State English Learner Education Policy: A Conceptual Framework to Guide Comprehensive Policy Action[1]

Ilana M. Umansky

&

Lorna Porter
University of Oregon
United States

Abstract: Given the role of the state as the primary governing level tasked with U.S. public education, combined with the rapid rise in the proportion of students who are identified as English learners (ELs), this manuscript puts forth a framework for state EL education policy. The framework is organized around three core principles of understanding students, providing high quality instruction, and supporting effective systems. Drawing on recent decades of policy research, the framework identifies nine key areas for comprehensive state policy action: (1) addressing diversity in EL skills and needs, (2) EL assessment, (3) classification and reclassification, (4) core content access, (5) English language development instruction, (6) bilingual education, (7) EL funding, (8) teacher preparation and skills, and (9) pre-K through postsecondary alignment. Along with synthesizing policy research in each of the nine areas, we present relevant policy implications. We outline how this framework can be used – and adapted – by

---

policymakers and scholars to examine state EL education policy contexts and to guide future research and policymaking.
Keywords: English learners; state education policy; policy framework

Política de educación para estudiantes de inglés a nivel estatal: Un marco conceptual para guiar la acción política integral
Resumen: Dado el papel del estado como el nivel de gobierno primario encargado de la educación pública de los EE. UU., combinado con el rápido aumento en la proporción de estudiantes identificados como aprendices de inglés (EL), este manuscrito presenta un marco para la política estatal de educación EL. El marco está organizado en torno a tres principios básicos para comprender a los estudiantes, proporcionar instrucción de alta calidad y apoyar sistemas efectivos. Basándose en las últimas décadas de investigación de políticas, el marco identifica nueve áreas clave para una acción integral de políticas estatales: (1) abordar la diversidad en las habilidades y necesidades de EL, (2) evaluación de EL, (3) clasificación y reclasificación, (4) acceso al contenido central , (5) instrucción para el desarrollo del idioma inglés, (6) educación bilingüe, (7) financiación EL, (8) preparación y habilidades del maestro, y (9) pre-K a través de la alineación postsecundaria. Además de sintetizar la investigación política en cada una de las nueve áreas, presentamos implicaciones políticas relevantes. Demostramos cómo este marco puede ser utilizado, y adaptado, por los formuladores de políticas y los académicos para examinar los contextos estatales de políticas educativas de EL y para guiar la investigación futura y la formulación de políticas.
Palabras clave: aprendices de inglés; política educativa del estado; marco politico

Política de educação para alunos de inglês no nível estadual: Um quadro conceitual para orientar ações políticas abrangentes
Resumo: Dado o papel do estado como o principal nível de governo encarregado da educação pública dos EUA, combinado com o rápido aumento da proporção de estudantes que são identificados como aprendizes de inglês (ELs), este manuscrito apresenta um quadro para a política de educação estadual do EL. Isto é organizo em torno de três princípios básicos de compreensão dos alunos, fornecimento de instrução de alta qualidade e suporte a sistemas eficazes. Com base nas últimas décadas de pesquisa em políticas, a estrutura identifica nove áreas principais para uma ação abrangente das políticas estaduais: (1) abordando a diversidade de habilidades e necessidades de EL, (2) avaliação de EL, (3) classificação e reclassificação, (4) acesso ao conteúdo principal , (5) instrução para o desenvolvimento da língua inglesa, (6) educação bilíngue, (7) financiamento para EL, (8) preparação e habilidades para professores e (9) pré-escolar através do alinhamento pós-secundário. Juntamente com a síntese de pesquisas sobre políticas em cada uma das nove áreas, apresentamos implicações políticas relevantes. Demonstramos como o quadro pode ser usada - e adaptada - por formuladores de políticas e estudiosos para examinar os contextos estaduais de políticas educacionais de EL e orientar futuras pesquisas e formulações de políticas.
Keywords: aprendizes de inglês; política estadual de educação; quadro político

State English Learner Education Policy: A Conceptual Framework to Guide Comprehensive Policy Action

As the primary governing level tasked with U.S. public education, states are central actors in envisioning, structuring, and overseeing the education of English learner (EL) students (Hakuta & Pompa, 2017; Mitra, 2018). Yet, most research on EL education, including policy research, is conducted at the classroom, school, or district level. While existing research at these levels is critical, it leaves a gap in terms of our understanding of the role of states in supporting the education of EL-classified students. Specifically, state policymakers are often called upon to make singular EL-focused policy decisions based on disparate information sources, decisions that would arguably be strengthened if rooted in an overarching vision or approach to comprehensive EL education. This paper addresses these gaps by offering a conceptual framework for state EL education policy.

EL, the official designation given to K-12 students who enter school with a home language other than English and whose English proficiency levels are below set thresholds, continue to be the fastest growing official subgroup of students in the nation (National Center for Education Statistics [NCES], 2018). With diverse characteristics and needs, and sizable achievement and graduation gaps between ELs and non-ELs (NCES, 2018; Takanishi & Le Menestrel, 2017), it is both necessary and timely to examine the current state of research on EL policy with the goal of building understanding of how states can improve EL students' opportunities, experiences, and outcomes.

EL students across the country have enormous linguistic, intellectual, and cultural assets fundamental to U.S. identity, growth, and well-being (Callahan & Gándara, 2014; González, Moll, & Amanti, 2013). Resilience, collaboration, optimism, multilingualism, and multiculturalism are just some key strengths of EL students (Gándara, 2018; Yosso, 2005), undergirded by strong family and community ties (Portes & Rumbaut, 2006). This conceptual paper is grounded in a recognition of these strengths, and an understanding that many students who enter school as EL-classified do exceedingly well (Kieffer & Thompson, 2018), outperforming English-only students on academic and attainment measures (Saunders & Marcelletti, 2013). This proposed framework is designed to build upon these strengths, addressing key barriers in education systems in order to improve EL students' opportunities and more fully support the realization of their potential.

This policy framework comes alongside initial state efforts to provide a more comprehensive policy approach for EL students, including the New York Blueprint for English Language Learner/ Multilingual Learner Success (2014), Hawaii's English Learner Task Force Summative Report (2018), and the California English Learner Roadmap (2017). These frameworks signal state-level interest in providing a comprehensively stronger education for EL students, and a recognition that integrated policy planning and implementation may be a more effective approach to supporting EL students. This manuscript, while inspired in part by the efforts of these states, is designed as a support for all states moving forward as they consider their EL policy landscape.

In this paper, we first present an overview of our framework for state EL policy, which consists of nine policy areas embedded within three core principles. We then move on to detail each of the nine policy areas, including both a synthesis of key policy-relevant research in each area as well as policy implications of that research base.

Conceptual Policy Framework

In crafting this manuscript, we drew on the description of a conceptual framework put forward by Leshem & Trafford (2007) as a "…map of theories and issues relating to the…topic, giv[ing] meaning to the relationship between variables…" (p. 99). Our conceptual framework draws

together a wide body of research, synthesizing works often read in isolation, in order to create a comprehensive policy framework. In doing so, we outline salient areas for action and map the connections between policy decisions and EL student outcomes.

Methodologically, we developed our framework iteratively, drawing on our knowledge of EL policy, conversations with key state level EL policy actors as well as researchers, literature searches, and careful examination of existing theoretical and *in situ* policy frameworks as well as self-standing state-level EL policies. We draw on literature to substantiate the inclusion of our policy elements without attempting to include the universe of relevant research on EL education.

Scholars have developed frameworks examining the roles of different levels of government in education broadly (Mitra, 2018; Spillane, 1998; Wirt & Kirst, 2009). With regard to EL education, some have focused on specific policy elements, such as assessment (Lacelle-Peterson & Rivera, 1994), charter schools (Garcia & Morales, 2016), or language development programs (Mitchell, Destino, Karam, & Colón-Muñiz, 1999). In this paper we draw upon theoretical state education policy frameworks (Mitra, 2018; Wirt & Kirst, 2009) as well as *en situ* state English learner education frameworks in select states (California Department of Education [CDE], 2017; New York State Department of Education [NYSDE], 2014) to create a conceptual framework for state EL education policy. Such a framework can serve as a foundation as states move forward in their EL policy work.

The state's role in education varies; however, Wirt and Kirst (2009) define the overarching role as one of "establish[ing] minimum standards for local school operations" (p. 229). Mitra (2018) identifies key state roles including funding, accreditation, standard-setting, monitoring, and program definition. Applying this to EL education, states' primary roles include: defining the scope of EL services and programs; determining EL student funding; creating and modifying laws regarding EL rights; establishing EL teacher and administrator certification requirements; collaborating with other state, local, and federal agencies; developing curricular standards and assessments; providing technical assistance; compliance monitoring; and creating state-level initiatives and goals. Enactment of these roles varies. For example, states have widely different policies for preparing teachers to work with EL students (López & Santibañez, 2018) and for identification and reclassification of ELs (Ragan & Lesaux, 2006). These variations in state policies are reflected in differences in local education agencies' educational affordances for ELs (López & Santibañez, 2018; Sampson, 2018).

As mentioned above, New York and California have recently adopted comprehensive policy frameworks for EL education. In both cases these frameworks are organized around core values and aspirations (CDE, 2017; NYSDE, 2014). Present in both state frameworks is a clear emphasis on equity; specifically, an effort to ensure that EL students are afforded equitable opportunity to learn and the necessary supports to meet their needs. We, likewise, take an equity perspective with our policy framework, specifically drawing on the work of Faltis (1993) and Lacelle-Peterson and Rivera (1994). Faltis (1993) initially put forth three elements of equity for EL students: access, participation, and benefit. Lacelle-Peterson and Rivera's (1994) work draws on, and extends, this work to identify four key elements for an equitable EL education system: access to content knowledge, participation in meaningful interactions, the opportunity to benefit from and succeed in learning experiences, and continual home language development. We drew on these four elements as a conceptual basis as we developed our framework, while building on the position of Wiley and Wright (2004) that policy should recognize language diversity as an asset in U.S. schools.

Our policy framework is shown in Figure 1. We frame nine key EL education policy areas within three overarching state principles for EL education. The first principle, understanding student needs and assets, pertains to the importance of states' ability to collect information about, understand, and respond to the diverse skills and needs of EL students in appropriate and effective ways. We include three policy areas within this principle: (1) policies related to EL diversity, (2)

assessment, and (3) classification and reclassification. The second principle, providing accessible, high-quality instruction, attends to core issues in EL instruction: (4) ELs' access to core academic content, (5) English language development instruction, and (6) bilingual instruction. The final principle, supporting effective and aligned education systems, focuses on the importance of systems working together to support EL education. In this principle we include the policy areas of (7) teacher preparation and skills, (8) sufficient and responsive funding systems, and (9) alignment of pre-K through postsecondary education systems.
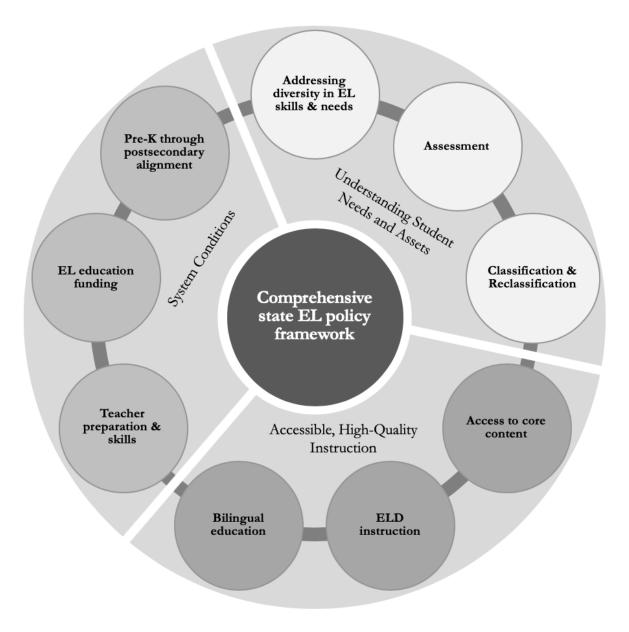

Figure 1. State English learner policy framework
Note. EL = English learner; ELD = English language development.

Our hope is that this state EL education policy framework can support states in aligning and orienting their work to support comprehensive EL education, helping to avoid haphazard, conflicting, or reactive policy-making, and highlighting missing pieces in state EL policy puzzles. Likewise, we hope the framework can serve as a benchmarking tool for evaluating states' progress and identifying remaining needs. We do not purport to include all aspects of state EL policy, particularly those of a smaller grain-size. For example, we do not include a policy area on curricular material selection, although that is typically a state role. Instead, we argue that such policies would be housed within each of the three high-quality instruction policy areas. In this sense, we offer the framework, including principles and individual policy areas, as a flexible model that can be modified based on the needs of individual states or education agencies. It bears noting that, as a macro-oriented framework, we necessarily fail to address many details and nuances in EL education. In doing so our intent is not to discount the importance of these realities for students, or levels of research and knowledge. It is our intent, however, to focus this particular manuscript on a larger grain-size, offering a flexible model for overarching state action to support EL education.

In what follows we describe each of the nine policy areas. For each, we summarize research in the policy area and provide recommendations for how policy in each area can maximize EL students' access, opportunity, and outcomes in school. These recommendations, like the policy areas themselves, are generally macro in orientation, and are offered as potential guideposts for state-level actors rather than detailed or prescriptive instructions. Within the recommendations we do, however, highlight existing state actions and provide references to research and guidance documents that may serve as models or provide more detailed recommendations.

Principle 1: Understanding Student Needs and Assets

Policy Area #1: Addressing the Diversity of English Learner Skills and Needs

A first element of EL education that can be addressed by state policymakers pertains to differentiating the broad range of needs, backgrounds, skills, and experiences among students classified as ELs. EL students are immensely diverse (August & Shanahan, 2006), with equally broad-ranging and diverse educational needs. Importantly, the very nature of the EL group is such that it acts as a "revolving door" (Hopkins, Thompson, Linquanti, Hakuta & August, 2013, p. 102), as students with higher English proficiency and academic achievement leave the group as new students at lower levels enter (see policy area #3 on classification and reclassification). While it is well-documented that this ever-fluid composition of the EL population complicates understandings of how EL students are doing in school (Saunders & Marcelletti, 2013), it also adds to the diversity and changing nature of the students who make up this protected class of students.

