

## Analyzing State ESSA Plans for English Learner Accountability: A Framework for Community Stakeholders

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The *Every Student Succeeds Act* (ESSA), signed into law in 2015 and still in the midst of implementation, requires states to develop and submit to the U.S. Department of Education a state education accountability plan. Compared to the previous federal education law, the *No Child Left Behind Act* (NCLB), ESSA mandates that states provide greater information to the public regarding English proficiency progress and academic achievement for English Learners (ELs). In addition, the new law reauthorizing federal education policy for the coming years encourages states to engage with a variety of community stakeholders during the development of their accountability plans to ensure community needs are reflected.

In crafting their accountability plans, many states are using the federal government's revised template for consolidated state plans,<sup>1</sup> which allows them in one document to inform the U.S. Department of Education how they intend to meet the requirements of the various ESSA titles. States may also use the template released under the previous administration or use an alternative template developed in partnership with the Council of Chief State School Officers (CCSSO) that addresses each requirement.<sup>2</sup> Regardless of the format used, the framework provided in this Migration Policy Institute (MPI) issue brief is intended to facilitate the user's evaluation of state plans for EL accountability elements required by law.<sup>3</sup>

***ESSA mandates that states provide greater information to the public regarding English proficiency progress and academic achievement for English Learners.***

The framework is a tool to help stakeholders review state plans to ensure that the policy choices expressed in them advance accountability for EL achievement in K-12 education. This brief provides a general description of each element stakeholders should be looking for, and leaves it to readers to contextualize the issues in their respective states. The overarching themes represent sections in state plans where EL accountability components have been identified. The questions posed in each section provide guidance on what these key elements might look like and direct readers to find the elements in their respective state plans for further analysis. The information collected using this framework may be used to monitor implementation and adherence to state plans and to evaluate the efficacy of policies chosen by the state.

## EL Subgroup Long-Term Goals

### 1. What long-term goals does the plan establish for ELs?

- Long-term goals may be expressed in terms of increasing the number of students who reach a proficiency target or reducing the number of students who do not reach proficiency on annual state assessments by a certain percentage, within a specific timeline. These goals must apply to all students and each subgroup (e.g., ELs, racial and ethnic groups, children with disabilities, and the economically disadvantaged).
- The state is not permitted to set different goals for ELs than for other subgroups. For example, if the goal is to halve the number of students who do not meet proficiency on the state annual assessments, that 50 percent reduction should be the criteria for all subgroups.
- At a minimum, the state plan should include ELs as a subgroup in the long-term goals for academic achievement in math and reading/language arts. Some states have gone beyond this requirement and set goals for other subjects, such as science, as well.
- In addition, states are required to develop an additional academic indicator for elementary and middle schools, and a graduation rate indicator for high schools.

*Note:* As part of the scoring process, student raw scores are sorted into levels (usually four or five); typically the second-highest level represents achieving proficiency, with the highest level reserved for top performers.

### 2. What are the measurements of interim progress toward achieving long-term goals that are applied to ELs?

- Measurements of interim progress are often referred to as targets or short-term goals; it is important to note that these are different concepts than the long-term goals discussed above. Subgroups may have different targets for interim periods between the enactment of the state plan and the end of the long-range timeline because groups may be working from a different baseline. The long-term goal, however, should be the same across subgroups.
- A baseline represents the starting point from where measurements of interim progress will be measured. Baselines provide a snapshot of student performance in a given subject at a specific point in time.

### 3. Do these short-term goals reflect a pattern of progress that is in keeping with the language instruction approach used in the state?

