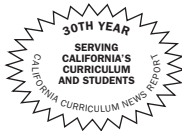




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**Focus on Schooling Minority
Students for Success**

Accountability for English Learners: California's Implementation of No Child Left Behind, Title III

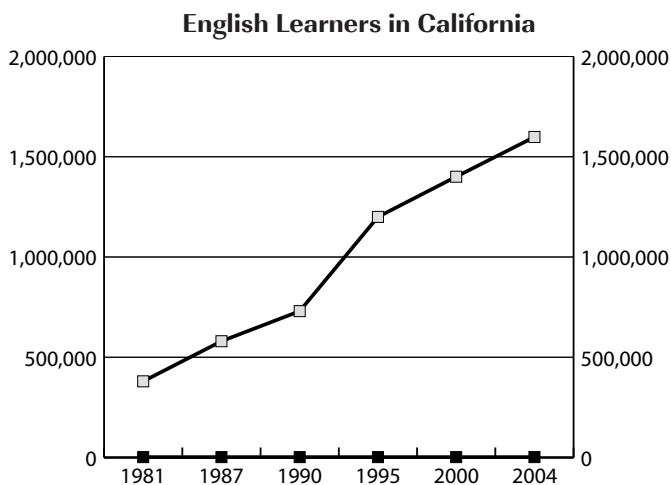
by JAN MAYER, Director, and CATHY GEORGE, Consultant, Language Policy and Leadership Office, California Department of Education

Since the 1960s, the federal Elementary and Secondary Education Act (ESEA) has been authorized for periods of five or more years at a time. Until 2002, English learners and immigrant students were funded through competitive grants under ESEA, Title VII. The current ESEA reauthorization entitled the *No Child Left Behind (NCLB) Act of 2001* was enacted in January 2002. This law provides educators working with English learners and immigrant students formula-based funds to provide supplemental services to these students under Title III of NCLB, also known as the *English Language Acquisition, Language Enhancement and Academic Achievement Act*.

This article will provide background information on California's English learner population and the dual obligation we have for serving them in our schools, summarize the key accountability provisions for Title I as they apply to English learners, and describe the new accountability system that is currently being phased in to comply with Title III of the No Child Left Behind Act.

California's English Learner Population

The 2004 Language Census reports that California enrolls nearly 1.6 million English learners in kindergarten through grade twelve. This figure represents one out of every four students. Nearly 70% of the English learners are in kindergarten through sixth grade, and over 30% are in the secondary schools. Spanish-speaking students comprise 85% of the English learner population. English learners will also be referred to as limited English proficient (LEP) students throughout the article because that is the term used in federal statute.



The Dual Obligation for Serving English Learners

Federal and state statutes and court cases have established that there is a dual obligation for serving English learners in our schools. In addition to providing appropriate programs for them to meet grade-level standards in the content areas as is required for all students, there is an additional and unique component necessary for English learners; that is, to develop their English language proficiency. Schools must provide programs for English learners that meet both of these important areas. The dual obligation is reflected in NCLB. Local educational agencies (LEAs) are now held accountable specifically for both the academic progress of English learners and their progress in learning English. The academic progress of English learners is measured and reported under Title I, and Title III requires that the progress and attainment of English proficiency be reported. The following sections of this article describe how the dual obligation for serving English learners is addressed in the state's federal accountability policies.

Title I Accountability Requirements

Title I requires states to adopt content and achievement standards in English-language arts and mathematics. Yearly growth targets, known as Adequate Yearly Progress (AYP), must be established and reported for both content areas. District and school level AYP data for all students must be reported. Additionally, data must be disaggregated and reported for numerically significant subgroups of students. A new requirement under NCLB is that the AYP data be disaggregated for the LEP student subgroup. For accountability purposes, the scores of reclassified LEP students are counted in the LEP subgroup until they score proficient on the California Standards Test in English-language arts three times. Details regarding the Title I accountability system can be obtained on the California Department of Education Web site at: <www.cde.ca.gov/ta/ac/ay/index.asp>.