Law and policy have tended to apply to all ELs students as a group (*Castañeda v. Pickard*, 1981; *Lau v. Nichols*, 1974) although there is increasingly a recognition of the need for differentiation in service provision (U.S. Department of Justice [USDOJ] & U.S. Department of Education [USDOE], 2015). This section synthesizes research pertaining to the support of three important subgroups within the EL population—EL students with disabilities, newcomer ELs, and long-term ELs—identifying how policy and services can fit their more specific characteristics and needs. While there are other important EL subgroups, the three we focus on are explicitly described in federal policy as necessitating differential policy approaches (Every Student Succeeds Act [ESSA], 2015).

English learner students with disabilities. A significant proportion of EL students, 14%, will at some point be identified as having a disability (NCES, 2018). There is an increased focus on accountability as it pertains to EL students with disabilities (ELSWDs), with new ESSA (2015)

requirements that accountability metrics be disaggregated for ELSWDs (20 U.S.C § 3121). Additionally, assessments and instruction must be designed with universal design for learning principles, an approach that draws on more flexible presentation of information in assessment and a reduction of instructional barriers for EL students and students with disabilities (20 U.S.C § 1111). As states move towards more effective services for ELSWDs, research highlights three critical areas where policy can focus. These include timely, effective, and appropriate identification, services and supports, and exit out of one or both categories (Park, Martinez, & Chou, 2017).

Timely and accurate identification of ELSWDs is technically challenging; English proficiency level can obscure evidence of a disability and the presence of a disability can obscure English proficiency level (Abedi, 2014; Shifrer, Muller, & Callahan, 2011). Further, the validity of disability identification assessments administered in English is limited when used with students not yet proficient in English (Chu & Flores, 2011; Figueroa & Newsome, 2006), and there are few trained specialists with expertise in both language acquisition and disability identification (Shifrer, Muller, & Callahan, 2011). Some schools and districts may delay or block disability identification among EL students in order to avoid erroneous disability decisions; however, this practice likely exacerbates identification delays and suspends needed service provision (Samson & Lesaux, 2009).

As such, research finds disproportionality in the identification of EL students in disability categories. At early grade levels, EL students tend to be underrepresented in most disability categories compared to non-ELs, largely due to delayed disability identification (Hibel & Jasper, 2012; Samson & Lesaux, 2009). In contrast, EL students tend to be overrepresented in disability categories in secondary grades (Artiles, Rueda, Salazar, & Higareda, 2005), in part because many ELSWD face barriers with regard to meeting reclassification criteria (Umansky, Thompson & Díaz, 2017). EL students also tend to be overrepresented in certain disability categories while underrepresented in others, although such patterns vary by locale due to differences in resource levels, instructional models, and identification policies and practices (Artiles et al., 2005; Ortiz et al., 2011).

The second policy area for ELSWDs pertains to service provision. Research has found that ELSWDs may be inappropriately withheld from either EL or special education services altogether as schools and districts attempt to interpret and comply with state and federal law on service provision requirements (Kangas, 2018). ELSWDs may also be withheld from particular services, such as bilingual programs, due to misconceptions about students' abilities to succeed in such settings (Park, 2014). An Individualized Education Program (IEP) is a core support for students with disabilities, outlining the services, instructional program, and supports each student will receive. Federal policy requires that ELSWDs' IEPs are crafted with consideration to their unique language needs (Individuals with Disabilities Education Act, 2004); however, research has found that schools struggle to craft IEPs that appropriately support ELSWDs and account for both language and disability supports (Hoover, Erickson, Patton, Sacco & Tran, 2018). This may be, in part, due to limited evidence as to how best support ELSWDs. A recent report notes that IEP development for ELSWDs should be done collaboratively, including staff from both language instruction and disability supports, and the IEP structure must be clearly communicated to family stakeholders (Park et al., 2017).

Finally, research shows that ELSWDs often face barriers to reclassification when reclassification criteria are not modified based on students' unique abilities (Umansky, Thompson & Díaz, 2017) and that schools often lack sufficient rules and guidance for modifying reclassification criteria (Park et al., 2017). Reyes and Domina (2019) found that, in two California school districts, ELSWDs were more likely to be missing key reclassification criteria than EL students without disabilities, therefore rendering them less likely to reclassify. These structural factors can create a

reclassification 'bottleneck' where up to one third of secondary-age ELs have a disability (Thompson, 2015).

Newcomers. A second group of students that demonstrates the diversity of EL students' assets, needs, and experiences is newcomers: students that have recently-arrived in the US from their home country or an intermediary country (U.S. Department of Education [USDOE], 2016). Newcomers typically enter U.S. schools with lower English proficiency levels than their non-newcomer EL peers, and a significant proportion also enter academically behind grade-level peers due to gaps or interruptions in formal schooling (Potochnick, 2018; Umansky et al., 2018). Many newcomers also have acute economic, health, psychosocial and acculturative needs that stem from fleeing war, violence and other hardships, or from experiencing trauma during migration (Kanu, 2008; McBrien, 2005).

Due to the often acute needs of newcomers, education systems grapple with how to support their wide-ranging needs, and when to integrate newcomers with other students versus separate them for specialized supports (Kanu, 2008; Oikonomidoy, 2009). The nexus of newcomer characteristics often creates acute challenges for secondary-aged newcomers, in particular, who face tight timelines to graduation and may be pushed out of the K-12 system before completion (Potochnick, 2018).

Long-term English learners. A final subset of EL students necessitating focused policy attention is long-term EL students. Long-term EL students (LTELs) are students who have been EL classified for more than five to seven years (definitions vary by state), a timeframe considered 'typical' for English language acquisition (Olsen, 2010). These students, many of whom are born in the US, often have advanced oral English proficiency but struggle with academic language, literacy, or content and feel stigmatized in EL-specific services (Menken, Kleyn, & Chae, 2012). Changes under ESSA (2015) now require that districts that receive Title III funds biannually report the number of EL students who have not reclassified within five years of initial classification (20 U.S.C § 3121).

While the term LTEL labels the student, research highlights how the onus of responsibility often lies in educational barriers that limit academic, linguistic, and reclassification outcomes for these students (Menken & Kleyn, 2010). Barriers include a lack of alignment between how academic reading is taught in classrooms and how it is assessed on standardized tests (Brooks, 2015), a devaluation of students' and families' language practices (Flores, Kleyn, & Menken, 2015), and inconsistent instruction as students are moved between different programs (Menken et al., 2012). Furthermore, many LTELs are withheld from full access to core academic content, content that is then tested for reclassification eligibility (Callahan & Shifrer, 2016). Complex reclassification criteria in states with multiple criteria, and the inclusion of academic (rather than English proficiency) outcomes as reclassification criteria, can keep students EL classified who have advanced English proficiency and/or relatively high academic performance (Estrada & Wang, 2018; Thompson, 2015).

Policy implications. While there is immense diversity within each of the described EL subgroups, the purpose of this section is to illustrate how policy needs may vary by subgroup. These implications are meant to identify key areas for policy differentiation, although such consideration should be integrated throughout the other eight policy areas described in this manuscript.

With regard to ELSWDs, there is a critical need to focus on identification, service provision, and reclassification criteria. This means increasing staff with technical expertise on disability identification among students acquiring English, as well as developing appropriate disability identification assessments (Solórzano, 2008). Policy and guidance on how to provide disability

and/or EL services to dually-classified students, as well as carefully crafted and well-implemented reclassification criteria for ELSWDs, are necessary to avoid bottlenecks in which students are unable, based on their disability, to reach standard reclassification criteria (Park, et al., 2017).

State policy should attune to the unique experience of newcomers, as well as the challenges schools face in meeting their needs. State-level actors can support the integration of larger wraparound services in schools to support family inclusion and the psychosocial well-being of students. Additionally, states should provide schools with support and guidance focused on the twin goals of maximizing learning and minimizing exclusion, in determining the balance between newcomers' separation for targeted services and their integration for access to mainstream content and peers. To better support newcomer graduation outcomes, policy can consider the allowance of more than four years of high school enrollment, as California wrote into law in 2018 as part of Assembly Bill (A.B.) 2121 (California Education Code § 2-51225.1). Other policy opportunities include encouraging schools to provide newcomers with advanced level courses in their home language, credit-recovery opportunities, and awarding credit for courses taken outside the US. Finally, states should consider using five- and/or six-year graduation rates as accountability metrics, as is done in New York (NYSDE, 2017), rather than solely using a four-year rate that may disincentivize schools and districts from retaining newcomers.

Regarding LTEL students, states can focus on simplifying the reclassification process and putting into place appropriate, effective modifications for ELs with disabilities to improve eligible students' ability to reclassify and avoid LTEL classification. States should also consider removing academic criteria from reclassification requirements and exclusively using measures related to English proficiency in order to support students' likelihood of becoming reclassification-eligible. Lastly, policies that address ELs' access to core academic content instruction, improve instructional quality, and support ELs with disabilities would likely reduce the number of students classified as long-term ELs and improve their experiences and outcomes in school (Olsen, 2014).

Policy Area #2: EL Assessment

The second policy area under the principle of understanding the needs and skills of EL students pertains to assessment of EL students' knowledge and skills. Accurate assessment is critical for understanding both how EL students are doing and where added support is needed; but valid and reliable EL assessment is notoriously difficult (Solórzano, 2008) and the multitude of high-stakes assessments that EL students take may come at the expense of authentic language and content instruction (Pandya, 2011). This section summarizes policy-relevant research on the five main types of EL assessment: English language proficiency, state content area, home language proficiency, interim, and formative assessment.

English language proficiency assessments are high-stakes assessments used to determine students' EL classification, progression toward English proficiency, and eligibility to exit EL status. States must annually conduct English language proficiency assessments aligned with both English language proficiency and content area standards. Examination of English language proficiency assessments demonstrates inconsistent and unclear definitions of English proficiency, poorly designed questions with limited association with English proficiency standards, and problematic thresholds for determining proficiency levels (Solórzano, 2008). Given these weaknesses, the association between these assessment outcomes and English proficiency levels has been cast in doubt. There are also concerns that English language proficiency assessments can reinforce language hierarchies that privilege English above other languages (Shohamy & Menken, 2015; Wright, 2015) and validity can be called into question when assessment results impact decisions about student access and/or ability beyond the tests' designed purpose (Wolf, Farnsworth & Herman, 2008).

In recent years, numerous states, both individually as well as through national consortia, have engaged in efforts to develop more valid and reliable English proficiency assessments (English Language Proficiency Assessment for the 21st Century [ELPA21], 2018; WIDA, 2018). The two largest consortia are EPLA21 (2018) and WIDA (2018), both of which have recently updated their English language proficiency standards to better align with new college and career readiness standards and focus on the use of academic English across content areas (Gottlieb, 2016; Wolf, Guzman-Orth & Hauck, 2016). Even as these assessments move towards improved alignment, a recent review suggests that both WIDA and ELPA21 English language proficiency standards can improve upon their alignment with academic content area standards (Lee, 2018).

State content area assessments typically encompass math, English language arts, and science assessments, federally mandated for students in certain grade levels (ESSA, 2015). A rich body of literature has found that content area assessments generate highly biased scores among EL students. Biased test scores, in this context, are assessment scores that do not represent the true content knowledge of an EL student because their lack of full English proficiency precludes them from being able to fully demonstrate their content knowledge on tests administered in English (Wolf & Leon, 2009; Wright, 2015). Because scores on content assessments can have high-stakes repercussions for schools and districts, prior work has found that these tests influence EL instruction and services. For example, Menken (2006) showed that teachers in bilingual programs shifted to English instruction in the grades in which content assessments went into effect due to test administration in English. High stakes test preparation can dilute instruction (Blazar & Pollard, 2017), a phenomenon that Palmer and Snodgrass Rangel (2011) found to impact EL students as teachers felt that test preparation resulted in a narrowing of instruction that was at odds with EL students' pedagogical and linguistic needs. These concerns come alongside doubt that the use of high-stakes content area assessments translates into improved learning overall (Amrein & Berliner, 2002), and doubt about the degree to which instructional alignment with state academic standards is related to effective teaching (Polikoff & Porter, 2014).

Federal policy is shifting with regard to testing EL students on state standardized tests. ESSA (2015) explicitly states that newcomer ELs need not be tested in their first year (Linquanti & Cook, 2017), and that EL students should be tested in "a valid and reliable manner," provided "accommodations," and, whenever possible, assessed "in the language and form most likely to yield accurate data" (20 U.S.C § 200.6). Testing accommodations, including full translations into students' home languages, simplified English, the provision of English language dictionaries or glossaries, and extra time, among others, are the main mechanisms in place for increasing the validity of EL students' scores on content area assessments. Such accommodations can reduce – but not eliminate – test bias among ELs (Kieffer, Rivera, & Francis, 2012). As with the tests themselves, there are a number of validity concerns regarding testing accommodations for EL students, as many do not account for the heterogeneity in individual needs, nor effectively reduce or mitigate the source of bias (Abedi, 2013; Kieffer, Rivera, & Francis, 2012). A 2009 meta-analysis found heterogeneity across different accommodation effects, and only one, the provision of English dictionaries or glossaries, had an overall significant effect on EL performance (Kieffer, Lesaux, Rivera, and Francis, 2009). To be effective, students must be familiar with, and able to utilize, specific accommodations (Solano-Flores et al., 2014; Wolf, Kim, & Kao, 2012). Because EL students have rich multilingual skills, some scholars and practitioners advocate for tests that allow students to use their full linguistic repertoires without penalization for moving fluidly between languages (Ascenzi-Moreno, 2018). This has yet to be taken up in a large-scale way, however (Shohamy, 2011).

