

B | BROWN CENTER on Education Policy at BROOKINGS

TO: President-elect Trump
FROM: Kenji Hakuta (Stanford University)
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RE: Supporting English Learners and treating bilingualism as an asset

THE SITUATION

The nation’s economic and civic future depends on the success of its students who are “English Learners” (ELs), mostly immigrants and children of immigrants. English Learners, formerly known as “Limited English-Proficient (LEP) students,” have been recognized in federal law and policies since the 1960s. Attention to these students has moved from periphery to the center as their numbers have increased—about [one in ten](#) students are ELs and [one in five](#) come from homes where another language is spoken. They are also [more widely distributed across the nation](#), with rapid growth in states not commonly considered points of immigrant entry such as Arkansas, Kentucky, North Carolina, South Carolina, and Tennessee. Without [appropriate educational supports](#), ELs are less likely than their peers to succeed in school and are more likely to drop out.

Historically, the classroom focus for these students has been on learning English, with ELs often pulled out of class for language instruction. This results in having less instructional time for other subjects. But academic learning (in mathematics, science, social studies, etc.) does not happen in isolation from language, nor does language development happen in an academic vacuum. Language development and academic learning occur in tandem. Thus, a key challenge in effectively educating ELs involves moving beyond language when defining their educational needs and potential.

The potential for the Every Student Succeeds Act (ESSA) to drive improvement for ELs is best seen in the context of larger changes in assessment and accountability, as well as in specific provisions for ELs. ESSA represents the third phase of standards-based reform following the Improving America’s Schools Act of 1994 and No Child Left Behind Act of 2001. ELs have been included in standards-based frameworks since the beginning,

albeit largely via accessibility provisions in state academic assessments or the development of alternative assessments. NCLB introduced English Language Proficiency (ELP) assessments aligned to state ELP standards, and added a separate track of district accountability for ELP progress and attainment under Title III. This provision gave state directors of Title III programs a modicum of authority in working with their local agency counterparts in supporting districts identified for improvement.

ESSA significantly changes EL accountability. In addition to academic achievement in math, language arts, and science, the law now includes EL student progress toward English Language Proficiency as a central element of Title I accountability, thus "upgrading" the status of the ELP assessment within states. ELP standards and assessment are now integral to state ESSA accountability plans and subject to the same scrutiny as academic standards and assessment. For the first time in many states, directors of state accountability and Title I are seriously discussing the meaning and impact of English language proficiency, and state school chiefs, boards, and community organizations are beginning to take notice. As a result, Title III directors who are the internal advocates for these students within state education agencies are now more frequently at the table for state plan and accountability discussions. However, the longstanding bureaucratic and policy structure surrounding Title I (with a much larger appropriation) could pose institutional and program barriers to effectively integrating EL concerns into the Title I framework.

Principles for English Learners policy

To provide context for the recommendations that follow, we suggest two principles to guide policy, each of which would promote high-quality education for ELs:

- First, we should support holistic learning of academic content along with English language, as opposed to a targeted focus on English language development to the exclusion or reduction of other subjects. Students are deprived of a richness of learning by keeping content separated from language. Consistent with [learning theory](#), policy should integrate “academic content” and “English language” in the classroom. This will require policies that build systemic supports that include standards, assessment tasks/tools, accountability systems, curriculum/materials, professional development, leadership capacity, and research.
- Second, we should move from a deficit to an asset model of bilingualism and help ELs to remain bilingual. This would recognize that bilingualism is a cultural, community, economic, and national security resource, with well-documented [advantages](#) both for the individual and society. The U.S. language policy has been a default model of immigrants rapidly shifting into monolingual English. The policy problem is that both the [OCR/DOJ approach](#) and ESEA/ESSA are oriented toward remedying deficits in English, not toward building on student cultural heritage and assets leading to more powerful learning, engaged citizenship, and national enrichment.

RECOMMENDATIONS

1. Develop policy that further promotes the integration of English learning and academic content in instruction, assessment, and accountability.

Cost: Low, if leveraging unproductive professional development costs now in place

Language and academic content learning are most effective when done in tandem; instruction, assessment, accountability, and support for educators need to take both into account without favoring one over the other. Under ESSA, local and state education agencies (LEAs and SEAs) have greater flexibility in how progress is coordinated and measured between English Language Proficiency and in academic achievement. We need to learn from the variation that is likely to result in order to ensure ELs' full access to academic and elective content in school.

NCLB separated content from language by relegating language to Title III, which has lower priority within the eyes of the state and local systems of assessment. ESSA corrects this by placing English language proficiency as a significant element of the accountability requirements associated with the receipt of Title I. Doing so within the most visible section of federal law sends an important message that must become reflected in other parts of the system. The administration can give high priority to this shift and set up structures, activities, assessments, and capacity building that address this integration of language and content. Research to document best practices in state and local agencies can lead to systemic improvement in learning from these practices.

While federal law states that ELs must be provided full access to content, little has been done to uphold this right and considerable research shows that ELs are denied full access to both core academic content and elective content. Indeed, federal law has inadvertently created loopholes in this educational right by allowing for sequential provision of content (i.e., providing language instruction before content instruction) without delineating when, for whom, and for how long sequential provision of content is appropriate or acceptable. Law and regulation can require the monitoring of ELs' access to content (something that is rarely done now) by, for example, requiring that EL participation in academic courses be included in Civil Rights data collection.

2. Transform Title III into a national language policy that promotes bilingualism and recognizes that bilingualism is an individual and societal asset.

