

# English Learners and the Every Student Succeeds Act: A Tool for Advocates in California

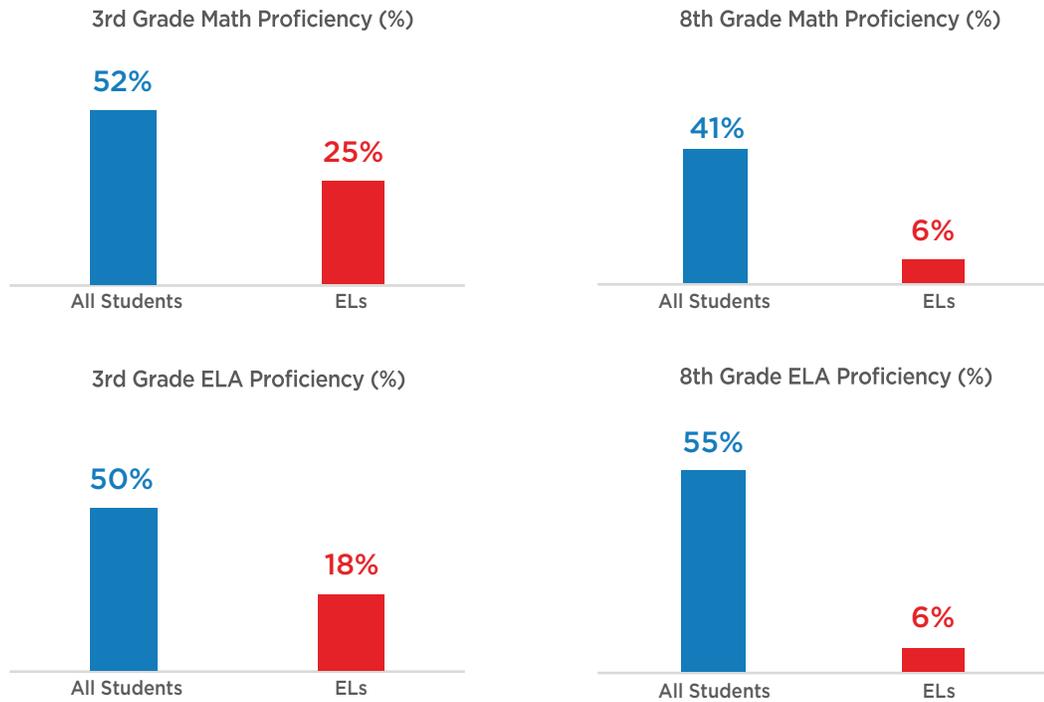
This report features components of California's plan under the Every Student Succeeds Act that impact the 1.3 million English learners in the state regarding testing, accountability, and stakeholder engagement. Advocates can use this information to engage administrators and policymakers around improving outcomes for English learners and ensuring they receive the high-quality education they deserve.

The Every Student Succeeds Act (ESSA), which replaced No Child Left Behind, was signed into law in December 2015. ESSA requires several long-overdue changes for English learners (ELs) by emphasizing accountability for the progress of ELs and requiring state plans to focus on standardizing policies and closing achievement gaps.

**Notable changes include:**

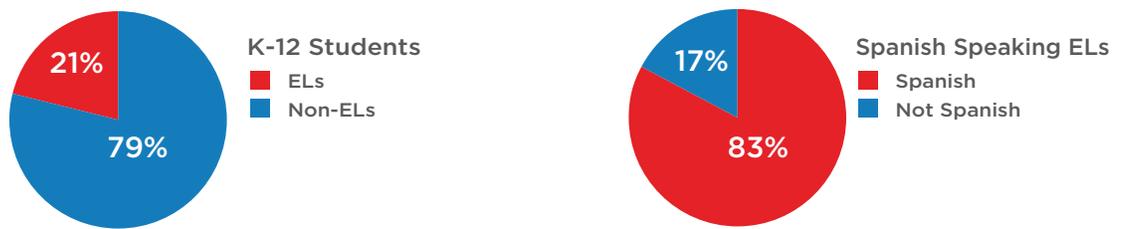
- States are now held accountable for ELs' progress toward English language proficiency under Title I instead of Title III.
- States must implement statewide standardized procedures for entering and exiting EL services.
- States must set ambitious long-term goals in subjects like English language arts (ELA) and math, including measures of interim progress (MIPs) towards those long-term goals.
- States must also set long-term goals for attaining English language proficiency.
- States are required to engage with stakeholders in developing the ESSA plan and on school improvement plans moving forward.

