



From: Dr. Angela Valenzuela, Director, Texas Center for Education Policy and Claudia Cervantes Soon, Graduate Research Assistant, Texas Center for Education Policy

To: the Honorable Florence Shapiro, the Honorable Dan Patrick, the Honorable Kip Averitt, the Honorable Wendy Davis, the Honorable Mario Gallegos, Jr., the Honorable Steve Ogden, the Honorable Leticia Van de Putte, the Honorable Royce West, and the Honorable Tommy Williams

Re: Written Testimony to the Senate Public Education Committee of the 81<sup>st</sup> Session of the Texas State Legislature "Regarding Senate Bill 3 in relation to a secondary-level English language learners' program for public school students of limited English proficiency"

Date: March 31, 2009

On behalf of the Texas Center for Education Policy (TCEP), we respectfully submit the following written testimony in response to your hearing regarding programs for secondary-level English language learners in the State of Texas. Given the state of education for English language learners (ELLs), we applaud the goals proposed in S.B. 2002 that seek to address and improve the needs of ELL youth in a thoughtful manner.

TCEP is a nonpartisan education research and policy center nested within the Division of Diversity and Community Engagement at the University of Texas at Austin. Building on the University of Texas tradition of distinguished scholarship, the Texas Center for Education Policy is committed to research on equity and excellence in PK-16 education. TCEP promotes interdisciplinary and collaborative research, analysis, and dissemination of information to impact the development of educational policy by bringing together university entities in partnership with local, state, national, and international education communities.

The enclosed packet contains a two-page summary on Senate Bill 2002, as well as a policy brief highlighting further considerations. If you have any questions or concerns, please call my administrative associate, Andrea Melendez at (512) 471-7055 or feel free to e-mail me at [valenz@austin.utexas.edu](mailto:valenz@austin.utexas.edu). Thank you for your consideration.

A handwritten signature in cursive script, reading "Angela Valenzuela".

## Senate Bill 2002 Summary

### Author's Intent

Improve and increase secondary-level English language learner programs for public school students of limited English proficiency.

### Areas Addressed by S.B. 2002

*Identification of English Language Learners.* The English Language Learner (ELL) population is a diverse group that includes newcomers with strong education in the primary language, newcomers with gaps in their prior education, and long-term ELLs who have attended U.S. schools for several years but have been underserved and are not achieving at levels that warrant "transition" or "exit" from programs or services. Each subcategory of ELL youth has a different set of needs that require individualized programs and interventions that are relative to them. Senate Bill 2002 addresses the need for districts and schools to properly identify ELLs based on students' proficiency levels in both English and their primary language, as well as information about their prior schooling experiences. This pertinent background information provides schools and districts with the ability to provide services that can both build upon students' prior knowledge and provide intensive intervention where needed.

*Assessment.* Senate Bill 2002 calls for assessment in English, and as appropriate, in the student's primary language. This allows educators to measure students' learning of academic content independently from their English language proficiency, thereby preventing the miscalculations of students' knowledge. Furthermore, S.B. 2002 proposes to measure student growth toward subject- and content-area state and district standards, allowing schools to be recognized for student progress even in those instances where they fall short of the mark.

*Instruction of English as a Second Language (ESL).* Senate Bill 2002 requires that the instruction of ESL be aligned with the various levels of English language proficiency. Providing various levels of ESL instruction can also facilitate teachers' planning and lesson delivery, making it more focused. A shortcoming of S.B. 2002, however, is a lack of detail on how individualized student needs will be met in classroom settings given the frequently wide-ranging diversity among English language learners.

*Content Area Instruction.* It is unconscionable that many ELLs never take college preparatory courses. If Texas is to prosper, it is imperative that this student sub-population that is growing at the highest rate in our school system (Valenzuela et al. 2006) be accorded unprecedented access to college preparatory courses and high levels of content-area curricula. The need for ELLs to acquire English vocabulary and syntax should neither impede them from becoming college ready nor be interpreted as their possessing a limited intellectual capacity. Senate Bill 2002 calls for rigorous curricula delivered through sheltered instruction that is specific to a student's level of English proficiency. This instruction would ensure that students both comprehend subject-area content, while developing their academic English proficiency.

*Teacher Quality.* Because ELLs are members of the entire school community and spend significant time in subject courses other than ESL, programs for them should be recognized as school-wide initiatives. Schools should also be provided the support they need to ensure that all teachers and administrators are prepared to provide quality instruction to ELL youth. Senate Bill 2002 proposes that administrators and teachers serving ELLs, including those in the content areas, should be adequately prepared by completing six semester credit hours of higher education coursework in ESL methodology, or equivalent professional development in sheltered instruction in the subject areas by the end of their second year in the classroom. In addition, S.B. 2002 requires that trained teachers continue to be supported by receiving 12 additional hours of professional development each year on research-based best practices for ELL instruction.

*Leadership.* Administrators make important decisions pertaining to the identification, placement, curriculum and instruction, staffing, professional development support, and assessment and monitoring of ELL youth. Senate Bill 2002 addresses this concern by proposing that administrators follow the same procedures as those pertaining to enhanced teacher quality, in order to be better prepared to support this student population. Because ELL youth have the highest dropout and lowest completion rates, quality oversight and accountability for the progress of this subgroup is critical (see Valenzuela, Fuller, & Vasquez Heilig, 2006).

*Parents.* Senate Bill 2002 proposes to include parents, and as appropriate, community members, as active participants in the monitoring of program effectiveness. By partnering early with parents in the decision making process, schools gain insight and support in the planning, development, and implementation of interventions and services. This preventative provision included in S.B. 2002 can help capture and reduce future underperformance of ELL youth.

