THE UNINTENDED CONSEQUENCES FOR ENGLISH LEARNERS OF USING THE FOUR-YEAR GRADUATION RATE FOR SCHOOL ACCOUNTABILITY

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Executive Summary

High school graduation is both a personal achievement for students and their families and an important bellwether of the effectiveness of a school system and the economic prospects of a community. Together with measures of academic achievement and school quality, high school graduation rates have been used to evaluate school effectiveness and impose consequences on struggling schools under federal law for nearly two decades. For English Learners (ELs)—who make up almost 10 percent of U.S. schoolchildren overall and 4 percent of high school seniors—graduation rates have risen from 57 percent in school year 2010–11 to 67 percent in 2015–16, but they still fall far short of the rate of 84 percent for all students.

High school graduation rates have been used to evaluate school effectiveness and impose consequences on struggling schools under federal law for nearly two decades.

The adjusted cohort graduation rate (ACGR) is used by all U.S. states as part of their school accountability systems under the federal *Every Student Succeeds Act of 2015* (ESSA).[1] To calculate the ACGR, schools assign all students starting ninth grade for the first time to a cohort and report the proportion of that cohort that graduates four years later. Students new to a school are added to a class cohort based on the grade at which they enter; students can only be removed from a cohort if they transfer to another school or educational program leading to a regular diploma, emigrate to another country, or die. Only students who receive the standards-aligned diploma given to the majority of students in the state (or a more rigorous, honors diploma) may be counted as a graduate. The four-year ACGR must be reported for all students and for student subgroups (including ELs) for every high school, and it is incorporated into the annual calculation of how well each school met accountability benchmarks. States may supplement the calculation of the four-year ACGR with an extended-year rate (what share of students graduate in five, six, or seven years), and most do so to some extent. This can paint a more complete picture of whether and when students graduate, including those—such as ELs—who may require additional time or support to complete their studies. However, the 16 states plus the District of Columbia that chose not to include an extended-year ACGR in their accountability systems serve 60 percent of the nation's ELs.

A. English Learners Benefit from Extended Time to Graduate

The exclusion of the extended-year graduation rate from state accountability systems is a concern because ELs are more likely to graduate after a fifth or sixth year of high school than other student subgroups. Comparing 23 states that reported five-year rates for the class of 2015, the greatest increase from the four-year to the five-year rate for all students was 6 percent; meanwhile, the largest increase for ELs was 13 percent. In 12 of those states, six-year rates were also reported, showing up to 2 percent of all students graduated in their sixth year, while up to 4 percent of ELs did so.

Furthermore, when comparing ELs to four other student subgroups (students who are Black, White, economically disadvantaged, and those with disabilities), a larger share of ELs were five-year graduates than any other group in 14 of 23 states. In four states (Colorado, Maryland, Nebraska, and Oregon), the difference between the four-year and five-year graduation rate for ELs was at least 10 percent. Economically disadvantaged and Black students generally posted smaller increases between the four- and five-year rates than the EL and special education subgroups, and White students had the lowest rates of five-year graduates—generally between half a percent and 3 percent. It is important to note that ELs and students with disabilities also had lower graduation rates than those other groups, on average, but Black,

1 The *Every Student Succeeds Act* (ESSA) was the 2015 reauthorization of the *Elementary and Secondary Education Act*. Graduation rates were also a mandatory accountability measure in ESSA's predecessor, *No Child Left Behind.*

White, and economically disadvantaged students could have posted comparable gains from the four- to the five-year rate without reaching 100 percent.

B. Which ELs Drop out and Which Persist?

Researchers have studied high school dropout rates for decades, documenting the characteristics of the school environment and the external pressures (such as needing to get a full-time job) that may lead students to leave school early. This research has helped educators understand the warning signs of students at risk of dropping out (or needing additional time to finish), with many schools tracking early warning signals (such as 9th grade outcomes) in order to target interventions to these students. Less is known about the specific experiences of immigrant and EL students that influence dropout and resilience, although studies have increasingly pointed to obstacles in ELs' access to rigorous, grade-level content and shortages of well-trained EL specialists as widespread problems.

Additionally, very little data are available to indicate whether there are categories of ELs that take advantage of the option to stay in school for extra years to graduate more frequently than others. For example, one dataset has suggested that recent immigrants (those who have been enrolled in U.S. schools for three years or fewer) and students who were ELs at any point in high school had similar graduation rates. But another study has suggested that graduation rates for recent immigrants in two states were far lower than average rates for all ELs across the country, and that their five-year graduation rates were higher than English-proficient students.

C. Unintended Consequences of Tying Accountability to Graduation Rates

The stakes associated with the use of graduation rates for school accountability are high—including risks to educators' reputations and employment. In this environment, warning signs that students might not graduate in four years, such as EL status and interrupted formal education, can create perverse incentives for high school administrators to turn away recent immigrants before they have a chance to enroll. Such circumstances might explain the string of media reports during the early- and mid-2010s of older immigrant and refugee teenagers being turned away from traditional high schools and told to enroll in adult or alternative education programs—despite laws in most states allowing young people without a high school diploma to enroll in free, public schools until the age of 20 or 21. Administrators are unlikely to confirm on the record that they erect barriers to enrollment to avoid potential accountability penalties, but many educators report that such practices take place. Despite states gaining greater flexibility in how they design their accountability systems under ESSA, half plan to use system improvement strategies that could result in job loss for administrators whose schools fail to meet benchmarks.

Warning signs that students might not graduate in four years, such as EL status ... can create perverse incentives for high school administrators to turn away recent immigrants.

The importance of the four-year ACGR within state accountability systems may also affect how schools design EL instructional programs. While research supports an approach that gives ELs access to grade-appropriate content while they are learning English, it is not yet known in what circumstances newcomer ELs—especially those with limited or interrupted formal education—benefit from courses that teach basic language and remedial content, which may not confer credits toward graduation. Other students may benefit from spending five or six years in high school in order to more fully develop college- and career-ready language and academic skills. Pending evidence that the trend of accelerating newcomer

learning is tied to better outcomes in all circumstances, it is ill-advised to default to scheduling such students' courses so as to maintain a four-year graduation trajectory just because that is the expectation for the majority of high school students.

D. The Need for Policies that Can Balance Protection and Flexibility

There is no question that ELs have historically been underserved—especially at the high school level—due to underresourced schools and low expectations. Federal accountability regulations implemented over the last 20 years attempt to close those opportunity gaps by requiring states to hold schools responsible for helping all children reach the same performance standards and making failure to meet those expectations publicly transparent. However, ELs' long-term English proficiency and academic achievement might be better served by allowing the one-size-fits-all accountability system to make some reasonable exceptions.

The measurement of high school graduation rates under ESSA is a compelling illustration of how the law's central goal of closing opportunity and achievement gaps between traditionally successful and traditionally underserved student populations can have unintended consequences. Specifically, by privileging a narrow definition of a high school graduate—one who graduates in four years or fewer with a standard diploma—the system may disproportionately categorize ELs as failures or, more concerningly, incentivize schools to push such students into inappropriate educational pathways or not to serve them at all, for fear of the consequences attached to being labeled as a school in need of improvement. Careful policy evaluation is crucial in any context with stakes this high. In preparation for ESSA's reauthorization,[2] at which point policymakers could revisit the definition of the ACGR, more research is needed to understand the extent to which using the four-year graduation rate for school accountability has unintended and undesirable consequences for ELs.

I. Introduction

High school graduation is a landmark event for both students and their families, and one with lifelong implications. It is widely recognized that a high school degree is the minimum qualification leading to economic self-sufficiency in the United States. Nationally, the median weekly salary for workers ages 25 and older who lack a high school diploma was $553 as of 2018, compared to $730 for high school graduates with no college education. Among high school dropouts, there are wage gaps between racial/ethnic groups; while the average wage for White adults was $565 per week in 2018, wages for Black, Asian, and Hispanic adults were $487, $521, and $544 per week, respectively.[3]

In addition to experiencing more acute effects of the wage gap between high school graduates and dropouts, minority populations also make up a disproportionately large share of U.S. adults without a high school diploma. Data reported by state education departments to the federal government consistently show that historically underserved populations have lower-than-average graduation rates; this is the case in almost every state as well as for the country as a whole.[4] Looking at the share of youth ages 16

2 This is not expected until long after ESSA expires in September 2020.

3 Figures report 2018 annual average of non-seasonally-adjusted, median usual weekly earnings in current dollars (second quartile) for full time, wage and salary workers ages 25 and older. See U.S. Bureau of Labor Statistics, "Labor Force Statistics from the Current Population Survey—Weekly and Hourly Earnings—One Screen Data Search," accessed April 15, 2019, www.bls.gov/cps/data.htm.

4 Historically underserved populations include students who are Black, Hispanic, or American Indian/Alaska Native; students with disabilities; English Learners (ELs); and economically disadvantaged students. Among federally reported student subgroups, only Asian/Pacific Islanders graduate at or above the average for all students. See National Center for Education Statistics, "Table 219.46. Public High School 4-Year Adjusted Cohort Graduation Rate (ACGR), by Selected Student Characteristics and State: 2010-11 through 2015-16," updated December 2017, https://nces.ed.gov/programs/digest/d17/tables/dt17_219.46.asp.

to 24 who are not enrolled in high school and lack a high school diploma—known as the status dropout rate—the foreign born and youth with limited English proficiency are more likely than their native-born and English proficient peers to be dropouts, respectively.[5] Additionally, 29 percent of the foreign-born population (ages 25 and older) has less than a high school diploma, compared to 9 percent of U.S.-born adults.[6] These gaps have lasting impacts on minority and immigrant-background communities, from reduced family earnings to poorer health and increased incarceration rates.[7]

Researchers use a number of different measures to describe rates of high school graduation, completion, and dropout, but one measure is used particularly frequently for high-stakes purposes. The four-year adjusted cohort graduation rate (ACGR) is used for school accountability—that is, to judge the effectiveness of public high schools—in all U.S. states. The ACGR is a measure of how many of a high school's first-time ninth graders graduate four years later, with adjustments for students who transfer in or out of the school.[8] Some states also use extended-year ACGRs (these count students who graduate in five or more years), but the four-year ACGR is by far the most commonly reported by education agencies and the media. In many communities, the four-year ACGR carries great weight in terms of a high school's reputation, which in turn has repercussions for district and community prestige, even affecting indicators such as real-estate prices.

Acknowledging the critical importance of high school graduation for individuals and communities, and of holding schools responsible for helping students reach this goal, this report describes two ways the high-stakes use of the four-year ACGR may be problematic as an indicator of how effectively schools serve immigrant and English Learner (EL) students. First, the ACGR—particularly the four-year rate—does not account for the many pathways that lead students to high school completion. In some school accountability systems, neither young people nor their schools receive credit for pathways that take more than four years or lead to a high school equivalency degree. Second, the four-year ACGR may create perverse incentives for school administrators to engage in discriminatory behavior when older immigrant newcomers try to enroll in U.S. schools, either turning away those they consider unable to complete high school in four years or pushing them into accelerated educational programs that may not be in their best interest.

In many communities, the four-year ACGR carries great weight in terms of a high school's reputation.

To be sure, the side effects of high-stakes accountability are not the only—or perhaps even the most critical—explanation for graduation rate gaps. A multitude of other issues, such as inadequately resourced schools, poverty or other life circumstances, systemic racism, and individual and family choices all must be taken into consideration when understanding a problem as historically intractable as achievement gaps. However, to the degree that accountability mechanisms might be exacerbating the problem for immigrant-background students, it is worth investigating.

5 Ten percent of the foreign born and 6 percent of the native born were status dropouts, as were 24 percent of limited English proficient and 6 percent of English proficient youth. Data on native vs. foreign born come from the U.S. Census Bureau's 2016 Current Population Survey and those for English proficiency levels from the 2013 American Community Survey. See also National Center for Education Statistics, "Table 219.73. Percentage of High School Dropouts among Persons 16 to 24 Years Old (Status Dropout Rate) and Number and Percentage Distribution of 16- to 24-Year-Olds, by Selected Characteristics: Selected Years, 2006 through 2016," updated September 2017, https://nces.ed.gov/programs/digest/d17/tables/dt17_219.73.asp; National Center for Education Statistics, "Table 219.83. Percentage of High School Dropouts among Persons 16 to 24 Years Old (Status Dropout Rate), by English Speaking Ability and Race/Ethnicity: 2003, 2005, and 2013," updated August 2015, https://nces.ed.gov/programs/digest/d17/tables/dt17_219.83.asp.

6 Migration Policy Institute (MPI) Data Hub, "State Immigration Data Profiles: Language & Education," accessed June 13, 2018, www.migrationpolicy.org/data/state-profiles/state/language/US.

7 Russell W. Rumberger and Sun Ah Lim, *Why Students Drop out of School: A Review of 25 Years of Research* (Santa Barbara, CA: California Dropout Research Project, 2008), http://cdrpsb.org/download.php?file=researchreport15.pdf.

8 A more detailed explanation of how the ACGR is calculated can be found in Section IV.

II. Who Are High School ELs and How Are they Served?

As of 2015, roughly 4.9 million students in U.S. public elementary and secondary schools were ELs (almost 10 percent of all schoolchildren).[9] Most ELs were born in the United States and are therefore U.S. citizens, including about 82 percent of those in kindergarten through grade five and 56 percent of those in grades six through 12.[10] National data show that the number of ELs generally decreases from one grade to the next, from a high of 621,000 in 1st grade to a low of 139,000 in 12th grade.[11] This is because more students become proficient in English each year than new immigrant students arrive. ELs are different in this respect from other historically underserved populations, such as racial minorities or students with disabilities, who demonstrate a more consistent distribution across grade levels.

This "revolving" pattern, with students leaving the EL subgroup as they acquire better English skills and new, low-skilled students joining the group, is one of the reasons this subgroup tends to perform lower on state standardized tests than other subgroups. And because ELs take four to seven years on average to reach English proficiency,[12] by high school, the revolving nature of the EL subgroup becomes more evident as a large share of native-born ELs who entered U.S. schools in kindergarten has exited EL status. High school ELs may be described as falling into four subcategories:

- ***Long-term English Learners.*** These students have been identified as ELs for six or more years, many since kindergarten. Their conversational English is usually on par with that of their English-proficient peers, but they tend to struggle with academic English. Whether due to a learning disability, the accruing effects of circumstances (e.g., poverty, frequent family relocations), or lack of appropriate supports in elementary and middle school, these students may be disproportionately identified as having special education needs and enrolled in lower-level classes (remedial courses, non-credit-bearing electives, or classes that do not count toward a college-preparation degree).[13]
- ***Newcomer students with interrupted formal education (SIFE).*** These immigrant students are recent arrivals in the United States and have less than grade-level-equivalent education in their home country. They may have low literacy in their native language and lack both academic and learning-to-learn skills, such as how to study independently.
- ***Newcomer students at or close to grade level.*** These immigrant students have grade-appropriate skills in their native language and often come to U.S. schools with high school transcripts and transferrable academic credits.
- ***Progressing ELs.*** These students entered U.S. schools in late elementary or middle school as ELs and are on track to exit EL status within the typical four- to seven-year timeframe.