**CA Smarter Balanced Results**



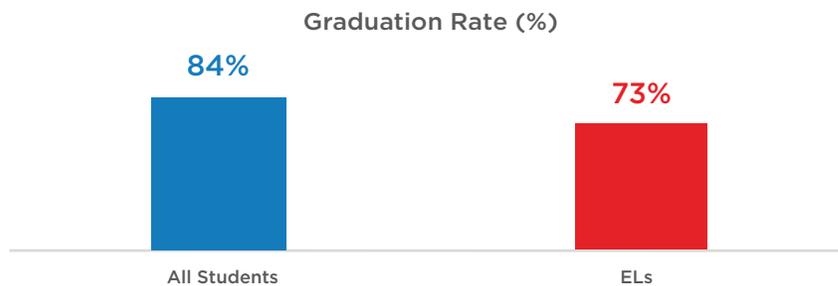
Source: California Assessment of Student Performance and Progress, Smarter Balanced Results (2017), "Results by English-Language Fluency" <https://caaspp.cde.ca.gov/sb2017/ViewReport?ps=true&lstTestYear=2017&lstTestType=B&lstGroup=4&lstCounty=00&lstDistrict=00000&lstSchool=0000000> (accessed February 2018).

**English Learner Data**



Sources: "Facts about English Learners in California - CalEdFacts." Facts about English Learners in California - CalEdFacts (CA Dept of Education), [www.cde.ca.gov/ds/sd/cb/cefelfacts.asp](http://www.cde.ca.gov/ds/sd/cb/cefelfacts.asp)

**Graduation Rate**



Source: California Department of Education DataQuest, "Cohort Outcome Data for the Class of 2015-2016" <https://dq.cde.ca.gov/dataquest/> (accessed February 2018).

**Why ESSA Matters in California:** There are over 1.3 million English learners in California making up about 21.4% of the K-12 student population in the state. The majority of California's ELs speak Spanish.<sup>1</sup> According to 2017 California Smarter Balanced assessment results, double digit achievement gaps exist between English learners and their English only peers in ELA and math content areas. ELs are also graduating high school at lower rates than their peers.



## Standardized Entrance and Exit Procedures

States must set uniform entrance and exit procedures for EL services across the state. ELs must be identified within 30 days of enrollment. States should have a clear description of how they define English language proficiency.

- California uses a home language survey within 30 days of enrollment to identify students to be assessed for EL services.
- California will administer the English Language Proficiency Assessment for California (ELPAC) to assess English proficiency beginning spring 2018. Previously, California used the California English Language Development Test (CELDT).
- To exit EL services, or to become reclassified, the following must take place:
  - An assessment of language proficiency using the state test of English language proficiency.
  - A teacher evaluation.
  - A parent consultation.
  - A comparison of the student's performance against a range of basic skills competency by English proficient students of the same age.

**Advocate Questions:** How long after being classified will students begin receiving EL services? How will the state ensure these procedures are uniform across the state? Is this the right set of criteria for a student to exit EL services?



## N-size for Accountability and for Reporting

States are required to establish an n-size, the minimum number of students in a school needed to form a student subgroup for federal reporting and accountability purposes. States may set a different n-size for accountability and reporting purposes.

- California set the n-size at 30 for accountability and 11 for reporting.