The third important type of assessment is language proficiency assessments in students' home languages. Measures of home language proficiency can be helpful in determining student

needs and making programmatic decisions, as home language proficiency is highly correlated with timing to English proficiency (Thompson, 2017a). Additionally, to the extent that school systems are looking to develop bilingualism and biliteracy, assessments of language proficiency and language arts in non-English languages are critical to assessing the effectiveness of bilingual education (de Jong, 2002). While some districts and states are instituting more regular home language assessments (see, for example, the California Spanish Assessment; CDE, 2018), they are still used relatively infrequently, particularly for students whose home language is not Spanish.

Fourth, interim, or benchmark assessments, are regular, periodic assessments of students' progress toward summative outcomes. When aligned with summative standards, these assessments allow for progress monitoring which provides opportunities for teachers, students, and families to ascertain if students are progressing as expected, as well as adjust service provision or instruction based on this information. Interim assessments can be used to assess EL students' English proficiency growth or content knowledge and skills (Herman, 2016).

Finally, formative assessment is considered a process of ongoing, classroom-based assessment designed to provide rapid information to teachers about what students are learning in order to inform instructional choices (Linquanti, 2014). With close ties to instruction, research has found that formative assessment can improve student learning (Bailey & Heritage, 2008), and the practice has been posited as a key resource for teachers looking to improve and target EL instruction (Heritage, Walqui, & Linquanti, 2015). Formative assessment for EL students is strengthened when teachers are provided with a deeper understanding of how language learning progresses (Bailey & Heritage, 2014), and the professional development and tools to utilize assessment results effectively (Abedi, 2013; Gottlieb, 2016). As with other assessments, formative assessments must be developed with concern to validity and reliability for diverse linguistic repertoires (Abedi, 2013).

Policy implications. State policy should support a comprehensive assessment system for EL students, balancing the five main types of assessment addressed above while minimizing the extent to which testing can displace or undermine high-quality, program-aligned instruction. As states now must include an English language proficiency indicator in their accountability system (ESSA, 2015), policymakers should work to ensure the assessment is aligned with state standards and is utilized to both measure progress and identify areas for support. Additionally, states should work with local agencies to ensure that the inclusion of English language proficiency as an accountability metric under Title I of ESSA (2015) does not produce undesired shifts in instruction nor result in over-testing of EL students.

Following ESSA's (2015) guidance (20 U.S.C § 200.6) can improve validity and reliability across assessment types, and providing accommodations can decrease, but not eliminate, test bias among EL students. Accommodations should be familiar to students and responsive to their individual language needs. Policymakers and those engaged in assessment development can examine the language structures used to ensure that assessments do not rely on overly complicated language, and that the language demands have been conveyed to teachers who can help prepare EL students (Abedi, Hofstetter & Lord, 2004).

To mitigate unintended changes in bilingual classroom practices, policy can shift high-stakes assessments into the language of instruction or provide test language options. Additionally, states can work to promote more rigorous formative assessment practices (paired with teacher professional development), which in turn can support continuous improvement and strengthen teachers' understanding of their EL students across all classroom settings. As one example, the state of Louisiana has crafted technical assistance and guidance for local education agencies on how to utilize formative assessment practices to support EL students (Louisiana Department of Education, 2018).

Policy Area #3: Classification and Reclassification

The final state policy area under the principle of understanding student needs and assets pertains to how students are identified as ELs and how they are exited from EL status. Federal law structures these policies by providing an English learner definition and creating requirements for how states identify, serve, and evaluate students for eventual exit from that classification. In this section we synthesize policy work on classification and reclassification.

The federal definition provided of an English learner is somewhat complex with, for example, specific language around Native American and Alaska Native students, migrant students, and immigrant students. However the key characteristics of an EL, as defined in ESSA, are that the student be enrolled or enrolling in a K-12 school, have a primary language other than English, and have an English proficiency level that precludes them fully participating in or benefiting from an English-only instructional environment (ESSA, 2015). This three-part definition, in policy, translates into a process by which schools identify a set of students who have a primary language other than English, determine the English proficiency level among those students, and finally, compare each student's measured English proficiency level to a threshold set for EL identification. Typically, the first step is achieved through the use of a home language survey completed by all incoming families, while the second is achieved through the provision of an English proficiency assessment or screener. A key change in ESSA (2015), compared to prior federal law, is that states must have statewide procedures for both EL entrance and exit, ending a practice in which local agencies could establish local entrance and/or exit criteria and thresholds.

Identifying EL students, therefore, entails operationalizing how to identify students with a non-English primary language and deciding what English proficiency means and how it is measured, practices enacted differently across states. With regard to the home language survey, states vary widely with regard to how many questions are asked, what those questions are, and what answers trigger an English proficiency assessment (Bailey & Kelly, 2013). Research has demonstrated that these differences in survey questions can have a large and direct impact on who is classified as an EL (Goldenberg & Rutherford-Quach, 2012). With regard to English proficiency assessments, a recent study found 25 separate English proficiency assessments used across U.S. states, encompassing a wide range of standards, test item types, lengths, and content (National Research Council, 2011). Across states that use the same English proficiency assessments, states set their English proficiency thresholds at different levels.

There is, therefore, no universal notion of what English proficiency means nor who should be classified as an EL (Linquanti & Cook, 2013). Given this, there are questions surrounding the validity of both home language surveys and initial English proficiency assessments. For example, a study conducted by a state department of education found that roughly half of monolingual English kindergarten and first grade students did not meet the state's definition of English proficient when administered the state assessment (CDE, 2011). Validity and consistency issues in EL identification are underscored by mounting evidence that initial EL classification has sizable effects on students' instructional access and academic outcomes (Pope, 2016; Shin, 2018; Umansky, 2016b). While one response to varied definitions of English learners has been to call for more universal definitions (Linquanti & Cook, 2013), a response reflected in ESSA's new requirement, an alternative, and perhaps, complementary approach is for education agencies to focus on the match between their classification criteria and the supports they offer classified and non-classified students (Robinson-Cimpian & Thompson, 2016).

Once identified as an EL, federal law requires that students be assessed annually in English reading, writing, speaking, and listening for evaluation for reclassification (ESSA, 2015). Similar to initial classification, reclassification out of EL status is tied to changes in students' instructional

program, with resulting changes to curricula access, peer composition, and teacher and course placement. As such, it is highly consequential for students and has been demonstrated to have long term repercussions on academic performance, graduation and college enrollment (Carlson & Knowles, 2016; Johnson, 2019a; Robinson-Cimpian & Thompson, 2016).

In a recent study, Linquanti and colleagues (2016) found that 29 states (including the District of Columbia) used only an English proficiency assessment to make reclassification decisions, while 22 states used between one and three additional criteria for reclassification. Additional criteria often include state content area assessments and/or one or more local criteria. As with initial identification, states and locales also vary where they set reclassification thresholds (Estrada & Wang, 2018; Mavrogordato & White, 2017).

Content area assessments, including state tests, have been highlighted as problematic when used as reclassification criteria. Students' content area skills are, in large part, a reflection of their access to content and instruction. This creates a catch-22 in settings where access to content is restricted for EL students (see Policy Area 4) and yet content knowledge is required to meet reclassification thresholds (Callahan & Shifrer, 2016; Umansky, 2016a). In addition, as described earlier, EL students' scores on English-administered content assessments are often biased, meaning that reclassification decisions are made based on biased information about skill level. Academic criteria are a major barrier for reclassification, particularly in the secondary grade levels (Abedi, 2008).

Some states require alternative criteria not related to English proficiency, such as grades and teacher approval for reclassification. Such measures may also be problematic, as grades are subjective and not designed to reflect English proficiency levels (Bowers, 2011), and teachers, while holding rich, individualized knowledge of their students (Westberg & Archambault Jr., 1997), may be influenced by racial, ethnic, and gender-based biases (Elhoweris, Mutua, Alsheikh, & Holloway, 2005; Lindholm-Leary & Howard, 2008). In addition, localized criteria such as these are not standardized, meaning that two students with the same knowledge and skills might end up with different grades, scores, or determinations (Linquanti, 2001). Indeed, recent studies have demonstrated the role of bias in reclassification decisions, showing that Spanish-speaking EL students were less likely to be reclassified than other EL peers, holding constant students' academic performance and reclassification eligibility (Reyes & Domina, 2019).

The overall number of criteria and the level of complexity in reclassification policies also impact reclassification outcomes. As the complexity and number of required criteria increase, more students who might otherwise be deemed ready to reclassify are held in EL status (Estrada & Wang, 2018; Thompson, 2017b). For example, Estrada and Wang (2018) documented how the complexity of reclassification eligibility based on the timing of different criteria contributed to weak policy implementation, resulting in many students who met test-based reclassification criteria not being reclassified. Similarly, Thompson (2017a) illustrated how some students met all but one criterion for multiple years, in effect held in EL status despite high English proficiency.

Setting high thresholds for EL classification (either through initial classification or reclassification policies) means that some students who are ready to learn and thrive in general education settings will be denied access to those settings (Carlson & Knowles, 2016; Umansky, 2016b). Setting low thresholds can result in students floundering in mainstream services without needed supports (Shin, 2018). As such, it is not solely the criteria and thresholds that matter, but, rather, the match between reclassification and service provision (Robinson-Cimpian & Thompson, 2016).

Policy implications. English proficiency thresholds can, and should, be set such that English proficiency skills give a strong indication of students' preparedness to tackle mainstream, content area instruction provided in English. Linquanti and Cook (2013) have demonstrated that English proficiency thresholds can be set at a level where the distribution of EL student performance on content area skills mirrors that of non-EL students. As an example, in efforts to better align reclassification with mainstream instruction, California recently introduced a new English language proficiency assessment aligned with state English language development and content area standards (Educational Testing Service, 2017).

State policy can also work to minimize the high-stakes nature of EL classification on students' long-term outcomes by maximizing EL students' access to grade-level content and integrating linguistic supports into mainstream instructional settings for students who meet initial English proficiency thresholds and for reclassified students. The level of linguistic supports should map closely onto the level at which classification and reclassification thresholds are set. For example, lower thresholds likely require more language instruction in mainstream services so that content is fully accessible to reclassified students (Haas, Tran, & Luang, 2016).

With regard to initial classification, states should allow for classification corrections in instances where EL-classified students are found to not need EL services and in instances where non-EL-classified students are found to need EL services. States could, for example, allow for a second screener administration a few months after school begins, either universally, or among students who teachers believe to be inaccurately classified (Cook & Linquanti, 2015).

Reclassification criteria should not function as unintended barriers; simplifying and decreasing the number of criteria can help avoid this. EL status is, by definition, determined by English proficiency level, and as such criteria should be contained to those assessing English proficiency. This means that states should avoid having academic measures as reclassification criteria. States should also avoid using grades, discipline, and teacher approval in order to minimize bias.

Principle 2: Providing Accessible, High-Quality Instruction

Policy Area #4: Access to Core Academic Content

Federal law regarding EL education is framed around two core rights: the right to equitable and accessible grade-level content and the right to English language instruction for English acquisition (*Castañeda v. Pickard*, 1981; *Lau v. Nichols*, 1974). As such, these are two fundamental areas of state policy regarding EL education. This section explores relevant research and policy needs regarding the first right, ELs' access to core content. Core content areas are determined by states but include, at a minimum, math, English language arts [ELA], science, and social studies (USDOJ & USDOE, 2015).

Federal law is somewhat flexible regarding EL students' right to equitable access to grade-level content, allowing for discretion regarding how and when ELs should have such access. Students can be provided content instruction alongside grade-level peers using modifications to make that content accessible (*simultaneous* English language development and content instruction). Alternatively, EL students can be withheld from some core content area instruction during an initial period of intensive English instruction, so long as compensatory supplemental content instruction is provided to catch students up to their grade level peers (*sequential* English and content instruction; *Castañeda v. Pickard*, 1981; USDOJ & USDOE, 2015).

Evidence suggests that many EL students do not have equitable access to grade-level core content instruction – either simultaneously or sequentially. This is particularly clear among

newcomers and LTELs (Johnson, 2019b) at the middle and high school levels where EL students are disproportionately placed into lower track and remedial classes, enrolled in fewer advanced-level and college preparatory classes, and less likely to be identified for Gifted and Talented programs (Castellano & Frazier, 2010). For example, Callahan (2005) found that less than 2% of EL students in a California high school were enrolled in the classes needed to be eligible to apply to a four-year university. EL students frequently experience exclusionary tracking in which they are withheld from enrollment in core content area classes, including ELA, math, and science (Estrada, 2014; Kanno & Kangas, 2014). EL tracking is often not explained by prior academic achievement but instead driven by English proficiency level and EL status (Callahan & Shifrer, 2016). For example, recent quasi-experimental research finds that, in at least some locales, EL classification has a direct and negative effect on enrollment in a full academic course load (Umansky, 2016a).

Content access may also be compromised when EL students are placed in sheltered classes (sheltered classes are content area classes designed to teach content in ways that are accessible to students acquiring English; Goldenberg & Coleman, 2010). While sheltered classes do not, by definition, limit access to content, research suggests they are frequently characterized by less content overall, less advanced-level content, and weak student-teacher relationships (Dabach, 2014; Lillie, Markos, Arias, & Wiley, 2012; Valenzuela, 1999).

Whether tracked by level, placed into sheltered classes, or withheld from content area classes, EL tracking, rather than a temporary withholding that is compensated for in a timely fashion, has the opposite effect. Tracking places EL students on trajectories that increasingly separate them from their peers who have full access to content (Gándara & Aldana, 2014), with likely negative effects on achievement and reclassification (Oakes, 2005). Delayed reclassification and low achievement can, in turn, negatively impact EL students' long-term outcomes, including high school graduation and college attendance (Carlson & Knowles, 2016; Johnson, 2019a; Robinson-Cimpian & Thompson, 2016). Importantly, however, simply placing students directly into core content classes without appropriate modifications may not be the answer, as work shows students in those settings may fail to successfully complete their classes (Thompson, 2017b).

