

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

This report features components of Florida's submitted plan* under the Every Student Succeeds Act that impact the 290,000 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.

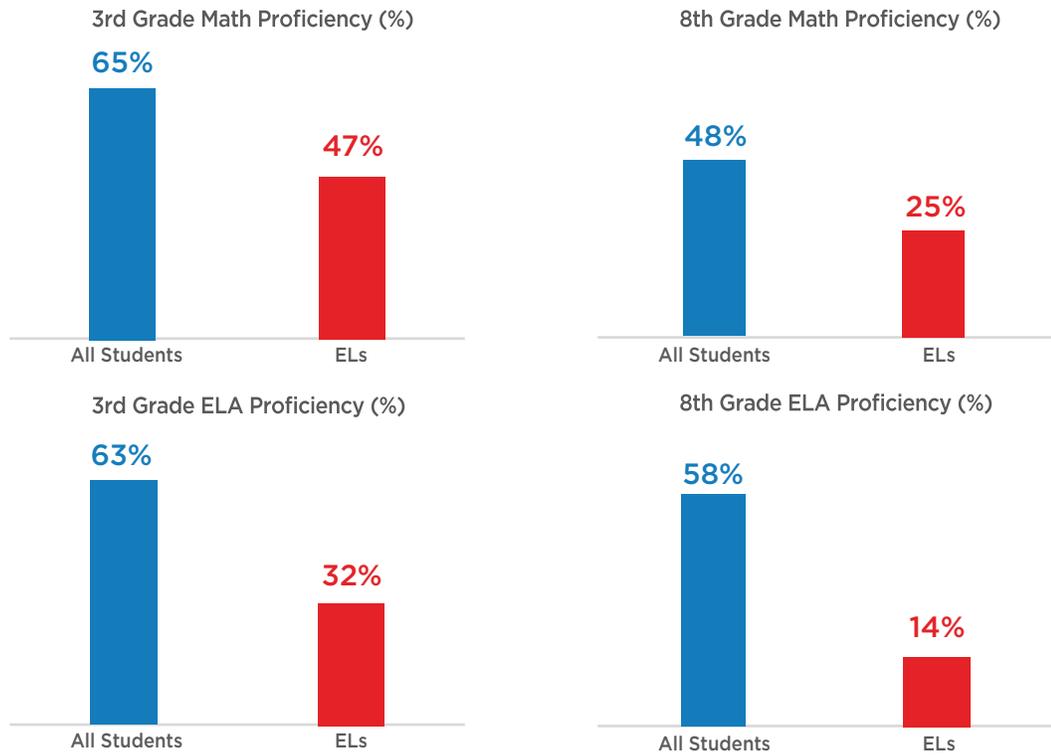
The Every Student Succeeds Act (ESSA), which replaced No Child Left Behind, was signed into law in December 2015. ESSA requires several long-overdue changes for English learners (ELs) by emphasizing accountability for the progress of ELs and requiring state plans to focus on standardizing policies and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

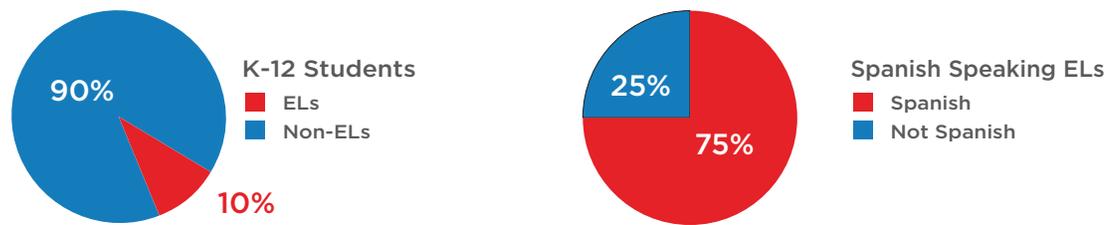
* This report was written based on Florida's submitted ESSA plan as of February 2018. UnidosUS will update this report, if needed, once the finalized version is made available.