9 National Center for Education Statistics, "Table 204.27. English Language Learner (ELL) Students Enrolled in Public Elementary and Secondary Schools, by Grade, Home Language, and Selected Student Characteristics: Selected Years, 2008-09 through Fall 2015," updated August 2017, https://nces.ed.gov/programs/digest/d17/tables/dt17_204.27.asp.

10 MPI analysis of U.S. Census Bureau pooled 2012–16 American Community Survey data.

11 The exceptions to the gradual decrease from one grade level to the next occur from kindergarten (606,000 in Fall 2015) to 1st grade (621,000) and from 8th grade (246,000) to 9th grade (270,000). This is likely due to kindergarten not being mandatory in all states and the trend in many high schools of classifying all newcomer students as 9th graders regardless of their age. National Center for Education Statistics, "Table 204.27. English Language Learner (ELL) Students Enrolled in Public Elementary and Secondary Schools."

12 Kenji Hakuta, Yuko Goto Butler, and Daria Witt, *How Long Does It Take English Learners to Attain Proficiency?* (Berkeley: University of California Linguistic Minority Research Institute, 2000), https://files.eric.ed.gov/fulltext/ED443275.pdf.

13 Kate Menken and Tatyana Kleyn, "The Difficult Road for Long-Term English Learners," *Educational Leadership* 66, no. 7 (April 2009), www.ascd.org/publications/educational_leadership/apr09/vol66/num07/The_Difficult_Road_for_Long-Term_English_Learners.aspx; Ilana M. Umansky et al., *Improving the Opportunities and Outcomes of California's Students Learning English: Findings from School District–University Collaborative Partnerships* (Stanford, CA: Policy Analysis for California Education, 2015), www.edpolicyinca.org/publications/improving-opportunities-and-outcomes-californias-students-learning-english-findings-school-district-university-collaborative-partnerships.

Within each of these groups, ELs differ by characteristics other than educational background, including language and cultural background, socioeconomic status, and how they or their family came to be in the United States, whether as legal or unauthorized immigrants, asylum seekers, or resettled refugees. Any of these variables could affect the types of needs that students and families bring to a school. Refugees and asylum seekers, for example, may have medical and mental health needs due to experiences in their country of origin or after fleeing it. U.S.-born children may also experience stressors related to their parents' migration history or issues around cultural adjustment.[14] Another important group of newcomers are young people who arrive in the United States after the typical age to begin high school (14 or 15). These students often face challenges in trying to enroll in comprehensive high schools due to their age, as will be discussed at length later in this report.

Schools offer a range of academic and support services to ELs. Most high school ELs take at least one class focused primarily on English language development (e.g., English as a Second Language, or ESL), and many also take specially designed subject-matter courses (sometimes called sheltered instruction). These courses are usually taught by an instructor with an ESL credential, although teaching requirements vary from state to state. Most ELs also take classes with non-ELs; some do so starting in their first year in a U.S. school, while others take classes mostly with other ELs until they reach higher levels of English proficiency. Schools also offer a range of support services such as academic mentoring, college and career counseling, and medical and mental health services or referrals.[15]

The dilemma for school systems is how to balance high expectations for all students ... with reasonable allowances when appropriate.

Researchers and practitioners have focused attention in recent years on the wide variation in needs and performance among ELs who fit into the subcategories described above. Some states and districts have also begun to develop formal systems to identify them and track their academic progress. At the same time, the school accountability system in place since the *No Child Left Behind Act of 2001* (NCLB) has emphasized that states develop a single set of rigorous academic standards against which the achievement of all students—and subsequently, school effectiveness—is to be measured. This system requires schools to improve instruction for at-risk student groups by providing the resources and differentiated instruction to help them achieve parity in outcomes. The dilemma for school systems is how to balance high expectations for all students—especially groups that have historically been sold short—with reasonable allowances when appropriate.

III. What Causes Students to Drop out of High School?

A large body of research going back many decades has identified numerous factors that can help predict whether a student will drop out or continue toward an educational goal such as a diploma (known as

14 Maki Park and Caitlin Katsiaficas, *Mitigating the Effects of Trauma among Young Children of Immigrants and Refugees: The Role of Early Childhood Programs* (Washington, DC: MPI, 2019), www.migrationpolicy.org/research/mitigating-effects-trauma-young-children-immigrants-refugees.

15 Julie Sugarman, *Beyond Teaching English: Supporting High School Completion by Immigrant and Refugee Students* (Washington, DC: MPI, 2017), www.migrationpolicy.org/research/beyond-teaching-english-supporting-high-school-completion-immigrant-and-refugee-students.

persistence).[16] This research has also identified effective interventions that improve the likelihood of school completion in some contexts. Nevertheless, understanding of what combination of circumstances ultimately cause some students to drop out and others to persist has been elusive, hindering school system efforts to scale up interventions and improve learning conditions for students at risk of dropping out of school.

In addition to studying the correlation of structural factors (such as race/ethnicity, family educational background, and socioeconomic status) with the likelihood of high school dropout, researchers have investigated factors that schools can influence, either by changing their practices or by providing interventions to students with particular characteristics. Some researchers use a three-part framework to distinguish types of circumstances that cause students to leave school:

- ***Pull factors.*** The student is influenced by external pressures or desires, such as needing to work to earn money, family responsibilities, early parenthood, illness, desire to join the military, or peer pressure.
- ***Push factors.*** The decision to drop out is a consequence of academic failure or behavioral issues, which may include aspects of the school environment that lead the student to feel unsafe or unable to get along with teachers or other students.
- ***Falling out factors.*** The student may not make an active decision to drop out but may eventually stop attending due to apathy or disillusionment with school, which may include a general sense of not liking school or feeling unsupported.[17]

Students often drop out of school due to a combination of the above factors. Historically, students have most commonly cited pull factors in surveys of why they dropped out of high school, but more recent national surveys suggest an increase in the influence of push factors.[18]

Researchers have also tried to identify early warning signals that correlate with a high likelihood of dropping out so that schools can more efficiently target interventions to specific students. An analysis of 36 studies indicated that the most reliable early warning signals were calculations of students' academic achievement over time (specifically, math scores from grades 7 to 12, grade point average from grades 9 to 12, and student engagement[19] in grades 8 to 12). The next most accurate indicator—and one more easily calculated—was a combination of having a low number of course credits and having failed more than one course in grade 9.[20]

While studies about the broad student population are helpful, the factors generally associated with dropout—and potentially effective interventions to prevent it—may not be the same for ELs and immigrant students. This was borne out in a 2016 study of Hispanic ELs at risk of dropping out because they had not yet passed the now-discontinued California high school exit exam. The study—which collected information about the students in the spring of their senior year and in a follow-up that fall—looked at whether graduation status could be predicted by any of three demographic factors (age, gender, and socioeconomic status) and five protective factors shown in other research not specifically focused on ELs to help keep students in school (involvement in extracurricular activities, student expectations for their own school persistence, parent-child communication, parent expectations, and students feeling connected to their school). For the ELs in the study, only socioeconomic status predicted school

16 See, for example, Jennifer Freeman and Brandi Simonsen, "Examining the Impact of Policy and Practice Interventions on High School Dropout and School Completion Rates: A Systematic Review of the Literature," *Review of Educational Research* 85, no. 2 (2015): 205–48; Rumberger and Lim, *Why Students Drop out of School.*

17 Jonathan Jacob Doll, Zohreh Eslami, and Lynne Walters, "Understanding Why Students Drop out of High School, According to Their Own Reports: Are They Pushed or Pulled, or Do They Fall Out? A Comparative Analysis of Seven Nationally Representative Studies," *SAGE Open* 3, no. 4 (2013): 1–15, http://journals.sagepub.com/doi/abs/10.1177/2158244013503834.

18 Ibid.

19 Student engagement includes measures such as student interest and participation in school activities.

20 Alex J. Bowers, Ryan Sprott, and Sherry A. Taff, "Do We Know Who Will Drop out? A Review of the Predictors of Dropping out of High School: Precision, Sensitivity, and Sensitivity," *The High School Journal* 96, no. 2 (2013): 77–100.

completion and only self-expectations for school persistence predicted enrollment in postsecondary education.[21]

There are a number of additional factors that may contribute to higher dropout rates for immigrant and EL students:

- ***Academic and social disengagement.*** High school ELs may be less likely than other students to form a strong sense of academic identity or engage in extracurricular activities; these and other indications of disengagement may be related to higher-than-average rates of residential mobility, peer pressure, and isolation from the rest of the student population in EL-only classes.
- ***Diminished opportunity to learn.*** ELs are more likely to be placed in low-level academic courses, and their families often lack the systems knowledge about U.S. schools to understand the consequences of such placements.
- ***Teacher expectations.*** Administrators and teachers may hold low expectations for ELs' academic achievement—often expressed as concern such students not be pushed beyond their linguistic capabilities. This may inadvertently diminish ELs' sense of academic self-worth.
- ***Disparity in teacher quality.*** Persistent shortages of EL specialist teachers and a lack of training for general education teachers on how to effectively work with ELs threaten the quality of instruction for these students.
- ***Consequences of accountability systems.*** Believing ELs' test scores will lower their schools' performance ratings, administrators may push ELs into low-quality alternative programs or out of school entirely. At the same time, low scores may demotivate ELs, especially those who receive good grades from their teachers. Some may also be frustrated by excessive testing, as they take all of the same standardized tests as non-ELs as well as annual English language proficiency tests.[22]

Additionally, some students who do not complete high school are not counted as dropouts because they never "dropped in" in the first place. One researcher described these students as shutouts—youth who attempt to enroll in high school but are turned away or are misinformed by members of their own community that they are not eligible to go to school—and as holdouts—those who migrate to the United States for work as teenagers but eventually turn to adult education programs to complete their high school degree. In contrast to the stereotypical high school dropout described in the literature on disconnected youth, shutouts and holdouts are not dissuaded by years of failure or apathy; rather, many exhibit enthusiasm for school and overcome obstacles to find a program that works for them.[23]

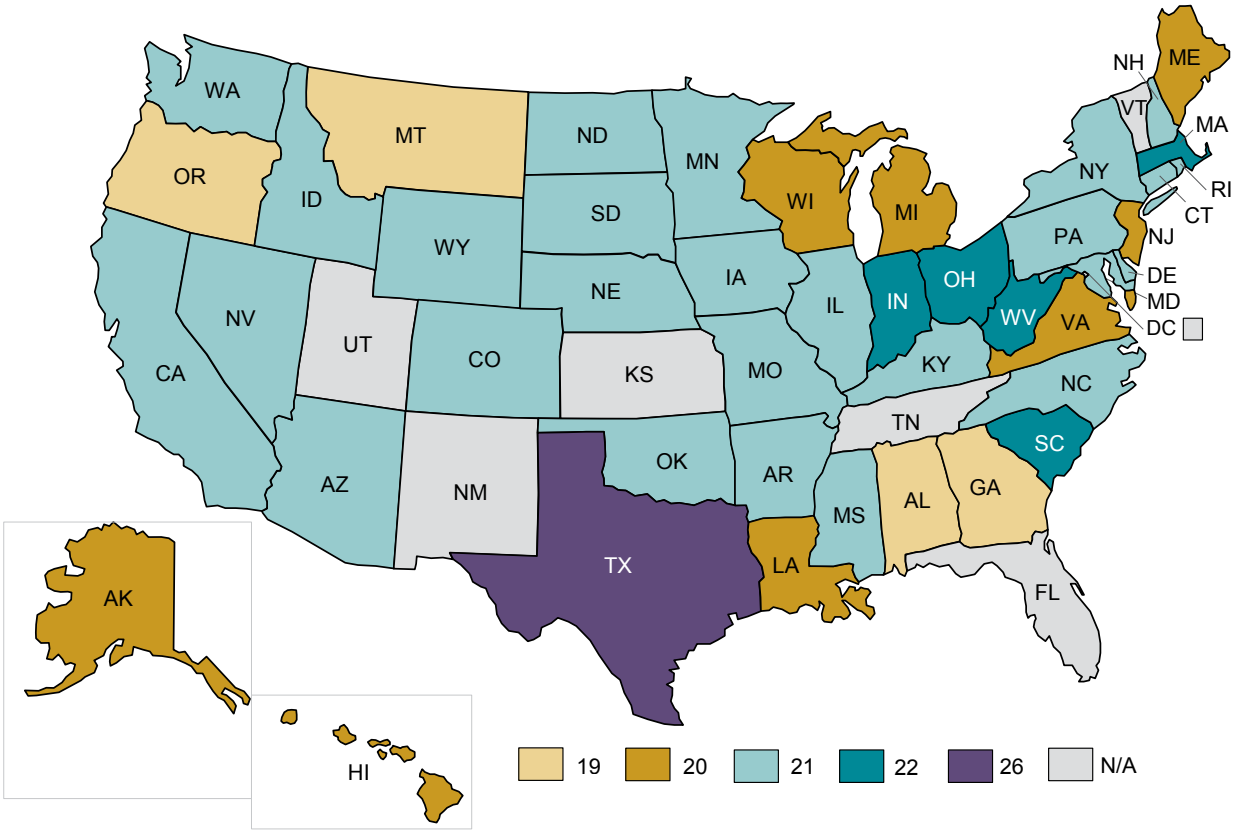
Finally, many ELs—even those making adequate progress toward a high school degree—may simply see the clock run out on their opportunity to earn a traditional high school diploma. In most states, young people who have not completed a high school degree have the right to attend regular public schools until the age of 20 or 21 (see Figure 1). Only six states and the District of Columbia have no upper age limit in statute or allow districts to set their own limits. These age limits have ramifications for late-arriving immigrant students. They may not arrive in time to attain a standard high school diploma (as opposed to a high school equivalency degree), and—as will be discussed in Section VI—some may be dissuaded from registering in high school at all if administrators conclude they will not be able to accumulate the needed credits before they age out of the system.

21 Shane R. Jimerson, Mary Skokut Patterson, Rachel Stein, and Sarah K. Babcock, "Understanding Educational Success among Latino/a English Language Learners: Factors Associated with High School Completion and Postsecondary School Attendance," *Contemporary School Psychology* 20 (2016): 402–16.

22 Rebecca M. Callahan, *The English Learner Dropout Dilemma: Multiple Risks and Multiple Resources* (Santa Barbara, CA: California Dropout Research Project, 2013), http://cdrpsb.org/download.php?file=researchreport19.pdf.

23 Marguerite Lukes, *Latino Immigrant Youth and Interrupted Schooling: Dropouts, Dreamers and Alternative Pathways to College* (Bristol, UK: Multilingual Matters, 2015).

Figure 1. State-Determined Upper Age Limit for Free Secondary Education



N/A = No upper age limit or not in statute.
Source: Louisa Diffey and Sarah Steffes, *Age Requirements for Free and Compulsory Education* (Denver: Education Commission of the States, 2017), www.ecs.org/wp-content/uploads/Age_Requirements_for_Free_and_Compulsory_Education-1.pdf.

IV. How Are Graduation Rates Calculated?

Far from a purely academic exercise, examining how graduation rates are calculated reveals crucial differences in how key concepts—such as who is a high school graduate—are defined, and therefore the value propositions that are privileged by different approaches. Differences in which degree types are included or excluded in these calculations have particular resonance for ELs, who—as Section V of this report will demonstrate—are more likely to avail themselves of non-standard pathways that are generally described as less rigorous and less valuable to the student and society.