Policy implications. Policies should afford EL students full access to core content as soon as possible, in linguistically accessible ways (Callahan & Hopkins, 2018). State policy should focus on EL students' enrollment in core content area classes and the level of those classes, to ensure they are not disproportionately ushered into low-track and non-college preparatory classes, nor excluded outright from content classes. In 2018, California passed such a law, A.B. 2735, specifying that all secondary age ELs – excluding newcomers – must be in a full course of study (California Education Code § 2-60811). Policies should attend not only to ELs' access to a full course load, but also Advanced Placement, dual credit, and honors level classes.

Ensuring enrollment alone is insufficient; guidance, support, training, and professional development are necessary to build teacher capacity to effectively teach EL students within an integrated, grade-level setting. Additionally, policy around curriculum and professional development can help ensure that sheltered classes offer grade-level rigorous content on par with that offered in non-sheltered classes.

Policy Area #5: English Language Development (ELD) Instruction

This section addresses the second core right of students acquiring English; instruction in the English language toward English proficiency. This is considered a fundamental responsibility of schools given that English proficiency is a necessity for accessing mainstream instruction as well as larger social, economic, and political opportunities in the US. This section synthesizes research on

two key policy elements of English language development (ELD) instruction: ELD format and how it is structured within the school day.

Research shows that EL students benefit from high-quality ELD instruction that is provided in both integrated and designated formats. Until recently, the majority of ELD was provided through *designated* instruction, where EL students were provided with separate, focused English instruction for a set period of time each day, often grouped by English proficiency level (Calderón, Slavin & Sánchez, 2011). Research shows beneficial associations of targeted, small group, leveled instruction in English language skills with English proficiency and reading outcomes (Saunders, Foorman, & Carlson, 2006).

More recently, schools and districts are moving toward *integrated* ELD instruction, in which English instruction is embedded within content area instruction. Increased attention to integrated ELD emerged alongside the Common Core State Standards due to the rich inclusion of language – both reading and writing – across content area standards (Bunch, 2013). Studies of integrated ELD show benefits for EL students in both English language proficiency development and content area learning (Meltzer & Hamann, 2005; Schleppegrell & de Oliveira, 2006). Integrating language and content instruction requires specific skills and training, however, and research suggests that many content area teachers feel underprepared to do so (de Jong & Harper, 2005; Santibañez & Snyder, 2018). Without strong professional development, teachers may end up using traditional sheltering methods that separate EL students from full access to content (Stephens & Johnson, 2015).

A second important, policy-relevant, aspect of ELD instruction is how it is structured into the school day. The now overturned state policy passed in Arizona in 2006 mandating a four-hour ELD block for certain EL students (Arizona Revised Statutes § 15-756.01) led to a proliferation of research related to whether and when designated ELD might displace access to core content instruction. In the typical school schedule, any time that EL students are separated for ELD instruction in effect crowds-out content that non-EL students continue to receive. As such, when the amount of time devoted to ELD is larger, so too is the amount of content displaced. Research examining the impact of Arizona's 4-hour ELD block shows that students who received the 4-hour ELD block lost significant content instruction and did academically worse than EL students in mainstream academic settings (Rios-Aguilar, Canché, & Sabetghadam, 2012). Even in settings with less extensive ELD instruction, evidence suggests that ELD can crowd-out core content, supplanting, rather than supplementing, core content instruction, especially English language arts (Estrada, 2014; Umansky, 2016a).

Policy implications. As is their right, EL students need targeted instruction in the English language, instruction that can – and arguably should – be offered through both designated and integrated settings to maximize instruction, cover language skills throughout the academic curriculum, and minimize displaced content. A fundamental policy implication of the existing research body is that teachers – both general education teachers and EL specialists – need to be adequately prepared to teach using integrated and designated approaches. In particular, state policy and resources can target providing mainstream academic content teachers with high-quality training as they learn to embed language instruction in content instruction (Bunch, 2013).

Policy can also focus on how schools and districts offer designated, leveled ELD in a manner that minimizes displaced content. For example, policy could provide resources for schools to offer ELD instruction during an extended-day, as is done through the Massachusetts Expanded Learning Time Initiative (Massachusetts Department of Elementary and Secondary Education, 2017). Policy can also provide regulations or guidance on what content can or cannot be displaced by ELD, as New York has done (NYSDE Office of Bilingual Education and World Languages, 2016). As another approach, certain ELD courses, such as advanced level ELD, may merit the

awarding of both ELD and ELA credit to students. The state of Illinois has included this in law; as of 2014, credit from approved ELD courses must be counted towards ELA credits required for graduation (Illinois Administrative Code 23/228.30). Such policies may alleviate crowding-out of ELA and help advance ELs toward graduation and postsecondary requirements.

Policy Area #6: Bilingual Education

The final area under the high-quality instruction principle pertains to bilingual education. There are three main bilingual program models in K-12 education, although practitioners and researchers alike acknowledge that there is as much, or more, variation within bilingual program models as between them. Traditional *bilingual programs* exclusively serve students who have a home or primary language other than English. These programs offer instruction in English and the home language and can be of shorter duration (*transitional*) with a focus on transition to all English instruction by mid-elementary, or of longer duration (*maintenance*) with the aim of developing full bilingualism and biliteracy in English and the target language. Of growing prevalence, *two-way dual immersion programs* provide instruction in English and a target language with the aim of full bilingualism but serve both speakers of that target language and English-only students. Despite these broad strokes, there in enormous variation across individual programs with regard to the proportion and content areas of instruction in each language, program goals, teaching models, and class composition, among other features (Baker, 2011). In the US, the majority of bilingual programs have Spanish as the target language (Spanish is the home language of the majority of EL students). However, bilingual programs exist with many other target languages including Arabic, Diné, French, Hawaiian, Korean, Mandarin, Vietnamese, and Yup'ik, among others (Center for Applied Linguistics, 2011).

A large body of research over the past several decades has examined the effects of these bilingual education models on EL students' linguistic, academic, and social outcomes. This research base has found that bilingual education, on average, benefits EL students, resulting in improved outcomes in English proficiency, reclassification, academic performance, target language proficiency, and social outcomes. In a meta-analysis synthesizing research on the effect of bilingual education on English reading outcomes, August and Shanahan (2006) concluded that bilingual education has a small to moderate positive effect on EL students' English reading skills. Research also shows academic performance benefits, as EL students tend to grow more quickly in both ELA and math when instructed in two languages (Valentino & Reardon, 2015). Positive effects extend to reclassification; Umansky & Reardon (2014) found that EL students in bilingual programs were significantly more likely to reclassify in the medium to long term than those not in bilingual programs. Research also found that bilingual instruction supports the maintenance and development of home language fluency and literacy (Slavin, Madden, Calderón, Chamberlain, & Hennessy, 2011).

Research examining social-emotional outcomes of bilingual education is less developed; however, evidence suggests that students in two-way dual immersion programs develop positive attitudes toward both languages as well as the speakers of those languages (de Jong & Howard, 2009), and that EL students in bilingual programs feel more comfortable speaking their home language in social settings than EL students in English instructional programs (Block, 2011). Limited research on the effects of bilingual education on other outcomes such as familial connections, grades, and high-school graduation suggests possible benefits as well (Bearse & de Jong, 2008; Feinauer & Howard, 2014).

Not all studies of bilingual education show benefits on all outcomes, and often the benefits of bilingual education are modest. For example, in a recent study exploiting lottery-based randomization, Steele and colleagues (2017) found benefits of bilingual instruction on English

reading and reclassification outcomes, but no benefits with regard to math outcomes. Similarly, August and Shanahan's (2006) meta-analysis found heterogeneity in bilingual effect sizes, even within randomized trials. Emerging work also identifies problematic ways in which two-way dual immersion programs, specifically, can prioritize the needs of English-dominant students over those of EL students (Cervantes-Soon et al., 2017; Delavan, Valdez, & Freire, 2017; Valdés, 1997), and instances where bilingual programs can, at times, segregate EL students within schools into classrooms with inferior resources (Umansky, Poza & Flores Gutierrez, mansucript submitted for publication).

This variation has led to increased attention to implementation and effective elements of bilingual and two-way dual immersion programs. Implementation of effective bilingual programs requires appropriate and sufficient resources, as well as alignment between program goals, teacher beliefs, and classroom practices (Mora, Wink & Wink, 2001). Specific, posited effective elements include highly-skilled teachers who speak English and the target language, high-quality standards-based instructional materials in both English and the target language, well-designed and enacted plans including cross-grade alignment, sustained leadership, and active community and parental involvement (Baker, 2011; Hopkins, 2016; Takanishi & Le Menestrel, 2017).

Policy implications. Dual language programs are expanding, with an estimated national increase from 260 to 2,000 programs from 2000 to 2011 (Ramirez, 2016). State policy efforts, such as Utah's 2019 Dual Language Immersion legislation (Utah Code § 53F-2-502) and Delaware's 2011 World Language Expansion Initiative (Delaware Department of Education, 2012) suggest expansion will continue. Amidst such expansion, policy should focus on ensuring high-quality implementation and a sustained focus on EL students' well-being. Important state roles may include supporting higher education institutions as they develop or expand bilingual teacher preparation programs. Washington state does this by supporting partnerships between districts and higher education institutions in the recruitment, preparation, and mentoring of bilingual high school students as future bilingual teachers and counselors (State of Washington Professional Educator Standards Board, 2017). Additionally, states may choose to take a more active role in the oversight of credentialing and authorization processes for bilingual instructors to facilitate high-quality implementation.

State policymakers can also focus on developing assessments of target language proficiency and content area assessments in target languages. California provides one example, as the state is developing a statewide assessment designed to measure Spanish language arts competency (CDE, 2018). Other roles may include monitoring outcomes of students enrolled in bilingual programs, developing and supporting professional development for educators and leaders in bilingual programs, providing high-quality implementational supports and guidance, and providing financial incentives to districts building or expanding bilingual programs. One example comes from the state of Oregon, which allocated funding to support districts in designing, implementing, and improving bilingual programs (Oregon State Board of Education, 2014).

Principle 3: System Conditions

Policy Area #7: Teacher Preparation and Skills

A strong teacher workforce is a critical element in having effective systemic conditions to support EL students. This section describes two key policy issues regarding the education workforce and EL students; the shortage of teachers prepared to work with EL students (here called EL

specialists) and those prepared to teach in bilingual classrooms (here called bilingual teachers); and the under-preparation of mainstream teachers in supporting EL students.

The majority of states require that EL specialists and bilingual teachers hold a special certification, although in some states local education agencies determine those certification requirements (Wixom, 2015). All states offer an EL-focused teacher certificate and, as of 2015, approximately half of states offered a bilingual teaching certificate (USDOE OELA, 2015). Across the country, however, there is a widespread shortage of certified EL specialists and bilingual teachers. A recent publication identified EL teacher shortages in 32 states (Cross, 2016). Key issues contributing to the shortage include a lack of funding to assist and incentivize higher education institutions in training bilingual teachers and EL specialists, as well as missed opportunities to attract bilingual high school and college students into teaching careers (Gándara & Maxwell-Jolly, 2006).

A second issue relating to teachers of EL students is the level of preparation and training of teachers in general education classrooms serving ELs. In 2015, the Education Commission of the States reported that 30 states had no requirements in place for general education teachers with regard to training to work with EL students. Of the states that had requirements in place, a few (such as Arizona and California) required that all teachers hold a certification or endorsement to work with EL students, while many other states, including Virginia, New Jersey and Alabama, required that teacher preparation include training on language development, instructional differentiation for EL students, or other EL-related topics (Wixom, 2015).

Many teaching skills and practices that support EL students are not unlike those that support non-EL students. Practices such as clear goals and instruction, effective modeling, active student participation, and substantive feedback benefit EL students and non-EL students alike (Goldenberg, 2013). Recent work has highlighted a high correlation between effective teachers for EL students and effective teachers for non-EL students (Loeb, Soland, & Fox, 2014). However, EL students also benefit from some unique teacher characteristics, experiences, and skills including fluency in students' home languages, experience teaching EL students, and bilingual certification (Gándara & Santibañez, 2016; López, Scanlan, & Gundrum, 2013; Master, Loeb, Whitney, & Wyckoff, 2016). Teachers face enormous challenges as they adapt their teaching to new academic and ELD standards widely understood to be more rigorous and language-intensive (Santos, Darling-Hammond, & Cheuk, 2012). As such, research is examining specific teaching skills that benefit EL students under these new standards (Linquanti & Hakuta, 2012). These include knowledge about language acquisition, and skills toward explicit language instruction and the provision of modifications such as visual and verbal supports (Bunch, 2013; Valdés, Kibler, & Walqui, 2014).

Whether due to weaknesses in universal teaching skills or weaknesses in the unique teaching skills that benefit EL students, teachers generally feel underprepared to teach their EL students (Gándara, Maxwell-Jolly, & Driscoll, 2005; Santibañez & Snyder, 2018). Professional training to work with EL students directly benefits teacher competency, confidence, and student outcomes (Loeb, Soland, & Fox, 2014; Master et al., 2016; Pettit, 2011). Yet, scholars have argued that most certification requirements for working with EL students fall short of providing sufficient training (Harper & de Jong, 2009; López & Santibañez, 2018). Classroom observation studies have identified weak teaching in many mainstream classrooms that serve EL students, resulting in inaccessible content (Valdés, 2001), marginalization of EL students within mainstream classrooms (Harper & de Jong, 2009), watered-down content (Dabach, 2015), and teachers holding deficit perspectives about their EL students' capacities (Pettit, 2011).

Policy implications. There is an immediate need to expand the pipeline of EL specialists and bilingual teachers. Several policy mechanisms can support this, including loan forgiveness, extra pay or other incentives, or provision of funding for districts to pay their teachers to earn an EL or

bilingual certification. For example, the state of Illinois reimburses early childhood educators who add a bilingual endorsement (USDOE OELA, 2015). Another approach may be 'grow your own' policies to support bilingual paraprofessionals in earning a teaching credential and bilingual certification. Tennessee, Mississippi, and Missouri have 'grow your own' policies in their ESSA plans, operationalized through financial investment, higher education partnerships, and technical assistance (Muñoz, 2018).