## English Language Proficiency Long-Term Goals

- 1. What are the long-term goals for English language proficiency?**
  - These long-term goals should be separate from those established for academic achievement and should have a baseline identified.
  - States are required to describe how their long-term goals are ambitious. (Whether a state's long-term goals for English proficiency can be viewed as ambitious depends on historical improvement trends and attainment data that may not be provided in the accountability plan. For more information on how to access this type of information, see EdTrust, "New Accountability for English Learner Outcomes in ESSA State Plans," May 2017, <https://edtrust.org/wp-content/uploads/2014/09/Accountability-for-English-Learners-under-ESSA.pdf>.)
- 2. What English language proficiency assessment does the state use?**
  - Commonly used English language proficiency assessments include, but are not limited to the ELPA21, LAS Links, and WIDA ACCESS. States are also allowed to develop their own, such as the Arizona English Learner Assessment (AZELLA).
- 3. What is the state-determined maximum number of years for a student to reach English proficiency?**
- 4. What are the short-term goals (or measurements of interim progress) for English proficiency? Do they take into account the student's initial language level? What about other student characteristics? Does the state provide a rationale for its selection of interim goals?**
  - If the state has a significant population of students with limited or interrupted formal education, are they incorporated into the timeline to proficiency? How about long-term ELs?
- 5. Does the plan describe how it will use these goals and timelines to determine whether a school is on track for meeting statewide English proficiency goals?**

*Note:* Although this section on English language proficiency long-term goals and measures of interim progress is related to the next section on how the state will measure progress for the EL population, the information on these two topics is not usually found in the same section in state plans. Therefore, this framework analyzes each topic separately.

### Progress in Achieving English Language Proficiency Indicator

Every state is required to have an English proficiency indicator for all ELs in grades 3-8, and those who are assessed in grades 9-12. The indicator should have two main components:

1. **A statewide annual English proficiency assessment taken by all ELs, which is often referred to as the “measure” or “annual measure of progress towards English language proficiency;” and**
2. **A way to measure individual student performance on this assessment across years, which is often referred to as the model. Common models include, but are not limited to:**
  - Value tables
  - Proficiency rates
  - Gain scores
  - Growth rates
  - Student growth percentiles
  - Value-added models
  - Growth-to-target
  - Does the plan describe why/how the state chose the English proficiency model?
  - Does the plan detail whether there is a connection between the model and the short- and long-term English language proficiency goals mentioned in the previous section?
3. **Does the plan describe how the scores produced by the model will be included in accountability calculations?**
4. **Is the indicator aligned with the state-determined timeline for proficiency?**
5. **Does the state describe how the indicator can be used to compare performance between schools?**

*Note:* For more guidance on how to analyze a state English language proficiency indicator and model, see Susan Lyons and Nathan Dadey, *Considering English Language Proficiency within Systems of Accountability under the Every Student Succeeds Act* (Chicago and Dover, NH: Latino Policy Forum and Center for Assessment, 2017), [www.latinopolicyforum.org/publications/reports/document/Considerations-for-ELP-indicator-in-ESSA\\_030817.pdf](http://www.latinopolicyforum.org/publications/reports/document/Considerations-for-ELP-indicator-in-ESSA_030817.pdf).

## School Quality and Student Success Indicators

- 1. What school quality and student success indicators did the state choose?**
  - States must choose at least one additional indicator to measure school quality or student success. Examples include but are not limited to: chronic absenteeism, promotion rate, student participation in and performance on college entrance and/or college placement exams, school climate, and student access to or participation in arts education.
  - Do these indicators have a disparate impact on ELs?
- 2. Does the plan describe how the additional indicator(s) will be used to compare performance between schools? As well as how the indicator(s) is valid, reliable, and statewide? And does the plan show how each indicator measures performance annually for all students as well as broken down for each subgroup of students?**

## Consultation

- 1. Does the plan list which stakeholders the state consulted during the development process?**
  - Were EL/immigrant groups consulted during the crafting of the plan?
  - In particular, was input sought from EL/immigrant advocates on critical issues such as the English proficiency long-term goals and indicator weight, N size, and EL academic achievement goals?
- 2. Does the plan explain how stakeholder feedback was incorporated?**
  - If EL/immigrant groups were consulted, to what extent was their feedback included in the plan? This can be determined by looking at stakeholder comments and letters and identifying whether the concerns raised are addressed in the plan.

### Native Language Assessments and Other Testing Accommodations

1. **Does the plan define what it means for a language other than English to be “present to a significant extent” in the participating student population?**
2. **Does the plan identify the specific languages that meet the definition?**
3. **Does the plan identify existing assessments in languages other than English and if so, does it specify for which grades and content areas those assessments are available?**
  - States may utilize this space to list other accommodations they provide ELs, such as translations, adaptations, glossaries, or dictionaries.
4. **Does the state plan envision developing assessments, at a minimum, in languages other than English that are present to a significant extent in the participating student population? If so, in which languages, for which grades, and what content areas?**
  - If the state intends to develop assessments in languages other than English, the plan must include an outline and timeline for doing so. The plan must address how the state intends to gather meaningful input from stakeholders, including educators, parents and families of ELs, and students. The state must also collect and respond to public comment.