A. Data Sources and Types of Degrees That Count

There are two main sources of data for graduation rates: the number of students graduating from U.S. high schools each year (gathered by states and reported to the U.S. Department of Education) and data collected by the U.S. Census Bureau. Data collected directly from schools have the advantage of impartiality and accuracy over Census data, which rely on self-reporting and—for most surveys—

statistical samples rather than a count of the entire population. Administrative data from schools also include only students who were enrolled in U.S. schools, whereas Census counts of persons with less than a high school education combine U.S. high school dropouts with adult immigrants who never completed high school in their home countries.

On the other hand, some researchers have found that the administrative data published by the U.S. Department of Education considerably undercounts high school graduates. Although states have begun to develop longitudinal data systems to track individuals across interactions with early childhood, K-12, postsecondary, and workforce systems, Census data are still more inclusive than the state data on which Department of Education counts are based. This is because Census data define a high school completer as a person who takes any amount of time to finish and who finishes in any of a number of ways.[24] These include a high school diploma; a certificate of completion; a high school degree conferred by an adult education program, community college, or university; or passing the General Educational Development (GED) test, or the more recently developed High School Equivalency Test (HiSET) or Test Assessing Secondary Completion (TASC).[25]

There are differences of opinion within the education policy field as to how a high school graduate should be defined, no matter which source of data is used. For example, if used as a measure of the effectiveness of an individual high school, one might reason that the graduation rate should only include students whose degree was conferred by that particular school. However, one might also argue that a high school should get some credit for former attendees who eventually complete high school through adult education.

There are differences of opinion within the education policy field as to how a high school graduate should be defined.

As another example, many districts offer students the option to choose between a more- and a less-rigorous diploma pathway—often one that signals college and career readiness[26] and one that does not. Historically, minority students have been tracked disproportionately into lower-rigor pathways. In light of this, some argue that demonstrating equity of educational opportunity means reducing gaps between the rates at which more-advantaged and less-advantaged student subgroups graduate high school with a college- and career-ready diploma.[27] Some research has also shown that despite having similar academic aptitudes, students who earn a high school equivalency degree have long-term outcomes more comparable to peers who dropped out than to those who received a standard diploma.[28] For that reason, some might argue that measures intending to use "high school graduate" as a proxy for the minimal qualification to achieve desired socioeconomic outcomes should not include high school equivalency pathways.

Others question the wisdom of expecting all students to master college-preparation coursework when many jobs that are critical to the U.S. economy could be performed with a postsecondary vocational certificate rather than a two- or four-year college degree.[29] For example, while mathematical literacy

24 Lawrence Mishel and Joydeep Roy, *Rethinking High School Graduation Rates and Trends* (Washington, DC: Economic Policy Institute, 2006), www.epi.org/publication/book_grad_rates/.

25 Jennifer Zinth, "Response to Information Request" (response, Education Commission of the States, Denver, March 2017), www.ecs.org/wp-content/uploads/State-Information-Request_High-School-Equivalency-Options-3.pdf.

26 The term "college and career ready" is used frequently throughout educational policy writing, but is problematic in that it implies one benchmark can be set to prepare students for all colleges, all majors, and all careers. See, for example, Peter Greene, "The College Readiness Problem," updated April 26, 2018, http://curmudgucation.blogspot.com/2018/04/the-college-readiness-problem.html.

27 Monica Almond, *Paper Thin? Why All High School Diplomas Are Not Created Equal* (Washington, DC: Alliance for Excellent Education, 2017), https://all4ed.org/diplomapathways/.

28 James J. Heckman and Paul A. LaFontaine, "The American High School Graduation Rate: Trends and Levels," *Review of Economics and Statistics* 92, no. 2 (2010): 244–62.

29 Daniel J. McGraw, "Making the Case for a Good-Enough Diploma," *Pacific Standard*, November 16, 2015, https://psmag.com/social-justice/making-the-case-for-a-good-enough-diploma.

is a critical life skill, high school math courses in algebra, geometry, and trigonometry—prerequisites for many high school degrees and for college admission—serve as a stumbling block to students who could have successful careers (even in some science and technology fields) without them. Those courses effectively serve to signal a general level of achievement rather than to impart knowledge and skills that many students will need.[30] In other words, in trying to achieve a level playing field by helping all students access a college-preparatory curriculum, state graduation requirements have made it impossible for schools to offer a different option for students who are not college bound.

Beyond debates about the merits of each type of diploma, there is also the question of whether the rate of students obtaining a state's standard diploma actually reflects the number of students who are well prepared for postsecondary education or training. Some reports indicate that high schools' focus on meeting graduation rate targets has led to the widespread use of online credit-recovery programs, and that the lower quality of these programs means that many students are graduating vastly underprepared for college and careers.[31] Even more concerning, there have been accusations that some schools are hiding dropouts through sloppy or fraudulent paperwork, making it difficult to trust graduation rates as a measure of high school effectiveness.[32] Further, as will be discussed in Section IV.C., constraints set by ESSA on what states can count as a high school diploma may push systems to confer the same diplomas on students who have followed more- and less-rigorous pathways, making it less clear what a high school diploma means.

B. Development of the Adjusted Cohort Graduation Rate

Despite these significant philosophical and methodological dilemmas, the federal government has selected one method—the ACGR—to be used in school accountability systems. When it was passed in 2001, NCLB established the high school graduation rate as a mandatory indicator in state accountability systems. This meant that along with English language arts and math test scores, high schools and the districts to which they belong would be evaluated in part on how many students graduated on time. Federal regulations at the time stated that the graduation rate should be "the percentage of students, measured from the beginning of high school, who graduate from high school with a regular diploma… in the standard number of years."[33] States could also propose an alternative definition to be approved by the U.S. Secretary of Education.

Seeing considerable variation among states as to how graduation rates were being calculated, the National Governors Association (NGA) convened a Task Force on State High School Graduation Data to develop a common method to calculate and report the data. The report from the task force formed the basis of the Graduation Counts Compact signed by all 50 governors in 2005. The four-year ACGR adopted in the NGA compact used the following formula:[34]

> Adjusted cohort graduation rate = [on-time graduates in year x] ÷ [(first-time entering ninth graders four years prior to year x) + (transfers in) – (transfers out)]

30 Andrew Hacker, "Is Algebra Necessary?" *The New York Times,* July 28, 2012, www.nytimes.com/2012/07/29/opinion/sunday/is-algebra-necessary.html.

31 Zoë Kirsch, "The New Diploma Mills," Slate, May 23, 2017, www.slate.com/articles/news_and_politics/schooled/2017/05/u_s_high_schools_may_be_over_relying_on_online_credit_recovery_to_boost.html; Jennifer L. DePaoli, Robert Balfanz, Matthew N. Atwell, and John Bridgeland, *Building a Grad Nation: Progress and Challenge in Raising High School Graduation Rates. Annual Update 2018* (Washington, DC: Alliance for Excellent Education and America's Promise Alliance, 2018), http://gradnation.americaspromise.org/2018-building-grad-nation-report.

32 For example, Sarah Karp and Becky Vevea, "Emanuel Touts Bogus Graduation Rate," WBEZ 91.5 Chicago, June 10, 2015, www.wbez.org/shows/wbez-news/emanuel-touts-bogus-graduation-rate/7891382c-6069-4bdb-ad7c-a34fd67895e2; Terrence Stutz and Holly K. Hacker, "Critics Scrutinize Texas' Unusual High School Dropout Rates," *The Dallas Morning News*, August 29, 2015, www.dallasnews.com/news/education/2015/08/29/critics-scrutinize-texas-unusual-high-school-dropout-rates.

33 U.S. Department of Education, "Title I—Improving the Academic Achievement of the Disadvantaged; Final Rule," *Federal Register* 67, no. 231 (December 2, 2002): 71717, www.govinfo.gov/content/pkg/FR-2002-12-02/pdf/02-30294.pdf.

34 National Governors Association, *Graduation Counts: A Report of the National Governors Association Task Force on State High School Graduation Data* (Washington, DC: National Governors Association, 2005), 7, https://classic.nga.org/files/live/sites/NGA/files/pdf/0507GRAD.PDF.

Using this formula, the four-year ACGR is equal to the number of students graduating in a given year after four or fewer years of enrollment divided by the adjusted number of first-time ninth graders enrolled four years earlier.[35] To adjust the denominator, schools add students who transferred in and subtract students who transferred out during this four-year period.

The NGA compact recommended that states set guidelines on which students could be subtracted from a cohort, such as transfers to another district and students who died or were incarcerated. It also recommended there be exceptions to the four-year definition of "on time," including students with disabilities, ELs, and students in five-year dual enrollment programs that confer both a high school degree and college credit. In addition, the compact listed some complementary indicators to be used along with the four-year ACGR in state school accountability systems, including five- and six-year ACGRs, dropout rates, and completion rates that include alternative certificates and GEDs.[36]

Following this agreement, the U.S. Department of Education adopted regulations in 2008 that clarified how states were to use the ACGR for accountability purposes.[37] States were to report the four-year ACGR for each high school and school district along with the statewide average, beginning no later than with their reports for school year 2010–11. These rates would be calculated for all students and for student subgroups (including race/ethnicity classifications, economic disadvantage, ELs, and students with disabilities). Guidance issued by the department clarified that the rate required by federal regulations differed from the NGA recommendations in that there would be no allowance for students with disabilities nor for recent-immigrant ELs to allow them additional years to meet the definition of on-time graduation. According to department regulations, the only students who could be taken out of a cohort in ACGR calculations would be those who transfer to another school or educational program leading to a regular diploma, emigrate to another country, or die. However, states could use an extended-year ACGR in addition to the four-year rate as part of their annual yearly progress calculation to give schools and districts credit for students who graduate in more than four years with a regular diploma.[38]

While the 2008 regulations ensured a uniform approach to defining who counted as an on-time graduate, they neglected to address the variation across states in how the EL subgroup was defined for the purposes of reporting the graduation rate. States differed, for example, in whether they included all graduating students who had been ELs in ninth grade, those who were ELs in the last one to three years of high school, or only those who were ELs at the time of graduation. Rather than endorsing one of these approaches, the 2008 regulations allowed states to use any approach, as long as they did so consistently.[39] In addition, the regulations did not specify that states had to make their approach transparent to the public, and in most cases, school report cards and online data dashboards did not specify who was included in the EL subgroup.[40] This means that while researchers and policymakers could assume that rates reported for all students were comparable across states, not only were data for ELs not consistent across states, it was difficult to identify which states used which methods.

35 "First-time ninth grader" means a student who entered ninth grade in 2008 but who repeated ninth grade the following year would be included in the 2008 cohort. Schools that enroll only grades 10 to 12 use a three-year ACGR, and schools with a grade 12 and more than four grades (e.g., grades 6 to 12) calculate the four-year ACGR using the same rules as a high school with grades 9 to 12.

36 National Governors Association, *Graduation Counts.*

37 U.S. Department of Education, "Title I—Improving the Academic Achievement of the Disadvantaged; Final Rule," *Federal Register* 73, no. 210 (October 29, 2008): 64435–513, www.govinfo.gov/content/pkg/FR-2008-10-29/pdf/E8-25270.pdf.

38 U.S. Department of Education, *No Child Left Behind High School Graduation Rate: Non-Regulatory Guidance* (Washington, DC: U.S. Department of Education, 2008), www2.ed.gov/policy/elsec/guid/hsgrguidance.pdf.

39 Ibid.

40 As of 2018, when the data for this report were compiled, states were still providing school report cards and data dashboards using the rules laid out in the 2008 regulations; see ibid. Out of the 50 states plus Washington, DC, examination of data for the classes of 2015 and 2016 showed that only five states labeled their EL subpopulation in such a way as to identify how they defined the subgroup; these were Arizona, Nevada, Oregon, Texas, and Virginia. Some additional states included this information in a less-accessible format, such as in a glossary or user guide for their data dashboard.

C. The ACGR under the Every Student Succeeds Act

The ACGR was again included as a measure of school effectiveness as NCLB was reauthorized in 2015 as the *Every Student Succeeds Act* (ESSA). In the ESSA plans that all states were required to develop to describe how they would implement the new law, states were required to develop indicators for academic achievement, English language proficiency, a non-academic student success indicator, an additional academic outcome for elementary and middle schools, and a graduation rate for high schools. Outcomes on these indicators must be reported to the public at the school, district, and state levels, and they are used to identify schools in need of improvement. As under NCLB, these outcomes must be reported for all students and for subgroups, including ELs. But because Congress in March 2017 rescinded guidance requiring states to use a uniform definition of the EL subgroup when reporting graduation rates—one which included students identified as ELs at any time in high school—that issue remains unresolved.[41]

Under ESSA, the rules for using the ACGR to calculate the graduation rate indicator remain largely the same as they were under NCLB. States must set long-term goals for high schools to improve their four-year ACGR from its level when they wrote their ESSA plan to an ambitious goal some years in the future. Schools may also set goals for extended-year ACGRs as long as they are more rigorous than the four-year goal (for example, if the four-year goal is that 80 percent of students graduate, the five-year goal must be 81 percent or higher). Whatever graduation rates are reported—including the four-year ACGR and any others—must be reported for all students and for student subgroups (including ELs) at the school, district, and state levels. The long-term goals a state sets for its four-year ACGR (and optionally, its extended-year ACGR) then form the basis for the graduation rate indicator, which allows the state to measure how far each school is from the target graduation rate.

