
Promise or Peril?:
NCLB and the Education of ELL Students

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Washington, DC

April 2007

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ABOUT THIS RESEARCH

In an effort to expand knowledge about young immigrant populations and to examine how the No Child Left Behind Act (NCLB) affects schools serving LEP student, the Urban Institute was funded by the Foundation for Child Development to complete a series of reports.

The series includes four reports:

- A demographic profile of LEP children and children of immigrants with a special focus on pre-K to 5th grade, an extension of the Urban Institute’s previous demographic analysis of immigrant children under the age of 6, also supported by the Foundation for Child Development.
- A road map document decoding the complexity of NCLB and its impacts on LEP students, with a focus on elementary schools.
- A statistical portrait comparing elementary schools with high concentrations of LEP students to examine differences that may affect schools’ abilities to meet NCLB requirements.
- A report on the implementation of NCLB requirements in high-LEP elementary schools (pre-K through 5), based on case studies in three school districts, to illustrate how NCLB has influenced educational approaches for LEP students and the children of immigrants.

The last report—on NCLB implementation in high-LEP elementary schools—is presented here. As is true of the other components of the research series, this report was informed by the knowledge gained over the course of the entire project.

ACKNOWLEDGMENTS

This report was made possible by generous financial support from the Foundation for Child Development (FCD). We gratefully acknowledge the cooperation of the school districts and schools that participated in our study and which must remain anonymous. The UI site visit team who, together with the authors of this report, collected site visit data also deserve our thanks: Evelyn Davila Blackburn, Randy Capps, Nicole Deterding, Sarah Manes, and Lisa Tsui. Thanks go to Julie Murray and Clemencia Cosentino de Cohen for preparing the District A case study and to Emily Conger for reviewing NCLB requirements. We appreciate the input of Donna Christian, president of the Center for Applied Linguistics; Delia Pompa, vice president for Education at the National Council of La Raza; and Kristie Kauerz, program director, Early Learning, Education Commission of the States, who reviewed the data collection instruments. We are grateful to those who reviewed the report and provided valuable feedback: Julia Lara and several of the FCD staff, especially Annette Chin. Any opinions, conclusions or recommendations expressed in this report are those of the authors and do not necessarily reflect the views of the reviewers, the funder, or the Urban Institute.

EXECUTIVE SUMMARY

The goal of this report is to describe the implementation of the No Child Left Behind (NCLB) Act in school districts and schools with large enrollments of English language learners (ELLs) and immigrant students. The study, drawing from previous research on the demographic characteristics of pre-K–5th grade students and of schools with high limited English proficient (LEP) enrollment, documents how this landmark legislation in education policy played out in three high-ELL districts and six schools (two in each district) and its effect on the education of ELL students attending these schools. The research, which takes a case study approach, addresses the following questions:

1. How has NCLB been implemented in high-ELL schools?
2. What has been the effect of NCLB on the improvement of high-ELL schools?
3. What has been the effect of NCLB on ELL students in high-ELL schools?

The findings and conclusions of the study, summarized below and organized according to the research questions, are based on extensive document review of district websites; interviews with district personnel; and site visits to schools.¹

1. How Has NCLB Been Implemented in High-ELL Schools?

The areas of NCLB implementation addressed by the study included the specific requirements of the law for: testing students; providing school choice and supplemental services; increasing teacher and paraprofessional quality; and conducting family outreach.

Testing Requirements

The Law: During the 2004–2005 school year, NCLB required that students be administered high stakes tests in math and reading or language arts at least once in grades 3 through 5, 6 through 9, and 10 through 12. In February of 2004, the U.S. Department of Education allowed the exemption of ELL students who had entered the U.S. within the previous 10-month period. Required to take the math test, these students were exempt from the language arts test. Also, scores for these two subjects were not counted in calculating adequate yearly progress (AYP) for the ELL subgroup. Title III grantees were required to develop annual measurable achievement objectives (AMAOs) for ELL students served under the grant. Consistent methods and measurements were required to assess annual increases in the percentage of ELL students making progress in learning English, attaining English proficiency, and making AYP.

The study found wide variation among districts in terms of (1) tests used for both subject area and English language proficiency (ELP) exams; (2) the application of exemptions; and (3) the use of accommodations in testing ELL students. All districts used ELP tests in compliance with both Title I and Title III requirements. Some districts seem to be using tests inappropriately to measure both subject area and ELP skills of ELL students. District and school personnel differed in their perceptions regarding the effect of NCLB requirements. District administrators and staff in all three districts felt that NCLB testing requirements had beneficial effects on students because the law had increased

¹ Our data were gathered in school year 2004–2005 and our findings apply to the requirements of NCLB, as they existed at the time of our data collection. We realize, nevertheless, that the law has undergone—and continues to undergo—several changes since that time.

accountability for ELL students and more grade levels were tested than previously. School-level staff in two districts, on the other hand, perceived the increased testing requirements as imposing an onerous burden on both students and schools. In contrast, school level staff in District C saw NCLB testing requirements as having educational benefits for ELL students.

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There is a great deal of variation in the way high-ELL enrollment districts implement NCLB testing requirements for both subject areas and ELP.

In terms of the types of tests that ELL students are required to take to fulfill both subject area and ELP requirements as well as in the use of exemptions and accommodations, districts vary widely. There seems to be consistency in test use across schools within districts. Some districts may be using tests inappropriately to measure subject area and ELP skills of ELL students.

School Choice and Supplemental Services

The Law: NCLB requires that schools identified for school improvement provide all students with the option to transfer to another public school in the district that has not been identified for school improvement. In offering this *school choice* option, priority must be given to the lowest achieving children from low-income families. Schools that fail to make AYP must provide all eligible children with *supplemental services* from a provider with a demonstrated record of effectiveness, selected by parents, and approved by the State Education Agency (SEA).

School choice. Because of logistical reasons such as overcrowding, none of the three districts were able to accommodate eligible students for school choice. Although districts were unable to cite the percent of ELL students requesting transfers, lack of school choice options did not present a problem because fewer students than were eligible actually opted for school choice. Two factors inhibited the use of the school choice option by parents of ELL students: (1) parental preference for neighborhood schools; and (2) reluctance to bus children long distances in order to attend a public school of choice. Additional inhibiting factors included parental trust in the schools that ELL students were attending (Districts B and C) and lack of information received by immigrant parents regarding the school choice option (District A).

Supplemental Educational Services (SES). All three school districts provided SES. In the case of Districts A and C, the administration and provision of these services were largely centralized at the district level. In District B, SES was decentralized and was administered and provided through the individual schools. In District A, the district was by far the main provider of SES to ELL students. In all three districts, data on the use of SES by percent of eligible students was sketchy at best. None of the districts collected data regarding the percent of eligible ELL students using SES, making it difficult to gauge whether these students had access to adequate and appropriate SES.

None of the districts were able to provide school choice to all of those eligible, but all districts and schools reported offering SES to eligible ELL students. Districts' inability to accommodate all eligible ELL students for school choice did not seem to pose a problem because few parents of ELL students chose this option. These parents seemed to prefer neighborhood schools and were reluctant to bus their children long distances. Limited information on the use of SES by ELL students prevented an assessment of whether students had access to adequate and high quality supplemental services.

Teacher and Paraprofessional Quality

The Law: Beginning in the 2003–2004 school year, schools were required to hire only “*highly qualified teachers*,” defined as teachers having at least (1) a bachelor’s degree; (2) full state certification; and (3) demonstrated knowledge in core academic subjects he or she teaches. The law required each local education agency (LEA) to develop a plan to ensure that all teachers were highly qualified not later than the end of 2005–2006 school year. Requirements for “*highly qualified paraprofessionals*” were established to ensure that after 2001, entering teacher aides had completed at least two years of postsecondary education; had obtained an associate’s degree (or higher); or had demonstrated competence by passing a test selected by the district. Paraprofessionals who worked primarily as translators or parent coordinators were exempt from these requirements.

Teacher quality issues. None of the districts were able to provide precise information on the proportion of teachers in the system who met the NCLB requirements for a high quality bilingual/English as a Second Language (ESL)- teacher. Schools, however, gave some indication of the extent to which they were having problems in meeting the requirement. Both schools in District A and one in District B reported having problems, while neither of the schools in District C experienced difficulty in meeting the requirement. All three districts stated that the NCLB requirements for “highly qualified” teachers had resulted in a high demand for ESL/bilingual teachers. In Districts B and C, this demand was relieved by graduates of national and local alternative certification programs, although the hiring of teachers from alternative programs introduced new problems.

The extent of assistance provided by districts contrasted markedly. While District A only provided information to schools regarding the level of teacher compliance with NCLB requirements, both Districts B and C maintained a considerable support system for schools to help them meet the teacher requirements, including providing financial support for course-taking. The districts showed considerable variation in their role of information providers to teachers regarding the requirements of the law. District A played a large role in disseminating information to teachers, while District B relied primarily on schools to convey this information. District C played some role in informing teachers, but in this district the teachers’ union seemed to be the major source of information.

Paraprofessional quality issues. All three districts reported having a large proportion of paraprofessionals who did not meet the NCLB requirements. In high-ELL schools, however, these requirements posed less of a problem because of the existence of exemptions for paraprofessionals who are primarily translators and parent liaisons. In Districts A and B, the exemptions greatly reduced the scope of the problem. In District C,

however, because almost all paraprofessionals participated in instruction, it was difficult to recruit aides who met the requirements. According to staff in Districts A and B, the NCLB requirements did not seem to threaten the supply of paraprofessionals. School level staff felt differently. District and school staff in District C acknowledged that NCLB requirements were diminishing the supply of paraprofessionals. These staff suggested the possibility that schools might respond by hiring one highly qualified teacher instead of two paraprofessionals.

None of the districts seemed to have a program in place to assist paraprofessionals to qualify; one of the District C schools, however, had its own program. In general, paraprofessionals were uninformed in Districts B and C regarding the requirements of the law, although those in one District C school had received information from the union. In District A, paraprofessionals were well informed of the NCLB requirements.

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Districts differ in their ability to meet the NCLB requirements for a high quality bilingual/ESL teacher. All districts reported having a large proportion of paraprofessionals who did not meet the NCLB requirements. Those districts with few problems in recruiting “highly qualified” teachers reported filling positions with graduates of national and local alternative certification programs. There was also some variation by schools within district in terms of their ability to fulfill the highly qualified teacher requirement. The problems posed by the lack of highly qualified paraprofessionals varied by district and depended on the role of paraprofessionals in schools: if they were used mainly as translators or parent liaisons, as they are in many high-ELL schools, they were exempt from the NCLB requirements.

Parental Outreach

The Law: NCLB requires that districts that receive funds to implement *parent involvement activities* must involve parents in the development of these activities. Districts are also required to coordinate and assist schools to implement effective parent involvement activities. Schools must develop and distribute a written parental involvement policy, arrived at in consultation with parents. Parents must be involved in the planning, review, and improvements of programs. As part of the school-level parent involvement policy, a school-parent compact is to be developed that outlines how parents, school staff, and students will share the responsibility for improved student academic achievement.

All three districts took a secondary role in parental outreach efforts. This role consisted mainly of translating basic information regarding NCLB for dissemination to parents. District C provided the most extensive outreach. All the schools in the study had developed a parental involvement policy and used mechanisms for parental outreach such as parent coordinators, parent volunteer programs, and school activities for parents. Schools held workshops or meetings for parents to explain NCLB requirements. Most parents, however, had very little knowledge of NCLB; school staff felt that this lack of knowledge could be attributed to parents’ low literacy levels.

Parents of ELL students professed to have very little knowledge of the requirements of NCLB. Although, as required by law, districts and schools put forth an effort to translate and disseminate basic information regarding NCLB to parents of ELL students, parents seemed to understand very little about the law. This was attributed by school personnel to parents' low literacy levels and lack of familiarity with the U.S. educational system. Parents of ELL students, who are usually recent immigrants, pose a particular challenge because of linguistic, educational, and cultural barriers to communication.

2. What Has Been the Effect of NCLB on High-ELL School Improvement?

One of the assumptions inherent in NCLB is that by increasing the accountability of states, districts, and schools for subgroups of students, the law would prompt improvements in their education. What did our study find regarding the ways that districts and schools responded to NCLB in order to improve components of the educational system for ELL students? How was pre-K education in these districts and schools affected by the law? The study focused on improvements in curriculum, instruction and assessment as well as professional development, exploring the role of the district in supporting school level improvements.

Curriculum, Instruction and Assessment

NCLB has pushed districts with high enrollments of ELL students to align ELL programs with the general curriculum and state standards. The districts in our study, however, seemed to be at different stages in the alignment process. District C, where alignment had occurred prior to the enactment of NCLB, was focused on adapting content lessons in English language courses for ELL programs. The other two districts in our study—Districts A and B—were actively engaged in alignment and involved with regional consortia to develop new ELP standards aligned with ELP tests.

NCLB has had a positive effect on the alignment of curriculum, instruction and assessment in high-ELL schools. The law seems to have increased the drive in districts with high-ELL enrollment to align ELL programs with the general curriculum and state standards. Districts in our study were at different stages in the alignment process but all were focused on achieving alignment among curriculum, standards, and assessments.

Professional Development

Professional development was a key mechanism for improving the education of ELL students, especially in schools identified as in need of improvement. Professional development was used to help teachers align curriculum to state content standards and assessment. It was also a means by which ESL/bilingual teachers could learn about cutting-edge instructional approaches and materials for use with ELL students and

general education teachers could be exposed to effective instructional techniques for ELL students. Bilingual/ESL teachers and general education teachers were also encouraged to coordinate instruction for ELL students through professional development workshops.

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Professional development is a major mechanism for improving high-ELL schools under NCLB. This is especially true for schools identified as in need of improvement. In addition to being used to support alignment efforts, professional development is used to coordinate the instructional approaches of ESL/bilingual teachers and general education teachers.

District Role in Improvement Efforts

The district role in school improvement efforts was similar across the three school districts. All three districts, through the Office of Bilingual Education, assumed a major role in the alignment of ELL instruction to state content standards; the development of ELP standards aligned with content standards; and the identification of an ELP test aligned with ELP standards. Districts also interacted directly with the schools to implement alignment policies and to provide professional development. The three districts, however, differed in their approach to working with the schools. District A maintained more of a “hands-off” approach and played a minimal direct role in school improvement efforts. Districts B and C provided considerable direct input in terms of professional development, provision of instructional materials, and assistance with school improvement plans.

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NCLB seems to have motivated districts to play a key role to improve the education of ELL students. All three districts in the study spearheaded reform efforts such as the alignment of ELL instruction to state content standards; the development of ELP standards aligned with content standards; and the identification of an ELP test aligned with ELP standards. Some districts also interacted directly with high-ELL enrollment schools to support alignment policies and provide professional development.