FL Standards Assessment Results



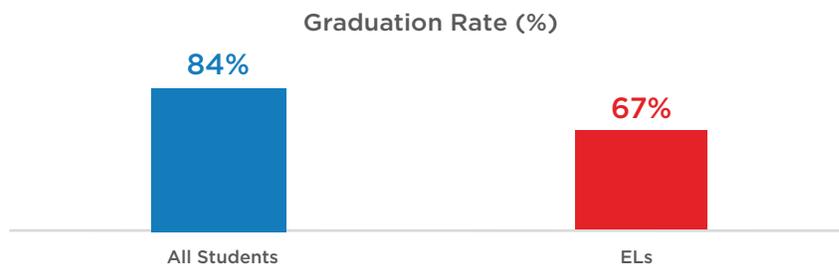
Source: Data shown includes ELs' and non-ELs' performance results from the administrations of the ELA and mathematics Florida Standards Assessments for grades three and eight in the 2016-2017 school year. <https://edstats.fldoe.org/SASPortal/main.do> (accessed January 2018).

English Learner Data



Sources: Florida Department of Education, "Enrollment Accessibility". <https://edstats.fldoe.org/SASPortal/main.do> (accessed January 2018); U.S. Department of Education, "SY 2015-16 Consolidated State Performance Reports" <https://www2.ed.gov/admins/lead/account/consolidated/sy15-16part1/fl.pdf> (accessed January 2018).

Graduation Rate



Source: Florida Department of Education, "High School Graduation rates Accessibility": <https://edstats.fldoe.org/SASPortal/main.do> (accessed February 2018).

Why ESSA Matters in Florida: Florida educates 5% of the nation's English learners, the third-largest K-12 EL population in the nation.¹ ELs make up 10% of Florida's student population; nearly 290,000 students. The majority of ELs—75%—in the state speak Spanish. According to recent Florida state assessment results, double-digit gaps exist in graduation rates and academic achievement between English learners and their non-English learner 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.

- Florida uses a home language survey within 30 days of enrollment to identify students to be assessed for EL services.
- Florida uses the Kindergarten ACCESS for ELLs and the ACCESS for ELLs 2.0 to assess English language proficiency.
- Florida Rule [6A-6.0905](#), F.A.C requires individual districts to submit plans regarding standards for entry, exit, and post-reclassification monitoring.
- To exit EL services, or to become reclassified, a student must score at least a four on the English language proficiency assessment and on the reading subset or they must receive a score at level three on the ELA assessment (Rules [6A-6.09021](#) and [6A-6.0903](#), F.A.C.).
- Florida law [6A-6.09022](#), F.A.C. requires that students who need to receive EL services for longer than three years must have an evaluation by the EL committee to reevaluate their progress toward ELP.

Quick Fact: ELA assessments do not measure across all four language domains (speaking, listening, reading, and writing). Title III requires that English learners be assessed in all four domains.

Advocate Questions: Do the Florida rules standardize entrance and exit procedures across the state as mandated in ESSA? Do the exit criteria accurately measure a student's English language proficiency? Does the school or district plan on engaging families in reclassification, and if so, how?



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.

- Florida set the n-size at 10 for reporting and accountability purposes.
- While data will be reported for all subgroups, Florida's A-F grading system for accountability does not include individual subgroup performance in the calculation of a school's grade.

Quick Fact: Studies show that an n-size of 10 captures the most students while still maintaining students' privacy.² Florida's plan lacks data on how many schools will or will not include individual subgroups, like ELs, in their reporting based on this n-size.

Advocate Questions: How many students and schools will be excluded due to this n-size? Did the state consult diverse stakeholders when deciding the minimum n-size? How can subgroups be better incorporated into the A-F grading system?

* The 5%, 10%, and 75% data points are from 2013-2014, 2017-2018, and 2016-2017 school years respectively.



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.

- Florida has set two long-term goals for academic achievement:
 - Increase the percentage of all students achieving grade-level or above performance in ELA and math by six percentage points by 2020, using baseline data from 2014.
 - Reduce achievement gaps by one-third among ELs and non-ELs in each subject area by 2020 using baseline data from 2014.
- Florida has set two long-term goals for the graduation rate:
 - Increase overall graduation rate by 7.1 percentage points for the all-student group.
 - Reduce gap in graduation rate by one-third across subgroups by 2020 using baseline data from 2014.
- Florida did not provide 2014 baseline data for the EL subgroup used to determine the goals for academic achievement and graduation rate.

Quick Fact: Florida will revisit all long-term goals in 2020 and set expectations for the following five years.

Advocate Questions: Given the timeline, are the goals both ambitious and attainable? Did the state provide sufficient historical data to justify the goals? Will the state provide baseline data for all subgroups? 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.