The crux of the accountability system under ESSA is the calculation states use to differentiate low-performing schools from schools performing adequately. ESSA lays out three types of school improvement pathways:

- comprehensive support and improvement (CSI) for schools identified using three methods:
    1. lowest-performing schools in the state (defined as at least the bottom 5 percent of schools that receive Title I funds),
    2. any high school (receiving Title I funds or not) whose graduation rate is less than 67 percent, and
    3. schools that fail to exit the additional targeted support and improvement category;
- targeted support and improvement for schools with one or more underperforming subgroups; and
- additional targeted support and improvement for schools with one or more subgroups which, on their own, perform as poorly as the bottom 5 percent of Title I-funded schools.[42]

Graduation rates (always including the four-year ACGR, and optionally one or more extended-year ACGRs) are included in the calculations of performance used to identify schools for any of the three types of support. Whether states use extended-year rates for such a purpose is shown in Figure 2. In the figure, states are shaded in light teal if they elected to use an extended (five, six, or seven) year ACGR in their calculation of the graduation rate indicator and for CSI method 1 only, and in dark teal if they also do so for CSI method 2.[43]

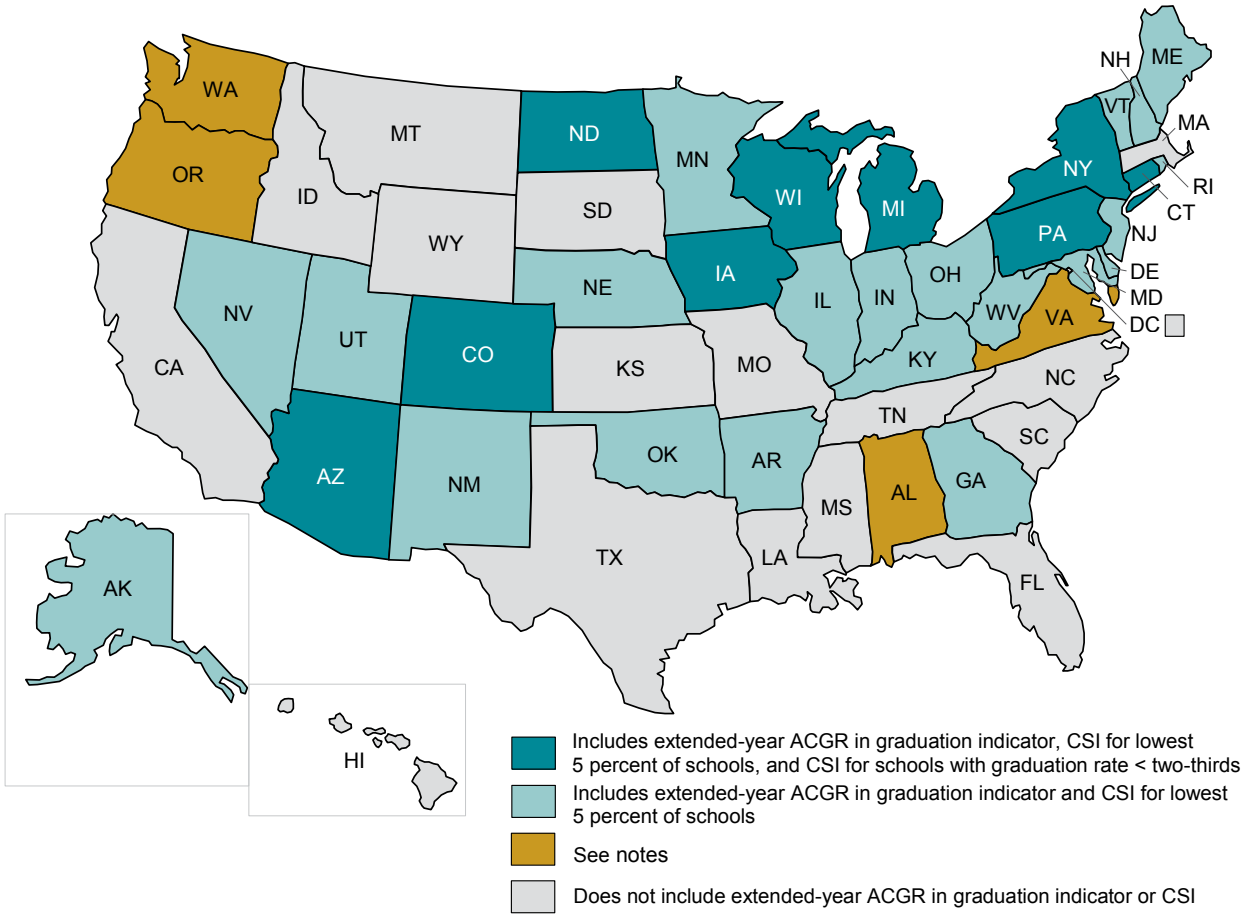
41 U.S. Department of Education, *Every Student Succeeds Act High School Graduation Rate Non-Regulatory Guidance* (Washington, DC: U.S. Department of Education, 2017), www2.ed.gov/policy/elsec/leg/essa/essagradrateguidance.pdf.

42 See Susan Lyons, Juan D'Brot, and Erika Landl, *State Systems of Identification and Support under ESSA: A Focus on Designing and Revising Systems of School Identification* (Washington, DC: Council of Chief State School Officers, 2017), https://ccsso.org/resource-library/state-systems-identification-and-support-under-essa-focus-designing-and-revising.

43 This analysis focuses on these two methods because they have implications for the largest number of students.

Figure 2 shows that, overall, 34 states give credit to schools for students graduating in five, six, or seven years by including those rates to some extent in the process for identifying schools in need of improvement. They also hold those schools accountable for meeting goals in improving their extended-year rates. In contrast, 16 states and the District of Columbia—which together enroll 60 percent of ELs nationwide[44]—do not include extended-year ACGRs in their graduation indicators or CSI considerations, although some of them post those figures for informational purposes.

Figure 2. States that Include Extended-Year ACGR(s) in Their Graduation Indicators and CSI Calculations



ACGR = Adjusted cohort graduation rate; CSI = Comprehensive support and improvement.
Notes: Alabama will use the extended ACGR in the graduation indicator, but its ESSA plan is unclear about the CSI calculation. Oregon will not use the extended ACGR in the graduation indicator but will use it toward the CSI calculation. Virginia's plan is unclear for both uses. Washington State does not include the extended ACGR in its calculations but provides extra credit in its graduation rate indicator for the schools with the greatest additional percentages of students graduating in five, six, or seven years.
Source: Migration Policy Institute analysis of 50 state and District of Columbia ESSA plans, aggregated at U.S. Department of Education, "ESSA State Plan Submission," updated November 8, 2017, www2.ed.gov/admins/lead/account/stateplan17/statesubmission.html.

Even though the rules governing the ACGR under ESSA remain largely the same, one small but important change could disproportionately affect students who struggle to meet rigorous high school graduation

44 Data on Fall 2015 EL enrollment are from National Center for Education Statistics, "Table 204.20. English Language Learner (ELL) Students Enrolled in Public Elementary and Secondary Schools, by State: Selected Years, Fall 2000 through Fall 2015," updated October 2017, https://nces.ed.gov/programs/digest/d17/tables/dt17_204.20.asp?current=yes.

requirements. Under NCLB, states could only count as graduates those students who received a "regular high school diploma… that is fully aligned with the state's academic content standards and does not include a GED credential, certificate of attendance, or any alternative award."[45] By comparison, ESSA made it so that states can only count as graduates students receiving "the standard high school diploma awarded to the preponderance of students in a state…"[46] This means that states that have had more than one regular diploma—both of which are aligned to standards but which signify different levels of rigor in coursework—may end up reporting lower graduation rates under ESSA rules because they can no longer count some of their graduates. Alternatively, they may have to reconsider their decision to offer multiple diplomas. States that opt to then offer only one diploma may find that fewer students can meet the more rigorous standards, either dropping out of school or pursuing an alternative such as a GED as a result.[47]

Finally, it is important to note that while ESSA prescribed the elements every state must use to identify struggling schools (such as the use of the ACGR), states have considerable leeway to determine the consequences for schools and districts that fail to meet accountability benchmarks. This is another significant change from NCLB, which prescribed consequences for schools that increased in severity over time. Starting in the first year of being designated as a school in need of improvement, NCLB required schools to offer professional development to teachers and the option to transfer to more successful schools to students; by year five, states were to impose more radical restructuring, such as replacing the majority of the underperforming school's staff or turning the school over to the state or a private company.[48]

ESSA significantly reframes this part of the accountability system as school improvement rather than "corrective action" or "restructuring," as had been the focus under NCLB.[49] Nevertheless, one analysis reported that about half of ESSA state plans include overhauling school governance in their school improvement strategies; this may take the form of converting a district school to a charter school, appointing a board of managers, or turning the school over to the state.[50] Additionally, in many communities, accountability ratings are well-publicized and often politicized as evidence of the failure of the governing party or an education reform initiative. So, while there will likely be greater variation in the consequences of failure to meet accountability benchmarks under ESSA, administrators at schools in the states and districts with more severe repercussions face legitimate concerns for their schools' reputations and even their own careers. Communities in these areas may also experience a loss of local control over public schools, which is of particular concern in neighborhoods whose residents have been historically disempowered and marginalized.

V. Inadequacy of the Four-Year Graduation Rate

State accountability systems that count only four-year graduation rates and a single diploma pathway reflect policy choices to value a narrow definition of student success. This section explores the ways in which ELs are disproportionately likely to follow pathways that may count against high schools in the calculation of their graduation rate for accountability purposes. It describes extended-year graduation rate data from nearly two dozen states that indicate that ELs take advantage of the extended-year option

45 U.S. Department of Education, *No Child Left Behind High School Graduation Rate*, 13.
46 U.S. Department of Education, *Every Student Succeeds Act High School Graduation Rate Non-Regulatory Guidance*, 13.
47 Catherine Gewertz, "New Federal Rule Could Force States to Lower Graduation Rates," *Education Week*, August 25, 2017, www.edweek.org/ew/articles/2017/08/30/graduation-rate-rule-puts-some-states-in-a.html.
48 U.S. Department of Education, *No Child Left Behind: A Desktop Reference* (Washington, DC: U.S. Department of Education, 2002), www2.ed.gov/admins/lead/account/nclbreference/reference.pdf.
49 This reframing began in 2011 as the Obama administration issued waivers that allowed states to design more flexible accountability systems.
50 Samantha Batel, "Do ESSA Plans Show Promise for Improving Schools?" Center for American Progress, February 2, 2018, www.americanprogress.org/issues/education-k-12/news/2018/02/02/445825/essa-plans-show-promise-improving-schools/.

at higher rates than almost all other student subgroups, and considers some modest evidence about whether graduation rates and choices about pursuing an alternative diploma are different for recent immigrants and other ELs.

A. Four-Year and Extended-Year Graduation Rate Trends

Since the 2010–11 school year—the first year graduation rates were comparable across states, due to the introduction of the uniform ACGR—four-year graduation rates have steadily risen for all students and for each of the federally reported student subgroups. However, as Table 1 shows, the gaps between more- and less-advantaged groups have closed only modestly.

Table 1. Four-Year Adjusted Cohort Graduate Rates, School Years 2010–11 through 2015–16

	2010–11 (%)	2011–12 (%)	2012–13 (%)	2013–14 (%)	2014–15 (%)	2015–16 (%)
American Indian/Alaska Native	65	67	70	70	72	72
Asian/Pacific Islander	87	88	89	89	90	91
Black	67	69	71	73	75	76
Hispanic	71	73	75	76	78	79
White	84	86	87	87	88	88
Economically disadvantaged	70	72	73	75	76	78
English Learners	57	59	61	63	65	67
Students with disabilities	59	61	62	63	65	66
All students	**79**	**80**	**81**	**82**	**83**	**84**

Source: U.S. Department of Education, "ED Data Express—Custom Reports—Graduation Rate Data," accessed May 29, 2018, https://eddataexpress.ed.gov/state-tables-main.cfm.

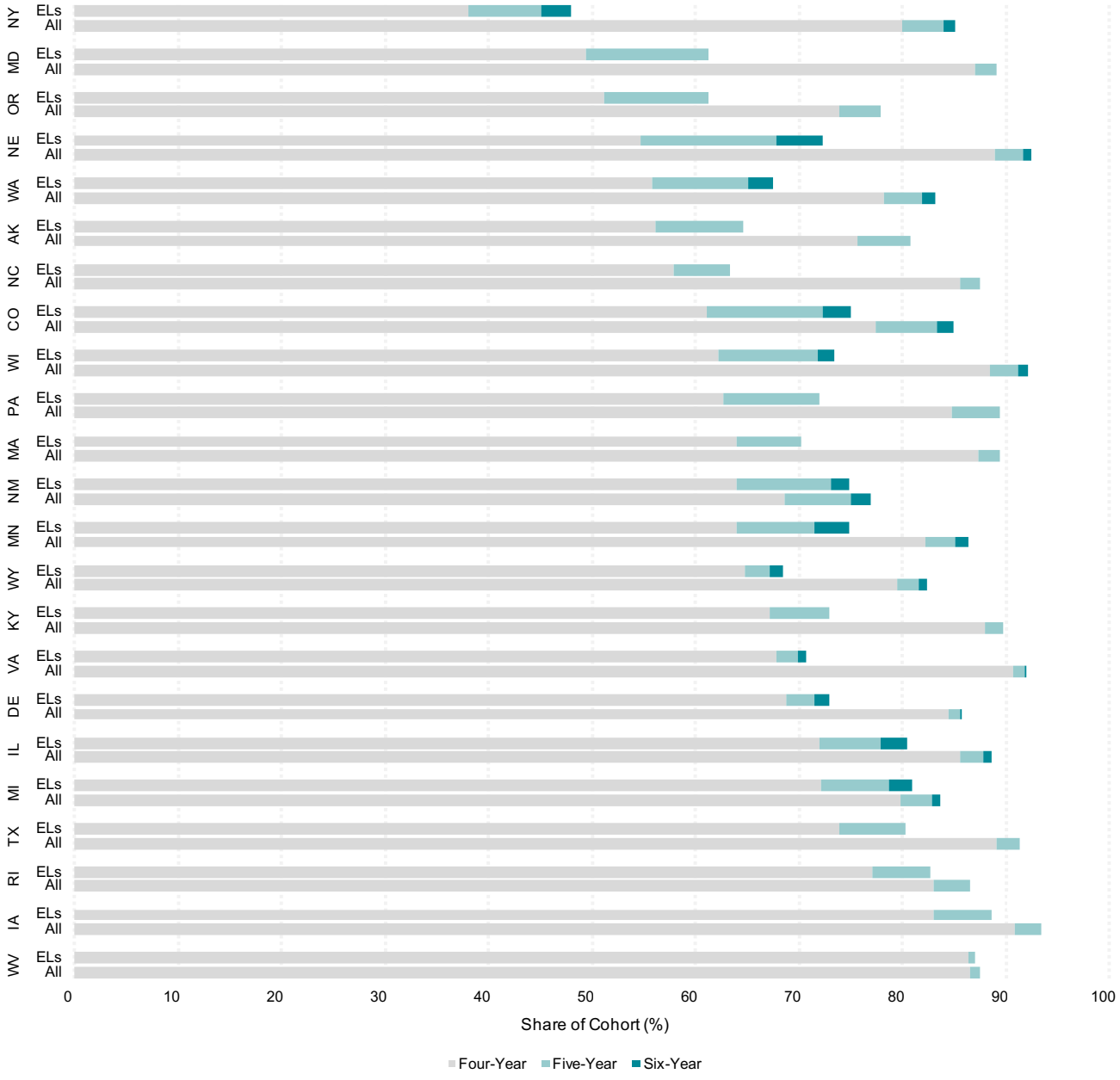
The four-year ACGR has been consistently highest for the Asian/Pacific Islander and White subgroups (in the 80-to-90-percent range), followed by the economically disadvantaged and Hispanic subgroups (generally in the 70-to-80-percent range) and slightly lower rates for the American Indian/Alaska Native and Black groups. ELs and students with disabilities show much lower graduation rates—from a low of 57 percent and 59 percent, respectively, in school year 2010–11, increasing to 67 percent and 66 percent, respectively, in 2015–16. It makes intuitive sense that ELs and students with disabilities would have the lowest graduation rates as they are the two student subgroups listed in Table 1 where a difference in ability is part of the definition of the population.

However, comparing gaps across time and subgroups does not tell the whole story. Since neither NCLB nor ESSA mandated that states report extended-year graduation rates, not all states report them on their data dashboards or state report cards, and no sources aggregate them across states.[51] Using state data from the class of 2015 (for those states whose five- and six-year graduation rates had been reported by the time of this analysis), Figure 3 shows a lesser-known part of the story—the difference between subgroups in extended-year graduation rates.

51 Although the National Center for Education Statistics (NCES) publishes a summary of four-year ACGRs by state and subgroup in its annual Digest of Education Statistics, there is no equivalent compilation of five- or six-year rates. Were it available, it would be preferable to use such a data source than aggregating data from each state's dashboard. NCES typically has access to information allowing the agency to improve data consistency and quality that in turn improves the reliability of cross-state comparisons. Even with states using the same formula to calculate ACGR, there may be slight differences in how each state categorizes students (such as their definition of who is an EL) such that cross-state comparison in this section should be made with caution.