### Subgroups

1. **Does the plan combine the EL subgroup with other subgroups?**
  - Although ESSA requires groups to be disaggregated, some states have grouped historically underserved populations such as economically disadvantaged students, students with disabilities, ELs, and racial-minority students such as Blacks, Hispanics, and Native Americans to create what is often described as a “super subgroup.”
  - If the state plan includes a super subgroup, does it provide a rationale for doing so and does it explain what such a grouping means for EL accountability?

## Former ELs

1. **Will the state include the results of former ELs on statewide math and reading/language arts assessments for accountability and/or reporting purposes? If so, for how long?**
  - States are allowed to include former ELs for up to four years after they have reached English proficiency. However, depending on the state's past performance data the inclusion of former ELs for one year may have a different impact on EL accountability than if included for four years. Does the state describe its rationale or the impact adding former EL results on math and reading/language arts statewide assessments will have on current EL students?
2. **Does the state address whether including former ELs will obscure analysis of how current ELs are progressing in academic indicators?**
  - To mitigate potential impacts, some have advocated for creating a separate subgroup for former ELs for accountability.

*Note:* For more information about whether the option of a separate subgroup for former ELs is appropriate, see Karen Cadiero-Kaplan, EdSource blog post comment, accessed May 18, 2017, <https://edsources.org/2017/ending-the-no-child-left-behind-catch-22-on-english-learner-progress/574936>.

## Recently Arrived ELs and State Standardized Achievement Tests

Recently arrived ELs are students who have been enrolled in a U.S. school for less than 12 months. The state can choose to test and report on all EL students regardless of how much time they have been in the country, or choose one of the following exceptions for recently arrived ELs:

1. Option one: the state will exclude recently arrived ELs from one administration of the reading/language arts statewide assessment, and exclude their results from the math, science, and English proficiency statewide accountability assessments for one year.
- 2) Option two: the state will assess and report their performance on reading/language arts and math assessments required in each year of the student's enrollment.
  - For purposes of the state-determined accountability system: for the first year of the student's enrollment, the state will exclude his or her results on such assessments, in the second year of enrollment, the state will include a measure of student growth on the assessments, and in the third year and each year thereafter, will include proficiency on the assessments.
- 3) Option three: the state will apply either option 1 or option 2 to different subgroups of recently arrived ELs depending on their characteristics.
  - This does not mean that the state can blend the two options.
- 4) Which option did the state chose and did they explain how they came to this decision?

### N Size

States are required to establish a minimum number of students, or N size, for which schools are required to report.

- 1. What is the minimum number of students that schools are required to report on and for whom they will be held accountable?**
  - This number is most frequently referred to as the N size and some states have provided an explanation for the implications their chosen N size will have on historically marginalized student groups, such as ELs.
- 2. Does the state provide the number of students who will not be accounted for under the chosen N size? If so, does the state indicate how it will hold schools accountable for EL progress in schools where there are too few ELs to report subgroup results?**

### Annual Meaningful Differentiation

States are required to create a system to meaningfully differentiate, that is compare performance, between all public schools in the state on an annual basis using all indicators in the state's accountability system for all students and for each subgroup. This system is important because the ratings generated will be used to identify schools that may need additional support.

- 1. Is the English proficiency indicator clearly accounted for in the methodology used for the school rating system?**
- 2. What is the weight attached to the English proficiency indicator in relation to other indicators?**
  - Does the state articulate a rationale for its decision and explain how the weight fairly represents ELs in the accountability system?
- 3. Are school ratings based on the performance of all students and each subgroup of students?**
  - Many states have been using the "All Students" group when evaluating school performance.



## Identification of Schools for Comprehensive and Targeted Support and Improvement

States are required to describe how they will identify and intervene when schools and student subgroups are underperforming. This accountability system is made up of two categories of schools: 1) those that need comprehensive support and improvement; and 2) those that need targeted support and improvement. States are also required to establish the criteria schools must meet to no longer require intervention under both categories.