**Quick Fact:** Studies show that an n-size of 10 captures the most students while still maintaining students' privacy.<sup>2</sup> In California up to 20% of schools will not include English learners in their accountability systems for academic achievement in ELA and math.

**Advocate Questions:** Why was an n-size of 30 decided over an n-size of 10? Does the plan address how schools will be held accountable when they have less than 30 students in a subgroup? Did the state consult diverse stakeholders when deciding the minimum n-size?



## Long-Term Goals for Academic Achievement and Graduation Rate

States are required to set ambitious, long-term goals and measures of interim progress for reading/language arts, math, and high school graduation rate for all students and for each student subgroup.

- The long-term goal for ELA is for all students and student groups to be at least 10 points above the lowest possible scale score to achieve Level 3 (Standard Met) on the Smarter Balanced Summative Assessment.
- The long-term goal for math is for all students and student groups to be at the lowest possible scale score to achieve Level 3 (Standard Met) on the Smarter Balanced Summative Assessment.
- The long-term goal for graduation rate for all students and student groups is to meet at least a 90 percent graduation rate or, for the student groups at or above this mark, to increase from their baseline.
- The timeline to achieve these goals is seven years.

**Quick Fact:** Currently, only 13.5% of schools serving ELs would meet the goal for ELA and 18% for math. Nearly half - 44.5% - of high schools serving ELs would meet or exceed the long-term goal for graduation rate.

**Advocate Questions:** Are the long-term goals both ambitious and achievable? Did the state provide sufficient historical data to justify the goals? How will progress toward these goals be monitored? How will the state incentivize schools to exceed the goals? How will schools provide appropriate support for ELs, one of the subgroups needing to make the most gains?



## Long-Term Goal for Attaining English Language Proficiency

States must also set ambitious, long-term goals and measures of interim progress for ELs making progress toward English language proficiency. The state must establish a timeline to proficiency.

- California's long-term goal is for at least 75% of ELs to gain one performance level on the language proficiency assessment annually.
- The timeline to achieve this goal is seven years.
- The timeline to achieve English language proficiency will be revisited once the ELPAC is operational (spring 2018).

**Quick Fact:** Research shows that it takes around four to seven years to be classified as "proficient" in English.<sup>3</sup>

**Advocate Questions:** Is the goal of at least 75% of ELs making progress toward English proficiency ambitious and attainable? How does this goal reflect student-level progress towards English Language Proficiency as opposed to school-level progress? Did the state consult with stakeholders who have expertise in attaining English language proficiency to determine these long-term goals?



## Measures of Interim Progress for English Learners

States must outline measures of interim progress (MIPs) toward achieving the long-term goals for academic achievement, graduation rate, and progress toward English language proficiency. MIPs are short-term goals that ensure a student group is on track to meet the long-term goals.

- California sets approximate MIPs that, if met annually, indicate a school or student group is on track to meet the long-term goal in the designated timeline.
- English learners must improve annually by nine percentage points in ELA and 10 percentage points in math to meet the long-term goal. The annual graduation rate for ELs should increase annually by 1.8%.
- To achieve the long-term goal for progress towards English Language Proficiency, an additional one percent of English learners must make progress annually on the ELP assessment.

**Quick Fact:** MIPs are often referred to as targets or short-term goals, which are different than long-term goals. With MIPs, subgroups may have different targets/short-term goals because they are working from a different baseline and need to make more accelerated progress to meet the same long-term goal for all students.

**Advocate Questions:** Does the plan describe the research-based practices for determining MIPs? How will schools be held accountable for ELs reaching these goals? Are the measures of interim progress ambitious and attainable?



## English Language Proficiency Indicator

States must have an English language proficiency (ELP) indicator, among other indicators, in their accountability system for all ELs in grades 3-8, and those who are assessed in grades 9-12.