With the Common Core and Next Generation Science Standards, policy can help prepare general education teachers with the skills and knowledge required to work effectively and equitably with their EL students. This will require both stronger teacher preparation programs overall, as well as effective, sufficient, and ongoing teacher preparation and professional development on skills and practices that are particularly beneficial for EL students. State technical support may also help. As one example, the New Jersey Department of Education developed EL-focused language objectives alongside Common Core student learning objectives and created scaffolding supports for teacher use (New Jersey Department of Education, 2017).

Policy Area #8: Funding for EL Education

The second policy area under system conditions is education funding for EL students. Many of the research-based policy implications highlighted in this paper, such as supporting bilingual teacher preparation and providing sufficient instructional time for EL students, require funding. In this section, we examine the research base on funding with regard to EL education. Specifically, this section addresses questions of what the cost is of EL education, how states currently allocate funds for EL education, and how best to allocate those funds.

Research on the cost of providing EL students with an adequate and equitable education yields inconsistent results. At a minimum, funding should enable schools and districts to meet legal requirements for serving EL students. Research on the additional funding required to do so has produced a range of results, from 19% to 200% over and above base per pupil funding rates (Gándara & Rumberger, 2008; Imazeki, 2008; Jimenez-Castellanos & Topper, 2012; Levin et al., 2018). In all studies addressing this question there is consensus, however, that providing an adequate education to EL students costs more than for non-EL students. Research has shown beneficial effects of supplemental funding for targeted students, such as EL students, on educational outcomes (Henry, Fortner, & Thompson, 2010).

Gándara and Rumberger (2008) identified four necessary types of resources for an adequate education for EL students: fiscal, material, human, and social. Within these resource types additional costs include but are not limited to: teacher preparation, instructional program development, specialized curricula, valid assessments, and extra instructional time (Gándara & Rumberger, 2008; Levin et al., 2018). Other costs include those associated with high-quality early childhood education, family engagement, social-emotional support services, smaller class sizes, and appropriate adaptation of special education and gifted and talented education (Gandara & Rumberger, 2008; Levin et al., 2018).

As the necessary services for EL students differ based on individual needs, so too do associated costs. Factors that influence the cost of EL education include English proficiency level, grade, family income, special education status, and educational background, among other characteristics (Jimenez-Castellanos & Topper, 2012; Sugarman, 2016). In addition, school and district contexts influence the cost of an adequate and equitable education. Districts and schools that have not historically served immigrant and/or EL populations likely have associated start-up costs of creating services for EL students and building capacity among teachers and administrators (Sugarman, 2016). Other district and school factors associated with education costs include school

size, poverty level, level of urbanicity or rurality, demographic context, teacher and administrative salary levels, and EL program models (Imazeki, 2018; Sugarman, 2016).

Across the US, the typical funding method for EL education is that a base dollar amount is provided per student with an additional percentage of that base amount for every EL student. These supplemental percentages vary significantly across states. For example, Texas provides an additional 10% while Maryland provides an additional 99% on top of the base rate (Verstegen, 2015). States also vary in terms of whether and to what extent they allow for duplicated supplemental funds, as some states allow the per student funding allocation to reflect membership in multiple groups that receive additional funding while others do not (Imazeki, 2018). The majority of states do not differentiate funding for different EL subgroups, although a few do.

While supplemental funding for targeted students has been shown to increase student outcomes, research also finds that the effects depend on how that funding is used (Dynarski & Kainz, 2015). Specifically, funding that is not targeted toward the students it is aimed to support, and funding that is not used for expenses that have been shown to be linked to beneficial outcomes for those students, are unlikely to result in gains (Gándara & Zárate, 2014).

Policy implications. Supporting an equitable funding system for EL education is an important area for state action. There is consensus that it costs significantly more to provide an adequate and equitable education for EL students compared to non-EL students; a cost which varies based on EL characteristics and local context. Key expenses may include teacher preparation, curricula, assessment, program development and implementation, and extra instructional time. State funding systems that differentiate in response to EL subgroup diversity, as well as account for key expenses, may provide more appropriate funding levels. For example, North Dakota tiers funds based on English proficiency level, allotting more funding for EL students with lower English proficiency levels. Maine tiers funding based on the number of EL students in a district; Ohio tiers funding to provide greater funding to newcomers; and Massachusetts tiers EL funding based on grade level (Imazeki, 2018; Sugarman, 2016).

Fund usage should be monitored, with requirements that funds for EL students be used to support EL education specifically and to fund research-based expenses linked to improved EL outcomes (Imazeki, 2018). To support districts and schools in doing so, states may consider developing or disseminating technical assistance documents that local education agencies can use to examine how their fund use maps onto research-based expenditures for EL students. One example is a rubric developed by non-governmental organizations in California (Californians Together, California Association for Bilingual Education, California Rural Legal Assistance & Center for Equity for English Learners, 2015).

Policy Area #9: Pre-K through Postsecondary Education Alignment

The final policy area within this principle pertains to cross-system alignment. Education is typically separated into three main systems: early childhood and preschool education (here referred to as pre-K), K-12 education, and postsecondary education. These systems generally have entirely different policies and frameworks for supporting the education of students whose primary language is not English. This section summarizes research that points to the importance of alignment across levels to support EL student outcomes, while demonstrating that alignment is often limited. Additionally, this section synthesizes research that points to similar challenges and weaknesses across levels, revealing an opportunity for shared learning.

Research on pre-K students whose dominant language is not English (in pre-K these students are typically referred to as dual language learners; DLLs), indicates that high-quality pre-K is positively associated with greater school readiness and more advanced English proficiency as

students enter kindergarten (Yazejian, Bryant, Freel, & Burchinal, 2015). These students benefit from an instructional focus on pre-reading skills and English oral language development, as well as home language development and/or maintenance (Castro, Páez, Dickinson, & Frede, 2011; Durán, Roseth, & Hoffman, 2010).

Regarding higher education, research finds that students who were EL-classified in K-12 are less likely to graduate high school, enroll in college, and complete college as compared to their non-EL peers, although outcomes vary widely and are strongly correlated with reclassification timing (Kanno & Cromley, 2013; Nuñez & Sparks, 2012). Students who attain English proficiency early on (and those who enter kindergarten already proficient in both their home language and English) often have strong academic profiles (Kieffer & Thompson, 2018; Saunders & Marcelletti, 2013) and are likely to attend college (Callahan & Humphries, 2016). However, students who retain EL status into the middle school years, and those who enter U.S. schools at the secondary level, are less likely to successfully complete college preparatory coursework and go to college, compared to their non-EL peers (Jaquet & Fong, 2017). One study by Kanno and Cromley (2013) showed that students who retained EL classification in eighth grade were half as likely as non-EL language minority students to earn a bachelor's degree. Additionally, students who graduate high school classified as EL tend to enter less selective schools – such as community colleges – compared to their non-EL peers (Callahan & Humphries, 2016), and even academically high-performing ELs face numerous barriers to college entry (Kanno, 2018). Other research shows that, among relatively high-performing EL students, not exiting EL status in high school directly reduces students' likelihood of enrolling in college (Carlson & Knowles, 2016). Thus, there are important challenges for EL students as they transition from high school to college and with respect to their selection of, and persistence in, college (Nuñez, Rios-Aguilar, Kanno, & Flores, 2016).

While some of the barriers to college entry and completion pertain to policies and practices within the higher education system, many other barriers have been linked to the K-12 system. Barriers include limited access to college preparatory classes and credits, as well as limited information and knowledge on college planning and funding (Kanno, 2018). Once in higher education EL students tend to face similar structural constraints as in K-12, including few supports (Bunch & Endris, 2012) and limited access to academic coursework (Razfar & Simon, 2011). Many students, including those who successfully exited EL status in K-12, end up in remedial and English as a Second Language (ESL) courses (Valdés, 1998), courses that slow college progression (Hodara, 2015). One California study found that 85% of Latino EL students dropped out of community college within five semesters of entry (Razfar & Simon, 2011).

In summary, these findings point to interconnections between the three levels of schooling for EL students. High-quality pre-K that includes targeted supports improves EL students' preparedness as they enter kindergarten; and course access, high-quality instruction, and college advising are linked to EL students' likelihood of attending and succeeding in college. Despite conclusions pointing to the interconnections, many states lack longitudinal data that can trace students from pre-K through postsecondary, limiting understanding of the relationships between opportunities at one level and outcomes at another (Phillips, Reber, & Rothstein, 2018).

Policy implications. It is important that state policy strives toward more articulation and alignment across pre-K, K-12, and postsecondary levels. EL students across the three levels tend to face similar barriers, most notably with regard to prepared educators and accessible, equitable content and assessment. In addressing such barriers, policies should, when possible, address the full pre-K-college continuum. Additionally, policy can focus on expanding access to high-quality pre-K to improve kindergarten preparedness and decrease achievement gaps, as well as provide home language instruction in pre-K to benefit EL students' English and home language acquisition. Early

childhood education systems are increasingly developing policies to support multilingual preschoolers. As one example, Head Start, the largest federally-funded preschool program, recently adopted regulations requiring linguistically appropriate assessments as well as teacher professional development regarding multilingual students (U.S. Department of Health and Human Services, 2016). To support college transitions, policies can focus on secondary school ELs' enrollment in college-preparatory coursework and access to college selection, application, and funding information and supports. Finally, policies and resources are also needed to support EL students' college completion. A recent report outlined key recommendations for supporting EL students in higher education (Bergey, Movit, Simpson Baird, & Faria, 2018).

Another key state role may be the development of statewide, student-level data systems to allow for longitudinal tracking of students from pre-K through higher education. This would support a critically-needed understanding of EL student experiences and outcomes across levels. Some states have begun to connect longitudinal data into more aligned systems. In 2013, Kentucky initiated the processs of linking pre-K, K-12, and postsecondary data with labor force data (Kentucky Revised Statutes § 151B.132) and North Carolina is establishing a similarly linked longitudinal system (Phillips et al., 2018).

Discussion

This manuscript set out with an ambitious goal: to put forward a framework for state level EL education policy, synthesize the research base for each policy area within that framework, and provide policy implications based on that research. This effort, rooted in the reality of large equity and outcome disparities experienced by EL students (Takanishi & Le Menestrel, 2017), was inspired by, on the one hand, a response to what at times amounts to haphazard, uneven, disconnected, or reactive state policies in this arena, and on the other hand, efforts in some states to craft overarching EL policy frameworks. Our framework identifies nine core state EL education policy areas: (1) addressing diversity in EL skills and needs, (2) EL assessment, (3) classification and reclassification, (4) core content access, (5) English language development instruction, (6) bilingual education, (7) teacher preparation and skills, (8) EL education funding, and (9) pre-K-college alignment.

The framework can serve as a concrete tool for policymakers and EL advocates, as well as a conceptual framework for EL policy scholars. Specifically, we envision that, for state or local level policymakers, this framework can be used as a malleable model or guidance document for the development of a comprehensive *en situ* EL policy framework. Further, it can be used by policymakers to evaluate their current EL policies and identify areas of weakness, strength, or potential reform. Likewise, advocacy groups can also use this framework as a point of comparison to explore and evaluate local EL policies and to identify potential areas or goals for advocacy focus.

Importantly, the development of state EL policy frameworks is a necessary, but insufficient, step towards improved opportunities and outcomes for EL students. The complexities of policy implementation shape the on-the-ground realities for EL students and the agencies that serve them. The New York Blueprint for English Language Learner/Multilingual Learner Success (2014) and accompanying legislation, for example, met both excitement and resistance during implementation, with positive shifts occurring alongside funding and staffing challenges (Carnock, 2016). As more states develop comprehensive EL policy frameworks, their eyes should be on ensuring the resources and supports for widescale implementation and take-up.

For researchers, this manuscript can serve as a conceptual framework for understanding the state role in EL education. As scholars explore and analyze policy efforts in EL education, we envision this framework as a potential guiding document for inquiry and analysis. In addition, this

framework can help researchers identify areas where research is needed, and hone in on particular questions of importance for EL students. Finally, we hope that this framework instigates future work conceptualizing the role of specific actors – federal, state, or local – in particular educational arenas, extending beyond that of EL education.

In offering a mile-high perspective, the aim of this framework is to provide a strong launching point for policymakers, leaders, and researchers to envision, develop, and adapt a comprehensive vision for understanding the role of state policy in supporting EL education. We hope this framework creates opportunities to connect and leverage the efforts of numerous actors involved in supporting EL students, as well as think holistically about supporting EL students towards more equitable – and outstanding – opportunities and outcomes.

Acknowledgements

References

Abedi, J. (2008). Classification system for English language learners: Issues and recommendations. *Educational Measurement: Issues and Practice, 27*(3), 17-31. https://doi.org/10.1111/j.1745-3992.2008.00125.x

Abedi, J. (2013). Validity issues in designing accommodations for English language learners. In *The Routledge handbook of language testing* (pp. 62-76). Routledge.

Abedi, J. (2014). English language learners with disabilities: Classification, assessment, and accommodation issues. *Association of Test Publishers, 10*(2), 1-30.

Abedi, J., Hofstetter, C. H., & Lord, C. (2004). Assessment accommodations for English language learners: Implications for policy-based empirical research. *Review of Educational Research*, *74*(1), 1-28. https://doi.org/10.3102/00346543074001001

Amrein, A. L., & Berliner, D. C. (2002). High-stakes testing & student learning. *Education Policy Analysis Archives,* 10(18), 2-74. https://doi.org/10.14507/epaa.v10n18.2002

Artiles, A., Rueda, R., Salazar, J., & Higareda, I. (2005). Within-group diversity in minority disproportionate representation: English language learners in urban school districts. *Exceptional Children, 71*(3), 283-300. https://doi.org/10.1177/001440290507100305

Ascenzi-Moreno, L. (2018). Translanguaging and responsive assessment adaptations: Emergent bilingual readers through the lens of possibility. *Language Arts*, *95*(6), 355-369.

August, D., & Hakuta, K. (1997). *Improving schooling for language-minority children: A research agenda.* Washington, DC: National Academies Press.

