



# IESP POLICY BRIEF

## Time to English Proficiency for English Language Learners in New York City and Miami-Dade County

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### Testing of ELL Students: Is Three Years Too Soon?

Since the 2002 *No Child Left Behind Act* (NCLB) was signed into law, schools have been allowed to administer grade-level content reading exams in the native language of English Language Learner (ELL) students for up to three years after they enter the school system. From that point, the students are expected to take the state assessments in English. Districts and schools that fail to demonstrate gains for ELL students on these academic exams risk penalties that range from permitting parents to transfer their children to alternative schools to closing the school entirely. Some advocates, educators, and state education agencies have complained about the federal requirements, claiming that they ignore the variation in the speed with which students learn English (Kossan, 2008; Zehr, 2007). Students may show significant progress in acquiring English, but still struggle to meet proficiency standards when tested in English on grade-level content and, thus, the policy may be unfair to those students and to the schools that serve them.

This brief aims to inform the three-year time limit policy. Specifically, we examine the variation in the speed with which young ELL students acquire minimum proficiency in English. We use data on New York City and Miami-Dade County ELLs, focusing first on all students, then separately on subgroups of students according to their poverty status, gender, race/ethnicity, and age of entry into the school system.

### Key Findings

- One-half to two-thirds of English Language Learners are minimally proficient after three years
- Students who are poor, black, Hispanic, or older upon entry to the school system demonstrate the slowest time to English language proficiency

## English Language Learners in New York City and Miami-Dade County

We obtained data from the New York City Department of Education (NYCDOE) and Miami-Dade County Public Schools (M-DCPS) for the analysis. Both school systems administer exams to students from homes where a language other than English is primarily spoken that test the students' ability to speak, listen, read, and write in English. Students are re-tested annually until they achieve a specified score on the exams, at which time they are no longer designated as ELL. See the appendix for a description of the assessment tool used in each district and the methodology we used to estimate time to proficiency.

The sample consists of all ELL students ages 5 through 10 who entered a public school in NYC in school year 1997-98 or in M-DCPS in school year 2003-04. The NYC students are followed until 2003 and the M-DCPS students are followed until 2008. NYC students are observed for a minimum of 3 years and a maximum of 8 years depending upon their age upon entry (i.e., students who enter as 5 year-olds in the 1<sup>st</sup> grade are observed through 2003 when they reach the 8<sup>th</sup> grade). M-DCPS students are observed for 2 to 6 years.

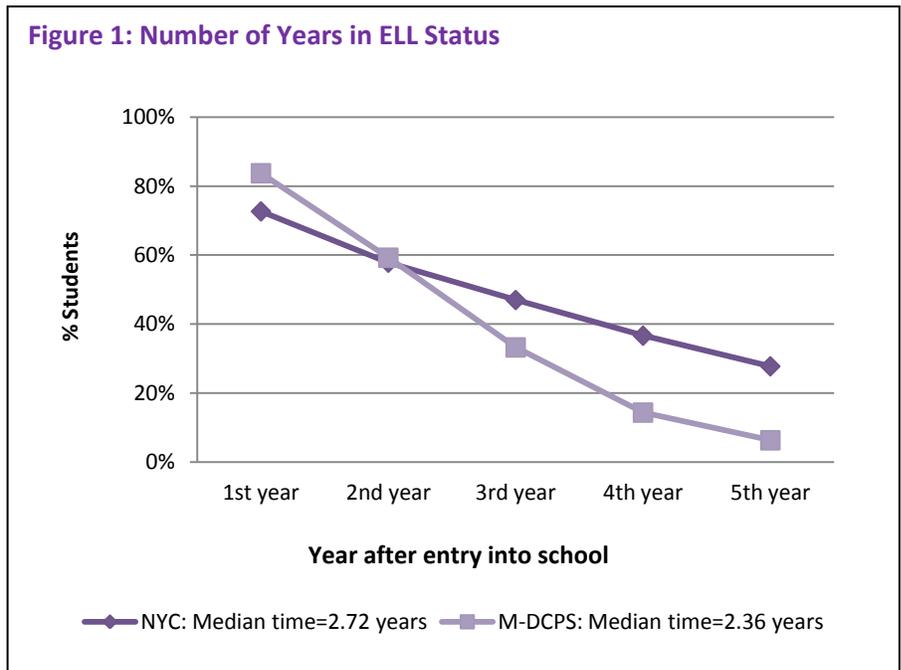
Table 1 provides a description of the 9,108 students in the NYC cohort and the 12,158 students in the M-DCPS cohort. Students in both districts are predominantly poor (as indicated by their eligibility for the free or reduced-price lunch program), Hispanic, and Spanish-speaking. Consistent with the demographics of each city, the NYC sample has more Asian and foreign-born students than the M-DCPS sample, while the M-DCPS sample has a much higher percentage of Hispanic students than the NYC sample. The M-DCPS students are also much more likely than the NYC students to enter the school system at the traditional entry age of 5, which is typically a kindergarten entrant.

**Table 1: ELL Entrants into NYC and M-DCPS Elementary Schools**

	NYC Entrants (1997-98)	M-DCPS Entrants (2003-04)
Eligible for free lunch	88%	64%
Eligible for reduced-price lunch	5%	10%
Female	48%	49%
Foreign-born	71%	43%
Hispanic	57%	86%
Asian	23%	1%
White	14%	4%
Black	6%	8%
Spanish at home	55%	87%
Russian at home	8%	*
Chinese at home	5%	*
Haitian-Creole at home	2%	7%
Entered school system at age 5	17%	69%
Entered school system at age 6	23%	9%
Entered school system at age 7	16%	6%
Entered school system at age 8	15%	6%
Entered school system at age 9	15%	6%
Entered school system at age 10	16%	5%
Number of Students	9,108	12,158
*Below 1 percent.		

