



# Facts about English Learners and the NCLB/ESSA Transition in Massachusetts

By Julie Sugarman and Kevin Lee

This fact sheet provides a sketch of key characteristics of the foreign-born and English Learner (EL) populations in Massachusetts. It is intended to equip community organizations with an understanding of the state demographic context and some of the basics of EL policies under the *No Child Left Behind Act* (NCLB, in effect from 2002 through December 2015) and its successor, the *Every Student Succeeds Act* (ESSA), enacted in December 2015.

The first section looks at the demographics of Massachusetts, including the entire state population using U.S. Census Bureau 2014 American Community Survey (ACS) data, and EL students as reported by the Massachusetts Department of Education. A discussion of EL student outcomes as measured by standardized tests follows, and the fact sheet concludes with a brief overview of Massachusetts accountability mechanisms that affected ELs under NCLB and relevant provisions of ESSA.

## I. Demographic Overview of Foreign-Born and EL Populations in Massachusetts

In 2014, approximately 1,052,382 foreign-born individuals resided in Massachusetts, accounting for 16 percent of the state population—larger than the share of immigrants in the United States (13 percent), as seen in Table 1. The growth rate of the foreign-born population in Massachusetts has been relatively stable, at 35 percent in the period between 1990 and 2000 and 37 percent between 2000 and 2014, and is comparable to the growth rate of the U.S. foreign born more generally.

**Table 1. Foreign- and U.S.-Born Populations of Massachusetts and United States, 2014**

	Massachusetts		United States	
	Foreign Born	U.S. Born	Foreign Born	U.S. Born
Number	1,052,382	5,327,059	42,391,794	276,465,262
Share of total population	15.7%	84.3%	13.3%	86.7%
<b>Population Change over Time</b>				
% change: 2000-14	37.2%	2.0%	36.3%	10.4%
% change: 1990-2000	34.7%	2.5%	57.4%	9.3%
<b>Age Group</b>				
Share under age 5	0.7%	6.3%	0.6%	7.1%
Share ages 5-17	5.5%	17.0%	5.3%	18.6%
Share ages 18+	93.7%	76.7%	94.0%	74.3%

Source: Migration Policy Institute (MPI) Data Hub, "State Immigration Data Profiles: Demographics & Social," accessed December 1, 2016, [www.migrationpolicy.org/data/state-profiles/state/demographics/MA/US/](http://www.migrationpolicy.org/data/state-profiles/state/demographics/MA/US/).

**Table 2. Children (ages 17 and younger) in Massachusetts and the United States, 2014**

	Massachusetts		United States	
	Number	Share of Population (%)	Number	Share of Population (%)
<b>Children between ages 6 and 17 with</b>	<b>911,777</b>	<b>100</b>	<b>46,968,394</b>	<b>100</b>
Only native parent(s)	677,427	74.3	35,171,703	74.9
One or more foreign-born parents	234,350	25.7	11,796,691	25.1
Child is native born	191,743	21.0	10,011,547	21.3
Child is foreign born	42,607	4.7	1,785,144	3.8
<b>Children in low-income families</b>	<b>390,630</b>	<b>100</b>	<b>30,272,597</b>	<b>100</b>
Only native parents	248,811	63.7	20,793,941	68.7
One or more foreign-born parents	141,819	36.3	9,478,656	31.3

*Note:* The definition of children in low-income families includes children under age 18 who resided with at least one parent and in families with annual incomes below 200 percent of the federal poverty threshold.

*Source:* MPI Data Hub, “State Immigration Data Profiles: Demographics & Social.”

However, the growth of the immigrant population in Massachusetts far outpaces the growth rate of the native-born population. Age group trends in Massachusetts mirror broader national trends, with disproportionately fewer foreign-born individuals in the birth-to-age-17 brackets compared to the native born.

