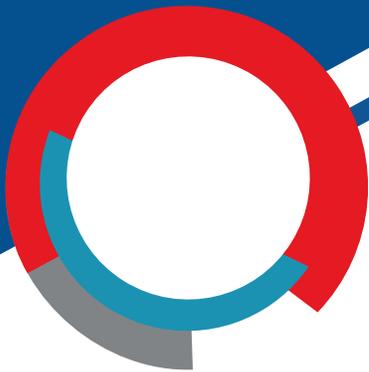
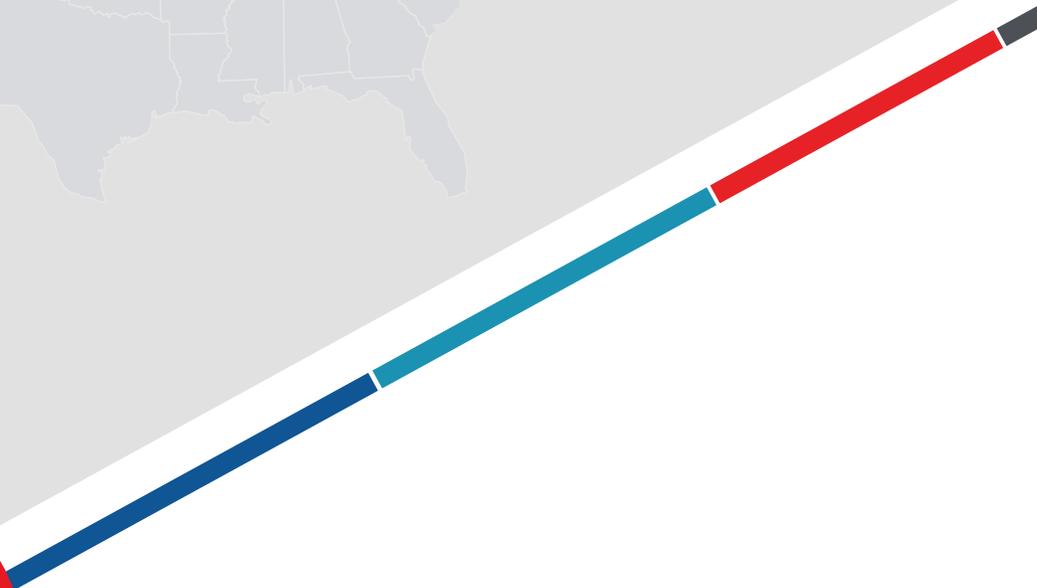
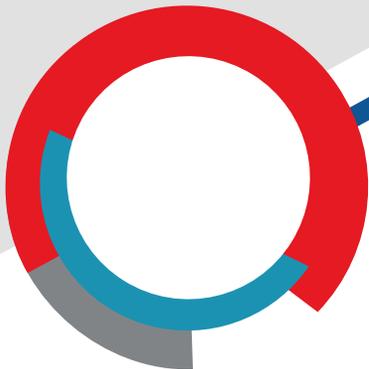
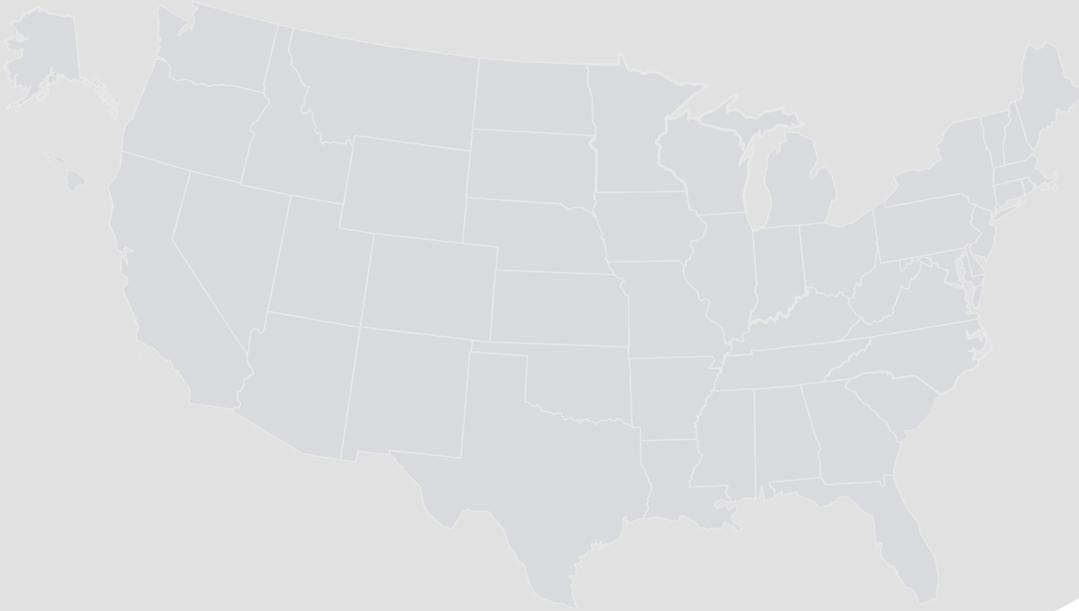