3. What Has Been the Effect of NCLB on ELL Students in High-ELL Schools?

In addition to motivating efforts to improve educational delivery systems for ELL students, NCLB has influenced the ways in which ELL students experience education and their educational achievements. Even though the law does not apply to pre-K education, NCLB has affected the education of pre-K students.

Effect of NCLB on ELL Students in K–6

NCLB has affected the way ELL students experience education through its effect on the curriculum, instructional approaches, assessment practices, and teacher and paraprofessional quality. By focusing attention on their educational needs, the law has resulted in the improvement of educational services to ELL students. At the same time,

NCLB has resulted in undue pressure being placed on these students due to increased and sometimes inappropriate testing. There seems to be disagreement among school staff regarding the law's effect on student promotion. Some charge that NCLB encourages social promotion practices, while others claim that it has the opposite effect. Time will tell.

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NCLB has had both positive and negative effects on ELL students in K–6. The law has positively affected the quality of education provided to these students through its effect on the curriculum, instructional approaches, assessment practices, and teacher and paraprofessional quality. By focusing attention on the educational needs of ELL students through enforcing accountability for their success, NCLB has encouraged districts and schools to increase and improve services to this group of students. The law's emphasis on testing, however, has resulted in the use of inappropriate tests and placed undue stress on these students and their teachers by increasing the frequency of high-stakes testing.

Effect on Pre-K Students

There is some evidence—at least in the three districts and six schools in our study—that NCLB has had an effect on pre-K education. In an attempt to improve the transition of students into the early years of schooling, where the bar appears to have been raised, the pre-K curriculum has been aligned with district and state standards. In Districts B and C, NCLB requirements for high quality teachers and paraprofessionals were expanded to include pre-K staff. One district administrator, however, was of the opinion that the extension of NCLB requirements to pre-K teachers and paraprofessionals might threaten the supply of these staff because many teachers and aides cannot afford to acquire the additional college credits mandated by the law.

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The effect of NCLB on ELL students in pre-K can be seen as an extension of its effect on K–6 students. Because NCLB does not directly address pre-K education, its effect on these students has been indirect. It is thus difficult to assess the specific effect of the law on ELL pre-K students. There is evidence, nevertheless, that the law has raised standards in pre-K education and resulted in a movement towards aligning the pre-K curriculum with district and state standards and expanding teacher and paraprofessional quality requirements to pre-K staff.

Recommendations

The findings of this study suggest some recommendations to strengthen and improve NCLB as it applies to the education of ELL students.

- *The U.S. Department of Education should make the development of an appropriate English Language Proficiency test a national priority and require its use by all states and districts.* The wide variation among districts in the type of test used to measure English language proficiency is disturbing, especially in light of the potentially disastrous consequences accruing from districts' use of inappropriate tests to measure ELL student

progress in acquiring English language skills. Although there exist consortia of states that are working on developing appropriate testing instruments, this effort should be centralized and supported by the U.S. Department of Education in order to ensure that the resources are adequate to address this challenging task. Once such a test is developed, tested, and approved for use, standardized policies for its administration and scoring should be developed and required for use by all states and districts.

- *States should ensure that (1) policies are in place to conduct subject matter testing of ELL students using appropriate tests and accommodations and (2) reasonable exemptions are granted.* Subject matter tests used to comply with NCLB testing requirements for ELL students vary widely; some currently being used are inappropriate to assess the content knowledge of these students. Because curricula differ from state to state it is unlikely that subject matter tests could be standardized across states. It is the states' responsibility, nevertheless, to ensure the use of tests that are aligned to whatever curriculum the state adopts and to ensure that appropriate testing policies are in place to adequately measure ELL students' content knowledge and skills.
- *Districts should assume responsibility for the training and professional development of teachers, including bilingual/ESL teachers, who meet the NCLB requirements for a high-quality teacher.* Districts need to work with local colleges of teacher education to increase their production of high quality bilingual/ESL teachers. These colleges should also be encouraged to offer courses in areas where current teachers need to acquire credits for certification. Local colleges of teacher education and alternative certification programs should also be persuaded to incorporate courses on instruction of ELL students *as part of the required general teacher education curriculum*. Given the rapid growth and spread of the ELL student population, districts should offer district-wide opportunities for professional development in methodologies for teaching ELL students for both bilingual/ESL teachers *and* general classroom teachers. Courses in instruction of ELL students should be required for certification or employment of all teachers in high-ELL-enrollment districts.
- *The NCLB provisions for school choice and supplemental education services should be re-examined.* At least for ELL students, these provisions do not seem to be having the intended effect. The feasibility and effectiveness of the school choice provision should be studied. Sufficient data on the access to, use of, and impact of SES by eligible ELL students should be collected to determine the effectiveness of this component of the law.
- *More effective strategies in conducting parental outreach and information efforts with parents of ELL students are needed.* Parents of ELL students face many barriers to understanding the requirements of NCLB and their role in supporting its goals. Although the districts and schools in our study made valiant efforts to reach these parents, these efforts were not generally successful. A greater understanding is needed of effective strategies in reaching this group of parents. The extent to which schools can rely on parental involvement to support school reform efforts must also be reevaluated.

- *The inclusion of pre-K education in NCLB should be considered in the reauthorization of the law.* While it is evident from our study that NCLB is changing pre-K education in these sites, including this component of the educational system in the law would enforce and standardize these changes across all districts and states.

Promise or Peril?: NCLB and the Education of ELL Students

INTRODUCTION

Since the enactment of the No Child Left Behind (NCLB) Act in January of 2002, there have been attempts to document how the requirements of this legislation have affected policies and practices in schools and school districts.² There has, however, been little attention paid thus far to the way that NCLB has affected educational practices for limited English proficient students (LEPs) or English language learners (ELLs)³ (Lara 2005).⁴ And discussion of how NCLB may have indirectly affected pre-K education has been missing from the research literature on this important legislation.

ELLs are likely to be immigrants or the children of immigrants, whether second or even third generation, as has been found by other research in this series (Capps et al. 2005).⁵ Because of the lack of data to identify students in U.S. schools by immigrant status, we have used ELL status as a proxy for immigrant status, while recognizing that these terms are not perfectly interchangeable. The proportion of the U.S. school-age population comprised of children of immigrants has risen sharply from 6 percent in 1970 to almost 19 percent in 2000 (Capps et al. 2005). The share of LEP students also rose during this period to make up 7 percent and 5 percent, respectively, of U.S. elementary and secondary schools, with a higher percentage of these students enrolled in the earlier years. About 52.6 percent of all LEP students were enrolled in pre-K to 5th grade compared to 47.4 percent enrolled in grades 6–12 (Fix and Passel 2003). While school-age children of immigrants were highly concentrated in six states (California, New York, Texas, Florida, Illinois, and New Jersey), their numbers grew even more rapidly in states that have not traditionally received immigrants: Nevada, North Carolina, Georgia, and Nebraska. LEP students showed a similar state distribution and growth trends (Capps et al. 2005).

Research in this series also found that LEP students were highly concentrated in a few schools (Cosentino de Cohen, Deterding, and Clewell 2005). Nearly 70 percent of LEP students were enrolled in 10 percent of elementary schools, with so-called “high-LEP schools” having enrollments of at least 50 percent LEP students. This study also found that high-LEP schools were more likely to be located in urban areas and to have many of the characteristics of urban schools: larger class sizes; greater racial and ethnic diversity; higher rates of student poverty; as well as the related problems that these characteristics

² The Center on Education Policy, for example, has produced a number of reports tracking NCLB implementation each year after the enactment of the law.

³ The term, ELLs, or English language learners, will be used to refer to students who are limited English proficient (LEP) and students who do not know English at all (NEP). The terms ELL and LEP will be used interchangeably.

⁴ Lara (2005) surveyed a sample (17) of state education directors of English for Speakers of Other Languages (ESOL)/Bilingual programs regarding their perceptions of the impact of NCLB on ELLs as well as their views on district-level ESOL directors’ and general education educators’ perceptions.

⁵ About 35 percent of LEP students in pre-K to 12th grade are first-generation immigrants, 46 percent are second-generation (children of immigrants), and 19 percent are third-or more generations (this category includes Puerto Ricans).

imply. The study also found, however, that high-LEP schools were more likely to offer support and remedial programs tailored to their at-risk students together with providing specialized instruction and assessment for their non-English speaking population. These schools also differed from their counterparts with low—or no—enrollments of LEP students in terms of principal and teacher characteristics.

This report provides a snapshot of six of high-LEP elementary schools located in three urban school districts with a focus on how NCLB requirements have affected policies and practices vis a vis LEP students in these schools. Even though pre-K education is not covered by NCLB, because of the special interest of the Foundation for Child Development in the pre-K through third grade student population, the report pays special attention to the “spillover” effects of NCLB on this young population. The focus of the study, therefore, is on pre-K through fifth grade. All the case study schools we selected were high-LEP enrollment elementary schools with pre-K classes.

METHOD AND ORGANIZATION OF THE REPORT

The report uses the case study method to document the implementation of NCLB requirements in three school districts and six schools with large enrollments of ELLs and immigrant students.⁶ As shown in Figure 1 below, District A schools are Lakeside Elementary School and Garcia Elementary School; District B schools are Foxworth Elementary School and Whitehurst Elementary School; and District C schools are Alvarez Elementary School and Zhang Elementary School.

Figure 1. Case Study Districts and Schools

District A	<ul style="list-style-type: none"> • Lakeside Elementary School <i>In need of improvement</i> • Garcia Elementary School
District B	<ul style="list-style-type: none"> • Foxworth Elementary School <i>In need of improvement</i> • Whitehurst Elementary School <i>In need of improvement</i>
District C	<ul style="list-style-type: none"> • Alvarez Elementary School <i>Planning for restructuring</i> • Zhang Elementary School

The purpose of the study is to document how this landmark education legislation played out in high-ELL schools with pre-K classrooms and the effect that it had on the education of the pre-K through fifth grade LEP students who attended them. In effect, the study takes an in-depth look at six of the “high-LEP” schools identified in previous research

⁶ Because the districts in schools in our study were promised anonymity, we have used pseudonyms to refer to them. Data on district and school demographics appear in Appendix A.

(Cosentino de Cohen et al. 2005) and describes them in terms of the changes brought about by NCLB and its requirements. The research addresses the following questions:

- How has NCLB been implemented in high-ELL schools?
- What has been the effect of NCLB on the improvement of high-ELL schools?
- What has been the effect of NCLB on ELL students in high-ELL schools?

The study is based on extensive document review of district websites to collect relevant information on the participating districts' strategies for fulfilling the requirements of NCLB; interviews with district personnel; and site visits to selected high-ELL enrollment schools to interview principals, teachers, staff, and parents. The findings, as laid out in the following pages, integrate the information and data collected through these methods to address the research questions above. References will be made to the other research studies in this series where relevant. Data were collected during the school year 2004–2005 and the findings reflect the status of NCLB at the time of data collection, although the researchers recognize that the law has changed and is continuing to change.

The report is organized according to the three questions addressed by the research. In the first section, we describe the implementation of NCLB requirements in terms of testing, school choice, supplemental services, teacher and paraprofessional quality, and family outreach. The second section examines how NCLB has contributed to school improvement in high-ELL schools in the areas of curriculum, instruction and assessment; and professional development. This section also documents the role played by the district in facilitating improvements at the school level. The third section discusses the effect of NCLB on how ELL students experience education in high-ELL schools, focusing separately on the effect on K–6 students and on Pre-K students. The report ends with conclusions developed from the study findings and recommendations that emerge from the findings.

FINDINGS

The study findings reflect the implementation of NCLB in the three districts and six schools that we visited. These findings, therefore, are not generalizable to all districts and schools. They are meant to illustrate how NCLB has played out in some high-LEP districts and schools. Where the findings of this study are supported by other research, we have noted that fact.

How Has NCLB Been Implemented in High-ELL Schools?

This section describes the implementation of specific requirements of NCLB for: testing students; providing school choice and supplemental services; increasing teacher and paraprofessional quality; and conducting family and community outreach. In presenting this information, we outline district policies for compliance with these components of the law and illustrate how the policies play out in the schools. A description of funding sources and how these are used by districts and schools to implement the law concludes the section.

Testing Requirements

During the 2004-2005 school year, NCLB required that students be administered a high stakes test in math and reading or language arts at least once in grades 3 through 5, 6 through 9, and 10 through 12. In February of 2004, the U.S. Department of Education allowed the exemption of ELL students who had entered the U.S. within the previous ten-month period.⁷ While these students were required to take the math test, they were exempt from the language arts test. Furthermore, their scores for these two subjects did not count in calculating adequate yearly progress (AYP) for the ELL subgroup.

Title III grantees were asked to develop annual measurable achievement objectives (AMAOs) for ELL students served under the grant. Consistent methods and measurements were required to assess annual increases in the percentage of ELL children making progress in learning English, attaining English proficiency, and making AYP.

Subject Area Tests

Each of the three districts addressed the subject matter testing requirements for ELL students differently. District A used an English language proficiency test to assess content area knowledge for ELLs. One district official commented that this test had been developed only to measure English language proficiency, not content areas. *Staff in both schools in this district remarked on this fact. The principal of Lakeside Elementary School noted that she had argued strongly against the use of this test as a measure of content achievement, since it was created to measure readiness to transition out of bilingual programs.*

District B required that ELL students take the same test in math and language arts administered to all students. The district expected to initiate the use of a new, criterion referenced test aligned with the new standards in Spring 2006. *Staff at both case study schools were distressed that ELL students had to take content area tests in English. One teacher observed, "This...isn't fair to the [children] who don't know English." The principal at Foxworth thought that standardized testing in content areas in students' native languages would be a welcome change and would allow her ELL students to provide a true assessment of their skills: "I think it's very unfair for [them] to be penalized. It does horrible things for children's self-esteem...."*

All District C students took statewide tests in English language arts, mathematics and science as well as citywide tests in these subjects, although the citywide tests were not reported for NCLB purposes. All ELL students participated in these state and citywide assessments, with the state providing the tests in five languages. *This practice was confirmed by the two case study schools. In Zhang Elementary School, where Cantonese speakers predominated, the tests were available in two forms of Cantonese as well as in Spanish. ELL students in third, fourth, and fifth grades must also take a Chinese reading test. Teachers felt that having tests translated into native languages did not help in*

⁷ The period for exemption was changed in September 2006 to 12 months or less.

assessing content knowledge because many of the students, while not proficient in English, did not read Chinese.