The share of school-age children with one or more foreign-born parents in Massachusetts (26 percent) is comparable to that of the United States (25 percent), as shown in Table 2. Additionally, about 82 percent of children of immigrants in Massachusetts were native born. In Massachusetts, 36 percent of chil-

dren in low-income families had foreign-born parents, which is comparable to share of low-income children nationally.

Massachusetts has a diverse immigrant population (see Table 3). Most notably, the state’s shares of immigrants from Africa and Europe (10 percent and 22 percent, respectively) are about twice that of the United States more generally (5 percent and 11 percent, respectively). The share of immigrants from Latin America (35 percent) is significantly lower than the national rate (52 percent). The share of Asian-born individuals living in Massachusetts (31 percent) is comparable to

**Table 3. Regions of Birth of the Foreign-Born Population in Massachusetts and the United States, 2014**

Region of Birth	Massachusetts		United States	
	Number	Share of Population (%)	Number	Share of Population (%)
Africa	102,438	9.7	1,931,203	4.6
Asia	323,752	30.5	12,750,422	30.1
Europe	230,157	21.7	4,764,822	11.2
Latin America	370,039	34.9	21,890,416	51.6
Northern America	29,828	2.8	812,642	1.9
Oceania	4,067	0.4	241,200	0.6

*Notes:* Latin America includes South America, Central America, Mexico, and the Caribbean; Northern America includes Canada, Bermuda, Greenland, and St. Pierre and Miquelon. The region of birth data exclude those born at sea.

*Source:* MPI Data Hub, “State Immigration Data Profiles: Demographics & Social.”

**Table 4. Nativity of Massachusetts and U.S. LEP Students, 2014**

	Share of K-12 LEP Children Born in the United States (%)		
	Grades K-5	Grades 6-12	Total
Massachusetts	69	45	55
United States	83	56	71

*Note:* Analysis based on Limited English Proficient (LEP) children ages 5 and older enrolled in grades K-12.

*Source:* MPI analysis of U.S. Census Bureau 2014 American Community Survey (ACS) data, accessed through Minnesota Population Center, University of Minnesota, “Integrated Public Use Microdata Series,” accessed September 8, 2016, <https://usa.ipums.org/usa/>.

the national share of immigrants from Asia (30 percent).

**Number of ELs.** ACS Census data on the Limited English Proficient (LEP) population rely on self-reporting of English proficiency, with LEP individuals counted as those who speak English less than “very well.” At the national level, ACS data indicate that 5 percent of U.S. children ages 5 to 17 are LEP,<sup>1</sup> while data submitted to the federal government by the states put the share of ELs amongst the total K-12 population at 10 percent in school year (SY) 2013-14.<sup>2</sup>

At the state level, ACS data indicate that 4 percent of Massachusetts children ages 5 to 17 are LEP.<sup>3</sup> In contrast, the most recent data from the Massachusetts Department of Education, from SY 2015-16, indicate EL enrollment represents 9 percent of the total K-12 student population, or 85,762 students.<sup>4</sup>

Although ACS data seem to undercount EL children, they can be used to examine (with due caution) the nativity of ELs, which is not a variable captured by school data systems. Table 4 shows that in Massachusetts, more than half of school-aged children who were reported as LEP in census data were born in the United States, with a larger share among elementary school children than older students. The rate of native-born LEP children in the United States was considerably higher, at 71 percent.

The most recent data available that show the top languages spoken by ELs in Massachusetts comes from the Consolidated State Performance Reports submitted by each state to the federal government. Table 5 shows data from SY 2013-14 that indicate Spanish was spoken by half of Massachusetts ELs, with Portuguese, Haitian/Haitian Creole, Chinese, and other Portuguese creoles and pidgins rounding out the top five.

**Table 5. Top Five Home Languages Spoken by Massachusetts ELs, SY 2013-14**

	Number of ELs	Share of ELs (%)
Spanish	39,737	54
Portuguese	5,229	7
Haitian, Haitian Creole	3,833	5
Chinese	3,812	5
Creoles and pidgins, Portuguese-based (Other)	3,406	5

EL = English Learner; SY = School Year.