*Supplemental Instructional Services.* Senate Bill 2002 seeks to provide supplemental intervention services for students who do not reach performance standards. These services should be developed as school-wide initiatives that provide well-defined support systems that immediately take effect when students begin to struggle. In addition, individualized intervention plans that address the specific needs of students who do not show progress can be provided under S.B. 2002.

## Policy Brief

### Senate Bill 2002 of the 81<sup>st</sup> Session of the Texas State Legislature

#### Introduction

In 2007 the state of Texas reported having a total of 4,496,304 K-12 students enrolled in its public schools (TEA, 2007a). Of this total, 16 percent are English language learners (ELLs) identified in state code as “limited English proficient” or LEP (TEA, 2007a), placing the state second to California in the number of second language learners served by any state (Valenzuela, Fuller & Vasquez Heilig, 2006; Friedlaender and Darling-Hammond, 2007). Over a 16-year time period ELL enrollment in Texas grew by 158 percent as compared to a 30 percent growth in the state’s overall enrollment (see Valenzuela et al., 2006). In recent years, this trend has continued revealing a 14 percent growth in ELL enrollment between 1997-98 and 2003-04, a third faster than the overall enrollment growth in the state.

Statewide data reveal that graduation and dropout rates for LEP youth are dramatically lower (39.3%) and higher (34.6%), respectively, than their non-LEP counterparts (TEA, 2008a, p. 57). While the actual percentages recorded by the Texas Education Agency are different from research at the state level (Valenzuela et al., 2006; McNeil et al., 2008), there is consistency in the conclusions drawn from existing data reports that acknowledge the increased risks that ELL students face in not completing high school. In addition to improving the high dropout, and low completion rates among ELL youth, there is also a need to address the quality of content-area instruction and accessibility to college preparatory courses that will prepare them for higher education.

Secondary LEP youth in Texas are among those students who are “much less likely to be afforded opportunities for advanced placement classes even though such classes could be offered” to these students (*USA and LULAC GI-Forum v. Texas*, 2008, p. 9). Consequently, LEP youth are far less likely to meet the Higher Education Readiness standards than their non-LEP counterparts statewide (18% and 54% in Math respectively; 5% and 53% in ELA respectively) (TEA, 2007b, p. 5).

As the goals set forth by Senate Bill 2002 move the state and districts forward in providing ELL youth with academic equity, considerations for leadership and accountability must also be considered. Research at the secondary level underscores the important role of leadership with respect to second language learners (Lucas, Henze, & Donato, 1997), citing clear goals, collaborative planning, and school-wide staff development as characteristics found in effective schools. In addition, research further demonstrates that strong district-level leadership is needed to create the desired conditions of educational reforms related to ELL secondary students (Clair, Adger, Short, & Millen, 1998). Given the decisive role that these factors play in generating positive outcomes for ELL youth, we provide specific policy considerations relating to state-, district-, and campus-level leadership.

## Policy Considerations

- Consider including specialized identification, placement procedures, and instructional support services for LEP, former-LEP, and long-term-LEP students.<sup>1</sup>
- Consider structural and bureaucratic supports at the campus, district, and state levels that would address the unique needs of ELL youth across secondary schools. At the campus level, schools having greater than the state average of 16 percent of ELL youth should be afforded an assistant principal to oversee the proper placement, monitoring, and academic progress of ELL youth. Additionally, districts with greater than 16 percent of ELL enrollment should designate an assistant superintendent position that holds campuses accountable for the academic progress of ELL youth. Finally, state-level leadership housed within the Texas Education Agency should be created. This administrator's sole responsibility is to ensure accountability for the progress of ELL students.
- ELL leadership at campus, district, and state levels will ensure that bilingual education and special language programs are provided for LEP, long-term LEP, and former LEP students as proposed by S.B. 2002. Leadership must be certified in bilingual education, school administration, and have no less than five years of experience in teaching students with limited English proficiency.
- Incentivize opportunities for future and current teachers to become certified in bilingual education through such programs as loan forgiveness, so that they can improve their capacity to serve the needs of ELL youth.
- Allow high schools having greater than the state average of 16 percent of total ELL enrollment to pilot a compensatory multiple measures assessment model that provides a holistic evaluation of individual portfolios, teacher evaluations, and course grades. The goal of this model would be to remove reliance on one single indicator to determine college readiness, while providing options for students in the pilot program who do not perform well on standardized tests.
- Consider restructuring the Language Proficiency Assessment Committee (LPAC) to include leadership specifically assigned to serve the ELL population. Include the student about whom the placement and instructional decisions are made on the LPAC committee. Meetings that address the needs of students who did not reach district or state standards, or who did not demonstrate adequately yearly progress in English proficiency assessments should include an LPAC committee that consists of the following: the student, the parent or guardian, the bilingual or ESL teacher, the teacher of the subject of the assessment instrument on which the student failed, and the principal or principal's designee responsible for oversight of ELL students.
- Consider utilizing the LPAC committee as a proactive and preventative measure that will develop an individualized intervention plan, similar to the student personal graduation plan detailed in Sec. 28.0212. This LPAC committee will monitor and provide academic guidance, for ELL youth at the beginning and end of each semester.
- Provide supports that would allow teachers of students with limited English proficiency to receive ongoing professional development.

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<sup>1</sup> Former LEP refers to students who have been exited out of LEP status and no longer receive program supports or services. Long-term LEP refers to students who have been categorized as LEP during their elementary level, who are not recent arrivals, and who may or may not continue to receive program supports and services at the secondary level.

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