Overview of Accountability Requirements in Title III

NCLB, Title III, requires states to develop two annual measurable achievement objectives (AMAOs) for LEP students that relate to their development and attainment of English proficiency. The AMAOs must be based upon results from the state's annual English language proficiency assessment which is aligned to the state's English language development (ELD) standards. The California State Board of Education adopted the AMAOs and the targets in July 2003.

California adopted the ELD standards in July 1999, and began using the assessment aligned to the standards in 2001, the California English Language Development Test (CELDT). The CELDT is initially given to all new LEP students upon enrollment, and annually in subsequent years until they are reclassified as Fluent English Proficient (RFEP). The CELDT assesses listening/speaking, reading, and writing skills within four grade spans: kindergarten through grade two, grades three through five, grades six through eight, and grades nine through twelve. Currently, the CELDT does not fully comply with NCLB requirements; a comprehension score will need to be developed, and reading and writing will need to be tested in kindergarten and first grade. These components are under development.

AMAO 1

The first AMAO requires the state to determine gains in the percentage of children meeting annual CELDT growth objectives. Two key decisions were to:

- Determine the annual growth target,
- Set the targets for 2003-04 through 2013-14.

The CELDT has five proficiency levels: Beginning, Early Intermediate, Intermediate, Early Advanced, and Advanced. Proficiency level scores are the most reliable data for determining annual CELDT growth. In addition, educators are accustomed to receiving test score information by proficiency level. Therefore, it was determined that changes in proficiency level scores would be used to determine growth.

There are three ways for students to meet the annual growth target:

- Students at the Beginning, Early Intermediate, and Intermediate levels must gain one proficiency level per year until they reach the level where they are considered “English proficient” (Early Advanced or Advanced Overall, with no skill areas below Intermediate).
- Students at the Early Advanced or Advanced level overall who are not English proficient must attain the English proficient level by bringing all skill areas to the Intermediate level.
- Once students reach the level considered “English proficient,” they are expected to maintain that level while they are working to meet academic content skills or other criteria required for reclassification as fluent English proficient.

AMAO 1 Targets from 2003-04 to 2013-14

NCLB requires states to set annual increases in the percentage of students meeting the annual growth target. California adopted a rate of increase with smaller increments of growth at the beginning, and larger increases in later years to allow time for school personnel to increase their skills in helping students reach English language proficiency.

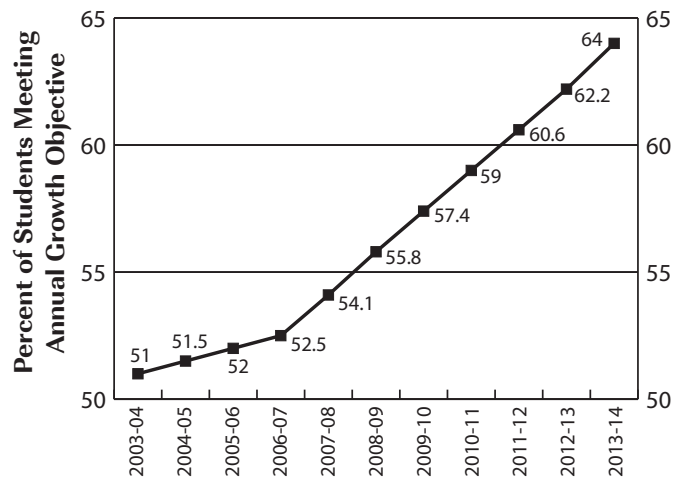
The Title III goal structure defines what percent of students in an LEA need to meet the annual growth target each year. The methodology for determining the starting point is similar to the Title I AYP requirements. In that method, schools are ranked and the starting point is set at the percentage of students who meet the target in the school at the 20th percentile of the state’s total enrollment. For Title III, only LEP students with CELDT data were used. Also, Title III requires that LEAs be held accountable rather than schools as is used in Title I. Using the Title I method of selecting the starting point results in a starting point of 51% of English learners in an LEA meeting the annual growth target for learning English in 2003-04.

The Title III AMAOs require annual increases from 2003-04 to 2013-14. However in Title III, LEAs are not expected to reach 100% proficient in 2013-14 as is required in Title I for academic performance.