Testing accommodations and exceptions. In District A, no students were exempt from testing for NCLB purposes and the district bilingual coordinator noted that ELL students actually had higher testing participation rates than other groups of students. The only accommodation provided to ELL students was the fact that they took a different test. Both schools confirmed this. District B's Office of Bilingual Education (OBE) determined which ELLs should be tested and made suggestions regarding accommodations, with the most frequent involving administering the test in a small group setting, repeating directions, and extending time.⁸ *The principal at one of the case study sites stated that the school tested 99 percent of its students, adding that it made full use of the testing accommodations available to ELL students and that "these had made a positive difference across the board."* District C ELL students who had been attending school for fewer than three years were exempt from taking the English language arts test and instead were administered a state English proficiency test. Schools must apply for exemption from the state test for specific students, with approval given at the state level. No exemptions were allowed for the math tests. Accommodations included administering the test at a separate location, reading of a listening section, use of bilingual glossaries, oral translation for low incidence languages, written response in a native language, and simultaneous use of English and an alternative language. *The ESL Coordinator at Zhang Elementary School reported that the school exempts ELL students who test at a beginner or intermediate level on an English language proficiency test. The principal at Alvarez Elementary School said that the state had granted more waivers for ELL students that academic year than in previous years; some students who were granted exemptions had been in the system for five years. She concluded, "So from one year to the next you really never know who's going to be exempted and who isn't."*

Use of flexibility provision in reporting. Both Districts A and B took advantage of the flexibility introduced by NCLB that allows states to include students in the ELL subgroup who had transitioned from ELL status within two years prior to the reporting year. Principals and staff at the schools felt that this policy change would be beneficial to schools that had failed to meet AYP because of the ELL subgroup. District C was considering adoption of this change.

English Proficiency Tests

District A used two tests to assess ELL student progress toward English proficiency: one for children in grades K-2 and another for students in grades 3, 5, 8 and 11, the same grades tested at that time for content area proficiency. By 2005–2006, all grades were to be tested and a new English proficiency test introduced.

District B used a language proficiency test to comply with the requirements of both Title I and Title III, but planned to begin to use another test aligned with the NCLB achievement standards in Spring 2006. The test would, according to the Testing

⁸ District B has a long list of approved accommodations that may be used in testing ELL students depending on their level of English proficiency.

Coordinator, “assess academic language that students need to access the content areas in the domains of listening, speaking, reading, and writing.” *ESL teachers at one of the schools were encouraged because for the first time ELL students who were also special education students would receive accommodations on the English proficiency test.* In District C, in addition to separate statewide and citywide content area tests, ELL students received a statewide language acquisition test.

What Has Been the Effect of NCLB Testing Requirements?

Interestingly, perceptions differed between the district- and school-level staff concerning the effects of the NCLB testing requirements. Administrators in all three districts agreed that the effect of NCLB-required testing was two-fold: (1) It ushered in greater accountability for ELL students; and (2) More grade levels were tested than under the previous testing regime. The District B testing coordinator observed, “Schools are complying more with testing. We’re finding greater numbers of students being tested now.” The Bilingual Coordinator added, “I think that because of the testing, schools are looking at programs more and at alternative models and strategies. They are using data more—in instruction, too.” Although the subjects being taught are the same as before NCLB, results had not been reported by subgroup as they are now. District staff also felt that there is more information on test scores on the web than ever before.

Principals and teachers in two of the districts, nevertheless, complained bitterly about the increased testing burden imposed by NCLB. Staff in the two District B schools expressed resentment at the need to prepare students for test-taking and to focus almost exclusively on the subjects that were tested. One of the District A principals felt that her school was now “under the gun” as a result of NCLB testing and that NCLB standards violated the principles that the school held dear—that education was not about test scores. At both the district and school levels in this district, interviewees expressed concern that the AYP measures did not show actual gains or progress made by a school or district. In District C, on the other hand, staff at one school felt that because of the changes in testing practices, methods used to assess student achievement had improved. Teachers mentioned that they were receiving more and better feedback from test results, which enabled them to develop a better understanding of student needs. At another school in this district, both the principal and teachers felt that NCLB testing had not introduced radical changes in either testing practices or learning.

Summary

There was wide variation among districts in terms of (1) tests used for both subject area and ELP exams; (2) the application of exemptions; and (3) the use of accommodations in testing ELL students. All districts used ELP tests in compliance with both Title I and Title III requirements. There were differences between districts and schools regarding staff perceptions of the effect of the NCLB testing requirements: district-level administrators and staff in all three districts felt that NCLB testing requirements had beneficial effects while school-level staff in two districts perceived the increased testing requirements as imposing a terrible burden on both students and schools. In contrast,

school level staff in District C saw NCLB testing requirements as having educational benefits for ELL students.

School Choice and Supplemental Services

NCLB requires that schools identified for school improvement must provide all students with the option to transfer to another public school in the district that has not been identified for school improvement. In offering this *school choice* option, priority must be given to the lowest achieving children from low-income families, as determined by the district. Schools that fail to make adequate yearly progress (AYP), must provide all eligible children with *supplemental services* from a provider with a demonstrated record of effectiveness, selected by parents, and approved by the SEA. Services include tutoring and other academic enrichment that are in addition to school day instruction.

School Choice

All three districts offered school choice options to eligible students. Although all three suffered from lack of space to accommodate in higher-performing schools the number of students who were eligible for this option, this did not seem to pose a severe problem. Many fewer students than were eligible actually exercised the option of school choice. Interestingly, only one district, District A, was able to provide actual numbers of students who had used the school choice option. During the 2003–2004 school year (the year before the site visit), 270,000 of the district’s students were eligible to apply to transfer. The 1,097 slots available in higher-performing schools could accommodate less than 1 percent of them. Only 528 students, however, opted to transfer. In 2004–2005, the number of spaces available for students wishing to transfer declined by 60 percent, to 430 available only in elementary schools. By 2005–2006 no spots were expected to be available for choice transfers. No data were available from any of the districts on the percent of students requesting transfers who were ELL.

Across all three districts, there seem to be at least two factors operating to deter families from choosing to transfer their children to higher-performing schools: (1) parental preference for a neighborhood school close to home; and (2) reluctance to have children commute long distances by bus to attend school. A third factor in the case of the high-ELL schools in Districts B and C seems to be that parents liked and trusted the teachers and staff in their children’s schools. *The principal at Alvarez Elementary School in District C reported that the school does offer choice options and that parents have inquired about their options, working through the parent coordinator to obtain information on the process. She went on to say that even after considering the school choice options, “most of the time they stay.” We observed similar situations (confirmed by speaking with parents) at the schools in District B.* A fourth factor emerged in District A: insufficient information regarding available options, particularly among immigrant parents. Although District A published information in several languages, it was unclear that immigrant parents were well-informed regarding options. *At Lakeside Elementary School, where students were eligible for choice, the principal mentioned that the school*

sent out letters regarding parents' rights to participate in choice, but felt that many parents could not understand the letters (even though they were in Spanish). She speculated based on her observations that more educated parents with higher incomes were most likely to transfer their children. Selective student recruitment seems to be taking place in some schools in District A. Two parents interviewed in one of the schools mentioned receiving calls from recruiters from other schools, who informed them that, as top performing ELLs, their children had been selected and scheduled for admissions testing. This raises an interesting possibility of choice schools actually recruiting high achieving students in failing schools in order to boost their own scores, thus reducing the probability that they themselves will be classified as in need of improvement.

Summary

None of the three districts were able to accommodate eligible students for school choice. Although none of the districts were able to cite the percent of ELL students requesting transfers, lack of school choice options did not present a problem for any of the three districts because fewer students than were eligible actually opted for school choice. Two factors inhibited the use of the school choice option by parents of ELL students: (1) parental preference for neighborhood schools; and (2) reluctance to bus children long distances in order to attend a public school of choice. Additional inhibiting factors included parental trust in the schools that ELL students were attending (Districts B and C) and lack of information received by immigrant parents regarding the school choice option (District A).

Supplemental Educational Services (SES)

Districts A and C were able to provide information on supplemental educational services (SES), but the information available from District B was scant. According to administrators in this district, while they provided Title I funds to schools in need of improvement to offer supplemental services, there was little knowledge at the district level as to how these funds were used for ELL students.

Either District A or state-approved providers offered SES to ELL students, but the main provider was the district. The number of providers increased from 11 in 2003–2004 to 28 in the following year. According to district officials, private providers routinely reported lacking the capacity to serve the ELL population. In the 2003–2004 school year, approximately 200,000 students were eligible for SES. Of these 67,000 (34 percent) actually received it. In 2004–2005, district officials increased outreach to parents and credited this effort with an overall increase in SES subscription. Approximately 80,000 students received these services, with about 4,500 (6 percent) being ELL students. This figure suggests that ELL students were undersubscribed for services, since they accounted for about 14 percent of all students. All SES services were provided in a class setting rather than through one-on-one tutoring. Although regular SES classes were capped at 15 students, District A's ESL program for SES had only eight students per class to provide ELL students with more individualized attention. The ESL program was offered at different school sites. The district did not pay for or provide transportation to

SES programs, which may have limited attendance of ELL students enrolled in a school where these programs were not offered. *The principal and the bilingual lead in one of the District A schools confirmed that the district was the only provider of SES for qualifying ELL students. All ELL students at this school who qualified received these services through the district program. The other school in District A was not in need of improvement.*

District C offered SES through 258 schools with over 200,000 students being eligible for these services. The district offered more than 60 state-approved SES providers and created a directory for parents—translated into ten languages—that outlined each provider and the programs offered. This directory, together with information about eligibility for SES was made available to parents via the district website and in hard copy through the schools. In general, SES was available in English Language Arts, reading, and mathematics in the form of after school and weekend tutoring in schools, community centers, neighborhood locations, and through the Internet. District staff felt that there were enough services for all eligible students who requested them but were unable to provide exact numbers of students who had requested and received SES. The district did not provide transportation to SES program providers. *The principal at one of the District C schools stated that 98 percent of her students were eligible for SES although she did not know how many took advantage of the opportunity. She reported, however, that the school had to offer services on Saturdays because so many students had signed up for SES. Activities were offered four days a week and on Saturdays. There were two providers—one for grades 3–5 and the other for K–2. There were no problems with providing SES to ELL students. One of the providers, however, had to find bilingual teachers who had the language skills to serve ELL students. Parents confirmed that the school offered SES through two tutoring programs. Two of the parents had enrolled their children in one each of the programs and both expressed disappointment with the support provided. Both viewed the providers as more interested in making money than improving student achievement. The second District C school was not in need of improvement and therefore did not offer SES.*

In District B SES was very decentralized, with each school administering services to eligible students. The district, however, sent out letters in five major languages describing the services available. *Foxworth Elementary School informed parents of their SES options through counselors who met with them at the monthly parent-teacher meetings. These counselors informed parents about service providers and enrolled students in SES. There were four providers of SES for the one-third of students who were eligible for them in this school, of whom 70 percent were ELL. Foxworth also offered an extensive after school program with a variety of course offerings; students could choose to participate in either or both types of programs. According to the principal, the SES activities were not as well attended as the regular after school program offerings. The second school, Whitehurst, offered SES beginning in the third grade for about 250 students, half of whom were ELL. Parents were apprised of the availability of these services through letters and asked to fill out forms indicating their first and second choices for SES. The school then provided a wide array of SES based on those chosen by parents. A group of teachers also wrote a proposal and received a grant to provide cross-age tutorials that*

are part of SES. The principal thought that eligible students who were not taking advantage of the supplemental services might be already involved in other activities for which their parents were paying.

Summary

All three school districts provided Supplemental Services (SES).⁹ In the case of Districts A and C, the administration and provision of these services were largely centralized at the district level. In District B, SES was decentralized and was administered and provided through the individual schools. In District A, the district was by far the main provider of SES to ELL students. In all three districts, data on the use of SES by percent of eligible students was sketchy at best. None of the districts collected data regarding the percent of eligible ELL students using SES, making it difficult to gauge whether these students had access to adequate and appropriate supplemental services.

Teacher and Paraprofessional Quality

Beginning in the 2003-2004 school year, schools were required to hire only “*highly-qualified teachers*.” This was defined as a teacher having at least (1) a bachelor’s degree; (2) full State certification; and (3) demonstrated knowledge in core academic subjects he or she teaches. The law required each LEA to develop a plan to ensure that all teachers were highly qualified not later than the end of the 2005-2006 school year. Requirements for “*highly-qualified paraprofessionals*” were established to ensure that after 2001, entering teacher aides had completed at least two years of postsecondary education; had obtained an associate’s degree (or higher); or had demonstrated competence by passing a test selected by the district. Paraprofessionals who worked primarily as translators or parent coordinators were exempt from these requirements. Paraprofessionals already in place at the time of the enactment of NCLB, were required to have a high school diploma, two years of experience in the classroom, and two years of postsecondary education or demonstrated competence in a field where there was a significant shortage of qualified teachers by the 2005-2006 school year.

Issues Concerning Teachers

In assessing how the teacher quality requirements of NCLB had been implemented in our three districts and six high-LEP schools, we attempted to ascertain whether teachers were meeting requirements, how the districts were helping schools to meet teacher requirements, how well informed teachers were about the requirements of NCLB, and how NCLB had affected teacher supply and recruitment. The problems inherent in assuring the supply of “high quality teachers” are exacerbated in high-ELL schools by the national shortage of bilingual teachers and, especially, the meager supply of bilingual special education teachers. A recent research study of high-LEP schools found that

⁹ In light of research that suggests that high-LEP schools are more likely to offer academic support, enrichment, and remedial programs, it is possible that the case study schools were able to build on previously established support services to fulfill the NCLB requirement for SES (Cosentino de Cohen et al. 2005).

teachers in these schools have less academic preparation, are less likely to be experienced, and are more likely to lack required certification than teachers in low-LEP or no-LEP schools. The study concluded that “the shortage of teachers....with experience, adequate academic preparation, and appropriate credentials poses the most significant problem for LEP students” (Cosentino de Cohen et al. 2005, p. 16).

