effect on English reading skills among language-minority students. Slavin and colleagues (2011), in a randomized trial, find that students receiving instruction in their home language score significantly higher on a number of assessments of language proficiency in that language suggesting that bilingual instruction supports the maintenance and development of home language fluency and literacy. Umansky and Reardon (2014) analyze longitudinal data finding that EL students in bilingual and two-way dual immersion programs take approximately one extra semester to reclassify, on average, compared to ELs in English immersion settings, but are significantly more likely to reclassify in the medium to long term. Valentino and Reardon (2015) look at English language arts and math growth among ELs in bilingual, two-way dual immersion,

and English-only instructional settings and find that ELs tend to grow more quickly in both subject areas when instructed in two languages.

Research examining social outcomes of bilingual education is less robust, however evidence suggests that students in two-way dual immersion programs develop positive attitudes toward both languages and speakers of those languages (de Jong & Howard, 2009) and that ELs within these programs feel more comfortable speaking their home language in social settings (Block, 2011). Less research has examined the effects of bilingual education on other outcomes such as connection to family, grades and high-school graduation, however limited evidence suggests possible positive benefits in these areas as well (Bearse & de Jong, 2008; Curiel et al., 1986; Feinauer & Howard, 2014). Finally, recent research focused on two-way dual immersion programs shows linguistic and academic benefits to non-EL students as well (Chin, Daysal, & Imberman, 2012; Steele et al., 2017).

It is important to note that not all studies of bilingual education show benefits on all outcomes, and often the benefits of bilingual education are modest. For example, in a recent study exploiting lottery-based randomization, Steele and colleagues (2017) find benefits of bilingual instruction on reading and reclassification outcomes, but no benefits with regard to math outcomes. August and Shanahan's (2006) metanalysis similarly finds heterogeneity in bilingual effect sizes, even within randomized trials. This variation in the effects of bilingual education has led to increased attention on implementation science within bilingual classrooms along with research on effective elements of bilingual and two-way dual immersion programs. Specific elements for effective bilingual education include effective teachers who speak English and the target language, high-quality standards-based instructional materials in both English and the target language, well-designed plans including cross-grade alignment, and sustained leadership and active community and parental involvement (Baker, 2011; CDE, 2013; Hopkins, 2016; Johnson, 2010; Li, Steele, Slater, Bacon, & Miller, 2016; Takanishi & Le Menestrel, 2017).

Moving beyond research on bilingual education, a robust body of research on bilingualism itself points to important economic, cognitive and cross-cultural benefits (Portes & Hao, 2002; Portes & Rumbaut, 2001; Santibañez & Zárate, 2014). A recent book highlights the economic demand for workers who speak more than one language and the economic returns to being bilingual (Callahan & Gándara, 2014). Benefits of bilingualism also extend into cognitive and health outcomes with research indicating that bilingual individuals have a lower incidence of Alzheimer's and more developed executive functioning skills, among other outcomes (Adesope, Lavin, Thompson, & Ungerleider, 2010; Bialystok, 2011; de Abreu, Cruz-Santos, Tourinho, Martin, & Bialystok, 2012).

Policy implications.

- Policy that supports the expansion of high-quality bilingual and two-way dual immersion programs will likely benefit English learners, along with non-ELs and the larger society, in multiple ways.

- Attention needs to be paid to implementational supports as districts build bilingual programs. States have an important role to play with regard to supporting high-quality implementation and monitoring bilingual education implementation.
- Key roles of the state include supporting institutes of higher education as they develop or expand bilingual teacher preparation programs, developing assessments of target language proficiency and content area assessments in target languages, monitoring the outcomes of EL and non-EL students enrolled in bilingual programs, developing and supporting professional development for educators and leaders in bilingual programs, and providing financial incentives to districts for building or expanding bilingual programs.

California policy. In November 2016, voters passed Proposition 58 which effectively overturned Proposition 227 (1998), a policy that had restricted bilingual and multilingual programs and instruction. Proposition 58 affirms bilingualism and multilingualism as key assets and resources within California, and asserts bilingual instruction as a valid and desirable educational model (Bialystok, 2016; S.B. 1174, 2014). Building on Proposition 58, the California State Superintendent of Public Instruction launched an initiative in May, 2018, Global California 2030, which identifies specific goals for California including a dramatic expansion of the number of California students in bilingual and two-way dual immersion programs by 2030 (to reach 50% of California students), paired with parallel increases in the number of teachers with bilingual authorization and the number of dual immersion programs (CDE, 2018c). A proposed bill moving through the legislature would apportion grants to selected education agencies looking to create or expand bilingual and multilingual programs (A.B. 2514, 2018). In place since 2012, the state also apportions a Seal of Biliteracy to graduating high school students who demonstrate proficiency in a non-English language (CA EDC § 2-51460).

With these initiatives and policies, California is positioned to be a leader in developing and strengthening research-based bilingual education for both ELs and non-ELs alike. Data is not easily accessible regarding the number of students in bilingual or dual immersion programs. However, an analysis for Proposition 58 reported that in the decade after the passage of the California bilingual education ban, the proportion of the state's EL students in bilingual programs declined from 30% to 5% (Legislative Analyst's Office, 2016). However, since the passage of Proposition 58, districts and schools' interest in bilingual education is rising. A survey of 111 California districts, conducted in the months after the passage of Proposition 58 found that 58% of surveyed districts aimed to increase access to bilingual programs (Ramos Harris & Sandoval-González, 2017).

Given the state's strong commitment to multilingualism and with bilingual education backed by broad public support, California policy can develop the capacity of the state's educators via resources, guidance, and monitoring to ensure that new and existing programs are high-quality, well-implemented, and equitable. In particular, the state should consider multiple means of supporting higher education institutions to expand or create bilingual teacher preparation programs to address the major shortage of teachers in the state with bilingual certification (discussed in the following section of this report). In addition, the state

can create programs that build a bilingual teacher pipeline, benefiting from those high school students who earn a Seal of Biliteracy. In the short term, the state can incentivize and provide professional development to the state's 7,000 bilingual teachers who currently do not teach in bilingual programs (Ramos Harris & Sandoval-González, 2017). Accomplishing the important goals of Global California 2030 will be an enormous endeavor, necessitating a statewide effort across multiple stakeholders.

Embedding resource-provision, guidance, and monitoring for bilingual programs within California's Statewide System of School Support (CA EDC § 2-52059) could facilitate networks and relationships of supports and build on an existing state system. Of note, because the needs of EL students differ in key ways from those of non-ELs, guidance and support in ensuring that bilingual and dual immersion programs develop the strengths and meet the needs of ELs, and not just non-ELs, will be critical (Cervantes-Soon et al., 2017; Potowski, 2007; Valdés, 1997).

Policy Area #5: California faces a severe shortage of teachers qualified to and competent at teaching ELs

Principle 3 of the EL Roadmap, "System Conditions that Support Effectiveness," is about having individuals at each level of the state education system who are knowledgeable about ELs' needs and strengths and who are responsive to the needs of other levels of the system in serving ELs (CDE, 2017a). Critical in having effective systemic conditions to support ELs is the teacher workforce. This section describes two related policy issues regarding the teacher workforce and ELs: the shortage of bilingual teachers and the under-preparation of mainstream teachers in supporting ELs.

Research base. California is currently experiencing a teacher shortage, most acutely in the areas of science, math, special education, and bilingual education (Darling-Hammond, Furger, Shields, & Sutcher, 2016; Sutcher, Carver-Thomas, & Darling-Hammond, 2018). A study of 25 school districts in California, together serving a quarter of California's students, found that 80% of surveyed districts were experiencing teacher shortages and 82% had hired underprepared teachers. Most districts also reported that the teacher shortage was worsening (Sutcher et al., 2018).

