

# SETTING NEW ACCOUNTABILITY FOR ENGLISH-LEARNER OUTCOMES IN ESSA PLANS

The Every Student Succeeds Act (ESSA), signed by President Obama in December 2015, shines a much bigger spotlight on the education of English learners in our nation’s elementary and secondary schools. But state officials have a lot of discretion in implementing the school accountability and public reporting requirements of this new law. And the choices they make will influence whether the schools in their states will better identify, serve, and track the progress of this growing population. This fact sheet provides information and tools to help state- and community-based advocacy organizations engage with leaders in state education agencies as they make critical decisions affecting English learners.

The technical language and complexity of this task can feel overwhelming. Many decisions have to be made and each decision affects all the rest. What measures of English proficiency should be used? How can we agree on the common, statewide entrance and exit procedures for English-learner services that are required by this law — especially when districts have been doing this in many different ways? How many English learners should there be in a school for this group to “count” in the school rating? What should a school be required to do if its English learners are not progressing? These are just a few of the questions that must be answered along the way.

State and local advocates have a very important role to play in making sure their state accountability and public reporting plans truly advance equity for English learners. Often, state leaders are under a lot of pressure to make their schools look better than they really are and, especially, to hide how well they serve different groups of children, including English learners. Advocates for English learners need to mount pressure in the opposite direction: No matter where they go to school, English learners need to matter in school ratings.

## 1. Accountability for English language development

Under ESSA, states are required to hold schools accountable for the progress of English learners — both in their development of English language vocabulary and skills and in their mastery of the regular curriculum (including math, English language arts, and science), graduation rates, and so on. This first section provides advice on English language development; the other topics are covered in section 2.

To measure, report, and hold schools accountable for English language development, states must select a measure or assessment, a state goal for the progress students will make toward English proficiency, and the timeline in which progress will be made. Most states will likely use just the required measure — an English language proficiency (ELP) assessment of their choice. But advocates may also want to consider adding in other measures, like reclassification rates or long-term English learner rates, especially if available data suggest that there are many long-term English learners languishing in the system without receiving the services they need.

**What ELP assessment does the state propose to use?** ELP assessments are the key to how English language proficiency is defined. Most states use one of two ELP assessments, ELPA 21 or ACCESS.<sup>1</sup> These assessments are research-based and constructed according to widely accepted standards. Some states have developed their own ELP assessments, or use other assessments.

*Questions for advocates to ask: What assessment does our state use? Is it based on the latest research on language acquisition and development? Does the assessment capture a full range of proficiency? Is the ELP assessment aligned to the state ELP standards?*

**What entry/exit procedures will be used by the state to determine English-learner status?** Under federal law, schools must assess new students for English-learner needs within 30 days of enrollment. One change under ESSA is that for the first time, entry and exit procedures for English-learner services must be standardized across the entire state. Typically, home language surveys are used to identify students for further assessment using a language screener assessment tool.

<sup>1</sup> For a list of member states, see the [ELPA 21](http://www.elpa21.org) (<http://www.elpa21.org>) and [WIDA ACCESS](https://www.wida.us/membership/states/) (<https://www.wida.us/membership/states/>) sites.

Though many states use the same screening tool, each state defines the score that will determine whether a student is classified as an English learner. Then, English learners are “reclassified” when they score at the state-determined level for English proficiency on annual ELP assessments. Some states include other reclassification criteria in addition to these tests.