# HOW ARE STATES INCLUDING ENGLISH LANGUAGE PROFICIENCY IN ESSA PLANS?





## HOW ARE STATES INCLUDING ENGLISH LANGUAGE PROFICIENCY IN ESSA PLANS?

The Every Student Succeeds Act (ESSA) has ushered in an era of renewed focus on English Learners (ELs) in states' accountability systems. The new law not only emphasizes the academic achievement and growth of ELs alongside their peers, but it also demands that states prioritize English language acquisition and proficiency for ELs. Under the No Child Left Behind Act, the legislative precursor to ESSA, accountability for English Learners was housed under Title III — Language Instruction for Limited English Proficient and Immigrant Students (Title III). This meant that only districts receiving Title III funds were held accountable for EL students making progress toward English Language Proficiency (ELP). ESSA has changed this equation, and fully mainstreamed the charge of ensuring the success of ELs to all schools and districts. Under ESSA, states are now required to develop an ELP indicator that must be included in the statewide accountability system and must apply to all schools and districts.

This brief, a collaboration between Achieve and UnidosUS, examines how states are including the ELP indicator in their statewide accountability systems. To conduct this analysis, Achieve and UnidosUS reviewed the state ESSA plans submitted to the United States Department of Education (USED). As of the date of this publication, USED has approved the ESSA plans for 42 states and the District of Columbia and the plans for 8 states are pending approval.

Achieve and UnidosUS have partnered on two briefs that focus on English Learners. While this brief focuses on the ELP indicator, the other brief in this series addresses how states are setting achievement goals for English Learners in their ESSA plans. It also includes additional contextual information on the changing landscape of accountability for English Learners and more! Readers can access this brief [here](#).

### *What to Look for in the English Language Proficiency Indicator*

ESSA requires the statewide accountability system include an annual measure of progress in achieving English language proficiency, as defined by the state within a state-determined timeline, for all English learners, for all public schools in the state. The law also requires that the ELP indicator be used as part of a system of meaningful differentiation to identify schools for intervention (ESSA, §1111 [b][4][B to D]). The law provides authority to states to determine the specifics of the indicators. States, in developing those indicators, must make decisions in multiple areas. This brief considers the following:

- What ELP assessments are states using?
- Where are states including ELP indicators in their accountability systems? Is it a free-standing indicator or embedded in another indicator?
- What are the key components of states' ELP indicators: Growth? Proficiency? Anything else?
- What growth models are states using to demonstrate progress toward ELP?
- What time-to-proficiency windows are states setting?
- How do states' N-size decisions impact the ELP indicator?







became operational in 2016. As states gather longitudinal data on these assessments, they will begin the process of setting proficiency levels and cut scores on their ELP assessments that will define where students are in their trajectory for becoming proficient in English. As such, the landscape of ELP assessments will continue to be in flux as states begin implementing their new accountability systems under ESSA. Many states have made note of this in their ESSA plans, and reserved the right to make changes to decisions about setting proficiency levels and cut scores once more data becomes available on these new assessments. Recognizing that data collection is essential to setting proficiency targets that are both rigorous and attainable, states must decide these essential details at the earliest possible point and not expect students and parents to be patient while time slips away.

### ***Correspondence of ELP Standards to State Content Standards***

Correspondence between the ELP standards and the content standards of a state (in ELA/literacy, mathematics, science, social studies, and other subject areas) is a relatively new concept. “Correspondence” was coined by experts to avoid confusion and to distinguish it from the term “alignment”.