A recent publication from the federal Department of Education identifies EL teacher shortages in 32 of the 50 U.S. states (Cross, 2016), and work from this *Getting Down to Facts II* project indicates that in California, teacher shortages are more acute in districts with more students of color and in higher-poverty districts—both highly correlated with larger EL populations (Darling-Hammond, Sutcher, & Carver-Thomas, 2018). However, since 2002 all individuals in California who go through a teacher credentialing program receive an embedded EL-authorization, therefore the teacher shortage in the state is more specific to bilingual education, a voluntary certification. Because of state limitations on bilingual education in place until the passage of Proposition 58 in 2016, demand for teachers with bilingual teaching authorizations (the Bilingual Authorization; formerly the Bilingual, Crosscultural, Language and Academic Development certificate, or BCLAD) had plummeted, and with it both the number of teacher education programs offering the Bilingual Authorization and the number of individuals

seeking out and earning it (Carver-Thomas & Darling-Hammond, 2017). Arguably, restricting bilingual education in the state also diminished California's future pipeline of bilingual teachers by not developing full bilingualism and biliteracy in the state's emergent bilingual students. This trend of diminished bilingual teacher supply in states that implemented restrictive language policies has been documented nationwide (Santibañez & Snyder, 2018). Now, with the expansion of bilingual and dual immersion programs, there is a major shortage of bilingual teachers.

A second issue relating to teachers of EL students is the level of preparation and training of teachers in general education classrooms serving ELs. Many teaching skills and practices that support ELs are not dissimilar to those that support non-ELs. Practices such as clear goals and instruction, effective modeling, active student participation, and substantive feedback benefit ELs and non-ELs alike (Goldenberg, 2013; Hattie, 2008). Recent work shows that there is a high correlation between effective teachers for ELs and effective teachers for non-ELs (Loeb, Soland, & Fox, 2014). However, ELs also benefit from some unique teacher characteristics, experiences, and skills including fluency in students' home languages, experience teaching ELs, and bilingual certification (Gándara & Santibañez, 2016; Master, Loeb, Whitney, & Wyckoff, 2016).

Teachers are facing an enormous challenge as they adapt their teaching to new academic and ELD standards that are widely understood to be more rigorous and language-intensive (Santos, Darling-Hammond, & Cheuk, 2012). As such, research is examining specific teaching skills that benefit ELs under these new standards (Linquanti & Hakuta, 2012). These skills include knowledge about language acquisition, explicit literacy and language teaching, and accommodations such as visual and verbal supports during content instruction, among others (Bunch, 2013; Takanishi & Le Menestrel, 2017; Valdés, Kibler, & Walqui, 2014).

Whether due to weaknesses in universal teaching skills or weaknesses in the unique teaching skills that benefit ELs, teachers with ELs in their classrooms generally feel underprepared to teach their EL students (Gándara, Maxwell-Jolly, & Driscoll, 2005; Santibañez & Snyder, 2018). This is explored in depth in the Santibañez and Snyder *Getting Down to Facts II* report (2018). Professional training to work with ELs directly benefits teacher competency, confidence, and student outcomes (Coady, Harper, & de Jong, 2011; Loeb et al., 2014; Master et al., 2016; Pettit, 2011), yet scholars have argued that most certification requirements for working with EL students still fall short of providing sufficient training (Harper & de Jong, 2009; Menken & Antunez, 2001; O'Neal, Ringler, & Rodriguez, 2008; Samson & Collins, 2012; Santibañez & Snyder, 2018). Classroom observation studies support the notion of weak teaching in many classrooms that serve ELs, resulting in inaccessible content (Harklau, 1994a; Valdés, 2001), marginalization of ELs within mainstream classrooms (Harper & de Jong, 2009), watered-down content (Dabach, 2015), and teachers holding deficit perspectives about their EL students' capacities (Pettit, 2011).

Policy implications.

- There is an immediate need to expand the pipeline of bilingual teachers. Several policy mechanisms can support this, including loan forgiveness policies, policies that provide funding for districts to pay for their teachers to earn a Bilingual Authorization, and 'grow your own' policies that support bilingual paraprofessionals that earn a teaching credential and bilingual certification.
- With the Common Core and Next Generation Science Standards, there is a need to prepare general education teachers with the skills and knowledge required to work effectively and equitably with their EL students. Many of the skills that benefit ELs are considered universally strong teaching practices. Others are more specific to EL instruction.
- Part of improving the teaching force for ELs means stronger teacher preparation programs overall. In addition, strong, sufficient, and ongoing preservice and in-service education on skills and practices that are particularly beneficial for ELs are also merited.

California policy. In the 1990s, EL teacher preparation in California was accomplished through two certifications, the Crosscultural, Language and Academic Development certificate (CLAD) for teachers working with ELs in non-bilingual settings, and the Bilingual CLAD (BCLAD), discussed above, for teachers in bilingual settings. In the late 1990s state law changed both with the passage of Proposition 227 (1998) which dramatically reduced the demand for bilingual teachers, and with Assembly Bill 1059 (1999) which required that all California teacher programs infuse components for effectively supporting ELs into their initial credentialing programs. Since that law went into effect in 2001, all teachers receiving their initial teacher license are authorized to teach ELs. In addition, emerging from the court case, *Williams v. State of California* (2004), all teachers who teach ELs must have EL authorization. This case identified that many ELs were being placed into classes with unprepared teachers. Since then, teacher mis-assignment appears to have reduced dramatically in the state (Commission on Teacher Credentialing [CTC], 2017).

That said, evidence from California suggests that many teachers continue to feel unprepared to work with ELs (Gándara et al., 2005). In addition, while the infusion of EL preparation into teacher preparation programs has meant that all new teachers receive training to work with ELs, researchers have found that teacher preparation and induction covers EL instruction superficially and inconsistently (Montano, Ulanoff, Quintanar-Sarellana, & Aoki, 2005; Santibañez & Snyder, 2018).

With regard to bilingual teachers, the state is aware of the teacher shortage. The Global California 2030 initiative, described in the section above on bilingual education, lays out a goal of doubling the number of bilingual-authorized teachers by 2030. In 2017 the state allotted 5 million dollars to fund professional development opportunities for new teachers to gain Bilingual Authorizations and for former bilingual teachers from prior to Proposition 227 era to refresh their bilingual teaching skills (CA EDC § 2-52200). While this funding is important, more is needed, as demonstrated by widespread demand for this initial allocation. The state also has

in place a modest-sized program that brings teachers from Spanish-speaking countries to the state (CDE, 2018a); a grant program for paraprofessionals seeking their teaching credential (CA EDC § 2-44393); and funding for teacher residency programs (which place individuals in classrooms and fund their training as they complete their credential) (CA EDC § 2-52202).

Applying the research-based policy implications to the California context, state policymakers should consider additional funding for their Bilingual Teacher Professional Development Program grants as well as putting into place other policies such as loan forgiveness policies for bilingual-certified teachers, and scholarships for students in bilingual teacher preparation programs. As mentioned in the bilingual education section above, the state should also support higher education institutions as they build, improve, or expand their bilingual teacher preparation programs. Prior to No Child Left Behind (NCLB, 2002), federal funds were available for bilingual teacher preparation programs. The curtailment of federal funding since 2002 has further contributed to the decline in bilingual preparation programs (Katz, 2004).

In addition, the state should review and update current requirements for infusing EL instruction in preservice general education teacher preparation programs. This could include evaluating what practices are in place to teach key skills and knowledge for EL instruction. Updates to policy might include increasing coached, practice-embedded learning in teacher preparation programs and increased time allotted to EL instructional preparation (Santos et al., 2012). Critical is ensuring that requirements for teacher preparation and certification are aligned with state standards and current understanding of teacher needs, including an awareness of the diversity of assets and needs within the EL population.

Finally, building and improving the teaching workforce in the state will require sustained focus and commitment to continuous improvement. The state can identify, support and incentivize model practices of comprehensive approaches to teaching improvement, such as one in Garden Grove School District (Knudson, 2013), and disseminate lessons learned to other school districts. These in-service opportunities for teachers are critical as they learn how to apply and adapt general practices learned in pre-service preparation to their specific circumstances and student populations.