*Note:* Share calculated based on 73,662 Limited English Proficient students reported by the state in 2013-14.

*Source:* U.S. Department of Education, “SY 2013-2014 Consolidated State Performance Reports Part I.

Massachusetts,” updated October 30, 2015, [www2.ed.gov/adms/lead/account/consolidated/sy13-14part1/index.html](http://www2.ed.gov/adms/lead/account/consolidated/sy13-14part1/index.html).

**Table 6. Number and Share of K-12 ELs in Massachusetts School Districts with More Than 1,000 ELs, SY 2015-16**

	Number of ELs	Share of ELs in District (%)
Boston	16,228	30.3
Worcester	9,639	38.4
Lawrence	4,231	31.0
Springfield	4,148	16.3
Lowell	3,535	25.0
Brockton	3,362	19.7
Lynn	2,951	19.5
New Bedford	2,856	22.5
Chelsea	1,680	26.6
Framingham	1,574	18.6
Quincy	1,364	14.9
Holyoke	1,322	24.6
Revere	1,276	17.8
Malden	1,231	18.7
Everett	1,139	16.0

EL = English Learner; SY = School Year.

Source: Massachusetts Department of Elementary and Secondary Education, “2015-16 Selected Populations Report (District),” accessed December 2, 2016, [http://profiles.doe.mass.edu/state\\_report/selectedpopulations.aspx](http://profiles.doe.mass.edu/state_report/selectedpopulations.aspx).

Among Massachusetts school districts with enrollment of more than 1,000 ELs, the three districts with the largest number of ELs are Boston, Worcester, and Lawrence, each of which has an EL population that makes up more than 30 percent of the student population. Table 6 shows that the districts with the largest numbers of ELs have shares between 15 percent (Quincy) and 38 percent (Worcester).

ELs, with greater shares in elementary school and lower shares in secondary grades, differs significantly from the distribution of all students across grade bands.

## II. EL Student Outcomes in Massachusetts

Finally, Table 7 shows that the greatest share of EL students were in grades 2 to 5 (38 percent) and the smallest share in middle school (16 percent) in SY 2015-16. This distribution of

Massachusetts uses the WIDA ACCESS for ELLs for annual assessment of students’ English language proficiency, which is scored on a scale

**Table 7. Distribution of ELs and All Students in Massachusetts across Grade Bands, SY 2015-16**

	Grades K-1	Grades 2-5	Grades 6-8	Grades 9-12
Share of ELs in each grade band	23%	38%	16%	19%
Share of all students in each grade band	14%	30%	22%	30%

Source: Massachusetts Executive Office of Education, “District Analysis Review Tools: DART Detail: English Language Learners,” accessed December 2, 2016, [www.mass.gov/edu/docs/ese/accountability/dart/dart-english-language-learners.xlsx](http://www.mass.gov/edu/docs/ese/accountability/dart/dart-english-language-learners.xlsx).

**Table 8. Percent of ELs at Each ACCESS Composite Level (%), SY 2015-16**

	Kindergarten (%)	Grades 1-2 (%)	Grades 3-5 (%)	Grades 6-8 (%)	Grades 9-12 (%)	All Students (%)
Level 1	56	5	4	7	12	13
Level 2	17	14	7	13	20	14
Level 3	13	45	15	27	24	26
Level 4	9	26	34	33	22	26
Level 5	5	8	27	16	16	15
Level 6	0	2	14	2	7	6

EL = English Learner; SY = School Year.

Source: Massachusetts Executive Office of Education, "District Analysis Review Tools."

of 1 (lowest) to 6 (highest). Table 8 shows the number of ELs scoring at each level, by grade band.

