Experts Weigh in on Reforms to No Child Left Behind’s Title III

New America Foundation’s Dual Language Learner National Work Group

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It’s been about two weeks since Sen. Lamar Alexander (R-TN) released his draft proposal for rewriting No Child Left Behind. New America’s Dual Language Learner National Work Group immediately published some first thoughts on the bill’s reforms here. But we also reached out to national experts to get their thoughts on the bill—and what an ideal Title III would look like. The first two responses are included below.

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The No Child Left Behind (NCLB) Act (also referred to here as the Elementary and Secondary Education ACT — ESEA), has fostered greater inclusion of students who are English Language Learners (ELLs) in standards-based instruction, assessment, and accountability. Yet the need for national leadership to effectively address ELLs has become more acute than ever. Many states have seen considerable growth in the number of ELLs — these students are no longer just found in some districts, some schools, or some classrooms. Unfortunately, the capacity to support best practices in educating ELLs has not kept pace with the growing need. ESEA has historically played a crucial role in building that capacity. The next authorization must revitalize that role and combine it with incentives and sanctions to ensure that federal, state, and local leadership support continued attention, direction, and innovation in this area.

Through the growth of the research and program implementation knowledge base, we have come to a much better understanding of the category of students that we label “ELL”. The key fact for policy consideration is that these students are on the path of a developmental trajectory with respect to their acquisition of English, while at the same time immersed and developing their heritage language. They are actually dual language learners (DLLs). That is, English acquisition occurs over time and is influenced both by time and by schooling — as is their heritage language. This has implications for how we define the subgroup for funding, instructional decision-making, and accountability. The developmental and learning trajectories of learning both languages have implications for the knowledge and skills that teachers and administrators need at all levels of schooling (pre-K through high school).

With this new science of dual language development and learning, and, a new knowledge base regarding educational programming for this student population in mind, the following issues must be addressed in the reauthorization of ESEA’s Title III:

1. **Subgroup identification and classification.** Current approaches to defining ELL subgroup membership lead to faulty data-based decisions.
2. **Assessment.** Too many states and districts (charter schools) are still utilizing assessments that are not valid and reliable.
3. **Accountability.** The current accountability system contains serious faults that disadvantage assessment and programming for ELLs.
4. **PreK-3.** Much great emphasis must be placed on the PreK–3rd years, including development of dual language programs and effective family engagement programs.
5. **Multilingualism.** Current accountability systems and funding priorities do not sufficiently foster the full development of the nation’s multilingual resources.

6. **Human capital.** Insufficient attention to training and professional development for educators of ELLs limits effectiveness with this population.

7. **Reinvigorating the Office of English Language Acquisition.** The function of OELA is inadequately specified given the growing and critical importance of the ELL population.

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Given the way that accountability testing was abused for dual language learners (testing them in English before they knew enough English to validly respond — and then punishing their schools, and soon their teachers, for the low test scores), I am not sorry to see that go. It was counter-productive. Instead, we could do accountability through matrix sampling without losing subgroup analyses. There should be an absolute ban on testing DLLs in English for at least 3 years. And the federal government should push assessment consortia to align assessments across states so that we could get to something like comparability in assessments to identify kids as well as track their progress (again using something more like matrix sampling).

Accountability is a great idea, but the feds can’t do it from Washington. It would be far better I think if they would really invest in helping to build formative assessments that were available in major languages and truly helped teachers to teach DLLs. This kind of test would track students’ progress, but be more supportive than punitive. We should pressure school districts to track student progress through formative testing, and provide more support where folks are struggling. The development of this kind of assessment can also be facilitated through consortia. (We have these consortia now in Smarter Balance and PARC, and in the several groups that have been working across the country, but their focus has been on this insane individual testing and little attention paid to developing really useful assessments that incorporate students’ knowledge in their first language.)

We also need to know how DLLs are doing over the long run. Once identified they should be tracked as a separate category on whatever assessment system is adopted for all kids.

Speaking of support, there should be something in the bill that provides funds to train faculty at teacher preparation programs to train teacher candidates to work with DLLs, with a special emphasis on bilingual teachers, regardless of the type of language assistance program a state, district, or school chooses to offer. It also should include a regular survey of these teachers’ needs and challenges with an eye toward identifying where they need support — and incentives to recruit teachers from diverse backgrounds. This would make a difference.

The annual testing of DLLs has had a horrendous impact on the viability of bilingual and dual language programs. We know that a lot of bilingual programs have suffered or been shut down because the kids can’t immediately test well in English. So, on balance, I think there is a net gain in getting rid of the annual tests as they currently are. But we do need some outcome measures to judge the effects of various educational policies, instructional strategies, and other inputs affect DLLs, compared to other students.