Are teachers meeting requirements? While this information was not available from any of the three districts, we were able to obtain it from the schools. Additionally, although District A did not have the information for its Title I schools, district staff estimated that, overall, approximately 10 percent of its teachers did not meet the requirements for “highly qualified” and for bilingual teachers, the percentage was double (20 percent). Although bilingual teachers were less likely to be “highly qualified” than others, a district bilingual administrator noted that the proportion of bilingual teachers with temporary certification was significantly lower than it had been in the 1990s. *In the two District A elementary schools in our study, all teachers who were unqualified were bilingual teachers (three in the first school and four in the second). The principal of the first school mentioned that some teachers were required to do student teaching or to take several classes in order to become certified, which was a large burden for them. This was especially difficult, she said, for immigrant teachers who might not have family support for childcare, for example. The cost of bilingual certification runs from \$4,000 to \$5,000, and teachers were required to pay this out of pocket.*

In District B, the principal at Foxworth estimated that only ten out of a total of forty teachers met the “highly qualified” requirements. For ESL teachers, only three out of eleven did. The year of the site visit, the school had seven new teachers, most of them from Teach for America and a local alternative certification program. Contrastingly, 90 percent of the teachers at Whitehurst met the NCLB requirements and the principal estimated that all (including ESL and bilingual teachers) would meet the requirements by the end of the school year.

Similarly, in District C, the principal at Zhang Elementary School reported that almost all (98 percent) of his teachers met the “highly qualified” requirements. The principal at Alvarez also reported similar levels of compliance. According to this principal, “Our operations people are very strict about that, so no one gets hired if they don’t have the credentials. This applies to ESL and bilingual teachers as well.”

How is the district helping schools to meet teacher requirements? The level of district support for schools to meet “highly qualified” teacher requirements varied widely among the three districts. In the case of District A, assistance consisted of clarifying job descriptions and compliance requirements to help schools and teachers interpret these properly. Also, the Human Resources Department of the district identified staff who did not meet the requirements, thus helping schools determine staff qualifications and needs. Lastly, the district collaborated with several area universities to ensure that new graduates met bilingual education standards. *Staff at the case study schools in District A, however, indicated that they did not receive any significant assistance from the district, although both schools mentioned an online system run by the district to check and update teacher*

credentials. Teachers in one of the schools also voiced concerns about the accessibility of district staff to answer questions about required credentials and certification.

District B's Office of Bilingual Education (OBE) set aside funds for a local university to provide the courses required by ESL teachers to meet the "highly qualified" requirements. The director of the OBE stated that the office uses Title I or Title III funds to identify and support teachers in need of additional courses for credentialing purposes. *The principal at Foxworth acknowledged that the OBE had made available grants for tuition for teachers to take courses at local universities but stated that few teachers were taking advantage of this opportunity. ESL teachers at the school, however, confirmed that the school was pressuring teachers to meet the requirements. At Whitehurst, teachers who do not meet the "highly qualified" requirements were taking coursework towards certification, mostly supported by OBE. ESL teachers commented that colleagues were afraid of losing their jobs because they did not meet the requirements. They explained that whereas in the past, the district had extended provisional certification, now, as one teacher put it, "There's pressure to have certified teachers only."*

There is a high demand in District C for ESL and bilingual teachers. The district has responded by working with area universities to produce more. It has also established programs for teachers who wish to acquire more certification credits in the ESL/bilingual area. As explained by the district Bilingual Coordinator, "[District C] has created a huge support system for the schools [to increase the supply of ESL/bilingual teachers]. We are invested in that. Because the two case study schools in this district did not experience any shortages of "highly qualified" teachers, there are no examples of district assistance.

How well informed are teachers about requirements? There was considerable variation among districts in terms of teacher knowledge about the "highly qualified" teacher requirements of NCLB and the method of providing information about this to teachers. Teachers in District A seemed well informed of the NCLB regulations. The district played a large role in informing school staff of new requirements and identifying teachers who have not met requirements. District B sent out letters to teachers informing them of requirements, but relied primarily on the schools to get the word out. Teachers in the District B schools showed varying levels of knowledge about the requirements and attributed their information to various sources: the media, classes, meetings with the principal, and letters from the district. District C also provided information through its regional centers via flyers and other written material. Teacher responses in District C schools suggest that this approach was less effective than efforts of the teachers' union and the individual schools to disseminate information.

How has NCLB affected teacher supply and recruitment? All three districts acknowledged that the "highly qualified" teacher requirements of NCLB had placed a high demand on the system, especially for credentialed, ESL/bilingual teachers who were already in short supply.¹⁰ Awareness of this problem was echoed by the schools. *In*

¹⁰ For example, research has found that high-LEP schools face more difficulty in filling teaching vacancies than schools with lower levels of LEP students, leading to greater reliance on unqualified teachers and substitute teachers (Cosentino de Cohen et al. 2005).

District A, the principal at Garcia Elementary School complained that the law would make it impossible for the school (and other schools like it) to use the strategy of recruiting ESL/bilingual teachers from non-traditional pools, such as paraprofessionals who continue teaching while they become certified. Because District B relied almost exclusively on alternative certification programs to supply ESL/bilingual teachers, teachers at the case study schools complained about the lack of education background and experience on the part of these teachers. For example, a general education teacher at Whitehurst observed that the ESL teacher with whom she co-taught (a product of an alternative certification program) had such poor classroom management skills that she was afraid to be left to teach by herself in the classroom. While the Foxworth principal described how she lost five of the “best and brightest” teachers, many of them ESL teachers, because they did not meet the NCLB requirements and were recruited by charter schools, the Whitehurst principal had another story to tell. She felt that since the district had been “so demanding” in terms of recruiting only candidates who met NCLB standards, that she anticipated being able to pick “really good candidates.” Like District B, District C is applying the credentialing requirements more strictly and is also screening ESL/bilingual teachers for English language speaking ability. The principal at Zhang stated that the law had had little effect on the supply of teachers to his school because the NCLB requirements “are pretty similar to our requirements for teachers.” The school is a sought-after placement so there is not a problem in finding and hiring qualified teachers. The principal at Alvarez, nevertheless, did anticipate future teacher shortages in areas such as ESL and bilingual education, especially bilingual special education. She felt that the law might be responsible for the greater teacher turnover in the school, which had up to now experienced much stability in terms of teacher tenure. This was attributable, in her perception, to the greater number of Teach for America and Teaching Fellows graduates who had been hired and who were more likely to leave.

Summary

None of the districts were able to provide precise information on the proportion of teachers in the system who met the NCLB requirements for a high quality bilingual/ESL teacher. Schools, however, were able to give some indication of the extent to which they were having problems in meeting the high quality requirement for bilingual/ESL teachers. Both schools in District A and one in District B reported having problems, while neither of the schools in District C experienced difficulty in meeting the requirement. The extent of assistance provided by districts contrasted markedly. While District A only provided information to schools regarding the level of teacher compliance with NCLB requirements, both Districts B and C maintained a considerable support system for schools to help them meet the teacher requirements, including providing financial support for coursetaking. There was also considerable variation in the role of the districts in keeping teachers informed regarding the quality requirements of the law. District A played a large role in providing information to teachers, while District B relied primarily on schools to convey this information. District C played some role in disseminating information to teachers, but the union seemed to be the major source of information for teachers. All three districts stated that the NCLB requirements for “highly qualified” teachers resulted in a high demand for ESL/bilingual teachers. In Districts B

and C, this demand was relieved by graduates of national and local alternative certification programs, although the hiring of teachers from alternative programs introduced new problems.¹¹

Issues Concerning Paraprofessionals

A similar series of questions framed our assessment of the implementation of the paraprofessional requirements of NCLB.

Are paraprofessionals meeting requirements? None of the districts were able to provide data on the number of paraprofessionals that met the NCLB requirements. Across districts, however, there was a consensus that there were many paraprofessionals who did not meet the requirements. Staff in District A ventured that as many as half of its paraprofessionals were in this category. District B staff, on the other hand, felt that while a large proportion of paraprofessionals would not meet the NCLB requirements, most of those in high-ELL schools would be exempt because they were either translation aides or parent coordinators. Perhaps, because of this exemption, none of the schools in Districts A and B reported having a large percentage of paraprofessionals who did not meet the requirements. A notable exception were the schools in District C. *The principals at both schools estimated that only about half of their paraprofessionals met the requirements. The principal at Alvarez reported that the school had a very active initiative to encourage paraprofessionals to obtain the required credits by taking courses. Many of them received release time to go to class.*

How is the district helping schools to meet requirements? None of the districts seemed to have programs or plans to help schools meet the requirements for “highly qualified” paraprofessionals.

How well informed are paraprofessionals about requirements? Paraprofessionals in District A were well-informed about the NCLB requirements. In both schools they mentioned receiving information through their union, interviews prior to hiring, the school principal, or written communications. In District B there seemed to be very little awareness among paraprofessionals about NCLB requirements and, indeed, there seemed to be many misconceptions among both paraprofessionals and even principals about the requirements of the law as it concerned this group. *For example, paraprofessionals at Foxworth thought that they were required to have 40 credit hours and that NCLB exempted “aides who can speak two languages,” in the words of one paraprofessional. While the paraprofessionals in one of the District C schools—Zhang Elementary School—were mostly unaware of the law’s requirements concerning them, those in Alvarez had learned about the requirements from a union newspaper.*

How has NCLB affected paraprofessional supply and recruitment? None of the staff in Districts A and B felt that NCLB requirements concerning paraprofessionals had affected

¹¹ The increased reliance by these schools on teachers from alternative certification programs confirms the finding that high-LEP schools tend to have more new teachers with less than three years of experience with provisional, temporary, or emergency certification (Cosentino de Cohen et al. 2005).

either the supply or the recruitment of this group. The district personnel in District C, however, felt that the NCLB requirements were creating a supply problem. In the words of one staff member, “Once you are looking for high quality then you are making a different choice.” The Bilingual Coordinator for the district observed that principals seemed to be opting to hire specialists with the funds that they would have used to hire paraprofessionals. *This was echoed by the principal at Alvarez, who observed that because two paraprofessionals make a teacher (in terms of funding), principals are tending to hire one highly qualified teacher instead of two paraprofessionals.*

Principals in both Districts A and B disagreed with the staff in their respective districts. At both schools visited in District A, the principals voiced concerns about the paraprofessional requirements, which they perceived as unreasonable, expensive, and ultimately bound to affect the supply of paraprofessionals. They wondered, in the words of one of them, how someone who is bilingual and has completed two years of college would be “willing to work for peanuts.” The principal at Foxworth, in District B, felt that NCLB had limited the supply of paraprofessionals to whom the school had access.

Summary

All three districts reported having a large proportion of paraprofessionals who did not meet the NCLB requirements. In high-ELL schools, however, this was less of a problem because of the existence of exemptions for paraprofessionals who are primarily translators and parent liaisons. In Districts A and B, these exemptions greatly reduced the scope of the problem. In District C, however, because almost all paraprofessionals participated in instruction, the requirements posed a big problem. None of the districts seemed to have a program in place to assist paraprofessionals to meet the requirements; one of the District C schools, however, had its own program. In general, paraprofessionals were uninformed in Districts B and C regarding the requirements of the law, although those in Alvarez had received information from the union. In District A, paraprofessionals were well informed of the NCLB requirements. According to staff in Districts A and B, the NCLB requirements did not seem to threaten the supply of paraprofessionals. School level staff felt differently, however. District and school staff in District C acknowledged that NCLB requirements were diminishing the supply of paraprofessionals. These staff suggested the possibility that schools might respond to this problem by hiring one highly qualified teacher instead of two paraprofessionals.

Parental Outreach under NCLB

NCLB requires that districts that receive funds to implement *parent involvement activities* must involve parents in the development of these activities. Districts are also required to coordinate and assist schools to implement effective parent involvement activities. Schools are required to develop and distribute a written parental involvement policy, arrived at in consultation with parents. Parents must be involved in the planning, review, and improvements of programs. As part of the school-level parent involvement policy, a school-parent compact must be developed that outlines how parents, school staff, and students will share the responsibility for improved student academic

achievement. Parents of ELL students, who are usually recent immigrants, pose a particular challenge because of linguistic, educational, and cultural barriers to communication.¹²

District Role

In all three districts, the role of promoting parent involvement was secondary to that of the schools. All three provide—in translation into the most prevalent languages—basic information to parents about school and student performance, transfer options, and the availability of information about teacher qualifications. The Office of Bilingual Education in both Districts B and C have assumed roles in parent outreach to parents of ELL students, informing parents of their children’s identification as ELL and the instructional options and rights available to them. In the most substantive role, the OBE in District C sponsored a Parent Outreach Initiative that held citywide and regional conferences for parents of ELLs throughout the year and conducted professional development for regional and school-based parent outreach staff. The OBE also sponsored a website for parents that provided information on ELL education in general in the district and described services available for both ELL students and their parents. The website also contained information in eight languages for parents on the requirements of NCLB. The OBE also maintained a translation and interpretation unit to offer translation and interpretation support to schools and translated critical documents as well as interpretation services at meetings and other events. District A reported a tension in the district between the desire to provide the exact information required by NCLB and the need to present information to parents in a way they understood. For example, some parents did not understand why they received information about school choice, incorrectly assuming it meant that they had to transfer their children. Although the district worked with advocacy groups to simplify letters to parents, its legal department often pushed in the opposite direction, fearing that simplification might interfere with compliance with the law.

School Role

While the case study schools relied on their districts for mailings to parents describing aspects of NCLB and providing information on compliance as required by the law and translating materials for distribution to parents, the schools themselves provided face to face communication with parents and the community. In general, high-LEP schools are more likely to conduct parental outreach and support activities than schools with lower levels of LEP students (Cosentino de Cohen et al. 2005), so these schools may have had parent services and activities in place. As required by NCLB, all schools had a parent involvement policy and provided outreach to parents of ELL students via such mechanisms as parent coordinators, parent volunteer programs, and parent meetings. Typically, parent coordinators administered the parent volunteer programs and parental

¹² Recent data show that one-third of children of immigrants in Pre-K to 5th grade had parents without high school degrees compared to only 9 percent of children with native-born parents. Almost half of ELL children in elementary school had parents with less than high school educations and one quarter had parents with less than 9th grade education (Capps et al. 2005).

activities that included classes for parents in topics of interest, such as ESL, parenting, and the use of computers. Schools also provided interpreters (often these were the parent coordinators) for meetings with parents. Schools held workshops or meetings for parents to explain the requirements of NCLB and to help them provide assistance to their children in preparing for tests and other learning activities.

There was much variation among the schools in the three districts in terms of parent knowledge about NCLB and parent satisfaction with the level of information provided. Zhang Elementary School in District C reported communication problems with parents due to the fact that the most recent arrivals hailed from the Fujian region in China as opposed to the earlier immigrants from Canton. These immigrant parents had very little formal education and the school's bilingual staff spoke mainly Cantonese or Mandarin. Parents reiterated the need for more communication in Fujianese and expressed frustration with not understanding the grading system and other aspects of education in the U.S. In contrast, the parents of ELL students at Alvarez Elementary School, who are overwhelmingly from the Dominican Republic, were very active and well informed regarding NCLB. This was the only school among the six case study sites where parents knew what a school-parent compact was. At both schools in District B, the mostly Spanish-speaking parents of ELL students seemed to have very little understanding of NCLB and its requirements although parents acknowledged having received written information from the district in their languages regarding the law. Both ESL and general education teachers in one of the schools observed that parents of ELLs were not well informed about NCLB because many were not literate. At all of the schools, nevertheless, the principal or the PTA had convened meetings to inform parents of the requirements of the law.