*Questions for advocates to ask: How do we determine who needs English-learner services? Which language screener do we use? What “score” or “level” do students have to meet on the annual ELP assessment to exit English-learner status? What are the additional reclassification criteria, if any?*

**Are the goals and timelines for progress toward English proficiency ambitious and achievable?** States are required to set interim and long-term goals for ELP progress and define timelines for their achievement. The goals should be ambitious enough to assure that students get the services they need to attain full English proficiency in a reasonable amount of time — generally no more than six years. They should also be achievable. This means paying attention to current rates of progress in schools that serve English learners the best, which will give advocates an idea of what is achievable when schools really focus on English learners. It also means paying attention to research that suggests students make faster progress at different levels of English proficiency. For example, moving from level 1 to level 2 generally is faster than from level 4 to level 5, which suggests that interim goals should be more ambitious early on, rather than uniform across all levels of proficiency. States that have been using ELP exams for at least several years should have good data on student rates of progress that can help inform goal-setting. In states that are using new assessments or have not set this type of goal in the past, it may be necessary to pick what seems like a sensible target then modify as necessary once more data become available. The goal should be to stretch both students and schools in the right direction — that is, toward hard work on English language development — but not set the bar so high as to be unattainable. Advocates should monitor ELP outcomes over time and work with the state to develop new targets as needed.

*Questions for advocates to ask: Do we have data on the progress our students make each year in developing English language skills? Do interim goals take into account students’ language levels, acknowledging that students at lower language levels generally make more rapid progress initially? Do ELP goals reflect a balance between current rates of progress for English learners in the state and evidence-based higher expectations over time? Here, too, advocates can consider whether their states’ goals are ambitious and achievable by asking what percent of schools in the state would have met those goals had they been in place three to five years ago.*

**Is the model for measuring progress toward English language proficiency clear enough to be easily understood by parents?** The state’s model for determining growth should be clearly explained in the plan and easily understood by parents, teachers, and other stakeholders. Families and schools should know with reasonable certainty how long a student will be receiving services and what criteria will be used to determine reclassification.

*Questions for advocates to ask: What, exactly, are the expectations built into this system? What are the criteria for reclassification? Did our state model student data on how many districts/schools would meet the proposed growth targets? What will be done to help students who are not progressing toward reclassification?*

**What weight does the ELP indicator carry within the state accountability system?** The weight assigned to the ELP indicator within a state plan determines how important the progress (or lack thereof) of English learners is in evaluating overall achievement for schools and districts. If the ELP indicator is not weighted heavily enough, schools that are not serving English learners well may not be identified as needing support. Giving appropriate weight to the ELP indicator can ensure that a state is giving assistance to those schools and groups that need it most. Many states are assigning a weight proportionate to the percentage of English learners in the state.

*Questions for advocates to ask: What weight will the ELP indicator(s) carry in the state accountability system? How does that weight compare with other indicators? How does it compare with the proportion of English learners in the state? Will the weight be sufficient to spur schools to change their practices when English learners are not making adequate progress?*

## 2. Accountability for the progress of English learners on other measures

Under ESSA, schools also must be accountable for improving the performance of each group of children on other measures, including achievement and progress on assessments in English language arts (ELA), math and science, high school graduation rates, and at least one other measure. (Many states are adding chronic absenteeism or new measures of college

and career readiness.) This means two things: (1) the performance of English learners on these measures must be separately reported on the school report card and (2) their performance must [count](#) in the school rating.<sup>2</sup> To make sure this is done well, state- and community-based advocates for English learners should understand several provisions in ESSA that affect how English learners in particular are included in school ratings.

**N-size:** Each state must choose an “N-size,” specifying the minimum number of students in a group that a school has to have in order for that group’s results to count for accountability. If a school has *more* English learners than the N-size, it must include their achievement as a group in the accountability system. If it has *fewer* English learners than the N-size, their achievement will not be included in the accountability system as a separate reporting group (they will still be included in the aggregate data). But setting an N-size can be tricky. An acceptable N-size should provide a balance between including the most students and assuring that student privacy is protected and school-level data don’t bounce around so much that neither educators nor parents can trust the data enough to plan.

*Questions for advocates to ask: What N-size is our state planning to use for accountability? Is that as small as possible to secure reasonable stability and protect student privacy, while counting as many children as possible? Did our state model student data to determine how many English learner students are included under different N-sizes?*

**Recently arrived students:** ESSA allows states three options for including recently arrived English learners (students who have been enrolled in U.S. schools fewer than 12 months) in school-level accountability for content-area assessment results.