- California's ELP indicator measures the percentage of English learners in a school making progress toward language proficiency or maintaining an advanced level from one year to the next.
- California sought a waiver to include reclassified English learners from the prior year, as well as to assign additional weight to long-term ELs who achieved progress in the ELP indicator.
- Based on the results of the indicator, schools and English learner subgroups receive a performance level color of red (lowest performance), orange, yellow, green or blue (highest performance).
- All indicators in California's accountability system are assigned equal weight, however, it is unclear how they will be incorporated into an overall grade for schools.

**Advocate Questions:** How will the state ensure that English learners maintaining an advanced level are making progress towards proficiency? Why did the state choose to seek a waiver and include long-term and reclassified ELs in this indicator?



## Annual Meaningful Differentiation

States must create a system of annual meaningful differentiation\* based on all the indicators for all students and each student subgroup.

- California uses a dashboard to annually differentiate across all districts, public schools, and student groups by assigning one of five performance colors to each indicator. For most indicators, color is based on the combination of current performance and growth from the year prior (status and change).
- Based on the combined results of status and change, a district, school, or student group receives a performance level color of red (lowest performance), orange, yellow, green, or blue (highest performance).
- Subgroups of 30 or more students will receive a performance level color, however it is unclear how subgroup performance will factor into an overall school score.

**Advocate questions:** How will the state educate diverse stakeholders about this complex, color-coded rating system? How will schools be compared and differentiated using this system?



## Identification for Comprehensive and Targeted Support and Improvement

States must identify schools in need of comprehensive support and improvement and schools in need of targeted support and improvement, and provide necessary support to identified schools.

- California will identify a school for comprehensive support if any of the following are true:
  - o It has all red indicators, all red but one indicator of any other color, all red and orange indicators, or five or more indicators where the majority are red;
  - o It has a graduation rate of 67% or lower averaged over three years; or
  - o It has been identified for targeted support and hasn't exited this designation after four years.
- California will identify a school for targeted support if:
  - o Any subgroup, on its own, meets the criteria for being identified for comprehensive support in three out of four consecutive years (i.e. the English learner subgroup scores red on all indicators).

**Quick Fact:** ESSA defines schools in need of targeted support when a school has one or more subgroups consistently underperforming. ESSA defines schools in need of comprehensive support when it performs in the lowest 5% of all Title I schools in the state, has a high school graduation rate lower than 67%, or has previously been identified for targeted support and has not exited that designation within a state-determined number of years.

**Advocate Questions:** Are the state-determined identification criteria sufficient to identify all schools in need of additional supports? How will diverse stakeholders be meaningfully engaged on improvement plans for identified schools?

\* The system of differentiation must be based on the performance of at least 95% of students at the school on each of the indicators and afford much greater weight to the proficiency, growth and ELP indicators than the acceleration/readiness indicator or the college- and career-readiness indicator. The system may take the form of an A-F grade, star rating or dashboard, for example. It will inform the state's methodology for identifying schools for comprehensive and target support. United States Department of Education, *Accountability Under Title I, Part A of the ESEA, Frequently Asked Questions*. Washington, DC 2017.



## Recently Arrived English Learners

States have three options to assess recently arrived English learners (RAELs), that is, ELs who have been enrolled in a school in the United States for fewer than 12 months. States can exclude one administration of the English language arts assessment or assess the student but exclude the results of the assessments in the accountability system for that year. States can also choose to assess recently arrived English learners in their first year, include a measure of growth on the assessments in their second year, and include proficiency on assessments in their third and subsequent years. States can also implement a combination of the first and second options.

- California has chosen the first option. They will include the proficiency score on the English language arts assessment taken in the English learner's second year.

**Quick Fact:** There is no one best option; the state should look at the characteristics of the RAELs to make this determination.

**Advocate Question:** How did the state decide on option one? Is that the best option given the characteristics of RAELs in California? Does the state provide any data on RAELs that supports their choice?



## Former English Learners

States may include former ELs in the EL subgroup for up to four years after being reclassified.