This comparison of extended-year graduation rates shows that the graduation rate for ELs increases markedly when a fifth and sixth year are taken into consideration, as compared to a more modest increase in the rate for the overall student population. Figure 3 compares ELs and all students in the class of 2015 in 11 states that reported five-year graduation rates and 12 states that reported both five- and six-year rates. Across these 23 states, the increase from the four-year to the five-year rate ranged from 1 percent to 6 percent for all students and from 1 percent to 13 percent for ELs. Adding the six-year data contributed at most 2 percent more to the tally of all graduating students and between 1 and 4 percent for that of graduating ELs.

Figure 3. Four-, Five-, and Six-Year Adjusted Cohort Graduation Rates for All Students and ELs in Select States, Class of 2015

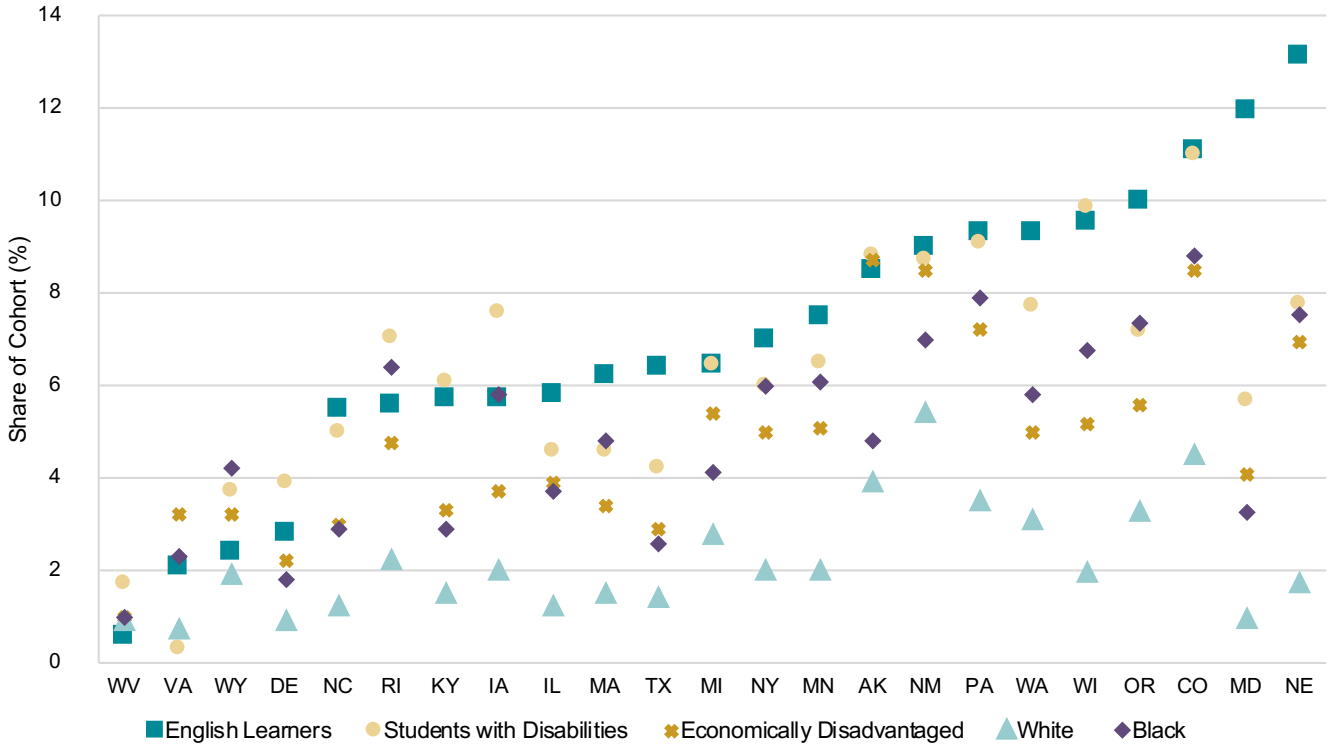


All = All students; ELs = English Learners.
Note: In addition to the four-year graduation rate, all of the states shown in this figure reported five-year rates; 12 states also reported six-year rates.
Source: See Appendix.

The data in Figure 3 show that across a number of contexts—including states where overall graduation rates were higher or lower than the national average (83 percent for the class of 2015), states with a large or small EL populations, and traditional and new destination states for immigrant families—ELs were more likely to be five- and six-year graduates than the average for all students.

Figure 4 shows just the share of students to graduate after a fifth year—that is, the difference between the four-year and the five-year ACGR—for the class of 2015 for five subgroups of students. Among the 23 states that reported a five-year ACGR for that cohort (students graduating in Spring 2016), ELs had the largest share of five-year graduates compared to the other four subgroups in 14 states. Students with disabilities were within 2 percentage points of ELs (plus or minus) in all but three of the 23 states. Rates for economically disadvantaged and Black students were typically below those of ELs and students with disabilities, and in most states White students had the lowest rates of five-year graduates—generally between half a percent and 3 percent.

Figure 4. Share of the 2011–12 Ninth Grade Cohort to Graduate Five Years Later (Spring 2016), for Select States and Student Subgroups



Source: See Appendix.

It is important to note that the two groups that showed the greatest shares of five-year graduates in Figure 4 are also the groups with the lowest four-year graduation rates, as shown in Table 1. In other words, compared to the other subgroups, ELs and students with disabilities had larger shares of students who in a four-year ACGR would be counted as non-graduates but who could be labeled graduates if school completion in five or more years is taken into consideration. However, this does not entirely explain the phenomenon seen in Figure 4, as economically disadvantaged and Black students could have easily posted increases from four to five years equivalent to those of ELs and students with disabilities and still fallen far short of 100 percent graduation after five years. It is more likely that there is something specific about the EL and students with disabilities subgroups that make these students more likely to persist to a fifth year compared to other traditionally underserved groups.

B. Graduation Rates for Subcategories of ELs

The analysis above demonstrated that using only the four-year ACGR to evaluate a school's effectiveness at producing high school graduates is likely to undercount a significant number of EL graduates by excluding students who complete school in five or more years. This may disproportionately hurt the accountability ratings of schools serving a large number of ELs. In order to better understand how this plays out, it would be helpful to know whether all ELs are more likely than non-ELs to take longer to graduate or only certain subcategories of ELs. Very little information is available to shed light on this question, and the evidence that does exist seems to point to contradictory conclusions.

There are plausible hypotheses to explain why both long-term ELs and newcomers could need extra time:

- Long-term ELs may be more likely than the EL population as a whole to be identified for special education[52] and therefore more likely to take five years to graduate due to their specific learning needs. Whether diagnosed with a disability or not, long-term ELs may also have failed and retaken multiple classes in high school as the deficits in their early education accumulate.
- Newcomer students—especially SIFE—might take non-credit-bearing English language development and remedial content courses early in their high school careers, and as a result need extra time to earn enough credits to graduate. Some districts have designed their course sequences for SIFE to include a fifth year by default.[53] Also, newcomers who arrive in their mid- to late-teenage years might work full or part time while going to high school or have significant family responsibilities and thus need more time to fit high school classes into their schedules.

It would also be helpful to know whether it is students' EL status alone that predicts their likelihood to graduate late, or whether it is the combination of English proficiency and other risk factors. Many ELs also fit into other categories of students at risk of school failure, including children who experience discrimination due to their race/ethnicity and those who come from poor or highly mobile families or whose parents have low levels of education. ELs may also be disadvantaged by virtue of attending an underperforming, under-resourced, and/or highly segregated high school.[54]

Unfortunately, very few states report graduation rates other than those that have been federally mandated. As of 2018—prior to states' adoption of new ESSA reporting requirements—two states reported graduation rates for students who were ELs at any point in high school in addition to rates for those who were ELs in their senior year (Arizona and Texas), and two others broke EL data down by gender and race/ethnicity (Maryland and Massachusetts). Of particular interest for the study of graduation rates would be data broken down by educational background (e.g., for SIFE and non-SIFE) and recency of arrival. However, to date, very few districts and states have collected this information systematically even to document enrollment levels, let alone to use in reporting student outcomes.

Texas is the only state to report graduation rates for students in the class of 2015 who were classified as recent immigrants using federal criteria.[55] It is important to note that because these criteria denote students enrolled in U.S. schools for not more than three academic years before graduating, it is likely that most graduates classified as such arrived in the United States with transferable high school credits, as students without credits would more likely take four or more years to accumulate enough credits to graduate high school (and thus would no longer qualify as recent immigrants when they graduate). For

52 See, for example, Karen D. Thompson, "Questioning the Long-Term English Learner Label: How Categorization Can Blind Us to Students' Abilities," *Teachers College Record* 117, no. 12 (2015): 1–50.
53 Sugarman, *Beyond Teaching English*.
54 Callahan, *The English Learner Dropout Dilemma*.
55 Recently arrived immigrant students are defined by the federal government as students who are (1) between ages 3 and 21; (2) were not born in any U.S. state, Washington, DC, or Puerto Rico; and (3) have attended school in the United States for a cumulative total of not more than three academic years. See U.S. Department of Education, "Additional Questions & Answers on Enrolling New Immigrant Students" (fact sheet, U.S. Department of Education, Washington, DC, December 2014), www2.ed.gov/policy/rights/guid/unaccompanied-children-2.pdf.

the Texas class of 2015, graduation rates for recent immigrant students[56] (75 percent at four years and 80 percent at five years) were nearly identical to those for students who were ELs anytime in grades 9 through 12 (73 percent at four years and 80 percent at five years), and both recent immigrants and all ELs were lower than all students (89 percent at four years and 91 percent at five years).[57]

In contrast to these findings, a 2018 study looking at a similar population (students entering U.S. schools between grades 10 and 12) in two states found that the four-year graduation rate was 24 to 50 percentage points lower for recent immigrant ELs than for English-proficient students.[58] The rate for all ELs was not given, but the gaps between recent immigrants and English-proficient students were far greater than the 17- to 22-point gaps between ELs and all students nationally that are shown in Table 1. Data from one state also showed that between 7 percent and 13 percent of recent immigrants took advantage of a fifth year of high school, compared to 6 percent of English-proficient students.[59] Despite supporting the hypothesis that newcomers are more likely to take five years to graduate, these data falls short of advancing a complete picture of the factors behind ELs' higher-than-average five-year graduation rates as they do not distinguish between SIFE and at-grade-level newcomers.

C. *Graduation Rates for Non-Standard Diplomas*

Many states offer multiple high school completion options, ranging from honors, standard, and alternative diplomas such as New York State's local diploma (all of which counted toward graduation rates for accountability under NCLB) to non-graduate pathways such as a certificate of completion or high school equivalency (e.g., GED). Because ESSA will only include in calculations of the ACGR the standard diploma given to the preponderance of students or a more rigorous, honors diploma (rather than any diploma tied to standards), it is more urgent than ever to understand how many ELs have traditionally earned less-than-standard diplomas.

Unfortunately, very few states report graduation rates disaggregated by diploma type and student subgroup. One analysis found that only seven states did so for the class of 2017 out of the 29 states that offer more than one diploma option.[60] Of those, only Indiana, Massachusetts, and New York listed information on their online data dashboards for the rate at which subgroups completed less-rigorous diplomas:

- Indiana does not report the types of diploma awarded to ELs, but it does for students receiving free school meals; these students are more than twice as likely to earn a general (less rigorous) diploma than students who pay full price for meals (22 percent versus 9 percent, respectively, in 2017).[61]

56 Texas does not report the percent of ELs that are immigrants by grade, but information from the 2015 administration of the Texas English Language Proficiency Assessment System (TELPAS) indicates that 16 percent of 12th graders taking the assessment that year had been enrolled in U.S. schools for three years or fewer. Therefore, it is reasonable to assume that less than 16 percent of ELs in the class of 2015 were recent immigrants (as some would have been reclassified after taking the TELPAS and before graduation). See Texas Education Agency, "TELPAS Statewide Summary Reports—Spring 2015," accessed May 30, 2018, https://tea.texas.gov/student.assessment/ell/telpas/rpt/sum/.

57 Texas Education Agency, "Grade 9 Four-Year and Five-Year Extended Longitudinal Graduation and Dropout Rates, by Program Participation and Student Characteristic, Texas Public Schools, Class of 2015," updated August 2017, https://rptsvr1.tea.texas.gov/acctres/completion/2015/state_prgm_5yr.html; Texas Education Agency, "Grade 9 Four-Year and Five-Year Extended Longitudinal Graduation and Dropout Rates, Texas Public Schools, Class of 2015," updated August 2017, https://rptsvr1.tea.texas.gov/acctres/completion/2015/state_5yr.html.

58 Ilana M. Umansky et al., *Understanding and Supporting the Educational Needs of Recently Arrived Immigrant English Learner Students: Lessons for State and Local Education Agencies* (Washington, DC: Council of Chief State School Officers, 2018), 22, www.ccsso.org/resource-library/understanding-and-supporting-educational-needs-recently-arrived-immigrant-english.

59 Ibid.

60 Including at least one that met the author's definition of college and career readiness. Fourteen states did not meet this threshold. See Achieve, "State Expectations for Graduation Matter—and Differ—More Than You Think" (brief, Achieve, Washington, DC, August 2018), 4, www.achieve.org/files/Grad%20Reqs%20Matter_Final_081718.pdf.

61 To view results by ethnicity and free/reduced price meals, click on the graph below the title "Four Year Cohort Diploma Types." See Indiana Department of Education, "Graduates Overview—Four Year Cohort Diploma Types 2016/17 by Free/Reduced Price Meals," accessed October 19, 2018, https://compass.doe.in.gov/dashboard/graduates.aspx?type=state.

- In New York State, ELs were 2 percentage points more likely to graduate with a local diploma than non-ELs in 2017 (7 percent versus 5 percent, respectively).[62]
- Massachusetts reported that in 2017, 7 percent of ELs were "non-grad completers," a category that includes students getting a certificate, those getting a local diploma, and students with disabilities who did not graduate before aging out of the school system. This rate is far higher than the one for all students (1 percent) or for any other subgroup, most of which had a rate of less than 3 percent.[63]

Although only two states (New York and Massachusetts) provide relevant information about ELs completing high school with a less-than-standard diploma, in both states, ELs avail themselves of alternative educational pathways at higher rates than non-ELs. What is unclear but crucially important to understand is whether without those alternative pathways, ELs would be more likely to receive the support they need to complete the standard degree pathway or whether they would drop out. As federal policy increasingly encourages states to narrow their definition of a high school graduate, researchers and policymakers will want to track whether those policies are having the intended effect of raising the standards of academic achievement for everyone, or leading to more students ending up with no high school credentials at all.

VI. Unintended Consequences of the High-Stakes ACGR

When high-stakes accountability mechanisms were introduced by the federal government in NCLB,[64] the intention was to ensure that states would create one set of high academic standards and that schools would deploy resources to ensure that all students got what they needed to meet them. Responding to persistently low achievement for children from some racial/ethnic minorities, as well as students from low-income families, ELs, and students with disabilities, many supporters of the law's key provisions believed that more rigorous academic standards and better and more transparent use of data could be leveraged to improve instruction for these groups. Over the last 20 years, observers have taken stock of the degree to which these accountability measures have achieved their goals and in what situations they have created unintended consequences for students and communities.