When talking about the relationship between ELP and content standards, “correspondence” is the preferred term because it refers to the use of the language(s) necessary to engage in learning and the display of knowledge in the content standards as students participate in instruction. This is consistent with the federal definition of an EL student, which refers to the English language barrier that would deny a student the ability to meet a state’s Title I proficiency standard or the ability to successfully achieve in classrooms in which the language of instruction is English.

The Council of Chief State School Officers (CCSSO) produced useful guidance to help educators consider the correspondence of their ELP standards to their content standards — generally referred to as the English Language Proficiency Development (ELPD) Framework. The ELPD Framework notes that ELP standards should not be seen as “a bridge to first cross” before acquiring CCR content standards. It acknowledges that students take many years — four to seven years by most estimates — to attain full proficiency in English as a second language and that even with imperfect English, students should be able to use English to actively engage in content learning. Most experts believe that the best context for learning English language skills is within the context of content area instruction as students engage with their peers in rich academic uses of language.

*Considerations for Assessing English Language Learner Students: [https://www.achieve.org/files/Considerations\\_Assessing\\_ELLs.pdf](https://www.achieve.org/files/Considerations_Assessing_ELLs.pdf)*



## How are states including English Language Proficiency in their accountability systems?

ESSA requires states to develop a statewide accountability system that includes five key indicators: academic achievement, another academic indicator<sup>2</sup>, progress toward achieving ELP, and an indicator for school quality or student success. States have developed ELP indicators that measure the progress of ELs toward proficiency on the state's standards using the ELP assessment. Achieve and UnidosUS' review of the ELP indicators included in state ESSA plans found that states have taken a range of approaches to developing the ELP indicator and including it in the state accountability system.

ESSA allows states to determine what it means to be proficient in English, how they will assess progress toward English proficiency, and what measure to employ in assessing proficiency. States also have the discretion to determine how the ELP indicator will be weighted in the overall accountability system. States must include an ELP indicator in their ESSA plans for all schools regardless of which grade levels they serve.

First, it is important to consider *where* states are including the EL indicator. While most states have interpreted the ESSA requirement for an ELP indicator to mean that their accountability systems must include a discrete, free-standing indicator that describes, measures, and values progress toward English proficiency, some states have taken a very different approach,<sup>3</sup> and combined the ELP indicator with other indicators in the state's accountability system. For example, Arkansas includes progress toward English proficiency in the overall academic growth calculation for each school. Louisiana on the other hand, integrates ELP into each school's overall academic achievement score.<sup>4</sup>

Second, we must consider the process states use to identify English learners and track their trajectory to proficiency. States assess incoming ELs when they first enter the state's system using the statewide ELP assessment to measure the students' initial level of English proficiency. Students are assessed at multiple interim time points (usually annually) using the same statewide ELP assessment with the expectation that they will make incremental gains on the proficiency levels on the state's assessment, and exit when they demonstrate English proficiency at a state-defined cut point on the ELP assessment. It is important to note the set of key decision points that states must consider as a part of this process:

- States must determine what it means to demonstrate that students are making appropriate progress toward English proficiency. This means each state must set the cut score on its ELP assessment that signals when students have reached English proficiency and are eligible to exit EL status.

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<sup>2</sup> For high schools, this indicator is based on the graduation rate, and for schools that are not high schools (elementary or middle schools), it could be individual student growth or another statewide, valid, and reliable indicator of student learning. Source: What does ESSA require when it comes to indicators? Education Trust: <https://edtrust.org/students-cant-wait/indicators-what-to-include-in-school-ratings/>

<sup>3</sup> Arkansas, Kentucky, Louisiana, New Hampshire, New York, North Carolina and Ohio have included ELP as part of another indicator.

<sup>4</sup> The ESSA plans for Louisiana and Arkansas have been approved by USED.

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- States must also decide which growth model they will employ to assess whether ELs in the state are making progress toward proficiency as expected.
  - Each state must set the time-to-proficiency window for incoming ELs to demonstrate proficiency and exit EL status in the state.

## What does it mean to be English Language Proficient or make progress toward ELP?

As noted earlier in this brief, the landscape of ELP standards and assessments is currently in flux. Many states are administering assessments that have been recently revised and do not have the benefit of longitudinal data to set proficiency levels and cut scores. Data from the next few years of ELP assessments will play a crucial role as states decide on where to set the bar for English proficiency on the state’s assessment, and what it means to be making appropriate annual progress toward achieving that bar. These determinations of “ELP achievement” and “ELP growth” are highly important.