Policy Area #6: Many high-stakes summative assessments given to ELs have limited validity and reliability while native language and formative assessment are underdeveloped and underutilized

Research base. Principle 3 of the EL Roadmap specifies the goal of having in place "A system of culturally and linguistically valid and reliable assessment [that] supports instruction, continuous improvement, and accountability for attainment of English proficiency, biliteracy, and academic achievement" (CDE, 2017a, p. 26). Evaluating English learners' knowledge and skills is a challenge because measurement of test constructs is confounded with language proficiency (Abedi, 2002). This compromises both the validity of assessments (validity is the ability of an assessment to measure the skills or knowledge it is designed to measure) and the reliability of assessments (reliability is the ability of an assessment to measure a given individual

consistently given repeated administrations of the assessment). Assessments (in English) with fewer linguistic demands tend to measure ELs' skills with greater validity and reliability (Abedi & Lord, 2001), however the linguistic demands of tests have increased dramatically across content areas with the implementation of greater language demands in the Common Core State Standards and corresponding ELD standards (Bailey & Carroll, 2015; Wolf, Wang, Blood, & Huang, 2014).

As alluded to in the EL Roadmap quote above, there are at least five important components of an assessment system for ELs. First, English language proficiency assessments are used to determine if a student is an English learner, students' progression toward English proficiency, and when students are eligible to exit EL status. Second are summative content area assessments. These are state tests, mandated by federal law (ESSA, Every Student Succeeds Act, 2015) of students' content area knowledge in core subjects including math, English language arts, and science. Third are assessments of proficiency and literacy in students' home languages. These assessments are still rare however they are increasingly important as more states, including California, set bilingualism and biliteracy as a goal for students. Fourth, interim or benchmark assessments are periodic assessments that measure growth toward summative standards and outcomes. Fifth, alluded to in the EL Roadmap as assessment for continuous improvement, is formative assessment, defined in a recent Council of Chief State School Officers' report as "a process teachers and students use during instruction that provides feedback to adjust ongoing teaching moves and learning tactics" (Linquanti, 2014, p. 2). Policy-relevant research on each of the five is briefly described below.

Due to annual English proficiency testing requirements which began under No Child Left Behind (NCLB, 2002), English proficiency assessments have become high-stakes tests used to determine whether or not a student is classified as an English learner (Solórzano, 2008). English learner status, or lack thereof, in turn impacts students' course placement, peer composition, and teacher assignment (Umansky, In press). While there has been significant progress since publication, a review of existing literature details numerous weaknesses of English proficiency assessments ranging from inconsistent and unclear definitions of English proficiency, to poorly designed questions with limited association with English proficiency standards, to problematic thresholds for determining proficiency levels (Solórzano, 2008). As such, the association between assessment outcomes and English proficiency levels is cast in doubt. A California study which administered the state's former English proficiency assessment to a sample of English only students, for example, found that close to half of English only students who took the assessment failed to meet English proficiency thresholds and would have been classified as ELs (CDE, 2011). These findings are particularly troubling given that decisions about EL status impact students' short and long-term outcomes including academic achievement, graduation, and post-secondary enrollment (Carlson & Knowles, 2016; Robinson-Cimpian & Thompson, 2016; Shin, 2018; Umansky, 2016b).

The second type of assessment to consider when thinking about EL assessment is state content area assessments. These are annual assessments mandated in certain grade levels by ESSA in math, English language arts, and science. Typically, these tests are high stakes for

students not because they directly determine student classification decisions (although in California they have done so as is discussed in the reclassification section), but because test score outcomes trigger accountability mechanisms for teachers and schools. As such, they are high stakes for teachers and schools, which ends up placing pressure on students as teachers and schools try to maximize test scores. Academic tests are typically administered in English, oftentimes with accommodations for ELs. A rich body of literature has found that content area assessments generate highly biased scores among ELs, particularly for those ELs with lower English proficiency levels (Abedi, 2002; Menken, 2000; Wolf & Leon, 2009). As Abedi (2002) concludes, these tests "may inadvertently function as English language proficiency tests" (p. 232), in other words these assessments are a *de facto* reflection of EL students' English language skills rather than their academic competencies.

Because validity and reliability limitations are so well-documented, federal policy is shifting with regard to testing ELs on these state standardized area tests. ESSA explicitly states that ELs:

> ...shall be tested in a valid and reliable manner, and provided appropriate accommodations on assessments administered to such students under this paragraph, including, to the extent practicable, assessments in the language and form most likely to yield accurate data on what such students know and can do in academic content areas, until such students have achieved English language proficiency (ESSA, 2015, 34 CFR § 200.6)

In addition to instructing states to test students in their dominant (non-English) language, ESSA also specifies that EL students who have recently arrived to the U.S. be given leeway in terms of annual testing in order to minimize unnecessary testing that likely leads to invalid results (Every Student Succeeds Act, 2015; Linquanti & Cook, 2017). Importantly, administering tests in a student's home language is only advisable if the student is, or was recently, receiving instruction in that subject area in their home language (Solano-Flores, Wang, Kachchaf, Soltero-Gonzalez, & Nguyen-Le, 2014; Takanishi & Le Menestrel, 2017).

Testing accommodations are the main mechanism in place for increasing the validity of ELs' scores on these types of assessments. Accommodations include full translations of tests into students' home languages, simplified English, English language dictionaries or glossaries, and extra time, among others. Experimental, quasi-experimental, and metanalyses give evidence that each of the accommodations listed above can reduce – but not eliminate – test bias among ELs (Francis, Rivera, Lesaux, Kieffer, & Rivera, 2006; Kieffer, Rivera, & Francis, 2012; Robinson, 2010). Another hurdle in reducing test bias is ensuring that ELs have access to, and employ, testing accommodations. Some evidence suggests that EL accommodations are under-utilized (Lieberman, 2016).

Another important consideration with regard summative high-stakes content area tests is that teachers have been shown to alter instruction to cover presumed or actual tested materials (Berliner, 2011; Diamond, 2007). This is, in part, by design, as assessments can help align instruction with standards. However, in certain circumstances this intended consequence

can have unintended repercussions. This has been shown to be the case in bilingual instructional settings where teachers shift away from planned bilingual program models to favor English instruction as standardized assessments (administered in English) go into effect (grade 3 in California) (Menken, 2006, 2008).

The third type of assessment important for EL students is language proficiency assessments in students' home languages. These have two primary functions. First, home language proficiency is highly correlated with timing to English proficiency (the more developed a student's home language the faster they acquire English) (Thompson, 2017) and so a measure of home language proficiency is very helpful for schools and teachers to determine student needs and to make programming decisions when a student first enters a U.S. school (Umansky et al., 2018b). Second, to the extent that school systems are looking to develop bilingualism and biliteracy, as is currently the case in California, assessments of language proficiency and language arts in non-English languages are critical to assessing the effectiveness of bilingual education and progress toward bilingualism goals (de Jong, 2002).

The fourth type of assessment is interim, or benchmark, assessments. As stated above, these are regular, periodic assessments of students' progress toward summative outcomes. When aligned, as intended, with summative standards, these assessments allow for monitoring of progress, providing opportunities for teachers, students, and families to ascertain if students are progressing as expected and to adjust service provision or instruction based on this information. Interim assessments can be used to assess ELs' English proficiency growth or content knowledge and skills (CDE, 2015; Herman, 2016).

The final type of assessment is formative assessment. Rather than high-stakes tests, formative assessment is considered a process of ongoing, typically informal, classroom-based assessment designed to provide rapid information to teachers about what a given student or students are learning in order to inform instructional choices (CDE, 2015; Linquanti, 2014; Ruiz-Primo, Solano-Flores, & Li, 2014). With close ties to instruction, research has found that formative assessments can improve student learning (Bailey & Heritage, 2008; Black & Wiliam, 1998) and formative assessment of ELs has been posited as a key resource for teachers looking to improve and target instruction (Abedi, 2010; Heritage, Walqui, & Linquanti, 2015). With the growth of high stakes tests as accountability tools in U.S. education systems, formative assessment became less of a focus (Heritage, 2010; Stiggins, 2002) although it is gaining ground again in numerous states since the passage of ESSA (Linquanti, 2014).