1. **Comprehensive support and improvement schools will be identified based on whether they fall under a state-established performance threshold. The minimum bar that can be set is the bottom 5 percent of all schools based on overall student performance.**
  - What minimum performance threshold did the state establish?
  - How will the state calculate and compare school performance to identify which ones fall below the established threshold? Are the English proficiency indicator and EL subgroup results on academic achievement, graduation rates, and other indicators included?
  - Does the plan describe the types of comprehensive supports that will be offered to schools to help them improve performance?
  - What are the exit criteria that will determine when a school no longer needs comprehensive support services?
2. **Schools identified for targeted support and improvement will be selected based on individual subgroup performance and whether at least one subgroup falls under the state's definition of "consistently underperforming."**
  - How does the state define "consistently underperforming" subgroups? This often includes subgroups performing below a certain standard for a specific amount of time.
  - Does the plan link interventions or strategies to the specific needs of subgroups that are underperforming, including ELs?
  - What are the exit criteria that will determine when a school no longer qualifies as a targeted support and improvement school? For example, what are the expectations for subgroups, such as ELs, to no longer need support services and for how long do they have to meet that threshold?
3. **Does the plan specify how it will provide technical assistance regarding evidence-based interventions for each local education agency in the state serving a significant number or share of schools identified for comprehensive or targeted support and improvement?**
4. **What is the state's methodology for identifying schools for additional targeted support (in other words those in which the low performance of any individual student subgroup, such as ELs, would cause it to be identified for support and intervention).**

### Title III: Language Instruction for English Learners and Immigrant Students

1. **Does the plan define English proficiency within the parameters of the state’s annual English proficiency assessment?**
2. **What are the standardized entrance and exit procedures for ELs?**
  - How does the plan ensure these procedures are based upon valid, reliable, and objective criteria that are applied consistently across the state?
  - Do the plan’s exit criteria reflect an expectation for proficiency? Did the state review past performance data to determine whether its exit criteria are appropriate?
  - Does the plan describe whether these procedures differ from prior practice?
3. **Does the plan describe the state’s intentions for using Title III funds to support schools and districts serving ELs, including how it will provide monitoring and technical assistance for schools and districts that are not effective?**

## Endnotes

- 1 U.S. Department of Education, “ESSA Consolidated State Plans,” last modified May 30, 2017, [www2.ed.gov/admins/lead/account/stateplan17/plans.html](http://www2.ed.gov/admins/lead/account/stateplan17/plans.html).
- 2 Council of Chief State School Officers (CCSSO), “Developing a Comprehensive State Plan pursuant to the Every Student Succeeds Act: A Tool for Structuring Your Plan,” updated March 2017, [www.ccsso.org/Documents/2017/ESSA/CCSSOComprehensiveStatePlanWritingToolUpdated03292017.docx](http://www.ccsso.org/Documents/2017/ESSA/CCSSOComprehensiveStatePlanWritingToolUpdated03292017.docx).
- 3 For an in-depth review of English Learner (EL) accountability elements included in the *Every Student Succeeds Act* (ESSA), see CCSSO, “Major Provisions of Every Student Succeeds Act (ESSA) Related to the Education of English Learners,” February 2016, [www.ccsso.org/Documents/2016/ESSA/CCSSOResource-onESSAELs02.23.2016.pdf](http://www.ccsso.org/Documents/2016/ESSA/CCSSOResource-onESSAELs02.23.2016.pdf).

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Ms. Pompa came to MPI from the National Council of La Raza (NCLR), where she was Senior Vice President for Programs, overseeing its education, health, housing, workforce development, and immigrant integration work, and where she previously served as Vice President of Education. She has had a key role in shaping federal education policy through her positions as Director of the Office of Bilingual Education and Minority Languages Affairs in the U.S. Department of Education, and as Executive Director of the National Association for Bilingual Education.

Ms. Pompa came to Washington, DC to serve as Director of Education for the Children's Defense Fund after serving as Assistant Commissioner for Program Development at the Texas Education Agency. Her previous experience as Executive Director for Bilingual and Migrant Education in the Houston Independent School District and as a bilingual classroom teacher and instructor to prospective teachers at the graduate level has anchored her work.



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