The annual targets have smaller gains the first three years since it is a new accountability system. As schools and districts begin to improve their instruction for LEP students they should be able to meet the more rigorous targets expected in 2007-08 and beyond. The targets increase 1/3 of a step the first 3 years and then 1 step per year until 2013-14. The actual targets for each option are shown on the figure below. Title III allows states to adjust the targets if changes in the assessment instrument or new baseline data indicate a need for revision.

The following figure shows the percent of students who have to meet the target each year. The target is the percent of students who are expected to gain one proficiency level annually until they reach English language proficiency. Once they reach English language proficiency they are expected to remain at that level until they are reclassified.

AMAO 1 Targets for LEAs



AMAO 2

The second AMAO requires annual increases in the percentage of students attaining English language proficiency as demonstrated by the CELDT. Unlike AMAO 1 that focused on annual gains for all students, AMAO 2 focuses on what percentage of students attain English language proficiency. This AMAO is based on a cohort analysis. Title III, Section 3122, specifies that such AMAOs shall be developed in a manner that reflects the amount of time an individual child has been enrolled in a language instruction educational program. This system is reasonable since it allowed us to analyze longitudinal data, and set targets for students based on their English language proficiency levels when they enter California schools, and their corresponding attainment of the English proficient level over time.

Student Cohort for AMAO 2

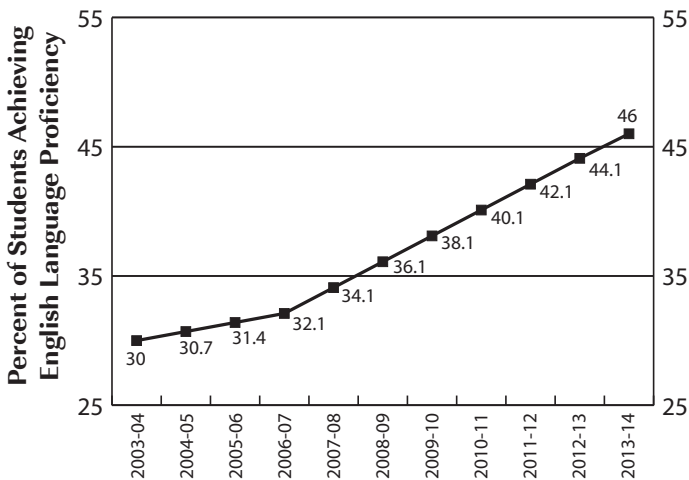
The cohort for AMAO 2 includes only those students who can reasonably be expected to reach English language proficiency at a given point in time. Students included in this group are those who have attended USA schools for four or more years, those who scored at the Intermediate proficiency level the prior year, and those who scored at the Early Advanced or Advanced level the prior year but were not English proficient. The cohort includes those that scored below Intermediate the prior year

only if they reach the English proficient level in the current year, or if they have been in USA schools for four or more years.

AMAO 2 Targets from 2003-04 to 2013-14

As was done with the first AMAO, a process similar to the Title I AYP requirements for determining the starting point was used. This resulted in a starting point of 30%. That is, 30% of the AMAO 2 cohort must reach the English proficient level in the current year to meet AMAO 2.

The targets for AMAO 2 are parallel in structure to those adopted for AMAO 1. There are smaller gains the first three years, 1/3 of a step increase, and then 1 step per year until 2013-14. These are rigorous targets, but they are achievable if LEAs provide more focused and effective instruction targeted to the needs of their LEP students. The following figure shows the target structure and the percent of LEAs meeting the targets for AMAO 2.



Data Review Process

The new Title III accountability system required that more accurate and complete data on background variables be collected. Two data fields that are especially important are prior CELDT scores and USA enrollment. In order to provide LEAs the opportunity to complete missing data, a CELDT data review pro-

cess was implemented during August and September of 2004. This resulted in a more complete database that was used to calculate the AMAOs.

Conclusions

The Title III accountability system sets statewide targets for English learners on the CELDT and provides a method of tracking progress. The use of this new system should help California improve its programs for English learners.

For more information on California's NCLB, Title III accountability system, please go to the California Department of Education Web site at <www.cde.ca.gov/sp/el/t3/> or contact the Language Policy and Leadership Office of the CDE at 916/319-0845. ■