Policy Implications.

- A comprehensive assessment system for ELs involves five main types of assessments: English language proficiency, content area knowledge and skills, home/target language proficiency, interim or benchmark assessments, and formative assessment for instruction.
- Validity and reliability are important challenges when measuring non-language constructs in a language that students are not proficient in. Accommodations such as

glossaries, translations, and extra time can decrease, but not eliminate, test bias among ELs.

- High stakes tests impact classroom practices and learning in both intended and unintended ways. Shifting assessment, including those used for accountability purposes, into the language of instruction or providing options in test language may decrease unintended consequences on bilingual program model fidelity.
- Promoting more rigorous formative assessment practice (paired with teacher professional development to engage in this practice) can support continuous improvement including shaping instructional practices and informing teachers in an ongoing way of their students' abilities and needs.
- Following ESSA's guidance on assessment practices for ELs (quoted, in part, above) can improve validity and reliability.

California policy. California's student assessment system has changed dramatically in the past few years. The state has implemented new content area assessments and is implementing new initial and annual English language proficiency assessments. The state is also in the process of developing a Spanish language arts assessment and a formative English language use protocol. These four developments constitute steps to align with four of the key areas of a comprehensive EL assessment system outlined above.

The summative state content area assessments in California are called California Assessment of Student Performance and Progress (CAASPP). Abundant work has gone into providing accommodations, called designated supports, to increase validity and reliability of these assessments when taken by ELs. Accommodations include a full Spanish translation of the math CAASPP assessment along with language glossaries, and translated test directions in 17 languages spoken in the state (CDE, 2018b, p. 17). Importantly, designated supports need to be pre-approved by an educator before a student has access to them. A recent report shows that while nearly all (95%) ELs had access to the tests' universal tools, relatively few were offered designated supports (20%) (Hardoin et al., 2016). As yet unclear is the degree to which these supports are effective at increasing test validity and reliability for ELs. Doing this work as soon as possible would help maximize the effectiveness of current efforts toward accommodations and plan what changes are needed (Solano-Flores et al., 2014). In addition, while it makes sense that the math assessment was translated first into Spanish as that is the primary language of 82% of the state's ELs, the state should also consider translating the test into one or more of the other top language groups in the state. This would allow for improved data on ELs from those language groups as well as function as a way to incentivize content instruction in the target language in the main bilingual and dual immersion programs in the state.

California has recently developed and phased in a new English proficiency assessment system, the English Language Proficiency Assessments for California (ELPAC) to replace the prior assessment, the California English Language Proficiency Test (CELDT). The ELPAC is aligned to California's new English language proficiency standards. It has two separate forms, one for initial identification of ELs and one for annual evaluation of students' progress toward English proficiency (reading, writing, speaking, and listening) and identification of proficiency level (for

the purposes of instructional placement decisions, reclassification decisions, and accountability reporting requirements). As California completes the roll out of the ELPAC assessments it will be useful to monitor how it is functioning. Particularly important is ongoing work identifying the thresholds for initial EL classification and subsequent reclassification.

The state is also in the process of developing the California Spanish Assessment (CSA), a Spanish language arts assessment that forms part of the CAASSPP system, set to be operational as a voluntary assessment starting in 2019. This assessment is designed to measure Spanish language arts competency in grades 3-12 to evaluate individual student skills, bilingual and dual immersion program outcomes, and student eligibility for the state's Seal of Biliteracy (CDE, 2018a). While the CSA is aligned with the Common Core State Standards in English Language Arts *en Español*, it will not replace the CAASPP English language arts assessment. The development of the CSA is an important step forward for the state especially in light of the passage of Proposition 58 and the EL Roadmap as both prioritize bilingualism and biliteracy.

A step forward would involve the state counting the CSA as the language arts assessment (i.e. replacing the state ELA CAASPP) in bilingual and dual immersion programs in years where language arts instruction is exclusively or primarily taught in Spanish. While there are important differences between the English and the Spanish languages, language arts skills in one language transfer to the other (Cummins, 1991; Durgunoğlu, Mir, & Ariño-Marti, 2002; Sparks, Patton, Ganschow, & Humbach, 2009). Allowing the CSA to count for the language arts assessment in certain grades would incentivize strong language arts instruction in Spanish, supporting the state's goal of biliteracy. The state could also consider developing language arts assessments in other main student languages and main target languages of bilingual and dual immersion programs (Vietnamese, Mandarin, Arabic and/or Filipino, for example).

Formative assessment is the area in which California has been the least active in recent years. One exception was proposed in Assembly Bill 2763 (2018) and ultimately authorized and funded in the 2018-19 state budget (CA EDC § 1-313.3). The proposed legislative change would require that the CDE develop an EL language use protocol designed to be used by teachers in the classroom (Lieberman, 2018d). This assessment tool will be used both as a component of reclassification decisions (and is, therefore, high stakes) but is also being developed as a formative assessment tool for teachers to use to inform instruction (Lieberman, 2018d). The tool will be designed to be used with ELs at all proficiency levels and across all grades and is due to be finalized in 2020. The development of a statewide language use evaluation protocol for teachers to use is innovative. One important question that should be evaluated is whether a classroom-based observation tool can effectively be used both as a high-stakes and as a formative assessment. Providing guidelines on proper use for each purpose will be important.

In addition to this, the state might consider prioritizing both formative and interim assessment of ELs – and all students – more broadly to inform instructional decisions both for individual EL students and for groups of students and classes. For example, some states are introducing interim assessments that are aligned with state summative assessments to periodically evaluate progress toward summative standards (Takanishi & Le Menestrel, 2017).

Both standardized interim assessments and a rigorous ongoing practice of formative assessment are encouraged in ESSA (2015). In deepening California's engagement with formative assessment for continuous improvement, the state should consider how to engage different levels of educational stakeholders to support such a system as part of the state's Statewide Systems of Support (CA EDC § 2-52059).

Policy Area #7: Despite LCFF, funding levels remain low for ELs and mechanisms are weak to ensure that funds targeted for ELs are reaching ELs and are being used in effective ways

EL Roadmap Principle 3, on effective system conditions, states that "the school system invests adequate resources to support the conditions required to address EL needs" (CDE, 2017a, p. 27). Indeed, many of the research-based policy implications in this report, such as supporting bilingual teacher preparation programs and providing sufficient instructional time for ELs to receive both English language instruction and content instruction, require funding. In this section, we examine the research base on funding with regard to EL education and current California funding levels and policies. Specifically, this section addresses questions of what the cost is for EL education, how states currently allocate funds for EL education, and research on how best to allocate those funds and the role of the state in monitoring EL funding allocation.

Research Base. The research base on the cost of providing EL-classified students with an adequate and equitable education is limited and results are somewhat inconsistent. At base, funding should enable schools and districts to meet legal requirements for providing English language instruction and equitable access to content. Results range from 19% over and above base funding rates, to 200% over and above base rates (Gandara & Rumberger, 2008; Imazeki, 2008; Jimenez-Castellanos & Topper, 2012; Levin et al., 2018; National Conference of State Legislatures, 2005). In all studies addressing this question there is consensus, however, that providing an adequate education to ELs costs more than it does for non-ELs. In addition to research and cost studies identifying the costs of education for ELs, research has also identified beneficial effects of supplemental funding for targeted students, such as ELs, on educational outcomes (Henry, Fortner, & Thompson, 2010; Johnson & Tanner, 2018).

Gándara and Rumberger (2008) developed a comprehensive costing model for an adequate education for ELs, identifying four main types of resources: fiscal, material, human, and social. Educational features in an adequate education for ELs that have additional costs include, but are not limited to: teacher preparation to effectively teach ELs (both preservice and in-service), program development, specialized curriculum, valid assessments, and extra instructional time (Gandara & Rumberger, 2008; Levin et al., 2018; Saunders, de Velasco, & Oakes, 2017). Other costs posited include those associated with high-quality early childhood education, family engagement, social-emotional support services, smaller class sizes, and appropriate adaptation of specialized services including special education and gifted and talented education (Gandara & Rumberger, 2008; Levin et al., 2018).