Summary

In all three districts, the district took the secondary role in parental outreach efforts. This role consisted mainly of the Office of Bilingual Education's translating basic information regarding NCLB for dissemination to parents. District C provided the most extensive outreach. All the schools in the study had developed a parental involvement policy and used mechanisms for parental outreach such as parent coordinators, parent volunteer programs, and parental activities. Schools also held workshops or meetings for parents to explain NCLB requirements. Most parents, however, had very little knowledge of NCLB; school staff felt that this lack of knowledge could be attributed to parents' low literacy levels.

Funding Levels and Use

How much are high-ELL enrollment districts receiving to meet Title I and Title III requirements and how are schools using these funds?

Title I Funding and Use

Districts received from \$50 million to \$800 million in Title I funding during 2004-2005. All three districts reported a rise in funding since the enactment of NCLB, although the level of increase ranged from 4 percent to 10 percent. District personnel in District A observed that schools seemed to rely more heavily on Title I funds than in the past, since Title III and state funding had shrunk.

All six schools reported using at least half of their Title I funds for ELL students (ranging from 50 to 75 percent). These funds were used to pay additional staff, professional development, and instructional materials. Principals in these schools had very different perceptions of the adequacy of the Title I funding they received, with some principals complaining that their school was underfunded and others acknowledging that funding was adequate for their needs.

Title III Funding and Use

Title III funding is typically allocated to schools in the districts based on their enrollment of ELL students. While District B (\$600,000) designated some of the Title III funds for schools that were not necessarily high-ELL schools, District C (\$31 million) distributed its Title III funding to schools with high-ELL enrollment. District A did not report on Title III funding levels or use.

These funds were used by schools in a variety of ways. Zhang Elementary School in District C, which received \$50,000, used these funds to support part-time teachers who worked individually with ESL students and to fund after school ESL programs. Alvarez, also in District C, which received \$65,000, used its funds for professional development, parent involvement, and after school programs. Foxworth, in District B, received \$10,000 in Title III monies and used it for instructional supplies, some technology, and Saturday adult education classes led by volunteers. Whitehurst, in the same district, used its \$8,000 in Title III funds for professional development and materials and equipment. Principals were grateful for the Title III funding and felt that even these small amounts were useful in helping them with additional resources to improve services to ELL students.

Summary

Title I funding increased since the enactment NCLB in all three districts. The case study schools reported using at least half of all Title I funds for ELL students. The bulk of this funding was used for additional staff, professional development and instructional materials. There was much variation in the way Title III was allocated by districts. Because these funds represented a small amount, they were used in a variety of ways to supplement instruction for ELL students.

What Has Been the Effect of NCLB on High-ELL School Improvement?

One of the assumptions inherent in NCLB is that by increasing the accountability of states, districts, and schools for subgroups of students, the law would prompt

improvements in the education that these subgroups received. We examine in this section how the districts and schools in our study responded to the law by improving vital components of the educational system for ELL students. Finally, we explore how pre-K education may have been affected by the implementation of NCLB in the districts and schools in our study.

Curriculum, Instruction and Assessment

In all three districts, to varying degrees, there has been a drive to align ELL programs with the general curriculum and the state standards. In District A, the Bilingual Coordinator commented that the only difference between approaches to ELL and non-ELL students was the language of instruction. Content standards were the same for all students. In addition, ELL students were required to meet English Language Proficiency (ELP) standards, which were in place before the passage of NCLB. The state, however, was now working with several other states to develop new ELP standards. This district did not seem to have a monitoring system in place for alignment efforts in the schools, although *both District A schools reported having school-level in-house monitoring systems as well as weekly same-grade level teacher meetings to coordinate instruction and insure that it was aligned with standards.*

At the time of the site visit, District B was in the process of establishing content/performance standards and aligning the curriculum to these standards as well as developing appropriate assessments that were also aligned. Like District A, District B was a member of a consortium of several states that were developing English Language Proficiency (ELP) standards aligned with content standards. This district was also developing an English language proficiency test aligned with the ELP standards, all of which were to go into effect in AY2005-2006. According to the Bilingual Coordinator at the district, “Standards will drive instruction.” The OBE had developed bridging materials to assist students in meeting the content standards and had worked to train teachers in the use of these materials. *The principals at both Foxworth and Whitehurst confirmed that prior to NCLB, although the district had performance standards in every subject, these had not been aligned with instruction, curriculum or assessment. Now, because of NCLB, the district had adopted new standards and was requiring that instruction, curriculum, and assessment be aligned with these standards. ESL teachers in both Foxworth and Whitehurst acknowledged having received staff development from OBE in how to align instruction with content-area standards. ESL teachers at Foxworth planned in weekly meetings with general education teachers to coordinate instruction and to adapt lessons for their ELL students. As one of the teachers explained, “ESL and general education teachers have been asked to be on the same page with regard to the alignment of ESL standards with content-area standards.” The teachers at Whitehurst reported similar efforts.*

District C reported having aligned ELL programs with the district’s new comprehensive core curriculum (which incorporated state-established standards).

The district provided the necessary support in the form of professional development, materials and classroom libraries in multiple languages to strengthen that alignment in literacy and math. Assessment of ELL students took a two-pronged approach, with ELL students participating in both a system-wide interim assessment for all students to measure mastery of and progress in the core curriculum and quarterly language acquisition assessments. The district planned to establish benchmarks tied to performance in the dual assessments based on data from city and state tests; these benchmarks would be used to assess the impact of practices at the school level and to evaluate principals' and superintendents' performance. *Staff at both Zhang and Alvarez reported that in their view both the instruction and assessment of ELLs had been aligned with performance standards in reading, writing and math state standards for some time before NCLB was enacted. Teachers at Zhang confirmed that pre-NCLB the school had done a lot of work to align the curriculum with standards and that "now it runs smoothly." According to the principal at Zhang, nevertheless, a big change after NCLB was the availability of disaggregated information, which made it "much, much easier" to pinpoint problems. School staff felt that there had been changes in working relationships between ELL teachers and general classroom teachers and there were now more opportunities for ESL and general classroom teachers to work together to plan classroom activities. The principal at Alvarez recounted how there had been a big push four or five years ago to align instruction and assessment—in both English language and ESL/bilingual education—to state standards. As a Reading First school, Alvarez offered a parallel program, Trofeos, for its Spanish-speaking students. Like the ESL teachers at Zhang, those at Alvarez commented that they met regularly with general classroom teachers to plan instruction and coordinate activities across grade levels. In the earlier grades ESL/bilingual teachers typically shared a classroom with a general education teacher.*

Summary

NCLB has pushed districts with high enrollments of ELL students to align ELL programs with the general curriculum and state standards. The districts in our study, however, seemed to be at different stages in the alignment process. District C, where alignment had occurred prior to the enactment of NCLB, was focused on adapting content lessons in English language courses for ELL programs as in the case of Reading First. Additionally, two of the districts in our study—Districts A and B—seemed to be involved with regional consortia to develop new ELP standards that are aligned with English proficiency tests.

Professional Development

Professional development was one of the main mechanisms for high-ELL schools (especially those in need of improvement) to improve the education of ELL students in order to meet NCLB requirements. In all three districts professional development efforts at high-ELL schools focused on efforts to help ESL/bilingual teachers align the curriculum to state content standards and to coordinate instruction for ELL students with general education teachers.

In District B, both the principal and the bilingual service provider at Foxworth felt that teachers in the school had received a great deal of professional development opportunities. The latter commented that there had been a lot of clarification regarding the new standards. She also felt that most of the professional development had been for grades 1–6 and did not extend to pre-K and K levels. Also, somewhat surprisingly, general education teachers felt that there was less assistance and support for new teachers than before. The principal at Whitehurst stated that through guidance received from OBE, the school was “looking now towards refining our professional development around standards and assessments, differentiating instruction, curriculum mapping, and lesson building.” The principal at Foxworth observed that although professional development and opportunities to take courses had been provided generously, teachers had not responded accordingly. This was echoed by some of the teachers. General education teachers at Whitehurst, while observing that the amount of professional development they had received since NCLB had not increased, felt that the focus had changed to emphasize special training for ELL instruction, including new methods.

Changes in professional development offerings were reported at both schools in District A. Lakeside’s professional development, said one teacher, seemed to be focused on revamping the way teachers delivered instruction. In both schools there was an awareness of the necessity for general classroom teachers to receive training in ESL techniques. Garcia Elementary School reported offering much professional development to help staff interpret test results.

Zhang Elementary School in District C provided a great deal of professional development, although the principal was not sure whether this could be attributed to NCLB. Workshops focused on alignment of instruction with state standards and teachers of ELL students participated in professional development provided by area universities on strategies for working with ELL students. The ESL coordinator felt that since NCLB the professional development offered at the school took into account more expressly the needs of ELL and immigrant students. All teachers at Zhang—including regular classroom teachers—were required to have an ESL/Bilingual add-on certification requiring 30 hours of professional development. ELL/bilingual teachers at Alvarez confirmed the focus on the alignment of ELL instruction with state content standards. They mentioned receiving a lot of instructional materials to help with alignment. General classroom teachers echoed this, adding that there had been more of a focus in professional development on how to adapt content lessons for ELL students. The principal described an ESL extension course to be offered in the neighborhood where the school was located to help all teachers receive training in working with ESL instructional methodologies.

Summary

Professional development was used to help teachers align curriculum to state content standards and assessment. It was also a means by which both ESL/bilingual teachers could learn cutting-edge instructional approaches and materials for use with ELL students and general education teachers could be exposed to instructional techniques that were

effective with ELL students. Bilingual/ESL teachers and general education teachers were also encouraged to coordinate instruction for ELL students through professional development workshops. Research on high-LEP schools confirms that both bilingual and general education teachers in these schools report receiving more professional development than do teachers in other types of schools, with the latter reporting receiving training in teaching LEP students (Cosentino de Cohen et al. 2005).

District Role in Improvement Efforts

NCLB appears to have influenced approaches to improving the education of ELL students in all three districts. A major role of all three was the (1) alignment of ELL instruction to state content standards; (2) development of English Language Proficiency standards that are aligned with content standards; and (3) identification of an English language proficiency test aligned with ELP standards. District C recently developed a clearly defined policy for educating ELL students that provided, with a high degree of specificity, the proportions of English and native language instruction to be used in each of three primary approaches: ESL, bilingual education, and immersion. The idea was that as students became more fluent in English the amount of academic instruction in English would increase, thus helping to ensure that they possessed the necessary skills to exit the program and to succeed academically in English. Districts interacted directly with schools to assist them to implement the above improvement efforts at the school level. Here, the role of the district seems to have been most prominent in the areas of the alignment of ELL programs with the core curriculum and professional development.

District A leadership indicated that NCLB had focused attention on ELL students, which resulted in the incorporation of their educational needs into planning and policy development within the district. The goals of professional development, according to the district NCLB coordinator, had narrowed to focus on literacy development and using techniques that are research-based. In addition, extra funding from NCLB was used to provide services for ELL students in the form of more bilingual teachers and parental involvement activities. One of the case study schools in this district was designated as in need of improvement. This school received assistance from the district in the form of professional development. District officials reported that the district was constrained in its oversight of schools in need of improvement because schools (except those on probation) had discretion over the use of school funds.

District B, through its Office of Bilingual Education, provided considerable professional development to both ESL and general teachers in high-ELL schools to help them align instruction with both content and ELP standards. Professional development provided by the district also offered training in a repertoire of instructional strategies for ELL students. Although many of these courses had been available before NCLB, the difference was that more professional development was now being offered to more teachers and that training now included mainstream teachers. As one OBE staff member described the approach: “We’re looking at having professional development offered in a

different way...concentrating more on strategies like SDAI¹³ for a longer period of time rather than three hours here and three hours there. It's more targeted to the school as a whole...and not just ESL teachers. The approach is now to link it more with achievement and what has been approved as being scientifically sound." As described in a previous section, the district also provided bridging materials to help low-level ELL students to meet content standards as well as training for teachers in the use of these materials. The district monitored the success of the materials and instructional approaches through a Bilingual Service Provider assigned to each high-ELL school. The OBE also provided financial support for ESL/bilingual teachers who did not meet the NCLB standards for "high quality teachers" to take additional courses at local area universities as well as for general education teachers to take courses in ESL instruction. In the words of the district's Bilingual Coordinator, because of NCLB, "We're trying to do more training, but we're [also] trying to expand the scope of people that we normally work with." ESL teachers were encouraged and supported in taking content coursework in math, science, and social studies.

Both case study schools in District B were designated as in need of improvement. The main assistance offered by the district to schools in need of improvement was in the form of professional development through content specialists in the OBE's unit of teacher support and professional development. Training for teachers in these schools who needed re-certification was offered through local universities and the OBE. The district also provided these schools with instructional materials and other resources to support school improvement plans. Principals in both schools gave the OBE high marks for its support and teachers confirmed that they had received additional resources from the district because of their schools' designation as in need of improvement.

In District C, the main assistance offered by the district was also through the OBE. The district, which was involved in a large education reform effort into which NCLB was subsumed, also emphasized literacy development and professional development in its approach to educating ELL students. The district had undertaken an extensive reform of its approach to ELL instruction, with professional development being a major mechanism for disseminating changes in instructional approaches among teachers and others. Professional development had definitely expanded, with its main mechanism being the ELL Teacher Academy, which provided professional development to teachers, coaches, and ELL instructional Support Specialists in research-based ELL strategies. The Academy had trained a cadre of ELL Instructional Support Specialists who disseminated best practices throughout the system. These specialists also worked with the Academy to provide professional development in ESL methodologies to general education teachers and school-based coaches in areas with large ELL student populations. The goal was to bring to all teachers training in ESL methodologies. Special education ELL teachers received 30 hours of professional development on effective teaching practices and strategies.

¹³ Specially Designed Academic Instruction in English, often referred to as sheltered instruction, which involves instruction in a subject area delivered in English by a content-area-certified teacher that is specially designed to provide English language learners access to the curriculum.