August, D., & Shanahan, T. (2006). *Developing literacy in second-language learners: Report of the National Literacy Panel on Language Minority Children and Youth.* Mahwaw, NJ: LEA Publishers. https://doi.org/10.4324/9780203937600

Bailey, A. L., & Heritage, M. (2008). *Formative assessment for literacy, grades K-6: Building reading and academic language skills across the curriculum.* Thousand Oaks, CA: Corwin Press.

Bailey, A. L., & Heritage, M. (2014). The role of language learning progressions in improved instruction and assessment of English language learners. *TESOL Quarterly*, *48*(3), 480-506. https://doi.org/10.1002/tesq.176

Bailey, A. L., & Kelly, K. R. (2013). Home language survey practices in the initial identification of English learners in the United States. *Educational Policy, 27*(5), 770-804.

Baker, C. (2011). *Foundations of bilingual education and bilingualism* (Vol. 79): Multilingual Matters.

Bearse, C., & de Jong, E. J. (2008). Cultural and linguistic investment: Adolescents in a secondary two-way immersion program. *Equity & Excellence in Education, 41*(3), 325-340. https://doi.org/10.1080/10665680802174817

Bergey, R., Movit, M., Baird, A. S., & Faria, A.-M. (2018). *Serving English language learners in higher education: Unlocking the potential.* Washington, DC: American Institutes for Research.

Blazar, D., & Pollard, C. (2017). Does test preparation mean low-quality instruction?. *Educational Researcher, 46*(8), 420-433. https://doi.org/10.3102/0013189X17732753

Block, N. (2011). The impact of two-way dual-immersion programs on initially English-dominant Latino students' attitudes. *Bilingual Research Journal, 34*(2), 125-141. https://doi.org/10.1080/15235882.2011.598059

Bowers, A. J. (2011). What's in a grade? The multidimensional nature of what teacher-assigned grades assess in high school. *Educational Research and Evaluation, 17*(3), 141-159. https://doi.org/10.1080/13803611.2011.597112

Brooks, M. (2015). "Its like a script": Long-term English learners' experiences with and ideas about academic reading. *Research in the Teaching of English, 49*(4), 383-406.

Bunch, G. C. (2013). Pedagogical language knowledge: Preparing mainstream teachers for English learners in the new standards era. *Review of Research in Education, 37*(1), 298-341. https://doi.org/10.3102/0091732X12461772

Bunch, G. C., & Endris, A. K. (2012). Navigating "open access" community colleges. In Y. Kanno & L. Harklau (Eds.), *Linguistic minority students go to college: Preparation, access and persistence* (pp. 165-183). New York, NY: Routledge.

Calderón, M., Slavin, R., & Sánchez, M. (2011). Effective instruction for English learners. *The Future of Children, 21*(1), 103-127. https://doi.org/10.1353/foc.2011.0007

California Department of Education. (2011). *A comparison study of kindergarten and grade 1 English-fluent students and English learners on the 2010–11 edition of the CELDT.* Sacramento, CA: Author.

California Department of Education. (2015). *English langauge arts/English language development framework for California public schools.* Sacramento, CA: California Department of Education.

California Department of Education. (2017). *California English learner roadmap state board of education policy: Educational programs and services for English learners.* Sacramento, CA: Author.

California Department of Education. (2018). *California Spanish Assessment.* Retrieved from http://www.caaspp.org/administration/about/csa/index.html

Californians Together, California Association for Bilingual Education, California Rural Legal Assistance & Center for Equity for English Learners. (2015). *Does your local control accountability (LCAP) plan deliver on the promise of increased or improved services for English Learners?* Long Beach, CA: Author.

Callahan, R. (2005). Tracking and high school English learners: Limiting opportunity to learn. *American Educational Research Journal, 42*(2), 305-328. https://doi.org/10.3102/00028312042002305

Callahan, R., & Gándara, P. (2014). In R. Callahan & P. Gándara (Eds.), *Bilingual advantage: Language, literacy, and the labor market.* Clevedon, UK: Multilingual Matters. https://doi.org/10.21832/9781783092437

Callahan, R., & Hopkins, M. (2018). Policy brief: Using ESSA to improve secondary English learners' opportunities to learn through course taking. *Journal of School Leadership, 27*(5), 755. https://doi.org/10.1177/105268461702700507

Callahan, R., & Humphries, M. (2016). Undermatched? School-based linguistic status, college going, and the immigrant advantage. *American Educational Research Journal, 53*(2), 263-295. https://doi.org/10.3102/0002831215627857

Callahan, R., & Shifrer, D. (2016). Equitable access for secondary English learner students: Course taking as evidence of EL program effectiveness. *Educational Administration Quarterly, 52*(3), 463-496. https://doi.org/10.1177/0013161X16648190

Carlson, D., & Knowles, J. (2016). The effect of English language learner reclassification on student ACT scores, high school graduation, and postsecondary enrollment: Regression discontinuity evidence from Wisconsin. *Journal of Policy Analysis and Management, 35*(3), 559–586. https://doi.org/10.1002/pam.21908

Carnock, J. T. (2016). *From blueprint to building: Lifting the torch for multilingual students in New York state.* Washington DC: New America.

Castañeda v. Pickard, United States Court of Appeals for the Fifth Circuit (1981).

Castellano, J., & Frazier, A. D. (2010). *Special populations in gifted education: Understanding our most able students from diverse backgrounds.* Waco, TX: Prufrock Press.

Castro, D. C., Páez, M. M., Dickinson, D. K., & Frede, E. (2011). Promoting language and literacy in young dual language learners: Research, practice, and policy. *Child Development Perspectives, 5*(1), 15-21. https://doi.org/10.1111/j.1750-8606.2010.00142.x

Center for Applied Linguistics. (2011). *Directory of foreign language immersion programs in U.S. schools.* Retrieved August 8, 2019, from http://webapp.cal.org/Immersion/.

Cervantes-Soon, C. G., Dorner, L., Palmer, D., Heiman, D., Schwerdtfeger, R., & Choi, J. (2017). Combating inequalities in two-way language immersion programs: Toward critical consciousness in bilingual education spaces. *Review of Research in Education, 41*(1), 403-427. https://doi.org/10.3102/0091732X17690120

Chu, S.-Y., & Flores, S. (2011). Assessment of English language learners with learning disabilities. *The Clearing House: A Journal of Educational Strategies, Issues and Ideas, 84*(6), 244-248. https://doi.org/10.1080/00098655.2011.590550

Cook, H. G., & Linquanti, R. (2015). *Strengthening policies and practices for the initial classification of English learners: Insights from a national working session.* Washington, DC: Council of Chief State School Officers.

Cross, F. (2016). *Teacher shortage areas nationwide listing: 1990-1991 through 2016-2017.* Washington, DC: U.S. Department of Education.

Dabach, D. B. (2014). "I am not a shelter!" stigma and social boundaries in teachers' accounts of students' experience in separate "sheltered" English learner classrooms. *Journal of Education for Students Placed at Risk, 19*(2), 98-124. https://doi.org/10.1080/10824669.2014.954044

Dabach, D. B. (2015). Teacher placement into immigrant English learner classroom limiting access in comprehensive high schools. *American Educational Research Journal, 52*(2), 243-274. https://doi.org/10.3102/0002831215574725

de Jong, E. (2002). Effective bilingual education: From theory to academic achievement in a two-way bilingual program. *Bilingual Research Journal, 26*(1), 65-84. https://doi.org/10.1080/15235882.2002.10668699

de Jong, E., & Harper, C. (2005). Preparing mainstream teachers for English-language learners: Is being a good teacher good enough? *Teacher Education Quarterly, 32*(2), 101-124.

de Jong, E., & Howard, E. (2009). Integration in two-way immersion education: Equalising linguistic benefits for all students. *International Journal of Bilingual Education and Bilingualism, 12*(1), 81-99. https://doi.org/10.1080/13670050802149531

Delavan, M. G., Valdez, V. E., & Freire, J. A. (2017). Language as whose resource?: When global economics usurp the local equity potentials of dual language education. *International Multilingual Research Journal, 11*(2), 86-100. https://doi.org/10.1080/19313152.2016.1204890

Delaware Department of Education. (2012). *Governor's world language expansion initiative*. Dover, DE: Author.

Durán, L. K., Roseth, C. J., & Hoffman, P. (2010). An experimental study comparing English-only and transitional bilingual education on Spanish-speaking preschoolers' early literacy development. *Early Childhood Research Quarterly, 25*(2), 207-217. https://doi.org/10.1016/j.ecresq.2009.10.002

Dynarski, M., & Kainz, K. (2015). Why federal spending on disadvantaged students (Title I) doesn't work. *Evidence Speaks, 1*(7), 1-5.

Educational Testing Service. (2017). *Summative assessment test blueprints for the English language proficiency assessments for California*. Sacramento, CA: California Department of Education.

Elhoweris, H., Mutua, K., Alsheikh, N., & Holloway, P. (2005). Effect of children's ethnicity on teachers' referral and recommendation decisions in gifted and talented programs. *Remedial and Special Education, 26*(1), 25-31. https://doi.org/10.1177/07419325050260010401

English Language Proficiency Assessment for the 21st Century. (2018). Retrieved from http://www.elpa21.org

Estrada, P. (2014). English learner curricular streams in four middle schools: Triage in the trenches. *The Urban Review, 46*(5), 535-573. https://doi.org/10.1007/s11256-014-0276-7

Estrada, P., & Wang, H. (2018). Making English learner reclassification to fluent English proficient attainable or elusive: When meeting criteria is and is not enough. *American Educational Research Journal, 55*(2), 207-242. https://doi.org/10.3102/0002831217733543

Every Student Succeeds Act, 114-95 C.F.R. (2015).

Faltis, C. (1993). *Accountability, equity and assessment*. Paper presented at the National Center for Research on Cultural Diversity and Second Language Learning, Santa Cruz, CA.

Feinauer, E., & Howard, E. R. (2014). Attending to the third goal: Cross-cultural competence and identity development in two-way immersion programs. *Journal of Immersion and Content-Based Language Education, 2*(2), 257-272. https://doi.org/10.1075/jicb.2.2.07fei

Figueroa, R. A., & Newsome, P. (2006). The diagnosis of LD in English learners: Is it nondiscriminatory? *Journal of Learning Disabilities, 39*(3), 206-214. https://doi.org/10.1177/00222194060390030201

Flores, N., Kleyn, T., & Menken, K. (2015). Looking holistically in a climate of partiality: Identities of students labeled Long-Term English Language Learners. *Journal of Language, Identity & Education, 14*(2), 113-132. https://doi.org/10.1080/15348458.2015.1019787

Gándara, P. (2018). *Immigrant students: Our kids, our future*. Retrieved from https://learningpolicyinstitute.org/blog/immigrant-students-our-kids-our-future

Gándara, P., & Aldana, U. (2014). Who's segregated now? Latinos, language, and the future of integrated schools. *Educational Administration Quarterly, 50*(5), 735-748. https://doi.org/10.1177/0013161X14549957

Gándara, P., & Maxwell-Jolly, J. (2006). Critical issues in developing the teacher corps for English learners. In K. Téllez & H. Waxman (Eds.), *Preparing quality educators for English language learners: Research, policies, and practices* (pp. 99-120). New York, NY: Routledge.

Gándara, P., Maxwell-Jolly, J., & Driscoll, A. (2005). *Listening to teachers of English language learners: A survey of California teachers' challenges, experiences, and professional development needs*. Stanford, CA: Policy Analysis for California Education.

Gándara, P., & Rumberger, R. W. (2008). Defining an adequate education for English learners. *Education Finance and Policy, 3*(1), 130-148. https://doi.org/10.1162/edfp.2008.3.1.130

Gándara, P., & Santibañez, L. (2016). The teachers our English language learners need. *Educational Leadership, 73*(5), 32-37.

Gándara, P., & Zárate, M. E. (2014). *Seizing the opportunity to narrow the achievement gap for English learners: Research-based recommendations for the use of LCFF funds*. Los Angeles, CA: UCLA Civil Rights Project, Proyecto Derechos Civiles.

Garcia, P., & Morales, P. Z. (2016). Exploring quality programs for English language learners in charter schools: A framework to guide future research. *Education Policy Analysis Archives, 24*(53). https://doi.org/10.14507/epaa.24.1739

Goldenberg, C. (2013). Unlocking the research on English learners: What we know--and don't yet know--about effective instruction. *American Educator, 37*(2), 4-11.

Goldenberg, C., & Coleman, R. (2010). *Promoting academic achievement among English learners: A guide to the research*. Thousand Oaks, CA: Sage Press.

Goldenberg, C., & Rutherford-Quach, S. (2012). The Arizona home language survey: The under-identification of students for English language services. *Language Policy, 11*(1), 21-30. https://doi.org/10.1007/s10993-011-9224-5

González, N., Moll, L. C., & Amanti, C. (2013). *Funds of knowledge: Theorizing practices in households, communities, and classrooms*. Mahwah, NJ: Routledge.

Gottlieb, M. (2016). *Assessing English language learners: Bridges to educational equity: Connecting academic language proficiency to student achievement*. Thousand Oaks, CA: Corwin Press.

Haas, E., Tran, L., & Huang, M. (2016). *English learner students' readiness for academic success: The predictive potential of English language proficiency assessment scores in Arizona and Nevada*. Oakland, CA: Regional Educational Laboratory West.

Hakuta, K., & Pompa, D. (2017). *Including English learners in your state Title I accountability plan*. Washington, DC: Council of Chief State School Officers.

Harper, C., & de Jong, E. J. (2009). English language teacher expertise: The elephant in the room. *Language and Education, 23*(2), 137-151. https://doi.org/10.1080/09500780802152788

Hawai'i Department of Education. (2018). *English learners task force summarive report*. Honolulu, HI: Author.

Henry, G. T., Fortner, C. K., & Thompson, C. L. (2010). Targeted funding for educationally disadvantaged students: A regression discontinuity estimate of the impact on high school student achievement. *Educational Evaluation and Policy Analysis, 32*(2), 183-204. https://doi.org/10.3102/0162373710370620

Heritage, M., Walqui, A., & Linquanti, R. (2015). *English language learners and the new standards: Developing language, content knowledge, and analytical practices in the classroom*. Cambridge, MA: Harvard Education Press.