- California will include former English learners in the EL subgroup for four years after being reclassified.

**Quick Fact:** Including former ELs who have been reclassified may mask the performance of current ELs. Providing historical data helps in determining whether former ELs should be included in the subgroup, and for how long.

**Advocate Questions:** How long will California include reclassified English learners in the EL subgroup? Can the state monitor reclassified ELs as their own subgroup? Did the state provide any data to show that including former ELs will not mask the performance of current ELs?



## Native Language Assessments

States must define and identify languages other than English that are present to a “significant extent” and indicate what, if any, existing assessments there are in languages other than English and report any plan to develop additional assessments.

- California has defined a language other than English present to a significant extent as one that is spoken by 15% or more of the K-12 student population.
- By this definition, California identified Spanish as a language other than English that is present to a significant extent.
- California's Smarter Balanced math assessment is translated in Spanish and the translated science assessment should be operational for the 2018-2019 school year.
- California is in the process of developing a Spanish reading/language arts assessment, the California Spanish Assessment (CSA).

**Advocate Questions:** Did the state engage diverse stakeholders to gather meaningful input about the need for assessments in languages other than English? What is the timeline for the California Spanish Assessment?



## Stakeholder Consultation

States must engage with stakeholders on the development of the ESSA state plan and specific components such as the n-size, and the development of district and school improvement plans.

- Stakeholder engagement on n-size included a public comment period through stakeholder meetings, a public survey, and submitted written comments via letters and e-mails.
- Stakeholder engagement on native language assessments included regional meetings to gather input on specific assessments.
- Stakeholder engagement on standardized entrance and exit procedures included meetings throughout the state, input and feedback at statewide conferences and trainings, participation in committees, public comment during the regulations process, and policy updates.

**Advocate Questions:** Did they offer stakeholder engagement in multiple languages? Were the methods and opportunities for stakeholder engagement flexible enough for parents to participate in? How did they ensure feedback represented diverse populations?

### What now?

- Have conversations about ESSA with parents, teachers, principals, superintendents, and elected officials. Bring up the “Advocate Questions” in the conversation.
- Engage parents and other stakeholders in your area by hosting an ESSA meeting at your school or a community-based organization.
- For more information about ESSA, visit [unidosus.org](http://unidosus.org).

## Further Reading

- California's submitted [ESSA plan](#)
- California Department of Education: [California Accountability Model & School Dashboard](#)
- [California English Learner Roadmap](#)
- Ed Trust and UnidosUS: [Students Can't Wait: Setting New Accountability for English-Learner Outcome in ESSA Plans](#)
- Migration Policy Institute: [Analyzing State ESSA Plans for English Learner Accountability: A Framework for Community Stakeholders](#)
- Migration Policy Institute: [Dual Language Learners: A National Demographic and Policy Profile](#)
- Council of Chief State School Officers: [Major Provisions of Every Student Succeeds Act \(ESSA\) Related to the Education of English Learners](#)
- US Department of Education [Interim Feedback Letter for California](#)
- Bellwether Review [Independent Review of ESSA State Plans: California](#)
- American Institutes for Research: [California Accountability System Under the Every Student Succeeds Act](#)
- [English Language Learner Guide for Educational Agencies](#)

## Endnotes

- 1 "Facts about English Learners in California - CalEdFacts." Facts about English Learners in California - CalEdFacts (CA Dept of Education), [www.cde.ca.gov/ds/sd/cb/cefelfacts.asp](http://www.cde.ca.gov/ds/sd/cb/cefelfacts.asp)
- 2 Alliance for Excellent Education, [Ensuring Equity in ESSA: The Role of N-Size in Subgroup Accountability.](#) <https://all4ed.org/wp-content/uploads/2016/06/NSize.pdf>.
- 3 Hakuta, K., Butler, Y.G., & Witt, D. (2000). [How long does it take English learners to attain proficiency?](#) Berkeley, CA: University of California Linguistic Minority Research Institute.