In providing direct assistance to Alvarez (the District C school in our study in need of improvement), the district worked through the regional support system serving that school. This system provided technical assistance and monitored the quality and impact of practices implemented at Alvarez. The principal at Alvarez explained that the district had assisted the school in developing its restructuring plan that was implemented the year of the site visit. The district also assisted in the establishment of a dual language model that would be implemented in the coming year. ESL/bilingual teachers felt that because of the school's designation as in need of improvement, they had received more resources from the district.

Summary

District roles in school improvement efforts were similar across the three school districts. All three districts, through the OBE, assumed a major role in the alignment of ELL instruction to state content standards; the development of ELP standards aligned with content standards; and the identification of an English language proficiency test aligned with ELP standards. Districts also interacted directly with the schools to implement alignment policies and to provide professional development. The three districts, however, differed in terms of their approach to working with the schools. District A maintained more of a "hands-off" approach and played a minimal direct role in school improvement efforts. Districts B and C provided considerable direct input in terms of professional development, provision of instructional materials, and assistance with school improvement plans.

What Has Been the Effect of NCLB on ELL Students in High-ELL Schools?

The effect of NCLB on ELL students in schools with high-ELL enrollments was examined for students at the pre-K through 6 levels. These findings are discussed separately for students in K–6 and pre-K because NCLB applies directly to K–6 education and does not at this time include pre-K. We did find, however, important spillover effects of NCLB on students at the pre-K level.

General Effect on K–6 Students

In addition to motivating efforts to improve educational delivery systems for ELL students, NCLB has had an influence on the ways in which ELL students experience education and their educational achievements. In our opinion, the major effects of NCLB on ELL students (and their parents) in high-ELL schools seem to have come through influences on the way education is provided to these students.

ELL Students' Educational Experiences

By increasing the accountability of states, districts and schools for the educational success of ELL students, NCLB has focused attention on the educational needs of this

group. *The words of a principal in District B summed up the general consensus of opinion of most district and school-level personnel involved with this group of students: “I think that NCLB has not been a bad thing for LEP students. It’s put them on the map, so to speak, because of the increased accountability for their learning. It’s forced teachers who might not want to put forth their best efforts to face the fact that they are responsible for their students’ learning.”* Much of the effect of the law on the way schools educate ELL students has been indirect. The effect has been diffused throughout the educational system via the alignment of ELL instruction and assessment with state content standards; an increased focus on literacy and math; the training of ESL teachers in effective instructional strategies; the exposure of general classroom teachers to ESL instructional methods; the increased instructional coordination between ESL/bilingual teachers and general classroom teachers; the more precise prescription of the amount of native language instruction to be provided in different phases of the educational process; an improvement in the adequacy of English language proficiency assessments; and an increase in stress due to content testing requirements.

Teachers and staff in some of the high-ELL schools in the study commented on the fact that NCLB had raised the bar for ELL student achievement. *The assistant principal in Garcia Elementary School, District A, observed that while NCLB had not changed her school’s instructional practices for ELL’s, these students were doing better than they had been a few years earlier because “the standards are high” and teachers have to figure out how to meet those standards. This feeling was echoed by a kindergarten ESL teacher at Zhang Elementary School in District C, who commented that because of NCLB or other city initiatives, “kindergarten now is what first grade used to be.” Another kindergarten teacher observed that whereas her teaching methods years ago had been “low key” now they must be much more intense: “My kids are learning more now. It pushes me to teach them more—I know how hard the test is.” Teachers in this school agreed that they were following the curriculum more closely and paraprofessionals commented that since NCLB, teaching appeared to be more structured and students seemed to be learning more.*

Another trend pointed out by school personnel was that as a result of NCLB there was more emphasis on accelerating the transition of ELL students to English language instruction.¹⁴ *This was the opinion of several teachers at Lakeside in District A, which was echoed by ESL/bilingual teachers at Zhang Elementary School in District C. One teacher at Zhang observed that ELL programs and students were now encouraged to use English more frequently and earlier on than before. In contrast, general education teachers at Alvarez in District C felt that the strategy of rapidly mainstreaming ELL students had changed: there was now more of an attempt to assess skills and provide the support that ELLs needed before placing them in monolingual English classrooms. Staff at Foxworth Elementary School in District B felt that because of the addition of academic content knowledge to the English proficiency standards, students were remaining in ELL*

¹⁴ Although research on high-LEP schools has reported a much higher incidence of native language instruction in these schools, one effect of NCLB may be a decline in the use of this type of instructional approach (Cosentino de Cohen et al. 2005).

status longer than before. Although they were speaking and writing proficiently in English, they were unable to exit ELL status due to content knowledge deficiencies.

School personnel also pointed out that after NCLB, there tended to be more inclusion in ELL instruction. *Teachers at Foxworth and Whitehurst in District B pointed out that these schools were relying increasingly on “push-in” instruction for ELL students, where they are included in the classroom and the class is co-taught by an ESL/bilingual and a general education teacher. Teachers at Zhang and Alvarez Elementary Schools in District C also felt that the amount of push-in ELL instruction had increased.*

In contradiction to the opinions expressed by some teachers that NCLB had raised the bar for ELL student achievement, some teachers in all three districts saw the emphasis on testing as detrimental to ELL student learning. School level staff in both schools in District B felt that having to take the subject tests in English created undue pressure on ELL students or led to misinterpretation of their true skill levels and knowledge. The ESL Coordinator at Zhang Elementary School in District C felt that a major change brought about by NCLB was the “emphasis on testing and subsequent increase in the number of tests being given to ELL students.” She expressed concern about new students, particularly those in kindergarten, who have to take tests when they are not accustomed to sit for exams for an extended period. ESL/bilingual teachers at Alvarez, in the same district, felt that the law had definitely increased the testing of students and one teacher added that teachers now do “a lot of diagnostic testing as well,” which guides them in instruction.

Paraprofessionals and ESL/bilingual teachers at Zhang Elementary School observed that after school activities and Saturday Academies gave ELL students more time for learning. District A staff felt that NCLB had provided parents of ELL students with increased opportunities to inquire about and get involved in their children’s education. On the other hand, district staff argued that the reporting requirements of NCLB may have caused tension in some school communities as parents of English proficient students enrolled in schools not meeting AYP as a result of the LEP subgroup question the presence of these students at the school.

Promotion and Grades

The concern that NCLB had an effect on ELL students’ grade promotion was strong in District B. Although district personnel did not feel that there was any effect, school-level personnel, especially teachers, were concerned that ELL students were being promoted when they should have been held back because of lack of content knowledge. *ESL teachers at Foxworth felt that students’ lack of content knowledge was often mistaken for lack of English language proficiency, resulting in their unwarranted promotion. Paraprofessionals’ comments echoed this perception. General education teachers at Foxworth seemed to have the misperception that NCLB required social promotion—that the law literally leaves no child behind by promoting them all whether or not they were ready to be advanced! Similarly, teachers at Whitehurst complained that there was very little retention of ELL students and that the district had a policy of social promotion. In*

contrast, the principal at Alvarez in District C did not feel that NCLB and its testing requirements had had a” tremendous impact on ELL student promotion.” She added that the school had always been against “social promotion,” which, in her opinion, was also discouraged by NCLB.

Summary

The influence of NCLB on ELL students in high-ELL enrollment schools can be characterized as indirect rather than direct. The law has affected the way these students experience education through its effect on the curriculum, instructional approaches, assessment practices, and teacher and paraprofessional quality. By focusing attention on the educational needs of ELL students, the law has resulted in both benefits and disadvantages for these students. There seems to be disagreement among school staff regarding the law’s effect on student promotion. Some charge that NCLB encourages social promotion practices, while others claim that it has the opposite effect. Time will tell.

Effect on Pre-K Students

One of our selection criteria for the case study schools was that they offer pre-K classes. Interestingly, high-LEP schools are more likely to have a pre-K program on site (43 percent vs. 30 to 33 percent in other school types) (Cosentino de Cohen et al. 2005). Although NCLB does not include pre-K, we found important spillover effects of the law on ELL students in pre-K, especially in terms of the alignment of standards and expanded teacher quality requirements. It is likely that pre-K education has adopted more rigorous standards in the interests of preparing students for the higher kindergarten standards that are the result of NCLB. There seems to be an attempt to create a “seamless” transition from pre-K into kindergarten as it has been newly configured and upgraded due to NCLB. The main changes in pre-K education in our study sites seem to have been in terms of the curriculum and teacher qualifications.¹⁵ District C reorganized and aligned the pre-K curriculum to district and state standards, utilizing the district’s early childhood unit in collaboration with its teaching and learning unit to do so. Pre-K standards were established and professional development created around the standards. *The principal at Alvarez felt that NCLB had had an effect on pre-K and K education. She explained, “It used to be that second grade was thought of as one of those ‘gate’ years—should we go forward or not? Now we’re going back to first grade as a ‘gate’ year. We feel that we have enough data from our Reading First initiative to tell us that.” She feels that parents and schools must acknowledge that “playtime is over. You won’t find blocks in kindergarten classes anymore.” Students are tested at a much earlier age and the school (Alvarez) has had to hold back four students in kindergarten and thirty-odd students in the first grade. The principal explained why: “We’d rather do it early than wait until third or fourth grade or even second grade.”*

Although District B’s previous standards included pre-K, the pre-K Coordinator felt that the quality of these standards “left much to be desired.” She felt that with the new district

¹⁵ A description of pre-K education in the case study sites is provided in the appendix.

standards being developed, alignment of pre-K standards, curriculum and assessments would result. Staff at Whitehurst Elementary School commented that this year in pre-K there had been, in the words of one teacher, “more of a focus on phonics, phonemic awareness, fluency, etc. than in the past.” They attributed this to the Reading First program, which was adopted due to NCLB. Instruction was aligned with the district standards and teachers were included in professional development activities. The bilingual service provider at Foxworth, however, observed that the district-provided professional development had not been extended to pre-K and K level teachers even though in this district NCLB teacher and paraprofessional requirements applied to pre-K education as well. The District Pre-K Coordinator felt that pre-NCLB requirements that pre-K teachers working with ELL children have early childhood education certification and ESL credentials had been strengthened because of NCLB. Similarly, paraprofessionals who before only needed to have a high school diploma, now need an AA degree. The Pre-K Coordinator felt, nevertheless, that even though these requirements would lead to “high quality” teaching and raise student performance, they would have a “devastating effect” on the supply of teachers and paraprofessionals—more so on the latter because they earned much less than teachers. They would be unlikely to wish (or to be able) to invest time and money to acquire college credits. In general, the Pre-K Coordinator felt that NCLB had “raised the bar, raised expectations” of the pre-K programs in District B.

According to a District A official, NCLB has had two effects on pre-K programs. First, the district opted to extend NCLB teacher and paraprofessional qualification requirements to pre-K staff in Title I schools as well. As a result, qualification for pre-K aides has risen to 60 hours of college credit, up from 30 previously required in this state. Many aides cannot afford to meet these requirements since they earn about \$15,000 per year. Programs for tuition assistance that used to help pre-K teachers and aides have been cut. The second change at the pre-K level attributed to NCLB is that some pre-K teachers have begun to emphasize memorization and rote activities to prepare students for later NCLB testing. *In Lakeside, a bilingual pre-K teacher observed that NCLB had forced them to adopt new academic standards and clarify the material to be taught. At first, implementing new standards was difficult, but over time she felt that the gain in specificity brought about by the new standards made teaching easier as it clarified what kids needed to learn. This teacher noted that she had seen an increase in the amount of testing the school did on pre-K students. The assistant principal at Garcia felt that there had been more training on how to do initial assessments of pre-K students since NCLB. She also commented that the district was trying to achieve more “consistency” across pre-K programs.*

Summary

There is some evidence—at least in the three districts and six schools in our study—that NCLB has had an effect on pre-K education. In an attempt to improve the transition of students into the early years of schooling, where the bar appears to have been raised, the pre-K curriculum has been aligned with district and state standards. In Districts B and C, NCLB requirements for high quality teachers and paraprofessionals were expanded to

include pre-K staff. One district administrator, however, was of the opinion that the extension of NCLB requirements to pre-K teachers and paraprofessionals might threaten the supply of these staff by reducing the number of teachers and paraprofessionals qualified or willing to meet the heightened requirements.

Conclusions

Our conclusions are based on findings from the three districts and six high-ELL enrollment schools in the study. As such, they may not be generalizable to all high-ELL districts and schools. Findings are organized according to the three main research questions posed by the study.

1. How has NCLB been implemented in high-ELL schools?

- There is a great deal of variation in the way high-ELL enrollment districts implement NCLB testing requirements for both subject areas and ELP.

In terms of the types of tests that ELL students are required to take to fulfill both subject area and ELP requirements as well as in the use of exemptions and accommodations, districts varied widely. There seemed to be consistency, nevertheless, in test use across schools within districts. Some districts seemed to be using tests inappropriately to measure both subject area and ELP skills of ELL students.

- Districts differ in their ability to meet the NCLB requirements for a high quality bilingual/ESL teacher. All districts reported having a large proportion of paraprofessionals who did not meet the NCLB requirements.

Those districts with few problems in recruiting “highly qualified” teachers reported filling positions with graduates of national and local alternative certification programs. There was also some variation by schools within district in terms of their ability to fulfill the highly qualified teacher requirement. The problems posed by the lack of highly qualified paraprofessionals varied by district and depended on the role of paraprofessionals in schools: if they were used mainly as translators or parent liaisons, as they are in many high-ELL schools, they were exempt from the NCLB requirements.

- None of the districts were able to provide school choice to all of those eligible, but all districts and schools reported offering SES to eligible ELL students.

While none of the districts were able to accommodate all eligible students for school choice, this did not seem to pose a problem because few parents of ELL students chose this option. These parents seemed to prefer neighborhood schools and were reluctant to bus their children long distances. Very little data were available on the use of SES by ELL students and it was difficult to assess whether these students had access to adequate, high quality supplemental services.

- Parents of ELL students professed to have very little knowledge of the requirements of NCLB.

Although, as required by law, districts and schools put forth an effort to translate and disseminate basic information regarding NCLB to parents of ELL students, parents seemed to understand very little about the law. This was attributed by school personnel to parents' low literacy levels and lack of familiarity with the U.S. educational system.¹⁶

2. What has been the effect of NCLB on the improvement of high-ELL schools?

- NCLB has had a generally positive effect on the alignment of curriculum, instruction and assessment in high-ELL schools.

The law seems to have increased the drive in districts with high ELL enrollment to align ELL programs with the general curriculum and state standards. Districts in our study were at different stages in the alignment process but all were focused on achieving this alignment among curricula, standards and assessments.¹⁷ The effect of NCLB is also seen in efforts to align the curriculum from the pre-K level on, resulting in increasing the rigor of standards at this level to prepare students for more demanding work in kindergarten.