Herman, J. (2016). *Comprehensive standards-based assessment systems supporting learning*. Los Angeles, CA: University of California, Los Angeles, National Center for Research on Evaluation, Standards, and Student Testing (CRESST).

Hibel, J., & Jasper, A. D. (2012). Delayed special education placement for learning disabilities among children of immigrants. *Social Forces, 91*(2), 503-530. https://doi.org/10.1093/sf/sos092

Hodara, M. (2015). The effects of English as a second language courses on language minority community college students. *Educational Evaluation and Policy Analysis, 37*(2), 243-270. https://doi.org/10.3102/0162373714540321

Hoover, J. J., Erickson, J. R., Patton, J. R., Sacco, D. M., & Tran, L. M. (2019). Examining IEPs of English learners with learning disabilities for cultural and linguistic responsiveness. *Learning Disabilities Research & Practice*, *34*(1), 14-22. https://doi.org/10.1111/ldrp.12183

Hopkins, M. (2016). Beliefs in context: Understanding language policy implementation at a systems level. *Educational Policy, 30*(4), 573-605. https://doi.org/10.1177/0895904814550073

Hopkins, M., Thompson, K., Linquanti, R., Hakuta, K., & August, D. (2013). Fully accounting for English learner performance, a key issue in ESEA reauthorization. *Educational Researcher, 42*(2), 101-108. https://doi.org/10.3102/0013189X12471426

Imazeki, J. (2008). Assessing the costs of adequacy in California public schools: A cost function approach. *Education Finance and Policy, 3*(1), 90-108. https://doi.org/10.1162/edfp.2008.3.1.90

Imazeki, J. (2018). Adequacy and state funding formulas: *What can California learn from the research and national context?* Retreived from the Getting Down to Facts II website: https://gettingdowntofacts.com/sites/default/files/2018-09/GDTFII_Report_Imazeki.pdf

Individuals with Disabilities Education Act, 20 U.S.C. § 1400 (2004).

Jaquet, K., & Fong, A. B. (2017). *How do Algebra I course repetition rates vary among English learner students by length of time to reclassification as English proficient?* (REL 2017–222). Washington, DC: U.S. Department of Education, Institute of Education Sciences, Regional Education Laboratory West.

Jimenez-Castellanos, O., & Topper, A. M. (2012). The cost of providing an adequate education to English language learners: A review of the literature. *Review of Educational Research, 82*(2), 179-232. https://doi.org/10.3102/0034654312449872

Johnson, A. (2019a). The effects of English learner classification on high school graduation and college attendance. *AERA Open*, *5*(2). https://doi.org/10.1177/2332858419850801

Johnson, A. (2019b). A matter of time: Variations in high school course-taking by years-as-EL subgroup. *Educational Evaluation and Policy Analysis*, Online first https://doi.org/10.3102/0162373719867087

Kangas, S. (2018). Breaking one law to uphold another: How schools provide services to English learners with disabilities. *TESOL Quarterly, 52*(4), 877-910. https://doi.org/10.1002/tesq.431

Kanno, Y. (2018). High-performing English learners' limited access to four-year college. *Teachers College Record, 120*(4), 1-46.

Kanno, Y., & Cromley, J. G. (2013). English language learners' access to and attainment in postsecondary education. *TESOL Quarterly, 47*(1), 89-121. https://doi.org/10.1002/tesq.49

Kanno, Y., & Kangas, S. (2014). "I'm not going to be, like, for the AP": English language learners' limited access to advanced college-preparatory courses in high school. *American Educational Research Journal, 51*(5), 848-878. https://doi.org/10.3102/0002831214544716

Kanu, Y. (2008). Educational needs and barriers for African refugee students in Manitoba. *Canadian Journal of Education, 31*(4), 915.

Kieffer, M. J., Lesaux, N. K., Rivera, M., & Francis, D. J. (2009). Accommodations for English language learners taking large-scale assessments: A meta-analysis on effectiveness and validity. *Review of Educational Research*, *79*(3), 1168-1201. https://doi.org/10.3102/0034654309332490

Kieffer, M. J., Rivera, M., & Francis, D. J. (2012). *Practical guidelines for the education of English language learners. Research-based recommendations for the use of accommodations in large-scale assessments.* Portsmouth, NH: Center on Instruction.

Kieffer, M. J., & Thompson, K. D. (2018). Hidden progress of multilingual students on NAEP. *Educational Researcher, 47*(6), 391-398. https://doi.org/10.3102/0013189X18777740

Lacelle-Peterson, M., & Rivera, C. (1994). Is it real for all kids? A framework for equitable assessment policies for English language learners. *Harvard Educational Review, 64*(1), 55-76. https://doi.org/10.17763/haer.64.1.k3387733755817j7

Lau v. Nichols, No. 414 U.S. 563 (1974).

Lee, O. (2018). English language proficiency standards aligned with content standards. *Educational Researcher, 47*(5), 317-327. https://doi.org/10.3102/0013189X18763775

Leshem, S., & Trafford, V. (2007). Overlooking the conceptual framework. *Innovations in Education and Teaching International, 44*(1), 93-105. https://doi.org/10.1080/14703290601081407

Levin, J., Brodziak de los Reyes, I., Atchison, D., Manship, K., Arellanes, M., & Hu, L. (2018). *What does it cost to educate California's students? A profesional judgement approach*. Retreived from the Getting Down to Facts II website: https://gettingdowntofacts.com/sites/default/files/GDTFII_Report_Levin.pdf

Lillie, K. E., Markos, A., Arias, M. B., & Wiley, T. G. (2012). Separate and not equal: The implementation of structured English immersion in Arizona's classrooms. *Teachers College Record, 114*(9), 1-33.

Lindholm-Leary, K., & Howard, E. R. (2008). Language development and academic achievement in two-way immersion programs. In T. Williams Fortune & D. J. Tedick (Eds.), *Pathways to multilingualism: Evolving perspectives on immersion education* (pp. 177-200). Clevedon, England: Multilingual Matters.

Linquanti, R. (2001). *The redesignation dilemma: Challenges and choices in fostering meaningful accountability for English learners*. Berkeley, CA: The University of California Linguistic Minority Research Institute.

Linquanti, R. (2014). *Supporting formative assessment for deeper learning: A primer for policymakers*. Washington, DC: Council of Chief State School Officers.

Linquanti, R., & Cook, G. (2013). *Toward a "common definition of English learner"; A brief defining policy and technical issues and opportunities for state assessment consortia*. Washington, DC: Council of Chief State School Officers.

Linquanti, R., & Cook, H. G. (2017). *Innovative solutions for including recently arrived English learners in state accountability systems: A guide for states*. Washington, DC: U.S. Department of Education.

Linquanti, R., Cook, G., Bailey, A., & MacDonald, R. (2016). *Moving toward a more common definition of English learner: Collected guidance for states and multi-state assessment consortia*. Washington, DC: Coucil of Chief State School Officers.

Linquanti, R., & Hakuta, K. (2012). *How next generation standards and assessments can foster success for California's English learners* (Vol. 12-1). Palo Alto, CA: Policy Analysis for California Education.

Loeb, S., Soland, J., & Fox, L. (2014). Is a good teacher a good teacher for all? Comparing value-added of teachers with their English learners and non-English learners. *Educational Evaluation and Policy Analysis, 36*(4), 457-475. https://doi.org/10.3102/0162373714527788

López, F., & Santibañez, L. (2018). Teacher preparation for emergent bilingual students: Implications of evidence for policy. *Education Policy Analysis Archives, 26*(36), 1-47. https://doi.org/10.14507/epaa.26.2866

López, F., Scanlan, M., & Gundrum, B. (2013). Preparing teachers of English language learners: Empirical evidence and policy implications. *Education Policy Analysis Archives, 21*(20), 1-35. https://doi.org/10.14507/epaa.v21n20.2013

Louisiana Department of Education. (2018). *English learner guidebook: Changing educational outcomes for English learners*. Baton Rouge, LA: Author.

Massachusetts Department of Elementary and Secondary Education. (2017). *Massachusetts expanded learning time*. Boston, MA: Author.

Master, B., Loeb, S., Whitney, C., & Wyckoff, J. (2016). Different skills? Identifying differentially effective teachers of English language learners. *The Elementary School Journal, 117*(2), 261-284. https://doi.org/10.1086/688871

Mavrogordato, M., & White, R. S. (2017). Reclassification variation: How policy implementation guides the process of exiting students from English learner status. *Educational Evaluation and Policy Analysis, 39*(2), 281-310. https://doi.org/10.3102/0162373716687075

McBrien, J. L. (2005). Educational needs and barriers for refugee students in the United States: A review of the literature. *Review of Educational Research, 75*(3), 329-364. https://doi.org/10.3102/00346543075003329

Meltzer, J., & Hamann, E. T. (2005). *Meeting the literacy development needs of adolescent English language learners through content-area learning*. Providence, RI: The Education Alliance, Brown University.

Menken, K. (2006). Teaching to the test: How No Child Left Behind impacts language policy, curriculum, and instruction for English language learners. *Bilingual Research Journal, 30*(2), 521-546. https://doi.org/10.1080/15235882.2006.10162888

Menken, K., & Kleyn, T. (2010). The long-term impact of subtractive schooling in the educational experiences of secondary English language learners. *International Journal of Bilingual Education and Bilingualism, 13*(4), 399-417. https://doi.org/10.1080/13670050903370143

Menken, K., Kleyn, T., & Chae, N. (2012). Spotlight on "long-term English language learners": Characteristics and prior schooling experiences of an invisible population. *International Multilingual Research Journal, 6*(2), 121-142. https://doi.org/10.1080/19313152.2012.665822

Mitchell, D., Destino, T., Karam, R., & Colón-Muñiz, A. (1999). The politics of bilingual education. *Educational Policy, 13*(1), 86-103. https://doi.org/10.1177/0895904899131008

Mitra, D. (2018). *Educational change and the political process*. New York, NY: Routledge. https://doi.org/10.4324/9781315531779

Mora, J. K., Wink, J., & Wink, D. (2001). Dueling models of dual language instruction: A critical review of the literature and program implementation guide. *Bilingual Research Journal, 25*(4), 435-460. https://doi.org/10.1080/15235882.2001.11074462

Muñoz, J. (2018). *Diversifying the teacher workforce with 'grow your own' programs*. Washington DC: New America.

National Center for Education Statistics. (2018). *Common core of data [dataset]*. Author.

National Research Council. (2011). *Allocating federal funds for state programs for English language learners*. Washington DC: National Academies Press.

New Jersey Department of Education. (2017). *Model curriculum: English language arts (K-12)*. Trenton, NJ: Author.

New York State Education Department. (2014). *Blueprint for English langauge learner/Multlingual learner success*. Albany, NY: Author.

New York State Education Department Office of Accountability. (2017). *New York State's Every Student Succeeds Act plan*. Brooklyn, NY: Author.

New York State Education Department Office of Bilingual Education and World Languages. (2016). *Parents' bill of rights for New York State's English language learners*. Albany, NY: Author.

Nuñez, A.-M., Rios-Aguilar, C., Kanno, Y., & Flores, S. M. (2016). English learners and their transition to postsecondary education. In M. Paulsen (Ed.), *Higher education: Handbook of theory and research* (Vol. 31, pp. 41-90). Berlin, GE: Springer. https://doi.org/10.1007/978-3-319-26829-3_2

Nuñez, A.-M., & Sparks, P. J. (2012). Who are linguistic minority students in higher education? In Y. Kanno & L. Harklau (Eds.), *Linguistic minority students go to college: Preparation, access, and persistence* (pp. 110-129). New York, NY: Routledge.

Oakes, J. (2005). *Keeping track: How schools structure inequality*. Princeton, NJ: Yale University Press.

Oikonomidoy, E. (2009). The multilayered character of newcomers' academic identities: Somali female high-school students in a U.S. school. *Globalisation, Societies and Education, 7*(1), 23-39. https://doi.org/10.1080/14767720802677358

Olsen, L. (2010). *Reparable harm: Fulfilling the unkept promise of educational opportunity for California's long term English learners*. Long Beach, CA: Californians Together.

Olsen, L. (2014). *Meeting the unique needs of long term English Language Learners*. Washington DC: National Education Association.

Oregon State Board of Education (2014). Two-way immersion/dual language programs: Expanding and improving an effective approach for English learners (and native English students) [PowerPoint slides]. Retrieved from: https://www.oregon.gov/ode/about-us/stateboard/Documents/October%202014%20board%20meeting/two-way-immersiondual-language-programs.pdf

Ortiz, A. A., Robertson, P. M., Wilkinson, C. Y., Liu, Y. J., McGhee, B. D., & Kushner, M. I. (2011). The role of bilingual education teachers in preventing inappropriate referrals of ELLs to special education: Implications for response to intervention. *Bilingual Research Journal, 34*(3), 316-333. https://doi.org/10.1080/15235882.2011.628608

Palmer, D., & Snodgrass Rangel, V. (2011). High stakes accountability and policy implementation: Teacher decision making in bilingual classrooms in Texas. *Educational Policy, 25*(4), 614-647. https://doi.org/10.1177/0895904810374848

Pandya, J. Z. (2011). *Overtested: How high-stakes accountability fails English language learners*. New York, NY. Teachers College Press.

Park, S. (2014). Bilingualism and children with autism spectrum disorders: Issues, research, and implications. *New York State TESOL Journal, 1*(2), 122-129.

Park, S., Martinez, M. I., & Chou, F. (2017). *CCSSO English learners with disabilities guide: A guide for states creating policies on the identification of and service provision for English learners with disabilities*. Washington, DC: Council of Chief State School Officers.