### One-Half to Two-Thirds of the Students are Minimally Proficient within Three Years

Figure 1 shows the distribution in the number of years that students remain classified as ELL in both districts. In New York City, over 70% of ELL students are still classified as ELL a year after entry and 47% are still classified as ELL within 3 years after entry. The median time to proficiency in NYC is 2.72 years, suggesting that the three-year time period allowed by *NCLB* may not be sufficient time for nearly 50 percent of the students. In M-DCPS, the median time to proficiency for all students who entered in the 2003-04 school years is 2.36 years, and roughly 33% of students are still classified as ELL 3 years after entry.



### Slowest Time to Proficiency for Students who are Poor, Hispanic, Black, and Older Upon Entry

In both school districts, students who are eligible for the free or reduced-price lunch program, Hispanic, black, and older upon entry have longer median times to proficiency than other students (see Table 2). For instance, in NYC only 40% of students who enter at age 10 are proficient in 3 years compared to 63% of students who enter at age 5. In NYC, Hispanic students are much less likely to be proficient after three years than black students (45% versus 58%), but in M-DCPS, the reverse is true. The difference may be due to the high share of Haitian-born students in M-DCPS, while the NYC black ELL population consists of students from many more countries.

**Table 2: Percentage of Students Proficient within 3 Years by Demographic Characteristic, NYC and M-DCPS**

Student Characteristics	NYC Entrants (1997-98)	M-DCPS Entrants (2003-2004)
All students	53%	67%
Eligible for free lunch	51%	60%
Eligible for reduced-price lunch	71%	76%
Ineligible for subsidized meal	76%	79%
Female	54%	68%
Male	52%	66%
Hispanic	45%	67%
Asian	59%	72%
White	75%	81%
Black	58%	54%
Entered at age 5	63%	74%
Entered at age 6	60%	63%
Entered at age 7	55%	51%
Entered at age 8	50%	50%
Entered at age 9	44%	40%
Entered at age 10	40%	36%
Number of Students	9,108	12,158

## Summary and Recommendations: The Case for More Informed Testing Rules

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*NCLB* legislation imposes a 3-year time limit on testing ELL students in their native language on state standardized assessments. Students' performance on these exams has important implications for the students and the schools that they attend. Thus, the policy places students who take these exams when they are not yet proficient in basic English at a disadvantage. It also disadvantages the schools that serve ELL students who take longer to achieve proficiency.

This brief demonstrates a wide range in the time that ELL students take to reach minimum proficiency in English. Approximately half of the NYC students and one-third of the M-DCPS students are still not English proficient within 3 years after school entry. In addition, students who are poor, Hispanic, black, and who enter the schools at older ages tend to lag behind other ELLs. These findings have been upheld in regression analyses that hold constant the influence of each characteristic as well as the characteristics of the schools that different ELLs attend (Conger, 2009).

The results suggest that proposals regarding reforms of *NCLB* consider more flexibility in the number of years that students can be exempt from taking academic exams in English and reinforce the importance of offering ELL students the ability to test in their native language when possible. Alternatively, the policy could lower the weight that is placed on the scores that ELL students receive on these exams, particularly those ELL students who appear to be taking them before they have obtained basic English proficiency. Doing so would allow schools to recognize the progress of ELL students in English language proficiency, while also meeting their modification needs for academic content testing.

## References

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Conger, D. (2009). Testing, Time Limits, and English Learners: Does Age of Entry Affect How Quickly Students Can Learn English? *Social Science Research* Vol. 38, No. 2, pp. 383-396.

Kossan, P., 2008. State sues feds over counting of English learners' scores. *The Arizona Republic*, June 24, 2008. Accessed June 25, 2008 (<http://www.azcentral.com/arizonarepublic/local/articles/0624B1-update0624.html#>)

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## Appendix: Language Assessment & Study Methodology

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### Language Assessment Tool Used in Both Districts

For the cohort used in this study, the NYCDOE test given to ELL students to determine entry and exit from ELL status was the Language Assessment Battery (LAB). Students who scored at or below the 40<sup>th</sup> percentile on the LAB were designated as ELL and eligible for English language instruction. Those scoring above the 40<sup>th</sup> percentile were considered minimally English-proficient: they have the ability to comprehend and speak English better than 40 percent of the normed population, which includes both native speakers of English and native speakers of other languages.

For the cohort used in this study, the M-DCPS listening and speaking exam given to ELL students in the 2003-2004 school year is the Miami-Dade County Oral Language Proficiency Scale- Revised (M-DCOLPS-R). Students must score a Level V Independent (non-ESOL), which is equal to a raw score of 20 out of 20, on the M-DCOLPS-R to not be classified as ELL.

### Methodology Used To Determine Time to English Proficiency

We apply the discrete-time survival method to examine the time that it takes students to become minimally-proficient in English. This method allows us to generate estimates of the number of years that students remain in ELL status. Since some students do not reach proficiency in the time period that they are observed, we cannot produce the average time to proficiency. However, the survival analysis can be used to generate the median time that students are in ELL status, which captures the number of years by which half of the students become minimally-proficient in English.

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