- Professional development is a major mechanism for improving high-ELL schools under NCLB.

This is especially true for schools identified as in need of improvement.¹⁸ In addition to being used to support alignment efforts, professional development is used to coordinate the instructional approaches of ESL/bilingual teachers and general education teachers.

- NCLB seems to have motivated districts to play a key role to improve the education of ELL students.

All three districts in the study spearheaded efforts to align ELL instruction to state content standards; develop ELP standards aligned with content standards; and identify an English language proficiency test aligned with ELP standards. Some districts also

¹⁶ Data on parental education show that young Hispanic children, who make up a large percentage of the school-going ELL population, are much more likely than White and Asian children to have a mother who has not graduated from high school. Hispanic children in immigrant families are more likely to have lower levels of maternal education than Hispanics in native-born families. (National Task Force on Early Childhood Education for Hispanics 2006).

¹⁷ Jennings and Rentner (2006) found that greater alignment of curriculum and instruction with standards and assessments was among the biggest effects of NCLB on public schools.

¹⁸ Improvement in the quality and quantity of professional development for teachers was cited as one of the most common improvements in schools not making AYP for two years (Jennings and Rentner 2006).

interacted directly with high-ELL enrollment schools to support alignment policies and provide professional development.¹⁹

3. What has been the effect of NCLB on ELL students in high-ELL schools?

- NCLB has had both positive and negative effects on ELL students in K–6

The law has positively affected the quality of education provided to these students through its effect on the curriculum, instructional approaches, assessment practices, and teacher and paraprofessional quality. Through focusing attention on the educational needs of ELL students by enforcing accountability for their success, NCLB has encouraged districts and schools to increase and improve services to this group of students.²⁰ The law's emphasis on testing, however, has resulted in the use of inappropriate tests and has placed undue stress on these students and their teachers by increasing the frequency of high-stakes testing.

- The indirect effect of NCLB on ELL students in pre-K can be seen as an anticipation of its direct effect on K–6 students.

Because NCLB does not directly address pre-K education, its effect on these students has been indirect. It is thus difficult to assess the specific effect of the law on ELL pre-K students. There is strong evidence, nevertheless, that at least in the case study sites the law has raised standards in pre-K education and resulted in a movement towards aligning the pre-K curriculum with district and state standards and expanding teacher and paraprofessional quality requirements to pre-K staff. This can only benefit students throughout the educational pipeline because it provides a sound beginning and prepares students for the higher-level work awaiting them in the higher grades.

Recommendations

The findings of this study suggest some recommendations to strengthen and improve NCLB as it applies to the education of ELL students.

- The U.S. Department of Education should make the development of an appropriate English Language Proficiency test a national priority and require its use by all states and districts.

The wide variation among districts in the type of test used to measure English language proficiency is disturbing, especially in light of the potentially disastrous consequences

¹⁹ This finding is echoed by Jennings and Rentner (2006) who cite an expanded role in school operations for districts as one of main effects of NCLB.

²⁰ Research by the Center on Education Policy found that, in general, NCLB's requirements that districts and schools be responsible for improving achievement of subgroups of students has resulted in additional attention being paid to traditionally underperforming groups (Jennings and Rentner 2006). This perception was also reported by state ESOL/Bilingual directors in a study by the Council of Chief State School Officers (CCSSO) (Lara 2005).

accruing from districts' use of inappropriate tests to measure ELL student progress in acquiring English language skills. Although there exist consortia of states that are working on developing appropriate testing instruments, this effort should be centralized and supported by the U.S. Department of Education in order to ensure that the resources are adequate to address this challenging task. Once such a test is developed, tested, and approved for use, standardized policies for its administration and scoring should be developed and required for use by all states and districts.

- States should ensure that (1) policies are in place to conduct subject matter testing of ELL students using appropriate tests and accommodations and (2) reasonable exemptions are granted.

Subject matter tests used to comply with NCLB testing requirements for ELL students vary widely; some currently being used are inappropriate to assess the content knowledge of these students. Because curricula differ from state to state it is unlikely that subject matter tests could be standardized across states. It is the states' responsibility, nevertheless, to ensure the use of tests that are aligned to whatever curriculum the state adopts and to ensure that appropriate testing policies are in place to adequately measure ELL students' content knowledge and skills.

- Districts should assume responsibility for the training and professional development of teachers, including bilingual/ESL teachers, who meet the NCLB requirements for a high-quality teacher.

Districts need to work with local colleges of teacher education to increase their production of high quality bilingual/ESL teachers. These colleges should also be encouraged to offer courses in areas where current teachers need to acquire credits for certification. Local colleges of teacher education and alternative certification programs should also be persuaded to incorporate courses on instruction of ELL students *as part of the required general teacher education curriculum*. Given the rapid growth and spread of ELL student enrollments, districts should offer district-wide opportunities for professional development in methodologies for teaching ELL students for both bilingual/ESL teachers *and* general classroom teachers. Courses in instruction of ELL students should be required for certification or employment of all teachers in high-ELL-enrollment districts.

- The NCLB provisions for school choice and supplemental education services should be re-examined.

At least for ELL students, these provisions do not seem to be having the intended effect. The feasibility and effectiveness of the school choice provision should be studied. Sufficient data on the access to, use of, and impact of SES by eligible ELL students should be collected to determine the effectiveness of this component of the law. It is important that the efficacy of SES for this group of students be investigated.

- More effective strategies in conducting parental outreach and information efforts with parents of ELL students are needed.

Parents of ELL students face many barriers to understanding the requirements of NCLB and their role in supporting its goals. Although the districts and schools in our study made valiant efforts to reach parents, these efforts were not generally successful. A greater understanding is needed of effective strategies in reaching this group of parents, whose access to written information may be limited because of low literacy rates in their native languages. Strategies utilizing media, such as television and radio, and dissemination of information through churches and community/immigrant organizations might be explored. The extent to which schools can rely on parental involvement to support school reform efforts must also be reevaluated.

- The inclusion of pre-K education in NCLB should be considered in the reauthorization of the law.

While it is evident from our study that NCLB is changing pre-K education in these sites, including the pre-K component of the educational system in the law would enforce and standardize these changes across all districts and states. This action could only benefit students throughout the educational pipeline by ensuring that all pre-K programs meet the same high standards. Research has documented the economic benefits of preschool that accrue to the nation (Bartik 2006; Dickens, Sawhill, and Tebbs 2006). Expanding the law to include pre-K will result in enhancing these benefits to the U.S. and to its residents.

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APPENDIX

Three Districts, Six Schools

This appendix describes—for the school year 2004–2005—the ELL (English Language Learner) subgroup in Districts A, B, and C as well as in the two case study schools in each district. The appendix also contains an overview of instructional services provided to ELL students in pre-K and elementary grades at both district and school levels.

District A

Located in a large, Midwestern city, District A comprises approximately 600 schools, educating a little over 400,000 students, 14 percent of whom are ELLs. In 2004–2005, 56 percent of schools, or 350, were identified as in need of improvement. Of the case study schools in District A, Lakeside Elementary School was designated in need of improvement based on low-income students' reading scores. Garcia Elementary School is not in need of improvement.

The district served about 17,000 pre-K children, one-third of whom were ELL. At the time of the site visit, there were about 12,000 slots for pre-K children; an additional 5,000 were contracted out to private providers who were required to abide by the same rules governing pre-K programs within public school sites. The district had about 420 pre-K classrooms in 318 of its schools; there were also some stand-alone pre-K sites. The pre-K program had a waiting list of approximately 6,000 students, especially in areas with high immigrant populations. In other parts of the city, however, particularly those that had experienced gentrification, demand for pre-K services had declined and programs had been closed.

The ELL Subgroup

Unofficial district estimates indicate that most ELL students are second-generation immigrants, meaning that they were born in the U.S. Approximately 30 percent were born abroad. The district often enrolls immigrant children from areas of the world that have recently experienced upheaval or war. ELL children had higher pre-K participation rates in the district than other students, in large part because the program was targeted to students with the most need. Students who were ELL or low-income received additional points toward meeting the eligibility criteria, i.e., both language and income were selection criteria (among others). ELL students were also over-represented in the waiting list to enroll in pre-K programs.

Both schools visited served a mostly minority and ELL population. Over 90 percent of the students were Hispanic and about 40 percent were ELL. In one school, Lakeside Elementary, most students were from Mexico or Guatemala, while in the other, Garcia Elementary, most “newcomer” students were from Mexico and the Dominican Republic, with a declining population of Polish immigrants. The latter school, whose ELL students were concentrated in the earlier grades, was located in an area that experienced the

largest total population increase in the city between 1990 and 2000. District pre-K trends were confirmed at one of the two schools visited. In Lakeside Elementary School, the bilingual Pre-K lead felt that all parents of ELLs seemed to want to send their children to pre-K. Some parents even tried to enroll their children when they were still too young. The school had a waiting list for its bilingual Spanish pre-K program, though the list became shorter when the school added another class. At the other school, Garcia Elementary School, staff did not observe any differences in the student composition of the pre-K classes and the rest of the school.

Although District A identified six major languages spoken by students—Spanish, Polish, Chinese, Arabic, Urdu, and Bosnian—the majority of the ELL population was Spanish-speaking and of Mexican descent. ELL students were identified by a district-wide process in place since the 1970s and mandated by state law. Adults enrolling children in the school were asked to complete a Home Language Survey as part of the enrollment process. If responses to this survey indicated that a language other than English was spoken in the home, the school administered the English Language Proficiency Test (ELPT) to determine the child’s level of proficiency in English reading, writing, speaking and listening ability. Schools, therefore, were responsible for testing English proficiency and, depending on the results, classifying children as ELL. Linguistically, the ELL pre-K population was as diverse. About 55 languages were represented in this district, with Spanish, Polish, Chinese, Hindi, and Arabic as the predominant home languages among ELL students. ELL designation is determined only by the parents’ home language, since District A does not administer English proficiency tests to pre-K students.

In Lakeside Elementary School, regular classroom teachers consistently made a distinction between language minority students receiving services (ELL) and those not receiving specialized services. This distinction is driven by parental choice, as many opt out of language services for their children. As a result, regular classroom teachers must teach children who do not speak English without the benefit of language support services. For example, one teacher reported that he had 11 ELL students in a class of 29 students, but when he included those students who should be receiving language services in the count, the number went up to 28, or almost all 29 of the students. Parents in Lakeside Elementary School reported that school staff encouraged them to place their children in bilingual education. No staff in Garcia Elementary School mentioned that parents had opted out of ELL services. At this school, children were placed in bilingual services on the basis of performance on the ELPT and teacher recommendations.

Services for ELL Students

Three types of instructional programs were offered to ELL students in this district—bilingual, dual and pull out. The key difference among them lay in the use of English versus native language instruction and the target grade levels/student population. Approximately 270 schools in the district (about 55 percent of all elementary schools) operated *transitional bilingual education* (TBE) programs. These programs focused primarily on the acquisition of English among children in grades K to 3. The district also had about 25 *dual language immersion* programs in which instruction was conducted in

two languages, one of them being English. These programs included both native and non-native English speakers. Dual language instruction, begun in pre-K programs, had been extended to grade 5 at the time of the site visit. They were not as common as TBE programs, likely because they had to be established by the authority governing the schools (i.e., the schools themselves could not decide to incorporate a dual program) and were usually created in addition to a TBE program, generating an added expense for schools. Finally, traditional *pull-out programs* were also offered, most commonly to “late entrant” immigrant students and students who entered in the early grades but failed to graduate from the TBE program (and LEP status) by grade 4.²¹

Since the inception of the pre-K program in the 1980s, district policy required that classes with a majority of non-English speaking students be taught by a teacher who spoke the students’ language. Despite this requirement, at the time of the site visit only about one-third of pre-K programs were taught by a bilingual teacher, mainly one bilingual in Spanish. Other classes had a monolingual English teacher with an ESL certification and a bilingual aide, although some aides had been lost due to NCLB qualification requirements. Due to a shortage of ESL-certified pre-K teachers, some ELL children had neither a bilingual nor an ESL-certified teacher. Teacher hiring and instructional content decisions were made by principals at the school-level. The state established content and performance standards for both school and contracted pre-K programs in 1986. Pre-K was aligned with Kindergarten standards and the administration official for early childhood education in the district oversaw literacy for elementary schools. Most of the challenges relating to alignment for pre-K (and ELL) resulted from changes in staffing in the district. The district had lost teachers and assistants, often from budget cuts or their inability to meet certification requirements. Although there was a database to track the progress of students in pre-K programs, monitoring of pre-K instruction and alignment declined due to budget cuts.

Of the two schools visited, one (Lakeside) had a TBE and pull out program, which is the most common combination of ELL services in this district, while the other offered TBE, pull-out, and dual immersion programs. Indicative of the time it takes to acquire English proficiency, Lakeside staff indicated that instruction in TBE programs, though initially (in Kindergarten) reliant on the foreign language, was carried out mostly in English by third grade (about 70 percent of the time in English). A majority of students transferred from TBE to mainstream classrooms after third grade, though a minority of students (5 to 15 percent) made the transition after second grade. The principal at Lakeside stated that she only hired bilingual pre-K teachers (Spanish/English given the majority Hispanic student population served). The school offered two pre-K classes in English and two bilingual (Spanish/English) classes. The bilingual pre-K classes were taught mostly in Spanish, not in both English and Spanish (50/50) as would have been the case in dual immersion programs.

Garcia Elementary School offered only dual immersion language programs for pre-K; monolingual, dual immersion, and TBE for grades K–3; and monolingual classes with pull-out services for higher grades. If there was insufficient space in TBE or dual language classes

²¹ Note that LEP students who begin Kindergarten at a school typically transition into regular classrooms by the end of grade 3.

in grades K–3, the school selected the strongest ELLs and put them in monolingual classes with pull-out services.

District B

Located in a medium-sized city in the Northeast, District B's 170 schools serve a diverse student body of approximately 70,000 students. Approximately 5,000, or 8 percent of these students are ELL. In 2004-2005, the district reported almost 40 schools (23 percent) as in need of improvement. Of the two District B schools in our study, Foxworth Elementary School has been designated as in need of improvement since 2003-2004 because of ELL reading scores and Whitehurst Elementary School is entering its second year of being classified as in need of improvement because the scores of ELL reading and math scores.