Pettit, S. K. (2011). Teachers' beliefs about English language learners in the mainstream classroom: A review of the literature. *International Multilingual Research Journal, 5*(2), 123-147. https://doi.org/10.1080/19313152.2011.594357

Phillips, M., Reber, S., & Rothstein, J. (2018). *Making California data more useful for educational improvement*. Retrieved from the Getting Down to Facts II website: https://gettingdowntofacts.com/sites/default/files/GDTFII_Report_Phillips-Reber-Rothstein.pdf

Polikoff, M. S., & Porter, A. C. (2014). Instructional alignment as a measure of teaching quality. *Educational Evaluation and Policy Analysis, 36*(4), 399-416. https://doi.org/10.3102/0162373714531851

Pope, N. G. (2016). The marginal effect of K-12 English language development programs: Evidence from Los Angeles schools. *Economics of Education Review, 53*, 311-328. https://doi.org/10.1016/j.econedurev.2016.04.009

Portes, A., & Rumbaut, R. G. (2006). *Immigrant America: A portrait*. Berkeley, CA: University of California Press.

Potochnick, S. (2018). The academic adaptation of immigrant students with interrupted schooling. *American Educational Research Journal, 55*(4), 859-892. https://doi.org/10.3102/0002831218761026

Ramirez, M. (2016). Dual-language learning programs on the rise. *The Education Digest, 81*(8), 26-31.

Razfar, A., & Simon, J. (2011). Course-taking patterns of Latino ESL students: Mobility and mainstreaming in urban community colleges in the United States. *TESOL Quarterly, 45*(4), 595-627. https://doi.org/10.5054/tq.2011.268060

Reyes, M., & Domina, T. (2019). A mixed-methods study: Districts' implementation of language classification policies and the implications for male, Hispanic, and low-income middle school students. *Education Policy Analysis Archives, 27*, 30. https://doi.org/10.14507/epaa.27.4210

Rios-Aguilar, C., Canché, M., & Sabetghadam, S. (2012). Evaluating the impact of restrictive language policies: The Arizona 4-hour English language development block. *Language Policy, 11*(1), 47-80. https://doi.org/10.1007/s10993-011-9226-3

Robinson, J. P. (2011). Evaluating criteria for English learner reclassification: A causal-effects approach using a binding-score regression discontinuity design with instrumental variables. *Educational Evaluation and Policy Analysis, 33*(3), 267-292. https://doi.org/10.3102/0162373711407912

Robinson-Cimpian, J. P., & Thompson, K. D. (2016). The effects of changing test-based policies for reclassifying English Learners. *Journal of Policy Analysis and Management, 35*(2), 279-305. https://doi.org/10.1002/pam.21882

Samson, J. F., & Lesaux, N. K. (2009). Language-minority learners in special education: Rates and predictors of identification for services. *Journal of Learning Disabilities, 42*(2), 148-162. https://doi.org/10.1177/0022219408326221

Sampson, C. (2018). "The state pulled a fast one on us": A critical policy analysis of state-level policies affecting English learners from district-level perspectives. *Educational Policy, 33*(1) 158-180. https://doi.org/10.1177/0895904818807324

Santibañez, L., & Snyder, C. (2018). *Teaching English learners in California: A look at teacher preparation and induction.* Retrieved from the Getting Down to Facts II website: https://gettingdowntofacts.com/sites/default/files/2018-09/GDTFII_Report_Santibanez.pdf

Santos, M., Darling-Hammond, L., & Cheuk, T. (2012). *Teacher development to support English language learners in the context of common core state standards.* Paper presented at the Understanding Language Conference Stanford University, California.

Saunders, W., Foorman, B., & Carlson, C. (2006). Is a separate block of time for oral English language development in programs for English learners needed? *The Elementary School Journal, 107*(2), 181-198. https://doi.org/10.1086/510654

Saunders, W., & Marcelletti, D. (2013). The gap that can't go away: The catch-22 of reclassification in monitoring the progress of English learners. *Educational Evaluation and Policy Analysis, 35*(2), 139-156. https://doi.org/10.3102/0162373712461849

Schleppegrell, M., & de Oliveira, L. C. (2006). An integrated language and content approach for history teachers. *Journal of English for Academic Purposes, 5*(4), 254-268. https://doi.org/10.1016/j.jeap.2006.08.003

Shifrer, D., Muller, C., & Callahan, R. (2011). Disproportionality and learning disabilities: Parsing apart race, socioeconomic status, and language. *Journal of Learning Disabilities, 44*(3), 246-257. https://doi.org/10.1177/0022219410374236

Shin, N. (2018). The effects of initial English Language Learner classification on students' later academic outcomes. *Educational Evaluation and Policy Analysis, 40*(2), 175-195. https://doi.org/10.3102/0162373717737378

Shohamy, E. G. (2011). Assessing multilingual competencies: Adopting construct valid assessment policies. *The Modern Language Journal, 95*(3), 418-429. https://doi.org/10.1111/j.1540-4781.2011.01210.x

Shohamy, E., & Menken, K. (2015). Language assessment: Past to present misuses and future possibilities. In W. Wright, S. Boun, and O. Garcías (Eds.) *The handbook of bilingual and multilingual education* (pp. 253-269). https://doi.org/10.1002/9781118533406.ch15

Slama, R. (2014). Investigating whether and when English learners are reclassified into mainstream classrooms in the United States: A discrete-time survival analysis. *American Educational Research Journal, 51*(2), 220-252. https://doi.org/10.3102/0002831214528277

Slavin, R. E., Madden, N., Calderón, M., Chamberlain, A., & Hennessy, M. (2011). Reading and language outcomes of a multiyear randomized evaluation of transitional bilingual education. *Educational Evaluation and Policy Analysis, 33*(1), 47-58. https://doi.org/10.3102/0162373711398127

Solano-Flores, G., Wang, C., Kachchaf, R., Soltero-Gonzalez, L., & Nguyen-Le, K. (2014). Developing testing accommodations for English language learners: Illustrations as visual supports for item accessibility. *Educational Assessment*, *19*(4), 267-283. https://doi.org/10.1080/10627197.2014.964116

Solórzano, R. W. (2008). High stakes testing: Issues, implications, and remedies for English language learners. *Review of Educational Research, 78*(2), 260-329. https://doi.org/10.3102/0034654308317845

Spillane, J. P. (1998). State policy and the non-monolithic nature of the local school district: Organizational and professional considerations. *American Educational Research Journal, 35*(1), 33-63. https://doi.org/10.3102/00028312035001033

State of Washington Professional Educator Standards Board. (2017). *Recruiting Washington teachers: Bilingual educators initiative*. Olympia, WA: Author.

Steele, J. L., Slater, R. O., Zamarro, G., Miller, T., Li, J., Burkhauser, S., & Bacon, M. (2017). Effects of dual-language immersion programs on student achievement: Evidence from lottery data. *American Educational Research Journal, 54*(1_suppl), 282S-306S. https://doi.org/10.3102/0002831216634463

Stephens, C., & Johnson, D. C. (2015). "Good teaching for all students?": Sheltered instruction programming in Washington state language policy. *Language and Education, 29*(1), 31-45. https://doi.org/10.1080/09500782.2014.924965

Sugarman, J. (2016). *Funding an equitable education for English learners in the United States*. Washington DC: Migration Policy Institute.

Takanishi, R., & Le Menestrel, S. (Eds.). (2017). *Promoting the educational success of children and youth learning English: Promising futures*. Washington, DC: The National Academies Press. https://doi.org/10.17226/24677

Thompson, K. D. (2015). Questioning the long-term English learner label: How classification and categorization can blind us to students' abilities. *Teachers College Record, 117*(12), 1-50.

Thompson, K. D. (2017a). English learners' time to reclassification: An analysis. *Educational Policy, 31*(3), 330-363. https://doi.org/10.1177/0895904815598394

Thompson, K. D. (2017b). What blocks the gate? Exploring current and former English learners' math course-taking in secondary school. *American Educational Research Journal, 54*(4), 757-798. https://doi.org/10.3102/0002831217706687

Umansky, I. M. (2016a). Leveled and exclusionary tracking: English Learners' access to core content in middle school. *American Educational Research Journal, 53*(6), 1792-1833.

Umansky, I. M. (2016b). To be or not to be EL: An examination of the impact of classifying students as English Learners. *Educational Evaluation and Policy Analysis, 38*(4), 714-737.

Umansky, I. M., Hopkins, M., Dabach, D. B., Porter, L., Thompson, K. D., & Pompa, D. (2018). *Understanding and supporting the needs of recently-arrived immigrant English learner students: Lessons for state and local education agencies*. Washington, DC: Council of Chief State School Officers.

Umansky, I. M., Poza, L., & Flores Gutierrez, M. (Manuscript submitted for publication). *"Its kind of a sentencing:" Educator perceptions of English learners' opportunities across grade levels*.

Umansky, I. M., & Reardon, S. F. (2014). Reclassification patterns among Latino English learner students in bilingual, dual immersion, and English immersion classrooms. *American Educational Research Journal, 51*(5), 879-912.

Umansky, I. M., Thompson, K. D., & Díaz, G. (2017). Using an Ever–English Learner framework to examine disproportionality in special education. *Exceptional Children, 84*(1), 76-96.

U.S. Department of Education. (2016). *Newcomer tool kit*. Washington, DC: Author.

U.S. Department of Education Office of English Language Acquisition. (2015). *Dual language education programs: Current state policies and practices*. Washington DC: Author.

U.S. Department of Health and Human Services. (2016). *Policy statement on supporting the development of children who are dual language learners in early childhood programs*. Washington, DC: Author.

U.S. Department of Justice & U.S. Department of Education. (2015). *Dear colleague*. Washington, DC: Authors.

Valdés, G. (1997). Dual-language immersion programs: A cautionary note concerning the education of language-minority students. *Harvard Educational Review, 67*(3), 391-430. https://doi.org/10.17763/haer.67.3.n5q175qp86120948

Valdés, G. (1998). The world outside and inside schools: Language and immigrant children. *Educational Researcher, 27*(6), 4-18. https://doi.org/10.3102/0013189X027006004

Valdés, G. (2001). *Learning and not learning English: Latino students in American schools*. New York, NY: Teachers College Press.

Valdés, G., Kibler, A., & Walqui, A. (2014). *Changes in the expertise of ESL professionals: Knowledge and action in an era of new standards*. Alexandria, VA: TESOL International Association.

Valentino, R., & Reardon, S. (2015). Effectiveness of four instructional programs designed to serve English language learners: Variation by ethnicity and initial English proficiency. *Educational Evaluation and Policy Analysis, 37*(4), 612-637. https://doi.org/10.3102/0162373715573310

Valenzuela, A. (1999). *Subtractive schooling: US-Mexican youth and the politics of caring*. Albany, NY: State University of New York Press.

Verstegen, D. (2015). *A 50 state survey of school finance policies*. Retrieved from https://schoolfinancesdav.wordpress.com/

Westberg, K., & Archambault Jr., F. (1997). A multi-site case study of successful classroom practices for high ability students. *Gifted Child Quarterly, 41*(1), 42-51. https://doi.org/10.1177/001698629704100106

WIDA. (2018). Retrieved from https://wida.wisc.edu/

Wiley, T. G., & Wright, W. E. (2004). Against the undertow: Language-minority education policy and politics in the "age of accountability". *Educational Policy*, *18*(1), 142-168. https://doi.org/10.1177/0895904803260030

Wirt, F., & Kirst, M. (2009). *The political dynamics of public education*. Richmond, CA: McCutchan Publishing Corporation.

Wixom, M. A. (2015). *State-level English language learner policies.* Denver, CO: Education Commission of the States.

Wright, W. (2015). *Foundations for teaching English language learners: Research, theory, policy, and practice* (2nd ed.). Philadelphia, PA: Caslon.

Wolf, M. K., Farnsworth, T., & Herman, J. (2008). Validity issues in assessing English language learners' language proficiency. *Educational Assessment*, *13*(2-3), 80-107. https://doi.org/10.1080/10627190802394222

Wolf, M. K., Guzman-Orth, D., & Hauck, M. C. (2016). Next-generation summative English language proficiency assessments for English learners: Priorities for policy and research. *ETS Research Report Series*, 1-23. https://doi.org/10.1002/ets2.12091

Wolf, M. K., & Leon, S. (2009). An investigation of the language demands in content assessments for English language learners. *Educational Assessment, 14*(3-4), 139-159. https://doi.org/10.1080/10627190903425883

Wolf, M. K., Kim, J., & Kao, J. (2012). The effects of glossary and read-aloud accommodations on English language learners' performance on a mathematics assessment. *Applied Measurement in Education*, *25*(4), 347-374. https://doi.org/10.1080/08957347.2012.714693

Yazejian, N., Bryant, D., Freel, K., & Burchinal, M. (2015). High-quality early education: Age of entry and time in care differences in student outcomes for English-only and dual language learners. *Early Childhood Research Quarterly*, *32*, 23-39. https://doi.org/10.1016/j.ecresq.2015.02.002

Yosso, T. J. (2005). Whose culture has capital? A critical race theory discussion of community cultural wealth. *Race, Ethnicity and Education*, *8*(1), 69-91.

About the Authors

Ilana M. Umansky
University of Oregon
ilanau@uoregon.edu
ORCID: https://orcid.org/0000-0001-9907-834X
Ilana Umansky is an Assistant Professor of Educational Methodology, Policy and Leadership at the University of Oregon. Her work explores how education policy impacts the educational opportunities and outcomes of immigrant, multilingual and English learner-classified students using largescale data and longitudinal and quasi-experimental methods. She holds a PhD from Stanford University in Sociology of Education and often works in researcher-practitioner partnerships with states and districts to advance equitable school systems for immigrant and multilingual students.

Lorna Porter
University of Oregon
lporter@uoregon.edu
Lorna Porter is a doctoral student at the University of Oregon, where she is pursuing a degree in Quantitative Research Methods in Education. Her work explores how education policy decisions impact the experiences and outcomes of immigrant and multilingual students.

education policy analysis archives

Please send errata notes to Audrey Amrein-Beardsley at audrey.beardsley@asu.edu

Join EPAA's Facebook community at https://www.facebook.com/EPAAAAPE and **Twitter feed** @epaa_aape.