**ELP Achievement:** When a student meets the proficiency cut point on a state’s ELP assessment, it signals that student has achieved ELP, and is prepared to learn course content in English and demonstrate mastery, as determined by the state, on assessments on par with their never-EL peers. This is also a signal to the school or district that the student is ready to be exited out of EL status and can stop receiving additional language development supports and instructional or testing accommodations.

**ELP Growth:** It is not enough to set the end point for English proficiency; states must also define what it means to be making appropriate annual progress toward achieving English proficiency, so as to follow the trajectory of growth for all ELs served by the system. The state system should include clear proficiency levels and allow for identifying at regular intervals, the proficiency level of each EL in the system, and estimate whether their language development is on track for achieving English proficiency within the stipulated time-to-proficiency window within their ESSA state plan.

The stakes are high for setting proficiency levels and cut scores that give a true sense of where students are in their learning trajectory, as they have real and tangible implications for students, schools, and districts. If the bar for ELP achievement is set low, then students are at risk of losing crucial accommodations and supports while they still need them. And since ESSA requires that the ELP indicator be focused on “progress toward achieving ELP,” setting accurate proficiency levels is critical in service of accurately identifying whether students in a school or district are on track to become proficient in English.

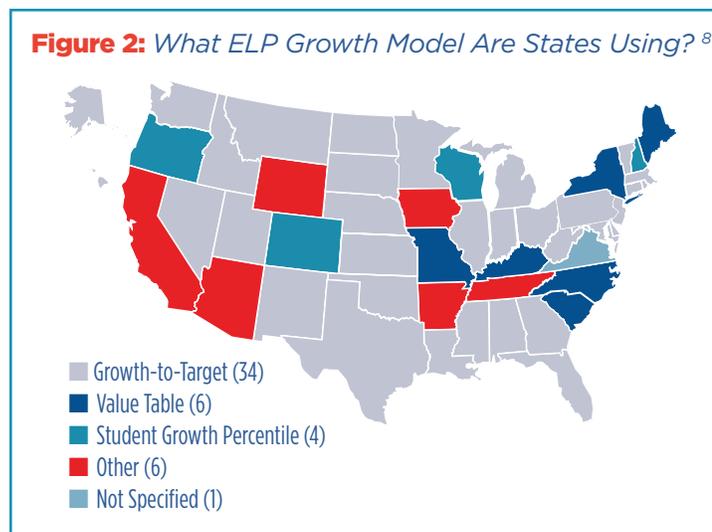
Achieve and UnidosUS found that five states—Arizona, Indiana, Massachusetts, Missouri, and Tennessee—have included both EL proficiency (the number of students who have scored English proficient), and EL growth (the number of students who are making progress toward English proficiency) in their EL indicators. All other states have developed their EL indicators primarily focusing on EL growth and how each school/district is helping English learners progress toward achieving ELP. While it is important for growth to be the central tenet of the EL indicator, it is important for state systems to also value proficiency and focus efforts on increasing the percent of students attaining proficiency.

## What growth models are states using to demonstrate progress toward ELP?

In reviewing states' ELP indicators, Achieve and UnidosUs found that states are using a variety of growth models to demonstrate students' progress toward English proficiency. There is a range of statistical methodologies available for states to choose from, and states must consider their own state context, their goals for ELP, and their theory of action around English language acquisition in determining which model to use. The three most common ELP growth models we found in our review of ESSA plans are value tables, student growth percentiles, and growth-to-target.

- **Value Table:** Value, or transition, tables are models that show student's change in performance from one year to the next and are dependent on the student's prior status.<sup>5</sup> Often, these tables show growth within a level.<sup>6</sup>
- **Student Growth Percentile (SGP):** Student growth percentile is an empirical model where growth is implied based on a condition.<sup>7</sup> In this case, the condition is the percent of the student's academic peers that s/he outscores on the ELP assessment. They are measured on a 1-99 scale where higher scores indicate higher relative growth.
- **Growth-to-Target:** Growth-to-target is an empirical model that is a direct measure of progress. Where the other models look solely at growth, growth-to-target looks at growth in relation to achieving ELP. The mechanisms of growth-to-target models can vary from state to state but all of them look at what percentage of students are on track to achieve ELP within the state-defined timeline.