- Florida's long-term goal is 66% of ELs will be making progress toward English language proficiency by 2020.
- The 2016 baseline data show that 60% of ELs are currently making progress toward English language proficiency.
- Florida expects ELs to attain proficiency in five years or fewer.

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

Advocate Questions: Is the goal of 66% of ELs making progress toward English language proficiency ambitious and attainable? Did the state consult with stakeholders who have expertise in attaining English language proficiency to determine these long-term goals? How will the state include stakeholders when they revisit the goal in 2020?



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.

- Florida sets annual MIPs for closing the achievement and graduation rate gaps. Currently, the gap between ELs and non-ELs should shrink by two percentage points in ELA and 1.4 percentage points in math every year. Additionally, the graduation rate gap among them should shrink by 1.3 percentage points annually.
- English learners making progress toward English language proficiency should increase annually by two percentage points.

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 making these goals? Are the measures of interim progress ambitious and attainable? How much do subgroups need to progress annually to close the achievement and graduation gaps?



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.

- Florida's A-F grading system does not include an ELP indicator.
- ELs' progress toward ELP will be reported on school-level report cards. Currently, this measure will only include K-12 students enrolled in an English for Speakers of Other Languages (ESOL) program.

Advocate Questions: Why did Florida decide to exclude ELs from their accountability system? With this measure being excluded, how will schools be held accountable for the progress of ELs attaining English proficiency? How will the state ensure that all ELs, regardless of placement in an ESOL program, are reported on at the school level?



Annual Meaningful Differentiation

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

- Florida will use an A-F grading system. The grades will be based on three indicators composed of seven to eleven sub-components. Progress toward ELP is not among the three indicators.

* 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 school quality or student success 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.

- Subgroup accountability will not be included in Florida’s grading system. Grades will be determined by the all student group and the lowest performing 25% of students.

Advocate questions: How will schools be held accountable for the performance of subgroups? Is the A-F grading system a good reflection of how schools are serving all students? What changes could be made to include subgroups in the A-F grading 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.

- Florida will identify a school for comprehensive support if any of the following two statements are true:
 - It earned a single grade of F or two consecutive grades of D.
 - It has a 67% high school graduation rate or lower.
- Florida will identify a school for targeted support if:
 - It has earned a D that is not consecutive to another D or F.
- The state did not define “consistently underperforming” subgroups nor mention how it plans to support schools with consistently underperforming subgroups as required by ESSA.

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 a school 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: How does the state determine “consistently underperforming”? How will the state support schools with consistently underperforming subgroups? How will diverse stakeholders be meaningfully engaged on improvement plans for identified schools? Are the state-determined identification criteria sufficient to identify all schools in need of additional supports?



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.

- Florida has chosen the second option. They will assess RAELs in their first year and include results in the accountability system accordingly in the subsequent years.

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 two? Is that the best option given the characteristics of RAELs in Florida? 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.

- Florida will include former English learners in the EL subgroup up to 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 would the reported data be different if schools included ELs who were reclassified for two or three years? 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.

- Florida did not provide a definition for a language present to a significant extent and, therefore, did not identify any language other than English.
- Florida will not offer assessments in languages other than English.
- Florida’s constitution does not allow for the delivery of governmental services in languages other than English. [Florida’s constitution](#) specifies English as the official state language.

Advocate Questions: Do Florida’s current assessments accurately capture ELs’ performance in content areas such as math and science? What native language assessments would be most beneficial to ELs in Florida?



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.

- The Florida Department of Education held three public workshops to determine appropriate n-size.
- Florida engaged stakeholders on migrant education program objectives (Title I, Part C), supporting effective instruction (Title II, Part A), and determining entrance and exit procedures for English learners (Title III).

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.

Further Reading

- Florida’s submitted ESSA plan
- 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 Florida
- Bellwether Review Independent Review of ESSA State Plans: Florida
- American Institutes for Research: Florida Accountability System Under the Every Student Succeeds Act

Endnotes

- 1 Sanchez, Claudio. “English Language Learners: How Your State Is Doing.” NPR, www.npr.org/sections/ed/2017/02/23/512451228/5-million-english-language-learners-a-vast-pool-of-talent-at-risk (accessed February 2017).
- 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> (accessed December 2017).
- 3 Hakuta, K., Butler, Y.G., & Witt, D. “How long does it take English learners to attain proficiency?” (Berkeley, CA: University of California Linguistic Minority Research Institute) <https://escholarship.org/uc/item/13w7m06g> (accessed December 2017).