As discussed in the section above on the diversity of the EL subgroup, the services required for ELs with different strengths and needs differ, and as such, so do the costs associated with their education. Factors that influence the cost of EL education include English

proficiency level, grade level, family income level, special education status, and educational background, among other characteristics (Jimenez-Castellanos & Topper, 2012; Sugarman, 2016). In addition, school and district context influence the cost of an adequate and equitable education. For example, districts and schools that have not historically served immigrant populations likely have associated 'start-up' costs of creating services for ELs and building capacity among teachers and administrators (Sugarman, 2016; Umansky et al., 2018b). Other district and school factors that are associated with education costs include school size, poverty level, level of urbanicity or rurality, demographic context, teacher and administrative salary levels, and program models for ELs (Gándara & Rumberger, 2006; Imazeki, 2018; Sugarman, 2016).

Across the U.S., the typical funding method for EL education is that a base dollar amount is provided per student with an addition percentage of that base amount for every EL student. These supplemental percentages vary significantly across states. Texas, for example, provides an additional 10% while Maryland provides an additional 99% on top of the base rate (Verstegen, 2015). States also vary in terms of whether and to what extent they allow for duplicated supplemental weighted funds (Imazeki, 2018). For example, many EL students are also low-income and low-income students generally also receive additional weights. The majority of states do not differentiate their funding for different EL subgroups although a few do. For example, North Dakota tiers funds based on English proficiency level allotting more funding for students with lower English proficiency levels. Maine tiers funding based on the number of ELs in a district, Ohio tiers funding to provide greater funding to newcomers, and Massachusetts tiers EL funding based on grade level (Imazeki, 2018; Sugarman, 2016).

While supplemental funding for targeted students has been shown to increase student outcomes, research also finds that the effects of funding depend on how that funding is used (Dynarski & Kainz, 2015). Specifically, funding that is not targeted toward the students it is aimed to support, and funding that is not used for expenses that have been shown to be linked to beneficial outcomes for those students, are unlikely to result in gains (Gándara & Zárate, 2014).

Policy implications.

- It costs significantly more to provide an adequate and equitable education for ELs compared to non-ELs.
- The cost of providing ELs with an adequate and equitable education varies based on the characteristics of EL students and the school and district context.
- Key expenses related to EL education include teacher preparation, curriculum, assessment, program development and implementation, and extra instructional time.
- It should be required that funds for ELs be used to support EL education specifically, and to fund research-based expenses that are linked to improved EL outcomes. Fund usage should be monitored.

California Policy. In 2014, California implemented an innovative funding policy, the Local Control Funding Formula (LCFF) (CA EDC § 2-42238.02). Discussed at length in other reports in this *Getting Down to Facts II* project, LCFF is innovative in distributing funding to districts rather than schools, simplifying funding sources, and allowing for local control over how funds are distributed and used. Funding levels for ELs are determined through base, supplemental, and concentration calculations. Base funds are based on the average daily attendance, then adjusted based on where the student is in the grade span (K-3, 4-8, or 9-12). Supplemental funds take the form of an additional 20% over and above the base amount, for each "targeted disadvantaged pupil", a group which includes ELs. While other student groups also receive supplemental funding as part of the targeted student group, LCFF supplemental funds are non-duplicative, meaning that a student can only be counted toward the 20% additional funds once even if they fall into multiple categories (e.g. EL and eligible for free or reduced priced lunch). Finally, school districts in which over 55% of their students fall into one of the supplemental funds' targeted groups receive an additional 50% of the adjusted base grant. This is called a concentration grant (CA EDC § 2-42238.02).

Analyzing funding under LCFF, Imazeki concludes that California's base rate is relatively low compared to other states, as is the 20% supplemental funds for ELs (and other targeted student groups) (Imazeki, 2018). California further restricts EL education funding through its non-duplicative funding allocation. However, for districts that meet the concentration grant criteria, the additional 50% catches California's EL funding up to many other states. Levin et al., however, calculate that the state would need to invest an additional $22 billion, 32% of current funding levels, to provide an equitable and adequate education for all students (Levin et al., 2018).

Funding under LCFF is tied to district LCAP plans. These plans, which follow a state provided template, set out educational goals, including for the EL subgroup, actions to accomplish those goals, and expenditures. In addition to specific LCAP goals and actions for ELs, districts must also have an EL parent advisory committee that reviews their annual LCAP. These measures are designed primarily for accountability purposes.

Despite these accountability measures, there is significant concern that the LCFF and LCAP are far weaker at regulating and monitoring the use of targeted funds for subgroups, including ELs, than prior funding and accountability measures were. Accountability for EL education spending under LCFF is also considered weaker compared to measures in most other states. Specifically, because funds are received as a lump sum at the district level and are not tied to specific expenditures, there is considerable debate and lack of clarity over whether funds from supplemental and concentration grants must be spent on ELs and other targeted groups (Koppich & Humphrey, 2018). Recent research finds variation across districts in this regard, with some districts focusing those funds on targeted groups and others using supplemental and concentration funds for general expenditures for all district students. One recent study found that 20% of LCAPs explicitly stated that supplemental and/or concentration funds were spent on general education expenditures (Vasquez Heilig, Romero, & Hopkins, in press). The Koppich and Humphrey (2018) study in this *Getting Down to Facts II* project came to

a similar conclusion, finding that some supplemental and concentration grant funds supplanted expenditures traditionally funded through base grant funds, including infrastructure and summer school, among others. Two recent court cases in two separate California districts, however, have ruled that supplemental and concentration funds must be used to support the education of targeted groups (American Civil Liberties Union of Southern California, 2017; Public Advocates, 2018). There is widespread consensus that tracking the use of targeted expenditures is difficult, if not "impossible" (Koppich & Humphrey, 2018, p. 11) under LCFF (Imazeki, 2018; Sugarman, 2016). The state is currently trying to tackle this challenge, although a 2017 attempt to do so, AB 1321, failed to make it through the California legislature (A.B. 1321, 2017).

A second major challenge under California's new funding policies is that districts may not be sufficiently or effectively identifying and planning for EL expenditures. Although research groups and non-governmental organizations have developed guidance materials to support district planning with regard to EL education and funding (Californians Together, 2015; Gándara & Zárate, 2014), analysis finds that most LCAPs are weak in identifying specific EL goals, actions, and expenditures. Of particular concern were districts' plans to implement the new ELA/ELD framework, districts' abilities to engage EL parents, and their methods for increasing ELs' access to academic content and specialized programs (such as bilingual programs) (Koppich, Humphrey, & Marsh, 2015; Olsen et al., 2016; Vasquez Heilig et al., in press). With weak and underspecified goals, actions, and expenditures for ELs, it is unclear to what extent efforts are targeted toward research-based supports. It is also unclear the degree to which EL expenditures will successfully improve EL academic outcomes, closing existing achievement gaps.

Applying the research-based policy implications identified above with California's current policy environment for EL funding yields a few concrete recommendations. First, California's EL students would likely benefit from a larger supplemental funding formula. Twenty percent may not be sufficient, particularly for districts that are not eligible for the concentration grant, and for high-poverty districts and those serving ELs with acute educational needs. Second, districts need more guidance on how to allocate funds effectively on research-based expenditures for their EL students. Finally, the LCFF and LCAP system should be amended to include more monitoring of expenditures and to clarify that supplemental and concentration funds must be spent on targeted student groups alone. As described in Imazeki (2018), other states with decentralized education finance policies, such as New York and Texas, have mechanisms for monitoring districts' and schools' use of targeted funds.