As the map indicates, most states have chosen to implement a growth-to-target model to determine progress toward ELP. However, there are significant differences in the design of each one of these models. For example, while some states consider movement from one proficiency level to the next as growth, others set individual student level targets based on the student's performance in the preceding year. Similar design variances can be found in other growth models, such as value tables and student growth percentiles, that states have proposed to use to measure progress toward ELP.



<sup>5</sup> Goldschmidt, Pete and Hakuta, Kenji. "Incorporating English Learner Progress into State Accountability Systems." *Council of Chief State School Officers* (2017). Washington, D.C.

<sup>6</sup> Lyons, Susan and Dadey, Nathan. "Considering English Language Proficiency within Systems of Educational Accountability under the Every Student Succeeds Act." *Latino Policy Forum* (2017).

<sup>7</sup> Goldschmidt, Pete and Hakuta, Kenji. "Incorporating English Learner Progress into State Accountability Systems." *Council of Chief State School Officers* (2017). Washington, D.C.

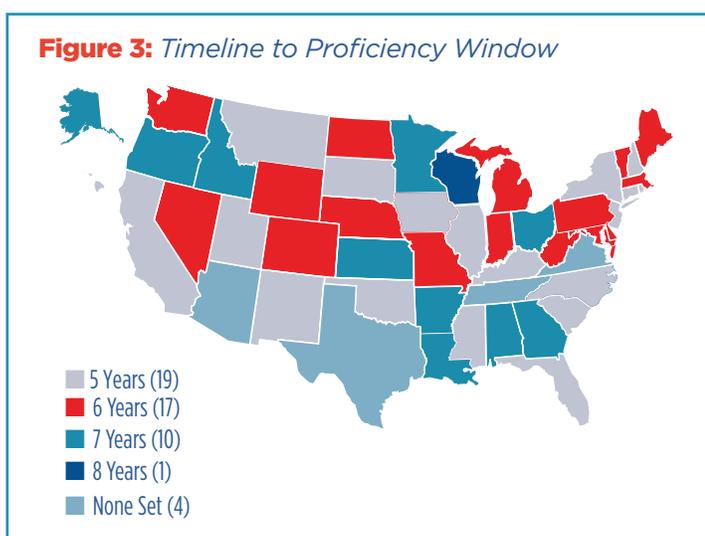
<sup>8</sup> Colorado also includes a measure of students "on-track" to proficiency.

## What Time-to-Proficiency windows are states setting?

Research on English language acquisition indicates that developing proficiency in English takes between four and seven years.<sup>9</sup> Our review found that most states have set time-to-proficiency windows that align with this recommendation. Wisconsin has set the longest time-to-proficiency window at eight years, and four states—Arizona, Tennessee, Texas, and Virginia—did not specify a time-to-proficiency window in their ESSA plans. At the time of this publication, some of these states' plans are still awaiting approval by the U.S. Department of Education.

### English Language Proficiency in the Larger Accountability Framework

Progress toward ELP is one of five required indicators for state accountability systems under ESSA. Each one of these indicators must be weighted to yield an annual rating for schools and districts that is indicative of how they have performed on these indicators. Each indicator is to be given “substantial weight” and the aggregate of the academic indicators must have greater weight than the school quality or success indicator. How schools and districts perform annually on the accountability system allows states to meaningfully differentiate them on an annual basis and identify which schools are in need of additional supports from state and federal resources.



How are states valuing the progress of ELs in their accountability systems? To answer this question, we must evaluate how states have weighted their ELP indicators in relation to all other accountability indicators. It is also important to consider states' decisionmaking about the minimum number (N-size) of students in the EL subgroup, as this could have a bearing on whether a school is held accountable for the ELP indicator. In this section, we a) examine how the N-size of ELs can play a role in annual meaningful differentiation at the school level and impact states' overall weighting decision for ELP indicator, and b) present an analysis of how states are weighting in the ELP indicator in the overall accountability system.

<sup>9</sup> Hakuta, Kenji. “How Long Does It Take English Learners to Attain Proficiency?” *The University of California Linguistic Minority Research Institute* (2000).