Across the state, 27 percent of K-12 ELs scored at the lowest proficiency levels (levels 1 and 2) and 67 percent at the upper levels (levels 3, 4, and 5) in SY 2015-16. Only 6 percent scored at level 6, likely because students in Massachusetts may exit EL status once they have reached an overall composite score of 5.0 out of 6.0 and a literacy composite score of 4.0.<sup>5</sup>

Next, the fact sheet looks at outcomes of the EL subgroup on state standardized assessments. It is important to note two things about the participation of ELs on these assessments. First, compared to other student subgroups based on ethnicity, poverty, gender, and special education status, ELs are a much more dynamic population: as students gain proficiency, they exit the EL subgroup and new ELs are identified as they enter the U.S. school system. By definition, students who remain in the EL subgroup are not performing at a level where their achievement on mainstream assessments is comparable to that of their English-proficient peers.

Second, under NCLB, states were allowed to exempt EL students from taking the English language arts (ELA) test for one year and to exclude the math scores of those newcomers from accountability reports. For that reason, the results below do not include all Massachusetts ELs.

State standardized testing in Massachusetts is in considerable flux. The Massachusetts Comprehensive Assessment System (MCAS) has been used for student assessment and system accountability since 2001. The MCAS is given in ELA and mathematics in grades 3-8 and 10, and the MCAS for science and technology/engineering in grades 5, 8, and 10. However, in spring 2015, districts had a choice of using the MCAS or the new Partnership for Assessment of Readiness for College and Careers (PARCC) tests in ELA and math in grades 3-8, and about half of districts decided to use the PARCC.<sup>6</sup> In spring 2016, about 72 percent of districts used the PARCC for grades 3-8 ELA and math testing, and in spring 2017, all students will take the Next-Generation MCAS, which combines aspects of the MCAS and PARCC testing systems.<sup>7</sup>

This section of the fact sheet provides summary statistics about MCAS results from 2015, using a state report that created a statistical model to report statewide results. Such statewide results will not be reported for 2016, as the state explained:

*"Unlike in 2015, when the percentage of districts choosing MCAS and those choosing PARCC was roughly even in terms of demographics, this year's assessment choices were distributed in such a way that it is difficult for ESE [the Department of Elementary and Secondary Education] to create a valid representative sample to serve as a basis for comparing statewide results. As a result, ESE is not reporting aggregate statewide*

**Table 9. Share of Massachusetts ELs and All Students Meeting or Exceeding Standard on the MCAS English Language Arts (ELA), by Grade (%), SY 2014-15**

	Grade 3 (%)	Grade 4 (%)	Grade 5 (%)	Grade 6 (%)	Grade 7 (%)	Grade 8 (%)	Grade 10 (%)
Share of ELs who met or exceeded standard	27	19	21	20	20	32	44
Share of all students who met or exceeded standard	60	53	71	71	70	80	91

EL = English Learner; MCAS = Massachusetts Comprehensive Assessment System; SY = School Year.

Source: Massachusetts Department of Elementary and Secondary Education, *Spring 2015 MCAS Tests: Summary of State Results* (Malden, MA: Massachusetts Department of Elementary and Secondary Education, 2015), [www.doe.mass.edu/mcas/2015/results/summary.pdf](http://www.doe.mass.edu/mcas/2015/results/summary.pdf).

*results for grades 3-8 in English language arts and math in 2016. The Department will return to reporting statewide results in 2017, when all students in grades 3-8 will take the next-generation MCAS in English language arts and mathematics.”<sup>8</sup>*

More information about the statistical sampling used to create the 2015 score report can be found in the online report ([www.doe.mass.edu/mcas/2015/results/summary.pdf](http://www.doe.mass.edu/mcas/2015/results/summary.pdf)).

Table 9 shows the considerable achievement gaps that exist between the share of ELs and the share of all students who met or exceeded the standard,<sup>9</sup> with a gap of about 33 to 34 points in grades 3-4 and about 50 points in the upper grades. The gap was smallest in 3rd grade (33 points) and largest in 6th grade (51 points).