District B had pre-K programs in 107 schools, almost all the elementary schools in the district, although some Head Start programs were located in high schools and served the children of teenagers. Early childhood education in District B was divided into three programs: preschool, for three-year-olds; Head Start, for three- and four-year olds; and pre-K, for four-year olds. The term, "pre-K programs," refers to all three types of early childhood programs. Although a few pre-K programs had been added since NCLB, the pre-K Coordinator at the district did not feel that this increase in programs could be attributed to the law. Pre-K programs in District B served 2,988 students, 387 (13 percent) of whom were ELLs and 272 (9 percent) of whom were immigrants. ELL students in pre-K seemed to be represented at about the same rate as at any other grade level. According to the district's pre-K coordinator, about 18 pre-K programs might be considered high-ELL, which she defined as those enrolling 15 or more ELL students per classroom.

The ELL Subgroup

District B's ELL students were primarily Spanish-speaking (75 percent of the population), followed by Chinese (3.5 percent), Amharic (3.2 percent), Vietnamese (2.6 percent), and French (1.7 percent) speakers. Most of the Spanish speakers born outside of the U.S. came from Central America, primarily El Salvador where they experienced the upheaval of a civil war. Most had very little formal education when they arrived in the district. Surprisingly, about half of the Spanish-speaking ELL students were born in the U.S. and thus were second-generation immigrants. The Bilingual Coordinator explained that many of these students never developed literacy in their first language and so experience difficulty acquiring literacy in English. About 135 different languages are represented in District B schools. As with the ELL enrollment in K–12 levels, Spanish was the predominant language in pre-K, followed by Chinese, Amharic, Vietnamese, and French at less than 3 percent each.

District B's Intake Center is responsible for doing the initial language testing for all students whose responses to the Home Language Survey (administered by the schools at the time students enroll) indicate that a language other than English is spoken in the

home. The district's Office of Bilingual Education (OBE) interviews parents and tests children using the Language Assessment Scales (LAS) to determine their eligibility for ESL services.²² Pre-K students who spoke a language other than English at home were identified through the Home Language Survey when they enrolled. These students were then referred to the district's OBE to be assessed via the Pre-LAS, which was used to determine which types of ESL services and instruction should be provided.²³

Foxworth Elementary School had 70 percent ELL students, with the vast majority being Spanish-speakers and a minority Amharic speakers. The ELL group at Foxworth included newcomers to the U.S. who truly knew little to no English and those who were born here but who had difficulty learning to read and write. Whitehurst Elementary School had 60 percent ELL students, with major language groups being Spanish (overwhelming majority) and Vietnamese. There was a very small percentage of Amharic, Twi, and Mendi speakers. Very few of the students in this school were newcomers; most of the students identified as ELL were so classified because of literacy, but most were born in the U.S. and had entered the school speaking English. Whitehurst had a Head Start program with two classrooms of students who reflected the changing population of the school: the ELL enrollment was slightly larger in Head Start than in the rest of the grades because the ELL population was growing. In the two pre-K classrooms, 60 to 70 percent of students were ELL and 40 percent were immigrants. The overwhelming majority of ELLs were Spanish-speaking and a small minority spoke Vietnamese, reflecting the languages found in the school. Because Whitehurst had a Head Start program for pre-K, ELL students were identified through the pre-LAS, which was administered at the school instead of at the district level.

In elaborating on the phenomenon of ELL students who span generations, staff in the OBE commented that they had seen an increase in the number of ELL students born in the U.S. Teachers, they said, have realized that although with these children cultural differences may not be as large as those with immigrants, because a language other than English is spoken in the home, these children's first exposure to English in a formal sense takes place in the school.

Services for ELL Students.

District B offered primarily content-based ESL via several programs for LEP elementary students. Principals, teachers and students in the individual schools determined which were used in each school. ESL pull out and ESL inclusion (usually offered in schools with a large population of LEP students) were the most common. The district also had dual language programs in seven of the elementary schools as well as a Newcomer program in four schools for recent immigrant students fourteen years and older who had entered the system with limited prior schooling. According to the pre-K Coordinator, the district's general approach to serving ELL students in pre-K programs was "inclusion

²² Subsequently, on an annual basis, the LAS is administered at the school level to test ELL students' annual progress. It is also this test that determines whether the schools have met their annual measurable achievement objectives as required by Title III.

²³ Head Start students, however, are not tested by the district.

rather than pull-out.” She added that the principle underlying this approach was that “at that age, *all* students are considered ELLs [emphasis ours].” The language of instruction was English in pre-K courses, with the exception of dual language courses in Spanish and English.

Foxworth Elementary School reported having a policy of inclusion at all grade levels, with limited pull-outs for lower-level ELL students. All lower-level ELL students were evaluated every 30 days to see if they were ready to be mainstreamed into regular classrooms. The school practiced “co-teaching inclusion” where a general education teacher and an ESL teacher taught in every homeroom classroom. The principal had been recently trying to move the school to a full dual immersion program in English and Spanish, although at the time of the site visit this was in place only in first grade. Whitehurst practiced inclusion in all grades, with ESL and general education teachers co-teaching in each classroom. The few newcomers (or students who were not born in the U.S. and who do not speak English) received a special pull-out program in the afternoon. Consistent with Whitehurst’s policy of inclusion for LEP students, ELL students in pre-K were integrated into regular classrooms and there was co-teaching. One of the pre-K bilingual teachers commented, “I work with four teachers and we all share information about the kids, including the mainstream students in our classrooms.” Teachers who spoke the students’ native languages were also present in the classroom, as required by Head Start. This was confirmed by a pre-K teacher, who observed that she still used native language instruction while most teachers at other grade levels did not.

For schools with fewer than ten ELL students (about 60 percent of schools meet this description), an “itinerant” model was used whereby one ESL/bilingual teacher might serve three or four schools a week. As mentioned earlier, student scores on the LAS test determined whether or not they could exit ELL status. ESL teachers, in collaboration with mainstream teachers, monitored the progress of former ELL students for two years after they exited ELL. Report cards were reviewed on a quarterly basis and students were required to reenter ESL services if it was determined by a collaborative team that the transition to mainstream English was not working.

As new K–12 standards (based on those of another state) were recently approved by the School Board, pre-K standards were also adopted. These were developed by a “large and diverse early childhood collaborative,” according to the pre-K Coordinator and approved by the superintendent and School Board early in 2005. The district issued an RFP for the selection of curricula and textbooks for use with the new standards. New assessments were also being adopted and all teachers and principals were to receive training during the summer of 2005 on the new standards, curriculum, and textbooks. This set of activities also included pre-K.

District C

District C, which serves a large city in the Northeast, enrolls over a million students in about 800 schools. Approximately 15 percent of the student population, or 150,000

students, is ELL. Title I schools in need of improvement for the school year 2005-2006²⁴ were as follows: Year 1—68 schools; Year 2—56 schools. Twenty-five percent of these schools were considered high-ELL (greater than 22 percent of ELL student enrollment). Of the two District C schools in our study, Alvarez Elementary School was classified in 2004-2005 as “planning for restructuring.” The school did not make AYP because of the performance of 45 ELL students in English Language Arts. Zhang Elementary School was not classified as “in need of improvement.”

District C had school-based pre-Ks, community-based pre-Ks, Head Start programs and others. The district did not have much influence on the practices of community-based pre-Ks and many of these programs did not employ credentialed teachers. Public schools implemented two types of pre-K programs, both of which were sponsored and funded by the state: a targeted pre-K program and a universal pre-K program. The targeted programs were required to have an enrollment of at least 80 percent economically disadvantaged students and serve three- and four-year-olds. These programs operated only in public schools. The universal programs served only four-year-olds and could operate in both public schools and contracted non-public school settings. Both programs required certified teachers. School-based pre-Ks, known as Public School Pre-K programs, were operated by the district and provided half-day or full-day pre-K classes. Head Start programs provided part-day services and were also required to have certified teachers. Over 450 public schools²⁵ in District C had state-sponsored pre-K programs. One of the results of the district’s comprehensive school reform initiative has been to expand the number of public school pre-K programs as well as after-school programs for early learners.

The ELL Subgroup

District C students spoke over 160 different languages at home. Other than English, Spanish was the most prevalent home language (spoken in the homes of almost one-third of all students), reflecting the large numbers of families from the Dominican Republic, other Latin American countries and Puerto Rico. Communications coming from District C were translated into 12 languages: Albanian, Arabic, Bengali, Chinese, French, Haitian, Korean, Polish, Punjabi, Russian, Spanish, and Urdu, reflecting the most prevalent home languages. In this district, an English Language Learner (ELL) was a student who spoke a language other than English at home and scored below a state-designated level of proficiency in English upon entering the public school system. . According to the district bilingual coordinator, ELL students were represented in pre-K at the same rate as at other grade levels. Of the 18,436 pre-K students enrolled in public schools, about 14 percent (or approximately 2,600) were ELLs. As with ELL enrollment in K–12, Spanish was the dominant language followed by Cantonese, Russian, and Haitian Creole.

²⁴ District-wide “in need of improvement” data was inaccessible for the 2004-2005 school year. Data for 2005-2006 was used in its place.

²⁵ The district has a little over 700 elementary schools.

Parents of all newly enrolled students were required at the time of enrollment to complete a Home Language Identification Survey (HLIS) to determine the language spoken in the students' homes. If this survey indicated that a child used a language other than English in the home, he or she was asked to complete an English proficiency test (Language Assessment Battery-Revised), which determined eligibility for English language development support services. Schools were responsible for identification, notification of parents, and placement of students in ELL programs. According to district staff, the process for identifying ELL students in pre-K was more informal; the process was formalized in kindergarten. Some schools used the LAB-R in pre-K to identify ELL students, but the district did not require it.

Zhang Elementary School, serving students from pre-K to fifth grade, had almost 700 students, of whom over one third qualified as ELL. Thirteen percent were recent immigrants, the great majority of whom came from China, Hong Kong and Malaysia. Zhang Elementary School enrolled 18 students in its one pre-K class. The principal at Zhang stated that the racial/ethnic and home language make up of the pre-K students mirrored that of the rest of the school. This perception was echoed by the ESL coordinator. The ESL coordinator at Zhang Elementary School explained that students were not identified at the pre-K level for ESL services because pre-K was not mandatory and services were not provided at that level. Identification occurred at the kindergarten level.

Alvarez Elementary School enrolled students in grade levels pre-K through 8. Out of a total of 1,500 students, more than a third qualified for ELL services. The ELL students were mostly from the Dominican Republic, although the largest percentage of recent immigrants were from Haiti, followed by students from the Dominican Republic and Jamaica. The principal at Alvarez explained that even though one-third of the students had been designated as ELL, "the whole school is essentially a school of second language learners. We're 98 percent Dominican. If you look at the home language survey, 78–80 percent of these kids speak Spanish at home as a first language. And the neighborhood supports that, too." Alvarez had 36 students in its pre-K program—18 in the morning and 18 in the afternoon. Most of the pre-K students had Spanish as their primary language. The principal reported that there were more ELL students in pre-K than in the rest of the grades at Alvarez.

Services for ELL Students

The district provided three types of instructional programs for ELL students. The first, Transitional Bilingual Education (TBE), used students' native language in subject matter instruction, with an intensive component of English as a Second Language (ESL). This was the program that had the largest native language instructional component; as the student developed English proficiency, instruction in English increased. The second, Dual Language program, provided half of the instruction in English and the other half in the native language of the ELL students. ELL students were taught alongside English-speaking peers so that all could become fluent in both languages. There were 65 dual language programs in the district including programs in Spanish, Chinese, Haitian Creole

and Russian. The third program type involved freestanding ESL programs that provided all language arts and subject instruction in English through the use of specific instructional strategies while incorporating support in the native language. Once children were identified as ELL, parents were invited to orientation sessions at the school to brief them on the different programs available to their children. At the end of each orientation, parents were asked to complete a Parent Survey and Program Selection Form indicating the program that they chose for their children.

Public school pre-K programs in District C were required to use home-based languages in instruction. Although the district encouraged community-based pre-Ks to use home-based languages, because they are provider-based programs, the district did not have much influence on these practices. With the district's early childhood and teaching and learning units working in collaboration, the school-based pre-K's were aligned with state standards and the district's education reform efforts.

Zhang Elementary School offered two TBE classes and planned to increase those to three in the coming year. There were also two self-contained ESL classes, with plans to add another next year. The principal observed that the school “tests out” significant numbers of ELL students from bilingual and ESL programs every year. There was no dual language program. Following the district policy, the school was responsible for identifying ELL students and determining their level of English proficiency. The pre-K teacher at Zhang, who had the required certification, was assisted by two paraprofessionals. One of the paraprofessionals at Zhang Elementary School reported that the pre-K required parents to become involved in special projects and to visit the classroom.

The principal of Alvarez Elementary School stated that most of the ELL students' families wanted their children to opt out of bilingual education and go right into monolingual English settings. The school was “trying to get them to shift their focus and look at another model.” The strategy has been to provide more bilingual services and more opportunities in different formats in kindergarten and first grade in an attempt to get students to “transition out and get ready for testing.” In kindergarten the school offered a transitional bilingual class, freestanding ESL, and planned to offer a dual language program in the coming year. According to the principal, “We’re trying to give parents greater choice in kindergarten, move that choice into first grade, hoping that by second grade kids will be ready to move into an English-only format with ESL support.” The school can do this, she averred, because of its “fairly stable” population. In sum, the approach was to put ELL resources into the early grades so that the school “can really prepare the kids for the upper tested grades.” The principal at Alvarez explained that services for ELL students began early at her school: “We provide more bilingual and more opportunities in different formats in [the early years] knowing that our kids have to transition out and get ready for testing.” Although pre-K classes may begin in the native language (usually Spanish), by the end of the year “lots of the instruction is in English. And then those kids (or their parents) can decide whether to go into a bilingual class or a free standing ESL class that we have in kindergarten, or if their English skills are good enough based on the English proficiency test, then can choose to be in a monolingual

[English] class or opt out of the bilingual program, too, if that's their choice." According to the principal, "Pre-K operates all by itself over there." She went on to say that the pre-K program had a "fabulous" teacher who is assisted by two paraprofessionals who are not highly trained. She reported that the pre-K students came out of the program well-prepared for kindergarten.

The district appointed over one hundred ELL Instructional Support Specialists (including seven dual language specialists) to support teachers in ELL classrooms in schools with large ELL populations. Additionally, the district established an ELL Teacher Academy to provide professional development to ELL support specialists, teachers, and administrators. Special ELL programs available to students included summer school, after school activities, and Saturday programs. ELL students who scored at a given level of proficiency on the state English proficiency test were eligible to enter a monolingual instructional program, although it was recommended that Dual Language students remain in that program for the length of their tenure. Students who transitioned to all-English classes were monitored during the transition period and were eligible to receive ESL support as needed. Under the district's comprehensive school reform program, schools were held responsible for closely monitoring services to students with interrupted formal education (usually ELL students). These students received additional support via site-based after school language labs and Saturday academies.