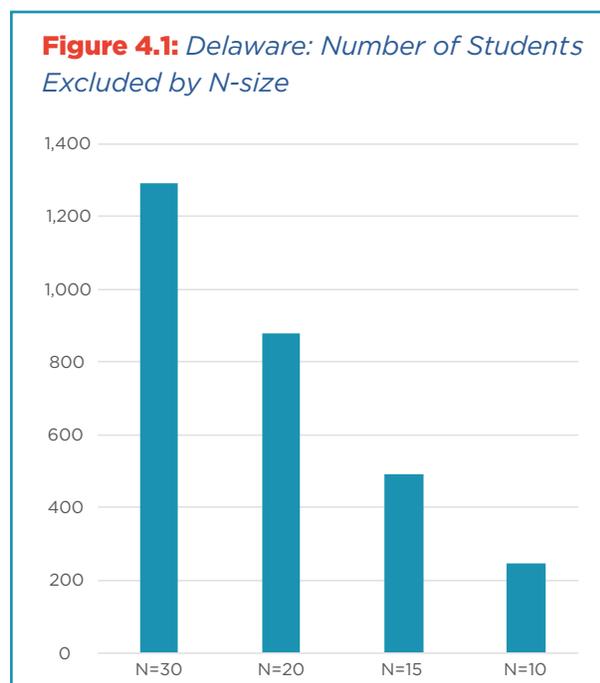
## How do states' N-size decisions impact the ELP indicator?

ESSA allows states to set the minimum number, or N-size, of students needed to determine whether a subgroup will be included in accountability determinations or federal reporting. Subgroups in each school must meet the N-size set by the state in order for that school to be held accountable for the performance of that subgroup. In no indicator is this determination more important than ELP, because the entire indicator is based on composition of a single subgroup: English learners. States that have particularly low EL populations can have many schools that serve too few or no ELs, and simply couldn't apply the ELP indicator to all schools. For example, only 3% of schools in Vermont serve an N-size 25 or more ELs. Since the majority of schools in the state do not serve an EL population at all, or serve fewer than the state's minimum N-size of 25 ELs, Vermont's ELP indicator is not applicable to 97% of schools in the state. The state's ESSA plan provides a contingent weighting pattern for these schools.

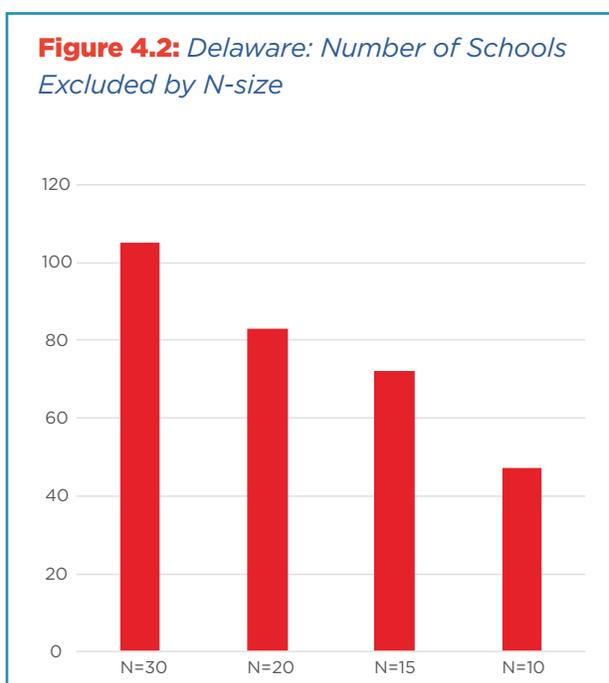
For state policymakers, student privacy is a key consideration in setting N-size requirements. While setting an N-size too low could potentially reveal personally identifiable information, setting it too high might interfere with a state's ability to meet the subgroup accountability requirements. States with a higher N-size may have more schools that do not have to report the academic performance of some subgroups. Our review found that states have set N-sizes ranging from 10 to 40.

Delaware's ESSA plan includes an interesting demonstration of how N-sizes could impact the application of the ELP indicator in a state. The state has a total of 8,329 students across 215 schools. If the state selected an N-size of 30, then 105 schools in the state would not be held accountable for the ELP indicator, whereas if the state selected an N-size of 10, only 47 schools would be excluded from being accountable for progress toward ELP. The state's approved ESSA plan sets an N-size of 15, thereby holding 143 of the states 215 schools accountable for the ELP indicator.