As with reading, there are considerable gaps between ELs and all students on the MCA

math assessment (see Table 10). The gap was smallest in 3rd grade (20 points) and largest in 10th grade (49 points) with some fluctuation in between.

Science test scores show wide gaps between ELs and all students of 40 points in 5th grade, 38 points in 8th grade, and 56 points in 10th grade (see Table 11).

Finally, graduation rates in Massachusetts have been increasing over the last five years for students overall and for subgroups such as ELs, but wide gaps remain between ELs and all students. For the class of 2015, the four-year high school graduation rate for ELs was 64 percent, compared to a rate of 87 percent for all students.<sup>10</sup> These rates are similar to the national rates for that year, which were 65 percent for ELs and 83 percent for all students.<sup>11</sup>

**Table 10. Share of Massachusetts ELs and All Students Meeting or Exceeding Standard on the MCAS Math, by Grade (%), SY 2014-15**

	Grade 3 (%)	Grade 4 (%)	Grade 5 (%)	Grade 6 (%)	Grade 7 (%)	Grade 8 (%)	Grade 10 (%)
Share of ELs who met or exceeded standard	50	19	23	19	15	19	30
Share of all students who met or exceeded standard	70	47	67	62	51	60	79

EL = English Learner; MCAS = Massachusetts Comprehensive Assessment System; SY = School Year.

Source: Massachusetts Department of Elementary and Secondary Education, *Spring 2015 MCAS Tests*.

**Table 11. Share of Massachusetts ELs and All Students Meeting or Exceeding Standard on the MCAS Science and Technology/Engineering, by Grade (%), SY 2014-15**

	Grade 5 (%)	Grade 8 (%)	Grade 10 (%)
Share of ELs who met or exceeded standard	11	4	16
Share of all students who met or exceeded standard	51	42	72

EL = English Learner; MCAS = Massachusetts Comprehensive Assessment System; SY = School Year.

Source: Massachusetts Department of Elementary and Secondary Education, *Spring 2015 MCAS Tests*.

### III. Accountability under NCLB and ESSA

Although many mechanisms within Massachusetts's accountability system are in the process of changing, it is important to have a sense of the tests, benchmarks, and accommodations for ELs that have been implemented for the last 15 years in preparation for ESSA accountability planning.

#### A. Identification and Reclassification of ELs

As in most states, the EL identification process in Massachusetts begins with the administration of a home-language survey, which is distributed to all parents when their child enters a Massachusetts school. These surveys ask for information about parents' and children's first language(s) and which language(s) are used with children.

If students are identified as potential ELs, a licensed English as a Second Language (ESL) teacher administers the WIDA-ACCESS Placement Test (W-APT). State guidelines indicate the cut-off points that districts use to determine eligibility for EL status. Once identified, ELs are given the WIDA ACCESS for ELLs annually until they meet reclassification requirements. As per NCLB guidelines, the ACCESS

tests proficiency levels in the four language domains of listening, speaking, reading, and writing. To be reclassified, students must score a 5.0 out of 6.0 composite score on the ACCESS and a 4.0 score on the literacy component.<sup>12</sup>

#### B. Accountability for EL Performance

Under Title III of NCLB, EL performance was monitored at the district and state level through Annual Measurable Achievement Objectives (AMAOs). Although these are no longer part of Title III of ESSA, states will include a measure of English proficiency and include EL subgroup scores on state grade-level assessments in their new accountability plans.

Under NCLB, states set ever-increasing targets for the number of students achieving benchmarks for the three AMAOs:

- 1) Progress (improving English proficiency from year to year)
- 2) Proficiency (exiting EL status)
- 3) Adequate yearly progress (AYP) in academic achievement for the EL subgroup (indicators included state standardized tests in reading and math, participation in assessments, and graduation rate).<sup>13</sup>

Originally, NCLB called for parental notification if districts missed AMAO targets, and the development of a school improvement plan (involving program and/or staffing changes) for schools that missed AYP targets for any subgroup (including ELs) over multiple years. The AYP benchmarks and rules for developing school improvement plans were significantly changed in many states with the NCLB waiver program instituted in 2012, and will be revised again as states create accountability plans under ESSA.