Policy Area #8: ELs' schooling is currently fragmented between K-12 education, early childhood education and post-secondary education

The report now turns to two final policy areas that fall under Principle 4 of the EL Roadmap: "Alignment and Articulation Within and Across Systems" (CDE, 2017a). Education is separated into three main systems: early childhood and preschool education (here referred to as pre-K), the K-12 system, and post-secondary education. This separation of education into three systems is strongly evident in the education of ELs. The three levels tend to have entirely

different policies and frameworks for supporting the education of students whose primary language is not English. As a simple but telling example, the category of students called English learners and the rights that correspond with that category only exist within the K-12 system. Neither pre-K systems nor post-secondary systems are bound by law to identify and serve this group of students in specific ways, and the EL subgroup does not exist in either system. In addition, unlike the K-12 system which is largely public and state-run, both the pre-K and the higher education levels are run by a mix of public and private providers, with disparate private, local, state, and/or federal funding and oversight. All states have public higher education institutions, however, and due in part to robust research regarding the importance of high-quality pre-K education in promoting school readiness and decreasing achievement gaps, many states are creating and expanding state-run pre-K systems.

Research base. With disparate EL policy across education levels, there is limited articulation and alignment between levels for EL students. However, research points to the importance of such articulation for student outcomes, and it also points to similar challenges and weaknesses across systems with regard to the education of EL students, pointing to an opportunity for shared learning.

Importantly, the proportion of students whose dominant language is not English is higher within the public pre-K system than the K-12 system (García & Frede, 2010). This is likely because young children who speak a language other than English at home have had less time in school settings than their older peers, and therefore are less likely to speak English proficiently. It is also likely due to these students being target recipients for many public preschool programs (Barnett & Carolan, 2013). For example, over a quarter of Head Start and Early Head Start students nationally live in households with a dominant language other than English (McNamara, 2016). Pre-K systems typically refer to these students as dual language learners (DLLs).

Research on DLLs in pre-K settings indicate that high-quality pre-K is positively associated with greater K-12 school readiness and more advanced English proficiency as students enter kindergarten (Yazejian, Bryant, Freel, & Burchinal, 2015). Scholars articulate that DLLs benefit from an instructional focus on pre-reading skills, English oral language development, and home language development/maintenance (Castro, Páez, Dickinson, & Frede, 2011; Durán, Roseth, & Hoffman, 2010). Pre-K settings that do not support home language maintenance and development can have a negative impact on DLLs (Castro, Garcia, & Markos, 2013). Given the magnitude of the DLL population, achievement gaps between DLL and non-DLL students, and growing understanding of DLL needs in pre-K, preschool, and early childhood education systems increasingly are developing policies and guidelines for supporting DLL students. For example, recent regulations adopted by Head Start, the largest federally-funded preschool program, require linguistically appropriate assessments for DLLs, as well as teacher professional development regarding the needs and assets of DLLs (US Department of Health and Human Services, 2016).

At the post-secondary level, by contrast, there are presumably fewer students whose dominant language is one other than English (excluding international students) because many former K-12 EL-classified students exit EL status before entering a post-secondary institution. However, such comparisons are difficult to assert as most post-secondary institutions do not have any specified way of identifying current or former learners of English (Nuñez, Rios-Aguilar, Kanno, & Flores, 2016).

Research demonstrates that ELs in K-12 are far less likely to graduate high school, enroll in college, and complete college as compared to their non-EL peers (Kanno & Cromley, 2013, 2015; Nuñez & Sparks, 2012). A study by Kanno and Cromley (2013), for example, shows that students who retain EL classification in 8th grade are half as likely as non-EL language minority students to earn a bachelor's degree. In addition, research highlights that students who graduate high school as ELs tend to enter less selective schools – such as community colleges – compared to their non-EL peers (Callahan & Humphries, 2016), and that even academically high-performing ELs face numerous barriers to college entry (Kanno, 2018). Other research shows that, among relatively high performing ELs, not exiting EL status in high school directly reduces students' likelihood of enrolling in college (Carlson & Knowles, 2016). Thus, while research is limited, there appears to be important challenges for K-12 EL students as they transition from high school to college and with respect to their selection of and persistence in college (Nuñez et al., 2016).

While some of the barriers to successful college entry and completion pertain to policies and practices within the higher education system, many other barriers have been linked to the K-12 system including limited access to college preparatory classes and credits, as well as limited information and knowledge on college planning, selection, and funding (Kanno, 2018). As such, Kanno and Cromley (2015) argue that college preparation and planning is the single largest barrier to ELs' college access. Once in higher education institutions, however, ELs tend to face similar structural constraints as in lower educational levels, including having few supports (Bunch & Endris, 2012) and limited access to academic coursework (Razfar & Simon, 2011). Many students – including those who successfully exited EL status in K-12 – end up in remedial and English as a Second Language (ESL) courses (Valdés, 1998), courses that slow students' progression through college (Hodara, 2015). One California-based study found that 85% of Latino ELs dropped out of community college within five semesters of entry (Razfar & Simon, 2011).

In summary, these findings point to the interconnections between the three levels of schooling for EL students. High-quality pre-K that includes targeted supports for DLLs improves students' preparedness as they enter kindergarten, and course access, high-quality instruction, and college advising improve EL students' likelihood of attending and succeeding in college. These cross-level connections are not surprising and apply to the non-EL student population as well (Adelman, 2006; Long, Iatarola, & Conger, 2009). In addition, these findings indicate that across levels, ELs face similar barriers and challenges within their schooling experiences. These pertain to appropriate targeted supports, teacher preparation, curricular access, and home language instruction, among others.

Despite these conclusions, in many states a lack of longitudinal data that can trace students from pre-K (or before) through post-secondary (and potentially labor force) outcomes, severely limits understanding of the relationships between opportunities at one level and outcomes at another (Data Quality Campaign, 2016; Kurlaender, Reed, Kramer, & Ballis, 2018; Phillips, Reber, & Rothstein, 2018; Stipek et al., 2018). The addition of non-schooling related data into longitudinal data, such as health information, family income, and labor force information, can further contribute to a deeper understanding of both protective and risk factors contributing to longitudinal EL outcomes (Phillips et al., 2018; Stipek et al., 2018).

Policy implications.

- Access to high-quality pre-K can improve ELs' kindergarten preparedness and decrease achievement gaps between ELs and non-ELs.
- Home language instruction in pre-K can benefit ELs' English and home language acquisition.
- Key elements to support ELs' transition to college are enrollment in college-preparatory coursework and information about and support with college selection, applications, and funding.
- ELs in pre-K, K-12, and higher education all face similar barriers, most notably prepared educators and accessible, equitable content and assessment.
- Statewide, student-level comprehensive data systems that allow for the tracking of students from pre-K through higher education enable a critically-needed understanding of EL experiences and outcomes across education levels. Without this comprehensive, longitudinal data it is very difficult, if not impossible, to understand how opportunities and experiences at one level impact EL outcomes at another (for example, the role of access to pre-K in relation to K-12 and higher education outcomes).

California policy. Unlike several of the other policy areas highlighted in this report, alignment between pre-K, K-12, and higher education for EL students is an area of policy work that is relatively untapped in California. It is, therefore, an important area for growth for the state.

California has begun to make important gains in supporting pre-K expansion, however, it continues to lag behind many other states. For example, while California serves the largest number of EL students in the nation, its combined state-funded and Head Start preschool coverage – 36% of 4-year-olds and between roughly 5% and 10% of 3-year-olds – is far lower than the rates in other high-EL states such as Texas and Florida. In Florida, for example, almost 80% of 4-year-olds are enrolled in state pre-kindergarten, while Texas enrolls almost 50% (Friedman-Krauss et al., 2018; Stipek et al., 2018).

Young children in California attend a wide set of different kinds of public and private early childhood education arrangements (Stipek et al., 2018). California state preschools, established through the California State Preschool Program (CA EDC § 1-8235-8239), are similar to Head Start preschools in targeting children from low-income families. In addition, in 2012 the

state established transitional kindergartens, a year-long program for children who turn five by September 1st but before December 1st.

In recent years the CDE has partnered with First 5 California to promote dual language public preschools in the state (First 5 California, 2017). They have created a curriculum and guidelines for state preschools that includes specific, research-driven guidance for supporting DLLs, including; an English language development curriculum, allowance for bilingual instruction, identification of different levels of English proficiency among DLLs, and focused engagement with DLLs' families (CDE, 2013; 2015).