A. Refusal to Enroll Older Newcomers in High School

Critics of high-stakes accountability—particularly in the highly prescriptive form taken by NCLB—have argued that systems that financially reward or threaten the livelihood of school employees based on whether a school meets accountability benchmarks create perverse incentives to game the system. For example, in the years since the uniform ACGR went into effect, numerous states, districts, and individual schools have been investigated for inflating their graduation rates. Examples include Alabama districts improperly removing students from their class cohorts without proof that they had transferred to another educational program, and traditional high schools in Orange County, Florida, transferring students unlikely to graduate on time to charter schools that have looser requirements for documenting student

62 New York State Education Department, "NY State Graduation Rate Data 4 Year Outcome as of June—2017," accessed October 19, 2018, https://data.nysed.gov/gradrate.php?year=2017&state=yes.

63 The next highest was Pacific Islanders, at four percent. Massachusetts Department of Elementary and Secondary Education, "Information Services—Statistical Reports—2017 4-Yr Report," accessed October 19, 2018, www.doe.mass.edu/infoservices/reports/gradrates.

64 The foundation was laid with the establishment of statewide academic standards in the 1994 reauthorization of the *Elementary and Secondary Education Act* as the *Improving America's Schools Act*, but the reauthorization in 2001 as *No Child Left Behind* is generally accepted as having attached significant consequences to the accountability system.

transfers.[65] Another questionable practice is the widespread use of online credit-recovery programs to boost on-time graduation rates.[66] These programs have been widely criticized as being insufficiently rigorous compared to traditional high school classes, moving students through the system rather than educating them.[67]

In the years since the uniform ACGR went into effect, numerous states, districts, and individual schools have been investigated for inflating their graduation rates.

There are also unintended consequences of the high-stakes nature of the graduation rate that primarily affect immigrant ELs. Concurrent with the unprecedented influx of Central American unaccompanied minors in the early- and mid-2010s, the media reported numerous cases of older immigrant and refugee students (ages 15 and older) being turned away from traditional high schools when they tried to enroll. In several cases, advocates for these students sued their respective school districts in order to both highlight and challenge these practices:

- ***Collier County, Florida.*** In 2013, the Collier County school board lowered the maximum age of enrollment from 21 to 19 and directed schools not to enroll individuals age 17 or 18 who would not be able to graduate by 19 if the student were to earn eight credits per academic year.[68] The Southern Poverty Law Center sued the district in 2016, claiming that this policy was being applied to newly arriving immigrant children ages 15 and older. The suit was filed on behalf of EL youth who tried to register at traditional high schools but were turned away or referred to adult English programs that did not provide a comprehensive high school education or credit toward a high school diploma.[69]
- ***Lancaster, Pennsylvania.*** A lawsuit filed by the American Civil Liberties Union of Pennsylvania alleged that older immigrant students were denied enrollment in the city's regular high school despite the fact that it ran a newcomer program for SIFE. Instead, they were referred to an alternative high school intended for students with behavioral problems. The alternative program did not offer sheltered content instruction for ELs; in fact, the curriculum there was accelerated to allow students to accumulate credits in half the time they would have been able to in a traditional high school so that they could graduate by age 21.[70]
- ***Utica, New York.*** According to lawsuits filed in 2015 by the New York Civil Liberties Union and by the state attorney general, refugee youth between the ages of 16 and 21 were regularly denied access to enroll in the city's only high school. Citing instances going back to 2007, the suits accused the district of barring not only newly resettled refugees but also ELs who had been previously enrolled in U.S. schools. Such students were enrolled in alternative education programs that isolated them from their English-speaking peers and denied them opportunities to earn credits toward high school graduation or properly prepare for a high school equivalency exam.[71]

65 Mark Dynarski, "Is the High School Graduation Rate Really Going Up?" Brookings Institution, May 3, 2018, www.brookings.edu/research/is-the-high-school-graduation-rate-really-going-up.

66 Credit recovery allows students to make up coursework from classes they have failed in order to earn the credits needed for graduation.

67 Dynarski, "Is the High School Graduation Rate Really Going Up?"

68 In Florida, children are required to attend school through age 16. The state permits districts to set their own maximum age of enrollment in secondary education.

69 Southern Poverty Law Center (SPLC), "Lesly Methelus, et al. v. the District School Board of Collier County, Florida, et al.," accessed December 10, 2018, www.splcenter.org/seeking-justice/case-docket/lesly-methelus-et-al-v-district-school-board-collier-county-florida-et.

70 American Civil Liberties Union of Pennsylvania, "Issa v. School District of Lancaster," accessed December 17, 2018, www.aclupa.org/our-work/legal/legaldocket/issa-v-school-district-lancaster.

71 Benjamin Mueller, "New York State Accuses Utica School District of Bias Against Refugees," *The New York Times*, November 17, 2015, www.nytimes.com/2015/11/18/nyregion/new-york-state-accuses-utica-school-district-of-bias-against-refugees.html.

While it is possible that some such cases were motivated by racism or other animosity harbored by individuals, or that administrators falsely believed they could deny registration to young people they assumed to be unauthorized immigrants,[72] the widespread nature of these accusations[73] suggests that something more systemic is at the root of this problem. Accusations that administrators erect barriers to enrollment in order to avoid accountability penalties are rarely confirmed on the record. Nevertheless, media accounts of cases such as those described above and copious anecdotes reported to MPI researchers[74] have connected the use of the graduation rate as a high-stakes accountability measure with efforts to deny enrollment to older immigrant students.

Because most states set a maximum age limit for individuals to attend free, public K-12 education (see Figure 1), and because students who age out of the system before they can graduate are counted as dropouts, it is no wonder that school administrators may see older newcomers as liabilities. Even for SIFE who appear to arrive with sufficient time left to graduate, administrators may be unwelcoming if they assume such students will eventually be counted as dropouts because they cannot catch up and complete high school within four years. It should be noted, however, that because adult education programs and many alternative high schools have minimum age restrictions, and because all states require that students attend compulsory education through at least age 16, it is harder for schools to turn younger adolescent immigrants away and prevent them from pursuing a traditional high school diploma.

Although turning otherwise eligible students away from enrolling in high schools is unethical, it is fairly straightforward to see why it happens. Under NCLB, severe repercussions attached to not meeting benchmarks created widespread fear of job loss and public shaming among administrators and teachers.[75] This was exemplified by the widely reported Central Falls High School case in Rhode Island, in which the school district fired the principal, three assistant principals, and all of the teachers as a consequence of failing to meet NCLB benchmarks. Educators at the school felt the consequences were disproportionate, given the high rate of transience among their high-poverty, immigrant-dense student population, and the fact that staff had been making progress to improve performance.[76] The revision of NCLB in 2015 as ESSA allowed states considerable leeway to design less draconian school improvement strategies, but as noted above, half of the states' ESSA plans maintained NCLB-style approaches such as turning a failing school over to a charter operator. Fears of job loss and embarrassment are thus still real in many localities.

In addition to fearing for their reputations, some administrators may refer older immigrant students to adult education or other alternative programs because they believe these pathways are a better educational option, either because of the student's circumstances or because there are inadequate resources at the high school to meet their needs. Some young people choose adult education or adult ESL over a traditional high school experience because those programs have more flexible schedules and are better aligned with their career paths. But even high school administrators with good intentions may feel pressure to direct new arrivals to adult education programs because if students enroll in a traditional high school first, they will be assigned to a class cohort and count as a dropout if they later choose to switch to a high school equivalency pathway.

In districts where denials of enrollment are reported, district-level EL coordinators or family liaisons are often called upon to intervene on students' behalf with individual schools. One district found a remedy by creating a district-wide welcome center to assist families who have difficulties registering

72 The federal court case *Plyler v. Doe* forbids schools from using immigration status as a factor in enrollment, and federal guidance based on that case forbids schools from asking students or families about their immigration status. The SPLC case noted above, for one, did not sue on the basis of *Plyler* but on the basis that schools denied the students an equal education. See SPLC, "Lesly Methelus, et al."

73 See Garance Burke, "AP Exclusive: Migrant Children Kept from Enrolling in School," AP News, May 2, 2016, https://apnews.com/b7f933ef6e054c2ca8e32bd9b477e9ab.

74 This section of the report draws on interviews with former and current district-level EL administrators in California, Florida, Georgia, and Tennessee, as well as prior research, including Sugarman, *Beyond Teaching English.*

75 Latefy Schoen and Lance D. Fusarelli, "Innovation, NCLB, and the Fear Factor: The Challenge of Leading 21st-Century Schools in an Era of Accountability," *Education Policy* 22, no. 1 (2008): 181–203.

76 Randi Kaye, "All Teachers Fired at Rhode Island School," CNN, February 24, 2010, www.cnn.com/2010/US/02/24/rhode.island.teachers/index.html.

at neighborhood schools. Once the welcome center registers a student in a specific school, they would count as a dropout if the school were to turn them away again—a move that effectively curtailed such problems. More broadly, the district also reorganized its staffing so that district EL administrators were given manager status and worked directly with area superintendents, who oversee a group of principals. Working closely with principals' supervisors made it easier for EL specialists to identify and rectify problems.[77]

B. Program and Curricular Models for Newcomers

Several converging educational trends have shifted the EL instructional landscape considerably in the last 20 years. Almost all ELs are included in annual state testing in English and math starting in 3rd grade,[78] meaning that states effectively hold schools accountable for providing ELs access to grade-appropriate content right from the beginning of their educational careers. Additionally, researchers have called attention to widespread instances of ELs being held back unnecessarily by policies that deny them access to rigorous academic classes, and to the linguistic and social benefits of attending class with English-fluent peers.[79] These trends have gradually pushed schools to reconsider how to better support ELs in mainstream instruction.

Although there is widespread agreement in the field of EL education that unnecessary segregation and slowing of students' academic progress is harmful, less is known about how much academic acceleration and integration into the mainstream is too much, for whom, and in what contexts. Efforts to rethink the curricular sequence for high school newcomers are certainly warranted when they are driven by research on learning and practitioner expertise, but such revisions are more concerning when they are motivated by use of the four-year ACGR as a high-stakes measure of accountability.

Less is known about how much academic acceleration and integration into the mainstream is too much, for whom, and in what contexts.

Many newcomer programs have historically provided intensive English language development instruction and basic knowledge in subject areas to enable SIFE to catch up on content they need to be successful in mainstream high school classes. When these courses are not aligned to grade-level skills—and in some states, when they are taught by EL specialists rather than teachers certified in the relevant content areas—they may count for elective course credits rather than core credits in English, math, science, and social studies. Where this becomes a problem is in states and districts that require students to complete four years of core content area credits for graduation: in that context, students taking a heavy load of electives in ninth grade would automatically be on a path to a five- or six-year degree.

To avoid this situation, there are a number of alternatives that states and districts may consider. First, they may structure their four-year course of study for EL newcomers with the expectation that they will take elective classes in their first year, then make up credits in summer school, in afterschool or weekend credit-recovery programs, or by doubling up on content classes in their senior year (e.g., taking two credit-bearing math courses simultaneously). Alternatively, some school districts have revised their

77 Author interview with Margarita Pinkos, Assistant Superintendent, Global Education and Community Outreach, The School District of Palm Beach County, Florida, July 9, 2018.

78 In many states, ELs in their first year in U.S. schools either do not take English language arts tests or their test results do not count toward school accountability calculations.

79 Rebecca M. Callahan, "Tracking and High School English Learners: Limiting Opportunity to Learn," *American Educational Research Journal* 42, no. 2 (2005): 305–28; Linda Harklau, Shim Lew, and Anna Yang, "Tracking and Ability Grouping in Kindergarten to 12th Grade Settings," in *The TESOL Encyclopedia of English Language Teaching*, ed. John I. Liontas (Hoboken, NJ: John Wiley & Sons, Inc., 2018).

courses of studies to allow high school newcomers to take credit-bearing, grade-appropriate courses right from the beginning. To accomplish this, school systems may adapt the curriculum to teach remedial skills at the beginning of the year and make up this time later by focusing only on key competencies covered by academic standards. Frequently, systems require that these classes be co-taught by a teacher certified in ESL and one certified in the content area, or by a single teacher with both credentials.[80]

Another strategy is to place newcomer SIFE in eighth grade rather than ninth grade to allow them to take remedial courses that would not be credit-bearing in a high school setting. This is especially helpful for students who arrive late in the school year as doing so allows them to have a full four years in high school. Due to concerns about mixing younger and older teenagers, this option may be more feasible in systems that have a multi-age newcomer center rather one that would place such students in general education classes in a middle school.

It is important to keep in mind that the choice to implement any of these strategies may be constrained by existing policies or circumstances. For example, a district may wish to allow newcomers to take elective classes that develop English and basic academic skills in ninth grade, but find that having students catch up with summer and afterschool classes or by doubling up on core courses later is too expensive or impractical. Schools may also be limited in their ability to offer courses that combine English language development and grade-level content by the availability of teachers with the appropriate training and credentials.

Research supports an approach that allows ELs to progress as quickly as possible to grade-appropriate content and not to be limited to lower-rigor courses.[81] To that end, California passed a bill in 2018 that prohibits middle and high school students from being denied participation in core content or college preparation courses, unless they are in a specially designed newcomer program.[82] These practices make sense given the legacy of widespread inequitable treatment and lower expectations for ELs in U.S. schools.

However, it is not yet known in what circumstances and to what degree high school newcomers may benefit from simply having more time to develop language and academic skills. While acknowledging the benefits of learning language through grade-appropriate content courses, there is little doubt that students with limited literacy in any language and gaps in their academic skills will not get as much out of such classes as they would if they took them once they were more proficient in the language of instruction.

Adding to the uncertainty is that students rushed through high school may be entering higher education systems that are implementing similar acceleration approaches. In the past few years, a number of university systems have begun to transition from enrolling underprepared students in non-credit-bearing ESL and remedial content courses to enrolling such students in credit-bearing courses along with co-requisite courses that provide additional support. Initial results look promising for encouraging student persistence and achievement in the realm of general education[83] but studies have not yet investigated the effect of this approach on ELs specifically, nor on the compounding effects of accelerating ELs through four years of high school and then continuing the same trend into college.

80 Sugarman, *Beyond Teaching English*.

81 Callahan, *The English Learner Dropout Dilemma*.

82 Newcomer programs must be designed to remediate any language or academic deficits and allow participation in general education "within a reasonable length of time after [the student] enters the school system." See State of California, *An Act to Add Section 60811.8 to the Education Code, Relating to English Learners*, AB-2735, *California Statutes of 2018*, Chapter 304 (2018), https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB2735.

83 See, for example, Olga Rodriguez, Marisol Cuellar Mejia, and Hans Johnson, *Remedial Education Reforms at California's Community Colleges Early Evidence on Placement and Curricular Reforms* (San Francisco: Public Policy Institute of California, 2018), www.ppic.org/wp-content/uploads/remedial-education-reforms-at-californias-community-colleges-august-2018.pdf.

As these curricular adjustments are implemented across the country, it will be important to look beyond passing rates to be sure that each stage of a student's schooling is preparing him or her for the next, and ultimately for success after completing their education. States and districts will also need to ensure they are providing schools with the resources necessary for new teacher training, curriculum development, and instructional capacity for innovations such as co-taught classes.