### C. Changes under ESSA

The following are some of the changes in federal law under ESSA, enacted in 2015, which affect EL students:<sup>14</sup>

- **EL accountability moved from Title III to Title I.** EL subgroup accountability for measures such as reading, math, and high school graduation rates continues to be included in district accountability under Title I, and a measure of progress in English language proficiency moved from Title III to Title I, thus giving it more weight.
- **Additional option for including recently arrived ELs in assessment.** Under NCLB, states could exempt ELs enrolled in U.S. schools for less than 12 months from taking ELA tests and exclude results of their ELA (if taken) and math tests from accountability calculations for that first year. States can continue with this option, or they can assess ELs in ELA and math in the first year but exclude their scores from accountability calculations, use a measure of growth in reading and math in the second year, and then report proficiency levels as for other students in the third year and thereafter.

- **Inclusion of former ELs in subgroup.** Under NCLB, students were included in the EL subgroup for up to two years after they had been reclassified; ESSA extends this period to up to four years.
- **Disaggregation.** States must now report the number of EL students with disabilities who are making progress toward English proficiency and in academic achievement, and report the number of ELs who have not attained English proficiency within five years of identification.
- **Standardization of entrance and exit procedures.** States must develop standardized procedures for identifying and reclassifying EL students.

The U.S. Department of Education issued regulations regarding accountability on November 28, 2016.<sup>15</sup> These regulations also address English learners. The regulations require that states consider at least one unique student characteristic, including students' initial English language proficiency level, in determining ambitious but achievable targets for English learners' progress toward English language proficiency, within a state-determined maximum number of years. These targets are then used to set state-level, long-term goals and measurements of interim progress, and may also be used in the state's indicator of progress in achieving English language proficiency, which can include all English learners in grades K-12.

As states move forward with ESSA accountability plans, policymakers are taking the opportunity to revise existing regulations on funding, program requirements, teacher training, and other aspects of school administration. Provisions that affect the EL students should be scrutinized closely by stakeholders at all levels, whether parents, teachers, or community organizations. Data on EL demographics and performance, such as those provided in this fact sheet, will prove an important tool in this effort.