On the higher education front, the state does not have many policies or initiatives underway. One small, but important, step mentioned earlier, is the state's introduction, in 2012, of the state Seal of Biliteracy, awarded to any high school graduate who is evaluated to be proficient in both English and another language. The Seal affixes a gold star to students' diplomas and identifies bilingualism as a strength and asset as students transition into college and the workforce. In 2017, over 46,000 Californian graduating seniors earned the Seal (CDE, 2017c).

Because ELs and ever-ELs constitute such a large proportion of the state's students, efforts to build connections and ease transitions between preschool, K-12 education, and higher education should center on ELs. To build on the state's initial steps, California should consider: revitalizing its P-16 Council which seeks to align the three levels of schooling, expanding access to preschool among ELs, improving secondary-school college preparation and counseling for ELs with a focus on dual-credit courses that award both high school and college credit, and identifying higher education supports for those students in college who continue to be acquiring English proficiency.

Policy Area #9: Reclassification policies are consequential for students and yet implementation is highly variable and somewhat arbitrary

The final state policy area detailed in this report, which also falls under EL Roadmap Principle 4, pertains to reclassification policy. Federal law establishes that, once identified as an English learner, students must be assessed annually in English reading, writing, speaking, and listening for evaluation for exit, or reclassification, from EL status. ESSA (2015) further stipulates that states must have standardized, statewide, entrance and exit procedures for determining EL status. In California, as in several other states, this is an important change, as prior to this change, criteria and procedures for EL status entrance and exit had to meet state guidelines, but beyond that were determined at the district level. In light of this important legal change, this section summarizes existing policy-relevant research on reclassification and then synthesizes policy implications before turning to examine current California policy.

Research base. Federal and state law are crafted along the logical notion that students are to be classified as an English learner for the period of time during which they are acquiring English proficiency and needing linguistic supports in school. Once they reach an English proficiency level where they no longer need supports and can fully participate in, and benefit

from, mainstream educational services, that status as an EL is removed. Reclassification out of EL status is therefore tied to changes in students' instructional program with resulting changes to students' access to curricula, peer composition, and teacher and course placement. As such it is highly consequential for students and has been demonstrated to have long term repercussions on academic performance, graduation and college enrollment (Callahan, Wilkinson, & Muller, 2010; Carlson & Knowles, 2016; Flores et al., 2009; Grissom, 2004; Robinson-Cimpian & Thompson, 2016). While the logic for EL classification and reclassification is simple, decisions regarding whether and when a student needs linguistic services, and when a student is ready to exit EL status, are complicated.

Setting reclassification rules entails deciding what English proficiency means and how it is measured. This plays out in different ways in different states. In a study from 2016, Linquanti and colleagues found that 29 states (including the District of Columbia) used only an English proficiency assessment to make reclassification decisions, while 22 states used between one and three additional criteria for reclassification, often including state content area assessments and/or one or more local criteria. In addition to variation in the number and kinds of criteria used, there is wide variation in where thresholds are set on each criterion. For example, in a comparison of reclassification criteria across eight California districts, Umansky and colleagues (2015) report important differences in where each district set reclassification thresholds on both the state English proficiency assessment and the state content area assessment. Finally, additional research points to implementational differences in how – and whether – reclassification decisions are enacted across schools and districts based on differences in interpretation or understanding of policy (Mavrogordato & White, 2017; Umansky & Reardon, 2014).

As will be discussed below, California, in past years, has mandated the inclusion of an academic measure – the state's English language arts assessment – as a reclassification criterion. The arguments for content area assessment inclusion are that these assessments predict students' preparedness for entrance into mainstream content classes, and also put pressure on education providers to ensure content access within EL service provision. Content area assessments, however, are controversial and problematic as reclassification criteria for several reasons. First, students' content area skills are, in part, a reflection of their access to content and instruction. This creates a catch-22 in the many settings where ELs' access to content is restricted, but they cannot exit EL status to access more content because their content area skills do not meet reclassification thresholds (Callahan, 2005; Umansky, 2016a). Second, as described earlier, ELs' scores on content assessments administered in English (as almost all are) are biased (Abedi, 2008). Therefore, reclassification decisions are being made based off of biased information about student skill level. Finally, inclusion of content requirements is inequitable in that non-EL students are not barred from mainstream curricular access due to their content area performance (Linquanti, 2001).

Several studies have found that academic criteria are a major barrier for reclassification. Specifically, research suggests that in locales with academic criteria, these criteria are the largest barrier to reclassification eligibility once students reach secondary school (Abedi, 2008;

Umansky & Reardon, 2014). In order to avoid the pitfalls of content area assessments while taking into account students' academic preparation, Linquanti and Cook (2013) and Cook and colleagues (2012) have demonstrated that English proficiency thresholds can be set such that the distribution of EL student performance on content area skills at that threshold mirrors that of non-EL students.

Other non-English proficiency related measures can be equally problematic. The inclusion of course grades or term grade point averages are included as reclassification criteria in some locales despite clear evidence that they are highly subjective and in no way designed to reflect English proficiency levels (Bowers, 2011). A recent evaluation of California districts further showed that many districts also include measures of class participation, attendance, behavior, discipline, and homework in their reclassification decisions (Hill, Weston, & Hayes, 2014).

Teacher approval is also somewhat controversial as a reclassification criterion because while teachers have rich, individualized knowledge of their students (Westberg & Archambault Jr., 1997), they are also susceptible to racial, ethnic, and gender-based biases (Banks & Banks, 1995; Elhoweris, Mutua, Alsheikh, & Holloway, 2005; Lin, Lake, & Rice, 2008; Sadker, 1999; Walker et al., 2004). Localized criteria such as grades or benchmark assessments can take pressure off of a single high-stakes English proficiency assessment, but are not standardized, meaning that two students with the same knowledge and skills might end up with different grades or scores (Linquanti, 2001). Indeed, two recent studies demonstrated the role of bias in reclassification decisions, showing that Latino EL students are less likely to be reclassified than other EL peers, holding constant students' performance and reclassification eligibility (Slama, 2014; Thompson, 2017).

Research has shown that it is not just the individual criteria and threshold levels that influence students' reclassification outcomes, but also the overall number of criteria and level of complexity of reclassification policies that impact whether students reclassify. As the complexity and number of criteria increase, more students who might otherwise be deemed ready to reclassify are held in EL status (Estrada & Wang, 2018; Thompson, 2015a, 2015b). For example, Estrada and Wang (2018) document how the schedule used to evaluate student reclassification eligibility at different points in the calendar year contributes to confusion and weak policy implementation. As a result, many students who meet test-based reclassification criteria are not reclassified. As another example, Umansky and Reardon (2014) find that while 50% of Latino ELs in one California district met test-based thresholds for reclassification by the end of 5th grade, only 38% were reclassified. Similarly, Thompson (2017) illustrated how students can meet all but one criteria threshold for multiple years and be held in EL status despite high English proficiency levels.

In states, such as California, where districts have been allowed discretion over reclassification criteria, there are also challenges and dilemmas that arise due to inconsistent criteria and policies, especially for students who move across district lines. A student may be classified as EL in one district, meet reclassification criteria in another, and never qualify as an

EL at all in a third. This exacerbates service provision incoherence, known to be academically damaging to students (Mehana & Reynolds, 2004; Rumberger, Larson, Ream, & Palardy, 1999). Variable reclassification criteria and policies across districts also creates challenges at the state level, as the state may struggle to understand EL characteristics, assets, and needs because there is no consistent definition of which students merit EL classification and which do not.

Making reclassification difficult to attain means that some students who are ready to learn and thrive in general education settings will be denied access to those settings (Carlson & Knowles, 2016; Umansky, 2016b). Making reclassification thresholds too easy to attain can result in students floundering in mainstream services without needed supports (Robinson-Cimpian & Thompson, 2016; Shin, 2018). In this sense, it is not solely the criteria and thresholds that matter, but, rather, the match between reclassification and service provision. The fuller access to content that EL status affords, the less problematic high reclassification thresholds become. The more integrated linguistic supports are in mainstream classes, the less problematic low reclassification thresholds become.