**Figure 4.1:** Delaware: Number of Students Excluded by N-size



**Figure 4.2:** Delaware: Number of Schools Excluded by N-size





## How are states weighting the ELP indicator?

Our review found that states have set widely varying weights for the ELP indicator in their accountability systems. Thirty-three states have identified the weighting of the ELP indicator in their accountability systems, six states integrate ELP weighting into another indicator, and thirteen states have not specified the weighting for ELP.

Among states that do define the weight for this indicator, weighting ranges from 3 percent to 22.5 percent for high schools, with a median weight of 10 percent. For elementary/middle schools, ELP weighting ranges from 3.5 percent to 30 percent, with a median of 10 percent. Georgia's accountability system assigns the least value to progress toward ELP, with 3.5 percent for elementary/middle schools and 3 percent for high schools. Idaho's system assigns the highest value to making progress toward ELP, with 30 percent for elementary/middle schools and 22.5 percent for high schools. While states must present discrete weighting structures for elementary/middle and high schools, some states have taken the grade-level differentiation a step further; Connecticut, for example, has proposed separate ELP weights for elementary (10.5 percent), middle (10 percent) and high schools (6.4 percent).

Arkansas, Louisiana, and Ohio have incorporated weighting for the ELP indicator into another indicator in the accountability component. Arkansas and Louisiana both include progress toward ELP in the overall weighting for the academic achievement indicator, while Ohio includes it in an indicator designed to demonstrate gap closure. While these three states have all included ELP in another indicator, they have each taken a unique approach and may have different reasoning for opting to not have a stand-alone ELP indicator. Several other states do not specify how this indicator will be weighted in the overall accountability system.

How the states weight their ELP indicator provides a strong signal to schools and districts about how EL progress is valued by the state. Schools in states with higher weighting face higher stakes in the annual accountability determinations as the ELP indicator has significant impact on their summative rating. In contrast, in states that have set lower weights, poor performance on this indicator would have little effect on the overall rating of the school. In Georgia, for example, the weight for high schools is 3 percent, the lowest of all the states. A school in Georgia could, potentially, fail to support its EL population, receive 0 percent on that indicator and still have a high overall rating. Nine states have set their weighting for the ELP indicator at 6.5 percent or lower.

**Table 1: State English Learner Population and Weighting of the ELP indicator in their Accountability Systems, Sorted by Size of English Learner Population<sup>10</sup>**

*States with 3.0% or Lower EL Population*

State	EL Population (% of All Students)	Weight (ES & MS)	Weight (HS)
Alabama	2.7%	5%	5%
Maine	2.8%	10%	10%
Mississippi	2.0%	5%	5%
Montana	2.2%	20%	20%
New Hampshire	2.3%	<i>Not Specified</i>	
North Dakota	3.0%	10%	10%
Ohio	3.0%	Part of "Gap Closing" Component	
Vermont	1.6%	10%	10%
West Virginia	1.0%	14%	13%

*States with 3.0% to 6.0% EL Population*

State	EL Population (% of All Students)	Weight (ES & MS)	Weight (HS)
Idaho	4.6%	18%	23%
Indiana	4.8%	10%	10%
Iowa	5.4%	10%	10%
Kentucky	3.2%	Part of Academic Growth Indicator	Part of Transition Readiness Indicator
Louisiana	3.3%	Part of Academic Achievement Indicator	
Michigan	5.8%	10%	10%
Missouri	3.2%	10%	10%
New Jersey	4.9%	20%	20%
Pennsylvania	3.1%	<i>Not Specified</i>	
South Carolina	5.6%	10%	10%
South Dakota	3.4%	10%	10%
Tennessee	4.1%	10%	10%
Wisconsin	5.3%	11%	10%
Wyoming	3.1%	22%	20%

<sup>10</sup> Based on National Center of Education Statistics Data for Fall 2015. [https://nces.ed.gov/programs/coe/indicator\\_cgf.asp](https://nces.ed.gov/programs/coe/indicator_cgf.asp)