## Endnotes

- 1 Migration Policy Institute (MPI) Data Hub, “State Immigration Data Profiles: Language & Education,” accessed September 8, 2016, [www.migrationpolicy.org/data/state-profiles/state/language/MA/US/](http://www.migrationpolicy.org/data/state-profiles/state/language/MA/US/).
- 2 U.S. Department of Education, National Center for Education Statistics, “Table 204.27: English Language Learner (ELL) Students Enrolled in Public Elementary and Secondary Schools, by Grade and Home Language: Selected Years, 2008-09 through 2013-14,” accessed January 17, 2017, <http://nces.ed.gov/programs/digest/d15/tables/xls/tabn204.27.xls>.
- 3 MPI Data Hub, “State Immigration Data Profiles: Language & Education.”
- 4 Massachusetts Executive Office of Education, “District Analysis Review Tools: DART Detail: English Language Learners,” accessed December 2, 2016, [www.mass.gov/edu/docs/ese/accountability/dart/dart-english-language-learners.xlsx](http://www.mass.gov/edu/docs/ese/accountability/dart/dart-english-language-learners.xlsx).
- 5 Massachusetts Department of Elementary and Secondary Education, *Guidance on Identification, Assessment, Placement, and Reclassification of English Learners* (Malden, MA: Massachusetts Department of Elementary and Secondary Education, 2016), [www.doe.mass.edu/ell/Guidance.pdf](http://www.doe.mass.edu/ell/Guidance.pdf).
- 6 Massachusetts Department of Elementary and Secondary Education, *Spring 2015 MCAS Tests: Summary of State Results* (Malden, MA: Massachusetts Department of Elementary and Secondary Education, 2015), [www.doe.mass.edu/mcas/2015/results/summary.pdf](http://www.doe.mass.edu/mcas/2015/results/summary.pdf).
- 7 Massachusetts Department of Elementary and Secondary Education, “State Releases 2016 Assessment and Accountability Results” (news release, September 26, 2016), [www.doe.mass.edu/news/news.aspx?id=23922](http://www.doe.mass.edu/news/news.aspx?id=23922).
- 8 Ibid.
- 9 For the Massachusetts Comprehensive Assessment System (MCAS), there are four achievement levels: warning/failing, needs improvement, proficient, and advanced. Students who score at the proficient or advanced level are said to have met state standards. See Massachusetts Department of Elementary and Secondary Education, *Spring 2015 MCAS Tests*.
- 10 Massachusetts Department of Elementary and Secondary Education, “2015 Graduation Rate Report (DISTRICT) for All Students,” accessed December 5, 2016, [http://profiles.doe.mass.edu/state\\_report/gradrates.aspx](http://profiles.doe.mass.edu/state_report/gradrates.aspx).
- 11 National Center for Education Statistics (NCES), “Common Core of Data (CCD),” updated September 15, 2016, [http://nces.ed.gov/ccd/tables/ACGR\\_RE\\_and\\_characteristics\\_2014-15.asp](http://nces.ed.gov/ccd/tables/ACGR_RE_and_characteristics_2014-15.asp).
- 12 Massachusetts Department of Elementary and Secondary Education, *Guidance on Identification*.
- 13 Andrea Boyle, James Taylor, Steven Hurlburt, and Kay Soga, *Title III Accountability: Behind the Numbers. ESEA Evaluation Brief: The English Language Acquisition, Language Enhancement, and Academic Achievement Act* (Washington, DC: U.S. Department of Education, 2010), [www2.ed.gov/rschstat/eval/title-iii/behind-numbers.pdf](http://www2.ed.gov/rschstat/eval/title-iii/behind-numbers.pdf).
- 14 Delia Pompa, “New Education Legislation Includes Important Policies for English Learners, Potential Pitfalls for their Advocates” (commentary, MPI, December 2015), [www.migrationpolicy.org/news/new-education-legislation-includes-important-policies-english-learners-potential-pitfalls-their](http://www.migrationpolicy.org/news/new-education-legislation-includes-important-policies-english-learners-potential-pitfalls-their); Council of Chief State School Officers (CCSSO), *Major Provisions of Every Student Succeeds Act (ESSA) Related to the Education of English Learners* (Washington, DC: CCSSO, 2016), [www.ccsso.org/Documents/2016/ESSA/CCSSOResourceonESSAELLS02.23.2016.pdf](http://www.ccsso.org/Documents/2016/ESSA/CCSSOResourceonESSAELLS02.23.2016.pdf).
- 15 U.S. Department of Education, “Title I—Improving the Academic Achievement of the Disadvantaged— Academic Assessments,” *Federal Register* 81, no. 236 (December 8, 2016): 88886, [www.gpo.gov/fdsys/pkg/FR-2016-12-08/pdf/2016-29128.pdf](http://www.gpo.gov/fdsys/pkg/FR-2016-12-08/pdf/2016-29128.pdf).

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For policy and/or implementation support related to the data provided in this fact sheet, contact Delia Pompa, Senior Fellow for Education Policy at the MPI National Center on Immigrant Integration Policy ([dpompa@migrationpolicy.org](mailto:dpompa@migrationpolicy.org)).

For more information on the impact of the *Every Student Succeeds Act* on EL and immigrant students, see [www.migrationpolicy.org/programs/nciip-english-learners-and-every-student-succeeds-act](http://www.migrationpolicy.org/programs/nciip-english-learners-and-every-student-succeeds-act).

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