There is movement toward simplified criteria and, in particular, movement toward single-criterion policies in which reclassification is based solely on English proficiency (Boyle, August, Tabaku, Cole, & Simpson-Baird, 2015; Wixom, 2015). There is also movement towards more automated reclassification processes so that students who meet reclassification thresholds are less likely to be overlooked.

Policy implications.

- Maximizing EL-classified students' full access to grade-level content and integrating linguistic supports into mainstream instructional settings can minimize the current high-stakes nature of reclassification for students' long-term outcomes.
- The level of linguistic supports should map closely onto the level at which reclassification thresholds are set. Lower thresholds likely require more language instruction in mainstream services so that content is fully accessible to reclassified students.
- Simplifying the complexity of reclassification criteria and lessening the number of reclassification criteria can avoid unintended barriers to reclassification.
- States should not use academic measures as reclassification criteria due to multiple equity and reliability issues. In addition, other non-English proficiency related criteria such as grades, discipline, and teacher approval should be avoided to minimize bias.
- Because EL status is, by definition, defined by English proficiency level, criteria should be contained to those measuring English proficiency. English proficiency thresholds can be set such that English proficiency skills give a strong indication of students' preparedness to tackle mainstream content area instruction provided in English.
- A careful balance is needed between benefiting from local knowledge and local measures of individual students and avoiding inequity, bias, and inconsistency in reclassification decisions. Teacher expertise and grounded knowledge may be best

utilized through lower-stakes formative assessment of English proficiency growth rather than high-stakes assessments used as reclassification criteria.

California policy. California is currently in the process of developing new reclassification policies to comply with ESSA's requirement of standardized statewide procedures. The new policy will replace California's longstanding policy of requiring an English proficiency assessment, teacher evaluation, parental opinion and consultation, and a measure of basic skills in English language arts (CA EDC § 1-313(f)). Importantly, the state set these as minimum criteria (including some minimum thresholds) for reclassification, but allowed for California districts to include additional criteria and/or set higher thresholds on the state-mandated criteria. Thus, there has been enormous variation across districts in both criteria and thresholds. As detailed earlier, California has also adopted a new state English proficiency assessment system, the ELPAC, and new content area assessments, the CAASPP system. As such, current reclassification policy across the state is both varied and in flux.

California is committed to a process by which it will develop new standardized, statewide reclassification rules to comply with ESSA. While the final reclassification rules have not been decided, the state has taken some important steps. The state has committed to the ELPAC as the primary English proficiency assessment. It is also in the process of developing a statewide language use teacher evaluation protocol (described in the assessment section above) that will be a standardized formative and observational measure of student English language use and may be included in reclassification decisions. Key questions surrounding the use of this observation protocol as a reclassification criterion are how to avoid bias, subjectivity, and uneven implementation.

The state has also committed to the inclusion of parents in reclassification decisions, although it is not yet clear if parents need only be alerted to reclassification determinations or if they need to approve of reclassification decisions. The state is also currently examining the relationship of ELPAC and ELA CAASPP scores in order to attempt to determine ELPAC proficiency levels that demonstrate academic competency distributions that parallel those of non-ELs. Finally, the state is aiming to hold a set of open stakeholder meetings to provide space for stakeholder input in this process.

California's path forward is a promising one. The state has the opportunity to be a national leader in creating a reclassification process that involves multiple measures of English proficiency and avoids one-time high-stakes annual proficiency tests as a sole criterion for reclassification. The language use observation protocol is an exciting step in this direction, however it will need to be designed and implemented (including professional development) in such a way as to avoid the influence of teacher bias and general non-standard implementation. In addition, important decisions will need to be made about how the different criteria for reclassification interact and are weighted. For example, will scores on the language use tool be used to hold students back from reclassification? Or will they only be used to push students forward who did not score proficient on the ELPAC? The state will be in a better position to make these kinds of determinations as ELPAC results come in and as the observation protocol is

piloted and finalized. A careful, deliberate process of determining alignment of ELPAC and ELA CAASPP is also a promising way to avoid inclusion of content area assessment results while keeping in mind students' academic preparedness.

ESSA mandates statewide standardized procedures for reclassification but does not explicitly state that states must have statewide criteria and thresholds. Nonetheless, to date, the federal Department of Education has interpreted ESSA law to apply to criteria, thresholds, and processes. Research suggests that California would benefit from statewide criteria and thresholds as this will allow for a shared system for determining who requires and who does not require EL service provision. This will allow for far greater clarity at the state level and will support alignment particularly for students who move between schools and districts.

New state-level thresholds will entail considerable change in threshold levels for some districts. These districts will need to assess and align their services for ELs and reclassified students to the new thresholds. More broadly, in California, as in most states, reclassification policy is often conducted independently of policy regarding service provision for EL students and reclassified students. As the state moves forward in reclassification policy development it should ensure that reclassification policy is aligned with instructional and service provision policy.

Conclusion

This report synthesized a large body of research, identifying nine key policy areas for California EL education. The policy areas encompass: (1) diverse EL needs, (2) core content access, (3) English instruction, (4) bilingual education, (5) teacher preparation, (6) EL assessment, (7) education funding, (8) pre-K through college alignment, and (9) reclassification. The purpose of the report was to identify these key areas, synthesize existing policy-relevant empirical work in each area, and glean policy implications that relate specifically to current California policy and priorities.

While the conclusions of each policy area are too numerous to restate in this conclusion, certain priority areas stand out.

- California is currently changing reclassification criteria and procedures. Two key research-informed steps include the removal of academic criteria for reclassification and minimizing the role of subjectivity and bias in reclassification decisions. In addition, the state can take steps to ensure that EL classification does not limit students' academic access and that reclassified status does not preclude universally-beneficial language supports. Smoothing the service boundaries around classification decisions will make reclassification less of a high-stakes event.
- Global California 2030, Proposition 58, and the EL Roadmap place bilingualism and multilingualism front and center in California's educational goals. As districts step up to create, expand, and improve their bilingual programs the state has a crucial role to play in providing guidance and resources, for example through the funding of bilingual teacher preparation programs. The state should also play an important role in

monitoring the implementation of bilingual education to ensure high quality and equity-oriented programs.

- Alignment of early childhood education, K-12 schooling, and post-secondary opportunities is ripe for action. While there is much progress to be made in this area, two key steps include expanding EL enrollment in preschool and bridging the divide between high school and college by improving EL students' access to academic content and credits.

- California has taken numerous steps to improve its overall assessment system and its assessment of ELs specifically. Key steps forward may include a more robust formative assessment environment to inform daily instruction and an accountability system that supports the state's instructional goals, especially with regard to academic testing in students' language of instruction.

A thread underlying this report pertains to data and data availability. Here too, California has made some important strides, through the creation of the California School Dashboard, a website that makes publicly available information on an array of school performance indicators as part of California's new accountability system (CDE, 2017b; CDE, 2017d; Polikoff, Korn, & McFall, 2018). Another recent accomplishment is that the state has begun to collect and report information on ever-EL students in addition to current EL students. However, progress is still needed. This report has highlighted several areas in which limited data stalls both understanding about EL opportunities and outcomes and the ability to make decisions based on that understanding. For example, having a longitudinal dataset linking students from preschool through post-secondary, and ideally also linking to other human services data (as is done in Washington and Texas) would enormously improve our understanding of the long-term outcomes of students and the roles of specific polices and affordances on those outcomes.

In each of the nine policy areas California is taking important steps forward, grounded in recent policy advances in financing, local control, standards, and equity. In certain areas, such as bilingual education, California is already moving into a position of national leadership. Other major steps in the state that apply specifically to ELs include the creation of a new English proficiency assessment, and the development of an aligned ELA and ELD framework. In areas like these, where the state has taken important steps forward, key will be investment and support for implementation, including capacity development at the state, district, school, and classroom levels. Across all nine policy areas, and for EL education policy writ broadly, California is poised to be a national leader. The magnitude of the EL population makes this leadership an obligation of the state. Constituting four out of ten K-12 students in the state, EL and reclassified EL students, simply put, are California's future.

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