States with 6.0% to 10.0% EL Population

State	EL Population (% of All Students)	Weight (ES & MS)	Weight (HS)
Arizona	6.1%	10%	10%
Arkansas	7.8%	Part of Academic Growth Indicator	
Connecticut	6.5%	10.5% (Elementary) 10% (Middle)	6%
Delaware	7.2%	10%	10%
District of Columbia	7.4%	5%	5%
Florida	9.6%	<i>Not Specified</i> (Included in Federal Percent of Points Earned index, but not in overall school grade)	
Georgia	6.4%	3.5%	3%
Hawaii	7.5%	10%	10%
Illinois	9.5%	5%	5%
Maryland	7.2%	10%	10%
Massachusetts	8.6%	5%	5%
Minnesota	8.2%	<i>Not Specified</i>	
Nebraska	6.6%	<i>Not Specified</i>	
New York	8%	<i>Not Specified</i> (Greater Than Weight of Academic Progress and Absenteeism Indicators)	
North Carolina	6.6%	Part of Main Indicator (80% of Total System Weight) that Includes Academic Indicator, Academic Growth & ELP	
Oklahoma	6.8%	17%	17%
Oregon	9.2%	25%	22%
Rhode Island	7.4%	Maximum of 4 pts Overall	
Utah	6.6%	10%	5%
Virginia	8.5%	<i>Not Specified</i>	



### States with 10.0% or Higher EL Population

State	EL Population (% of All Students)	Weight (ES & MS)	Weight (HS)
Alaska	11.5%	15% (up to grade 6) 10% (grades 7+)	10%
California	21.0%	<i>Not Specified</i>	
Colorado <sup>11</sup>	11.6%	8% (20% of growth indicator)	12% (20% of growth indicator)
Kansas	10.6%	25%	25%
Nevada	16.8%	10%	10%
New Mexico	15.7%	10%	5%
Texas	16.8%	10%	10%
Washington	10.4%	5%	5%

### Considerations and Recommendations

As states begin to implement this new indicator in their accountability systems, they face multiple implementation questions. Which schools must be held accountable for the ELP indicator? What is the best approach to transparent and informative public reporting? How should they best weight ELP in the overall system? Achieve and UnidosUS advance the following set of recommendations and considerations to ensure that the ELP indicator is operationalized with fidelity to ESSA:

- States must value both proficiency and growth as demonstrated on the ELP assessment in their ELP indicator.** Almost all states have made growth the focus of the indicator, but a few states are also including the percentage of students who are annually demonstrating proficiency and exiting EL status. It is important that states' ELP indicator place value not only on timely growth in English acquisition for all students who have been identified as English learners, but also signal to schools that increasing the percentage of students who are proficient is an important end goal in the state's accountability system.
- Public reporting on the ELP indicator should include the full breadth of the state's indicator.** Almost all states have made growth the focus of the indicator, and should include ELP growth in their annual report card. States that include both a measure of proficiency and of growth should report both measures on their public report cards to better inform parents and students.
- States' public reporting on the ELP indicator must be discrete and transparent.** Regardless of the structure of the ELP indicator, states must be transparent about how schools are helping students make progress toward ELP. Even if they are integrating ELP into another indicator (as is the case in Arkansas, Louisiana, and Ohio, who have embedded ELP into the academic achievement and growth indicators), these states' reporting systems must be transparent about how many students are making adequate progress toward English proficiency.

<sup>11</sup> Colorado also includes a measure of students "on-track" to proficiency.

- **States must set an evidence-based time-to-proficiency window for ELs.** Research in this area indicates that students need from four to seven years to become English proficient; as such, states' timespans for ELP attainment should not exceed seven years. States should be transparent about where they are setting the time to proficiency window and not leave parents, students, and other community stakeholders guessing about the state's timeline.
- **States must consider the demographic composition of the state's student body when setting the N-size.** The state's N-size should represent the most students while also protecting student privacy. The state should capture the largest number of schools possible, so that ELs and their progress toward proficiency are a meaningful part of the state's accountability system.
- **States must ensure that the ELP indicator is weighted in a way that values EL performance in the overall state system.** How states weight this indicator sends a signal about how the state is prioritizing EL performance and progress. Six states currently value their ELP indicator at 5 percent or below in the overall accountability score. States must set ELP weighting at a level that demonstrates to schools, districts, and the community that increasing English proficiency of the state's ELs is an important priority of the overall system. When determining the weight of the ELP indicator, states must consider the EL population in a state and adequately weight the indicator to meaningfully include ELs.

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