Cost: Low, if using the bully pulpit to promote bilingualism

Bilingual education should be available to all students. Cognitive neuroscientists have discovered significant benefits of bilingualism, especially in areas of cognition known as "executive function," which even seems to translate into significant delay in the onset of dementia in later life. The value of bilingualism is growingly recognized by business leaders and parents as well as students, who enroll in two-way immersion programs and aspire to the State Seal of Biliteracy, now recognized in 17 states.

The focus on the deficits of ELs has served to label and stigmatize them while taking attention away from the fact that bilingualism is a virtue and essential in this global economy. Bilingual education is a more direct and effective way for ELs to develop academic rigor rather than waiting for their English to develop in English-only programs.

Using its bully pulpit and regulatory authority, the Department of Education should work with other agencies including the State Department, HHS, Labor, Defense, Homeland Security, and others to recognize the value of bilingualism and how bilingualism serves the national interest. This could include the development of PSAs, social media, and student performance data to raise awareness of the advantages of bilingualism.

- 3. Require any new innovations to proceed only with consideration of ELs from the start, not as an afterthought. Provide incentives, guidance, and capacity building for states to fully include such opportunities for ELs in a proactive manner.**

Cost: Moderate to high

Educational models are finally moving away from the “identify and punish” approaches to accountability that was the hallmark of NCLB. Instead, models are moving toward the philosophy of continuous improvement and local capacity development. As ESSA is implemented over the coming years, there is great opportunity for the federal agencies to lead. They can facilitate learning from different experiences in different states, and point to a better system that promotes continuous improvement and a [growth mindset](#) while serving the needs and learning outcomes of all students and maintaining a focus on ELs.

However, there is also great risk for ELs unless appropriate guardrails are in place to ensure their equitable and appropriate and meaningful inclusion. For example, ESSA allows “innovative assessment pilots” to take place in up to seven states, which creates an opportunity for meaningful inclusion of EL needs from the beginning. This includes ensuring that these innovative systems assess both content and English language proficiency. Moreover, the intentional inclusion of EL students in the design of “innovative” large-scale assessments must be extended to all 50 states to support both equity and excellence across all subgroups. The Department of Education should both require and provide incentives and guidance for states to include the assessment of English language proficiency as part of innovative assessment pilots. Such a requirement need not be just for EL students. A simple encouragement that such pilots include the assessment of how all students use language to learn and demonstrate their learning can make a huge difference for meeting the needs of EL students in these important educational innovations.

ESSA providing states with greater flexibility in accountability is another innovation that requires explicit attention to ELs. Examples include how weights are assigned to different indicators, how assessment items and tasks are designed to provide greater

access, how long students who are exited ELs can remain in the EL subgroup, and the minimum *N*-size for the EL subgroup for reporting. State flexibility creates a condition of state-to-state variation from which lessons can be learned about system accountability and improvement. Such findings can inform the next reauthorization of ESEA by providing examples and patterns of effective policy. However, this development will require systematic data collection and analysis by the research community, led by the Institute of Education Sciences, with political support from stakeholders.

4. Expand the National Professional Development program within Title III to build national teacher capacity to support this work.

Cost: Moderate

None of the policies for language enrichment will work without teachers who have the capacity—working as individuals and as teams of teachers—to support the budding bilingualism of students. The National Professional Development program within Title III (targeted to teachers of ELs) should be significantly scaled up through increased funding for effective programs as part of a national effort addressed through Title II (for all teachers). This may include initiatives that address the shortage of qualified bilingual teachers by connecting programs in teacher education with K-12 schools, communities, and community organizations to recruit bilingual students into teaching careers. Online access for such initiatives would enable outreach to rural communities. These policies will tap into the vibrancy of American culture that represents the rich heritage of bilingualism, including its immigrant and native Indian history as well as diversity in the humanities and the arts.

5. Convene a policy summit and commission a policy brief for stakeholders to look at EL classification and definition procedures across states, and to move beyond the EL label to differentiate the needs of subgroups and individuals.

Cost: Low to moderate

ESSA requires states to develop standardized statewide entry and exit criteria for ELs, through broad consultation with LEAs and stakeholders. Implementation of this provision can be leveraged to create a national conversation about EL classification in order to better serve the individual needs of students. The EL classification masks enormous variation among individual students. One student may arrive as a teenage refugee from a war-torn country with little or no formal schooling but able to speak one or more other languages. Another may be born in the US to middle class immigrant parents. Another may migrate across states throughout the year as his or her parents do seasonal agricultural work. Yet another may have a learning disability that impacts both English and first language ability. These students have vastly different needs that can be lost by laws and regulations that treat all ELs as one monolithic group. The federal government can begin to move EL supports forward by creating systems that probe and respond to these individual needs, as is done for special education students under IDEA. The EL classification is the product of the Civil Rights movement, and

with this history comes the idea of a protected class and accountable actions by local and state systems. It is time to carefully review the EL definitions and criteria for reclassification, and refine as appropriate to match the learning needs of the different kinds of students represented.

CONCLUSION

There are an estimated 5 million ELs in the US, in addition to an almost equal number of former ELs who have exited the status and are technically bilingual. These students have been painted into a picture of deficit and deprivation that does not fully recognize their assets, shared learning needs, or unrealized potential with all students. Supporting their educational opportunities should be grounded on the two principles upon which the recommendations are founded. First, we should support holistic learning of academic content along with English language, as opposed to a targeted focus on English language development. And second, we should move from a deficit to an asset model of bilingualism and help ELs to remain bilingual. Policy initiatives consistent with these principles will catalyze the economic, civic, and cultural integration of this significant portion of our student population.

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