- Option 1: States may exclude from one administration of the ELA test any student who has been in U.S. schools fewer than 12 months, but that student must be tested in math. The state may exclude from the accountability system any or all of the ELA and math assessment results for that same student for one year.
- Option 2: The first year a student is enrolled, states may assess and report on ELA and math, but not include the scores in the accountability system. At the end of the second year of the student’s enrollment, states would compare first- and second-year scores to establish a measure of growth to include in the accountability system. The third year, English learners would be included in the accountability system like all students.
- Option 3: States may use a mix of Options 1 and 2 for specific, previously defined groups of recently arrived students. For instance, a state may choose to use Option 1 for recently arrived English learners with interrupted formal education and Option 2 for the rest of the recently arrived group.

No one option works best for all states. The decision should be made based on the characteristics of English learners in the state. For example, if a state has large numbers of recently arrived students with no formal education, it may choose to exempt the students the first year. A state’s choice of accountability models may also influence the choice of options. For example, a state with a strong growth model may choose Option 2, as it builds on growth.

*Questions for advocates to ask: Which option for including new arrivals in the state accountability system is our state choosing? Why?*

**Reclassified students:** The law allows states to include assessment results for former English learners in English-learner subgroup data for up to four years after they have reached ELP for purposes of state accountability plans. There are good reasons for doing this, including allowing schools to show the progress that former English learners are making in mastering academic content and graduating from high school. However, because reclassified students typically perform better on academic assessments, including this data may mask the needs of English learners still receiving services. To keep a proper balance between demonstrating the progress of former English learners and shining a spotlight on the needs of current English learners, advocates may want to press for keeping former English learners in the accountability results for a shorter time — two or three years, rather than the four years that are allowed under the law. However, any decision should be based on modeling the impact of different types of inclusion for reclassified students on English learner subgroup data.

*Questions for advocates to ask: How many years after they exit English-learner status will our state keep former English learners in the accountability calculation? Will this number ensure that English learners currently receiving services are reflected appropriately in English-learner subgroup data? Will our state report data for former and current English learner students separately?*

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<sup>2</sup> Hyperlinked text links to information at <https://edtrust.org/students-cant-wait/ensuring-groups-students-matter-school-ratings/>.

### 3. Making sure the accountability system triggers action on the needs of English learners

To understand whether the state's system of indicators, goals, and timelines is likely to bring about improvements for English learners, it helps to begin with what current data can tell you about existing patterns of English acquisition and content mastery. This data may not be easily accessible to community groups. Establishing a relationship with the state's education agency may allow community groups to request data or analysis on English learners in the state. Local universities or education advocacy groups may be another resource to get clear information about how English learners are progressing in your state.

#### *Questions for advocates to ask:*

- *What do results from our ELP tests tell us about how much our students at different levels of proficiency grow toward proficiency each year? How many students make substantially more progress (or substantially less progress), and what do we know about them and the schools they attend?*
- *If schools are ranked from those making the fastest progress in getting their students to proficiency on the ELP to those making the slowest progress, how big are those differences and what do we know about instruction, services, and students at the top- and bottom-performers?*
- *How many students don't attain proficiency within a reasonable period of time (say, four to six years)? Are they clustered in certain schools and districts or scattered around the state? How many U.S.-born English learners have not attained proficiency by middle school? By high school?*
- *Among students who attain proficiency on the ELP, how many are not attaining proficiency on the state ELA, math, and science tests? How do those numbers compare with English learners and native English speakers?*
- *What do we know about high school graduation rates for English learners (current and former) compared with native English speakers? Do those who do not graduate share particular characteristics?*

By looking at answers to at least some of these questions, English learner advocates can get clearer on the major problems that English learners are experiencing and then ask whether the new accountability system, in turn, is likely to focus attention and energy on those problems. Generally, what counts in school rating systems ends up mattering to school-level educators. So getting this right is important.