VII. Conclusion

The issues associated with using the four-year ACGR as a high-stakes accountability measure are a compelling example of the tensions inherent in educational policymaking. On the one hand, proponents of the student performance accountability system as it is currently designed assert that the way to end inequitable access to educational opportunity is to require school systems to hold all students to equally high expectations and to make failures to meet those expectations transparent to policymakers and other stakeholders. Yet there are some situations in which students with differing backgrounds and needs may not be best served by a single set of standards, and an accountability system that does not make allowances for such circumstances is unfair to both students and educators.

There is no question that ELs in some localities have historically been shut out of opportunities because of educators' low expectations for them and systemwide inattention. However, the current system may have gone too far in its efforts to level the playing field toward uniformity, and unintentionally created incentives for schools to gloss over real remediation needs or to avoid serving older newcomer students entirely. The conundrum, then, is how to identify schools that are truly underserving their students while making reasonable accommodations where exceptions to accountability rules are warranted and prevent the undue penalization of schools that serve students with more complex learning needs.

The current system may have gone too far in its efforts to level the playing field toward uniformity, and unintentionally created incentives for schools to gloss over real remediation needs.

Well-respected researchers have advocated for school accountability systems to incorporate extended-year graduation rates for ELs,[84] and as Figure 2 shows, many states already do so. Allowing states to calculate the ACGR using the exceptions originally laid out in the 2005 governors' task force report would send a strong message that helping students to graduate high school at all is more important than insisting that they all do so on a single timeline. It will be some time before this is an option, however, as it would require an amendment during the next federal reauthorization of the *Elementary and Secondary Education Act* (currently enacted as ESSA)—something that is not expected until long after ESSA expires in September 2020.

84 See, for example, Jessica Cardichon and Linda Darling-Hammond, *Advancing Educational Equity for Underserved Youth: How New State Accountability Systems Can Support School Inclusion and Student Success* (Palo Alto, CA: Learning Policy Institute, 2017), https://learningpolicyinstitute.org/product/advancing-educational-equity; Deborah J. Short and Shannon Fitzsimmons, *Double the Work: Challenges and Solutions to Acquiring Language and Academic Literacy for Adolescent English Language Learners* (Washington, DC: Alliance for Excellent Education, 2007), http://all4ed.org/wp-content/uploads/DoubleWork.pdf; Cameron Sublett and Russell Rumberger, *What is California's High School Graduation Rate?* (Stanford, CA: Policy Analysis for California Education, 2018), www.edpolicyinca.org/sites/default/files/HS_Grad_Rate_online.pdf.

In preparation for potential discussions about whether and how to amend the uniform ACGR, more research is needed to better understand who benefits from having additional time to graduate and how current policy affects different student subgroups, including ELs.

- ***Data may be used to identify the specific characteristics of students that graduate in more than four years.*** For example, if SIFE newcomers and ELs with special education needs constitute the majority of ELs taking advantage of extra time, while other ELs either graduate in four years or drop out, it would make sense to create an exception to the four-year graduation expectation only for ELs with those characteristics. Giving an exception to a narrow set of cases would improve the system's fairness while preserving its equity-focused accountability provisions as there would be better evidence for what expectations are reasonable.
- ***States will soon have more data about long-term outcomes.*** As more states bring longitudinal data systems online that track students across early childhood, K-12, postsecondary, and workforce systems, it will be easier to see the long-term outcomes for those who do not complete high school. In addition to providing better evidence for graduation policies, these data might be an incentive for reluctant administrators to see the benefits of high school attendance even for students who age out of the system before graduation.
- ***Researchers should investigate the effectiveness of accelerating newcomer high school students into and through credit-bearing courses.*** This is especially important in contexts where schools have moved away from routinely offering non-credit-bearing basic language and content skills classes to newcomers. Likewise, it would be helpful to track the long-term outcomes of ELs who graduate in four years compared to those who take longer in order to understand whether additional time in high school is beneficial and what characteristics of four-year accelerated programs are associated with postsecondary success.

Better collection and use of data along with strict accountability measures have been heralded as essential tools for ensuring educational equity for populations that have historically been underserved in U.S. schools. However, as with all systemic innovations, evidence of unintended consequences warrants a step back and careful review—in this case, reassessment of the use of the four-year graduation rate as a one-size-fits-all accountability measure.

Appendix. Sources for Figures 3 and 4, by State

Alaska

Alaska Department of Education and Early Development. 2016. 2014–2015 Graduation Rates by Subgroup. Data tables, Alaska Department of Education and Early Development, Juneau, AK, May 16, 2016. https://education.alaska.gov/stats/GradRatesSub/2015GradRatesSubgroup.pdf.

———. 2017. 2015–2016 Graduation Rates by Subgroup. Data tables, Alaska Department of Education and Early Development, Juneau, AK, February 21, 2017. https://education.alaska.gov/stats/GradRatesSub/2016GradRatesSubgroup.pdf.

Colorado

Colorado Department of Education. N.d. Colorado Graduation Dashboard. Accessed May 22, 2018. www2.cde.state.co.us/cdereval/graduationdatamap.asp.

Delaware

Delaware Department of Education. 2018. *2016–2017 Delaware Graduation Summary Statistics.* Dover, DE: Delaware Department of Education. www.doe.k12.de.us/cms/lib/DE01922744/Centricity/Domain/167/1Graduation%20Summary%20Report%202016-2017.pdf.

Illinois

Illinois State Board of Education. N.d. 2017 Illinois State Report Card. Accessed December 19, 2018. www.isbe.net/Documents/2017StateReport_E.pdf.

Iowa

Iowa Department of Education. N.d. Graduation Rates and Dropout Rates. Accessed May 22, 2018. www.educateiowa.gov/graduation-rates-and-dropout-rates.

Kentucky

Kentucky Department of Education. N.d. Data Sets—2014–15—Graduation Rate (Cohort). Accessed May 22, 2018. http://applications.education.ky.gov/src/DataSets.aspx.

———. N.d. Data Sets—2015–16—Graduation Rate (Cohort). Accessed May 22, 2018. http://applications.education.ky.gov/src/DataSets.aspx.

Maryland

Maryland State Department of Education. 2018. Graduation Rate—4-Year Adjusted Cohort. Updated January 9, 2018. http://msp2017.msde.state.md.us/CohortGradRate.aspx?PV=160:12:99:AAAA:1:N:0:13:1:1:0:1:1:1:3.

———. 2018. Graduation Rate—5-Year Adjusted Cohort. Updated January 9, 2018. http://msp2017.msde.state.md.us/CohortGradRate.aspx?PV=163:12:99:AAAA:1:N:0:13:1:1:0:1:1:1:3.

Massachusetts

Massachusetts Department of Elementary and Secondary Education. 2018. Information Services - Statistical Reports— State Graduation Rate Trends. Updated February 26, 2018. www.doe.mass.edu/infoservices/reports/gradrates/.

Michigan

Michigan Department of Education. N.d. Grad Dropout—2015 Cohort Four-Year, 2014 Cohort Five-Year and 2013 Six-Year Graduation and Dropout Rates including Subgroups. Accessed May 22, 2018. www.mischooldata.org/Other2/DataFiles/StudentCounts/HistoricalGradDropout.aspx.

———. N.d. Grad Dropout—2016 Cohort Four-Year, 2015 Cohort Five-Year and 2014 Six-Year Graduation and Dropout Rates including Subgroups. Accessed May 22, 2018. www.mischooldata.org/Other2/DataFiles/StudentCounts/HistoricalGradDropout.aspx.

———. N.d. Grad Dropout—2017 Cohort Four-Year, 2016 Cohort Five-Year and 2015 Six-Year Graduation and Dropout Rates including Subgroups. Accessed May 22, 2018. www.mischooldata.org/Other2/DataFiles/StudentCounts/HistoricalGradDropout.aspx.

Minnesota

Minnesota Department of Education. N.d. Minnesota Report Card. Accessed May 22, 2018. http://rc.education.state.mn.us/.

Nebraska

Nebraska Department of Education. N.d. 2016-2017 Education Profile for State of Nebraska— Rates—Graduation Rate. Accessed May 22, 2018. http://nep.education.ne.gov/State?DataYears=20162017.

New Mexico

New Mexico Public Education Department. N.d. Graduation Data— Cohort of 2015 4-Year Graduation Rates. Accessed May 22, 2018. https://webnew.ped.state.nm.us/bureaus/accountability/graduation/.

———. N.d. Graduation Data— Cohort of 2015 5-Year Graduation Rates. Accessed May 22, 2018. https://webnew.ped.state.nm.us/bureaus/accountability/graduation/.

———. N.d. Graduation Data— Cohort of 2015 6-Year Graduation Rates. Accessed May 22, 2018. https://webnew.ped.state.nm.us/bureaus/accountability/graduation/.

New York State

New York State Education Department. N.d. Downloads—2014-15—Graduation Rate Database. Accessed May 22, 2018. https://data.nysed.gov/downloads.php.

———. N.d. Downloads—2015-16—Graduation Rate Database. Accessed May 22, 2018. https://data.nysed.gov/downloads.php.

———. N.d. Downloads—2016-17—Graduation Rate Database. Accessed May 22, 2018. https://data.nysed.gov/downloads.php.

North Carolina

Public Schools of North Carolina. N.d. Cohort Graduation Rates—4 Year Cohort Graduation Report: 2011-12 Entering 9th Grades Graduating in 2014-15 or Earlier. Accessed May 22, 2018. www.ncpublicschools.org/accountability/reporting/cohortgradrate.

———. N.d. Cohort Graduation Rates—5 Year Cohort Graduation Report: 2011-12 Entering 9th Grades Graduating in 2015-16 or Earlier. Accessed May 22, 2018. www.ncpublicschools.org/accountability/reporting/cohortgradrate.

Oregon

Oregon Department of Education. N.d. Cohort Graduation Rate—Summary of 2014-15 Four-year and Five-year Cohort Graduation and Completer Rates. Accessed May 22, 2018. www.oregon.gov/ode/reports-and-data/students/Documents/summarycohortgrad1415.pdf.

———. N.d. Cohort Graduation Rate—Summary of 2015-16 Four-year and Five-year Cohort Graduation and Completer Rates. Accessed May 22, 2018. www.oregon.gov/ode/reports-and-data/students/Documents/CohortSummaryPages2015-16.pdf.

Pennsylvania

Pennsylvania Department of Education. N.d. Cohort Graduation Rate—2014-2015 Pennsylvania 4-Year Cohort Graduation Rates. Accessed May 22, 2018. www.education.pa.gov/data-and-statistics/pages/cohort-graduation-rate-.aspx.

———. N.d. Cohort Graduation Rate—2015-2016 Pennsylvania 5-Year Cohort Graduation Rates. Accessed May 22, 2018. www.education.pa.gov/data-and-statistics/pages/cohort-graduation-rate-.aspx.

Rhode Island

National Center for Education Statistics. 2016. Table 1. Public High School 4-year Adjusted Cohort Graduation Rate (ACGR), by Race/Ethnicity and Selected Demographics for the United States, the 50 States, and the District of Columbia: School Year 2014–15. Updated September 15, 2016. https://nces.ed.gov/ccd/tables/ACGR_RE_and_characteristics_2014-15.asp.

Rhode Island Department of Education. 2017. Rhode Island 5-Year Graduation Outcomes, 2016. Updated October 23, 2017. https://public.tableau.com/profile/ride#!/vizhome/2016GraduationDataViz_public/5-YearOutcomes.

———. 2017. *Rhode Island's High School Graduation Rates: 2011-2016*. Providence, RI: Rhode Island Department of Education. http://ride.ri.gov/Portals/0/Uploads/Documents/SurveyWorks/RI%20High%20School%20Graduation%20Rates%202011-2016.pdf.

Texas

Texas Education Agency. 2017. Grade 9 Four-Year and Five-Year Extended Longitudinal Graduation and Dropout Rates, by Program Participation and Student Characteristic, Texas Public Schools, Class of 2015. Updated August 2017. https://rptsvr1.tea.texas.gov/acctres/completion/2015/state_prgm_5yr.html.

———. 2017. Grade 9 Four-Year and Five-Year Extended Longitudinal Graduation and Dropout Rates, by Race/Ethnicity, Economic Status, and Gender, Texas Public Schools, Class of 2015. Updated August 2017. https://rptsvr1.tea.texas.gov/acctres/completion/2015/state_demo_5yr.html.

———. 2017. Grade 9 Four-Year and Five-Year Extended Longitudinal Graduation and Dropout Rates, Texas Public Schools, Class of 2015. Updated August 2017. https://rptsvr1.tea.texas.gov/acctres/completion/2015/state_5yr.html.

Virginia

Virginia Department of Education. N.d. Virginia Cohort Reports—Class of 2015—Five Year Reports—State Summary. Accessed May 22, 2018. www.doe.virginia.gov/statistics_reports/graduation_completion/cohort_reports/index.shtml.

———. N.d. Virginia Cohort Reports—Class of 2015—Four Year Reports—State Summary. Accessed May 22, 2018. www.doe.virginia.gov/statistics_reports/graduation_completion/cohort_reports/index.shtml.

———. N.d. Virginia Cohort Reports—Class of 2015—Six Year Reports—State Summary. Accessed May 22, 2018. www.doe.virginia.gov/statistics_reports/graduation_completion/cohort_reports/index.shtml.

Washington State

Came, Deb and Lisa Ireland. 2016. *Graduation and Dropout Statistics Annual Report.* Olympia, WA: Office of Superintendent of Public Instruction. www.k12.wa.us/DataAdmin/pubdocs/GradDropout/14-15/2014-15GraduationDropoutStatisticsAnnualReport.pdf.

Weaver-Randall, Katie and Lisa Ireland. 2017. *Graduation and Dropout Statistics Annual Report.* Olympia, WA: Office of the Superintendent of Public Instruction. www.k12.wa.us/LegisGov/2017documents/2017-05-GraduationAndDropoutStatistics.pdf.

———. 2018. *Report to the Legislature: Graduation and Dropout Statistics.* Olympia, WA: Office of the Superintendent of Public Instruction. www.k12.wa.us/DataAdmin/pubdocs/GradDropout/16-17/2016-17GraduationDropoutStatisticsAnnualReport.pdf.

West Virginia

West Virginia Department of Education. N.d. Zoom WV Data Dashboard—Graduation Summary. Accessed May 25, 2018. https://zoomwv.k12.wv.us/Dashboard/portalHome.jsp.

Wisconsin

Wisconsin Department of Public Instruction. N.d. Wisconsin Information System for Education Data Dashboard—HS Completion (Trends). Accessed May 25, 2018. http://wisedash.dpi.wi.gov/Dashboard/portalHome.jsp.

Wyoming

Wyoming Department of Education. N.d. Wyoming State Graduation Rates, Federal Graduation Rates for the 2014-15 Cohort. Accessed May 22, 2018. https://portals.edu.wyoming.gov/Reports/Public/wde-reports-2012/public-reports/gradrates/fedfouryearadjustedstate.

Works Cited

Achieve. 2018. State Expectations for Graduation Matter—and Differ—More Than You Think. Brief, Washington, DC, Achieve, August 2018. www.achieve.org/files/Grad%20Reqs%20Matter_Final_081718.pdf.

Almond, Monica. 2017. *Paper Thin? Why All High School Diplomas Are Not Created Equal.* Washington, DC: Alliance for Excellent Education. https://all4ed.org/diplomapathways/.

American Civil Liberties Union of Pennsylvania. N.d. Issa v. School District of Lancaster. Accessed December 17, 2018. www.aclupa.org/our-work/legal/legaldocket/issa-v-school-district-lancaster.

Batel, Samantha. 2018. Do ESSA Plans Show Promise for Improving Schools? Center for American Progress, February 2, 2018. www.americanprogress.org/issues/education-k-12/news/2018/02/02/445825/essa-plans-show-promise-improving-schools.

Bowers, Alex J., Ryan Sprott, and Sherry A. Taff. 2013. Do We Know Who Will Drop out? A Review of the Predictors of Dropping out of High School: Precision, Sensitivity, and Sensitivity. *The High School Journal* 96 (2): 77–100.

Burke, Garance. 2016. AP Exclusive: Migrant Children Kept from Enrolling in School. AP News, May 2, 2016. https://apnews.com/b7f933ef6e054c2ca8e32bd9b477e9ab.

Callahan, Rebecca M. 2005. Tracking and High School English Learners: Limiting Opportunity to Learn. *American Educational Research Journal* 42 (2): 305–28.

———. 2013. *The English Learner Dropout Dilemma: Multiple Risks and Multiple Resources.* Santa Barbara, CA: California Dropout Research Project. http://cdrpsb.org/download.php?file=researchreport19.pdf.

Cardichon, Jessica and Linda Darling-Hammond. 2017. *Advancing Educational Equity for Underserved Youth: How New State Accountability Systems Can Support School Inclusion and Student Success.* Palo Alto, CA: Learning Policy Institute. https://learningpolicyinstitute.org/product/advancing-educational-equity.

DePaoli, Jennifer L., Robert Balfanz, Matthew N. Atwell, and John Bridgeland. 2018. *Building a Grad Nation: Progress and Challenge in Raising High School Graduation Rates. Annual Update 2018.* Washington, DC: Alliance for Excellent Education and America's Promise Alliance. http://gradnation.americaspromise.org/2018-building-grad-nation-report.

Diffey, Louisa and Sarah Steffes. 2017. *Age Requirements for Free and Compulsory Education.* Denver: Education Commission of the States. www.ecs.org/wp-content/uploads/Age_Requirements_for_Free_and_Compulsory_Education-1.pdf.

Doll, Jonathan Jacob, Zohreh Eslami, and Lynne Walters. 2013. Understanding Why Students Drop out of High School, According to Their Own Reports: Are They Pushed or Pulled, or Do They Fall Out? A Comparative Analysis of Seven Nationally Representative Studies. *SAGE Open* 3 (4): 1–15. http://journals.sagepub.com/doi/abs/10.1177/2158244013503834.

Dynarski, Mark. 2018. Is the High School Graduation Rate Really Going Up? Brookings Institution, May 3, 2018. www.brookings.edu/research/is-the-high-school-graduation-rate-really-going-up.

Freeman, Jennifer and Brandi Simonsen. 2015. Examining the Impact of Policy and Practice Interventions on High School Dropout and School Completion Rates: A Systematic Review of the Literature. *Review of Educational Research* 85 (2): 205-48.

Gewertz, Catherine. 2017. New Federal Rule Could Force States to Lower Graduation Rates. *Education Week*, August 25, 2017. www.edweek.org/ew/articles/2017/08/30/graduation-rate-rule-puts-some-states-in-a.html.

Greene, Peter. 2018. The College Readiness Problem. Updated April 26, 2018. http://curmudgucation.blogspot.com/2018/04/the-college-readiness-problem.html.

Hacker, Andrew. 2012. Is Algebra Necessary? *The New York Times,* July 28, 2012. www.nytimes.com/2012/07/29/opinion/sunday/is-algebra-necessary.html.

Hakuta, Kenji, Yuko Goto Butler, and Daria Witt. 2000. *How Long Does It Take English Learners to Attain Proficiency?* Berkeley: University of California Linguistic Minority Research Institute. https://files.eric.ed.gov/fulltext/ED443275.pdf.

Harklau, Linda, Shim Lew, and Anna Yang. 2018. Tracking and Ability Grouping in Kindergarten to 12th Grade Settings. In *The TESOL Encyclopedia of English Language Teaching*, ed. John I. Liontas. Hoboken, NJ: John Wiley & Sons, Inc.

Heckman, James J. and Paul A. LaFontaine. 2010. The American High School Graduation Rate: Trends and Levels. *Review of Economics and Statistics* 92 (2): 244–62.

Indiana Department of Education. N.d. Graduates Overview—Four Year Cohort Diploma Types 2016/17 by Free/Reduced Price Meals. Accessed October 19, 2018. https://compass.doe.in.gov/dashboard/graduates.aspx?type=state.

Jimerson, Shane R., Mary Skokut Patterson, Rachel Stein, and Sarah K. Babcock. 2016. Understanding Educational Success among Latino/a English Language Learners: Factors Associated with High School Completion and Postsecondary School Attendance. *Contemporary School Psychology* 20: 402–16.

Karp, Sarah and Becky Vevea. 2015. Emanuel Touts Bogus Graduation Rate. WBEZ 91.5 Chicago, June 10, 2015. www.wbez.org/shows/wbez-news/emanuel-touts-bogus-graduation-rate/7891382c-6069-4bdb-ad7c-a34fd67895e2.

Kaye, Randi. 2010. All Teachers Fired at Rhode Island School. CNN, February 24, 2010. www.cnn.com/2010/US/02/24/rhode.island.teachers/index.html.

Kirsch, Zoë. 2017. The New Diploma Mills. Slate, May 23, 2017. www.slate.com/articles/news_and_politics/schooled/2017/05/u_s_high_schools_may_be_over_relying_on_online_credit_recovery_to_boost.html.

Lukes, Marguerite. 2015. *Latino Immigrant Youth and Interrupted Schooling: Dropouts, Dreamers and Alternative Pathways to College.* Bristol, UK: Multilingual Matters.

Lyons, Susan, Juan D'Brot, and Erika Landl. 2017. *State Systems of Identification and Support under ESSA: A Focus on Designing and Revising Systems of School Identification.* Washington, DC: Council of Chief State School Officers. https://ccsso.org/resource-library/state-systems-identification-and-support-under-essa-focus-designing-and-revising.

Massachusetts Department of Elementary and Secondary Education. N.d. Information Services—Statistical Reports—2017 4-Yr Report. Accessed October 19, 2018. www.doe.mass.edu/infoservices/reports/gradrates.

McGraw, Daniel J. 2015. Making the Case for a Good-Enough Diploma. *Pacific Standard*, November 16, 2015. https://psmag.com/social-justice/making-the-case-for-a-good-enough-diploma.

Menken, Kate and Tatyana Kleyn. 2009. The Difficult Road for Long-Term English Learners. *Educational Leadership* 66 (7). www.ascd.org/publications/educational_leadership/apr09/vol66/num07/The_Difficult_Road_for_Long-Term_English_Learners.aspx.

Migration Policy Institute (MPI) Data Hub. N.d. State Immigration Data Profiles: Language & Education. Accessed June 13, 2018. www.migrationpolicy.org/data/state-profiles/state/language/US.

Mishel, Lawrence and Joydeep Roy. 2006. *Rethinking High School Graduation Rates and Trends.* Washington, DC: Economic Policy Institute. www.epi.org/publication/book_grad_rates/.

Mueller, Benjamin. 2015. New York State Accuses Utica School District of Bias Against Refugees. *The New York Times*, November 17, 2015. www.nytimes.com/2015/11/18/nyregion/new-york-state-accuses-utica-school-district-of-bias-against-refugees.html.

National Center for Education Statistics. 2015. Table 219.83. Percentage of High School Dropouts among Persons 16 to 24 Years Old (Status Dropout Rate), by English Speaking Ability and Race/Ethnicity: 2003, 2005, and 2013. Updated August 2015. https://nces.ed.gov/programs/digest/d17/tables/dt17_219.83.asp.

———. 2017. Table 204.20. English Language Learner (ELL) Students Enrolled in Public Elementary and Secondary Schools, by State: Selected Years, Fall 2000 through Fall 2015. Updated October 2017. https://nces.ed.gov/programs/digest/d17/tables/dt17_204.20.asp?current=yes.

———. 2017. Table 204.27. English Language Learner (ELL) Students Enrolled in Public Elementary and Secondary Schools, by Grade, Home Language, and Selected Student Characteristics: Selected Years, 2008-09 through Fall 2015. Updated August 2017. https://nces.ed.gov/programs/digest/d17/tables/dt17_204.27.asp.

———. 2017. Table 219.46. Public High School 4-Year Adjusted Cohort Graduation Rate (ACGR), by Selected Student Characteristics and State: 2010-11 through 2015-16. Updated December 2017. https://nces.ed.gov/programs/digest/d17/tables/dt17_219.46.asp.

———. 2017. Table 219.73. Percentage of High School Dropouts among Persons 16 to 24 Years Old (Status Dropout Rate) and Number and Percentage Distribution of 16- to 24-Year-Olds, by Selected Characteristics: Selected Years, 2006 through 2016. Updated September 2017. https://nces.ed.gov/programs/digest/d17/tables/dt17_219.73.asp.

National Governors Association. 2005. *Graduation Counts: A Report of the National Governors Association Task Force on State High School Graduation Data.* Washington, DC: National Governors Association. https://classic.nga.org/files/live/sites/NGA/files/pdf/0507GRAD.PDF.

New York State Education Department. N.d. NY State Graduation Rate Data 4 Year Outcome as of June—2017. Accessed October 19, 2018. https://data.nysed.gov/gradrate.php?year=2017&state=yes.

Park, Maki and Caitlin Katsiaficas. 2019. *Mitigating the Effects of Trauma among Young Children of Immigrants and Refugees: The Role of Early Childhood Programs*. Washington, DC: MPI. www.migrationpolicy.org/research/mitigating-effects-trauma-young-children-immigrants-refugees.

Pinkos, Margarita. 2018. Author interview with Assistant Superintendent, Global Education and Community Outreach, The School District of Palm Beach County, Florida, July 9, 2018.

Rodriguez, Olga, Marisol Cuellar Mejia, and Hans Johnson. 2018. *Remedial Education Reforms at California's Community Colleges Early Evidence on Placement and Curricular Reforms*. San Francisco: Public Policy Institute of California. www.ppic.org/wp-content/uploads/remedial-education-reforms-at-californias-community-colleges-august-2018.pdf.

Rumberger, Russell W. and Sun Ah Lim. 2008. *Why Students Drop out of School: A Review of 25 Years of Research*. Santa Barbara, CA: California Dropout Research Project. http://cdrpsb.org/download.php?file=researchreport15.pdf.

Schoen, LaTefy and Lance D. Fusarelli. 2008. Innovation, NCLB, and the Fear Factor: The Challenge of Leading 21st-Century Schools in an Era of Accountability. *Education Policy* 22 (1): 181–203.

Short, Deborah J. and Shannon Fitzsimmons. 2007. *Double the Work: Challenges and Solutions to Acquiring Language and Academic Literacy for Adolescent English Language Learners*. Washington, DC: Alliance for Excellent Education. http://all4ed.org/wp-content/uploads/DoubleWork.pdf.

Southern Poverty Law Center. N.d. Lesly Methelus, et al. v. the District School Board of Collier County, Florida, et al. Accessed December 10, 2018. www.splcenter.org/seeking-justice/case-docket/lesly-methelus-et-al-v-district-school-board-collier-county-florida-et.

State of California. 2018. *An Act to Add Section 60811.8 to the Education Code, Relating to English Learners*. AB-2735. *California Statutes of 2018*, Chapter 304. https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB2735.

Stutz, Terrence and Holly K. Hacker. 2015. Critics Scrutinize Texas' Unusual High School Dropout Rates. *The Dallas Morning News*, August 29, 2015. www.dallasnews.com/news/education/2015/08/29/critics-scrutinize-texas-unusual-high-school-dropout-rates.

Sublett, Cameron and Russell Rumberger. 2018. *What is California's High School Graduation Rate?* Stanford, CA: Policy Analysis for California Education. www.edpolicyinca.org/sites/default/files/HS_Grad_Rate_online.pdf.

Sugarman, Julie. 2017. *Beyond Teaching English: Supporting High School Completion by Immigrant and Refugee Students.* Washington, DC: MPI. www.migrationpolicy.org/research/beyond-teaching-english-supporting-high-school-completion-immigrant-and-refugee-students.

Texas Education Agency. 2017. Grade 9 Four-Year and Five-Year Extended Longitudinal Graduation and Dropout Rates, by Program Participation and Student Characteristic, Texas Public Schools, Class of 2015. Updated August 2017. https://rptsvr1.tea.texas.gov/acctres/completion/2015/state_prgm_5yr.html.

———. 2017. Grade 9 Four-Year and Five-Year Extended Longitudinal Graduation and Dropout Rates, Texas Public Schools, Class of 2015. Updated August 2017. https://rptsvr1.tea.texas.gov/acctres/completion/2015/state_5yr.html.

———. N.d. TELPAS Statewide Summary Reports—Spring 2015. Accessed May 30, 2018. https://tea.texas.gov/student.assessment/ell/telpas/rpt/sum/.

Thompson, Karen D. 2015. Questioning the Long-Term English Learner Label: How Categorization Can Blind Us to Students' Abilities. *Teachers College Record* 117 (12): 1–50.

U.S. Bureau of Labor Statistics. N.d. Labor Force Statistics from the Current Population Survey—Weekly and Hourly Earnings—One Screen Data Search. Accessed April 15, 2019. www.bls.gov/cps/data.htm.

U.S. Department of Education. 2002. *No Child Left Behind: A Desktop Reference.* Washington, DC: U.S. Department of Education. www2.ed.gov/admins/lead/account/nclbreference/reference.pdf.

———. 2002. Title I—Improving the Academic Achievement of the Disadvantaged; Final Rule. *Federal Register* 67, no. 231 (December 2, 2002): 71710–71. www.govinfo.gov/content/pkg/FR-2002-12-02/pdf/02-30294.pdf.

———. 2008. *No Child Left Behind High School Graduation Rate: Non-Regulatory Guidance.* Washington, DC: U.S. Department of Education. www2.ed.gov/policy/elsec/guid/hsgrguidance.pdf.

———. 2008. Title I—Improving the Academic Achievement of the Disadvantaged; Final Rule. *Federal Register* 73, no. 210 (October 29, 2008): 64435–513. www.govinfo.gov/content/pkg/FR-2008-10-29/pdf/E8-25270.pdf.

———. 2014. Additional Questions & Answers on Enrolling New Immigrant Students. Fact sheet, Washington, DC, U.S. Department of Education, December 2014. www2.ed.gov/policy/rights/guid/unaccompanied-children-2.pdf.

———. 2017. ESSA State Plan Submission. Updated November 8, 2017. www2.ed.gov/admins/lead/account/stateplan17/statesubmission.html.

———. 2017. *Every Student Succeeds Act High School Graduation Rate Non-Regulatory Guidance.* Washington, DC: U.S. Department of Education. www2.ed.gov/policy/elsec/leg/essa/essagradrateguidance.pdf.

———. N.d. ED Data Express—Custom Reports—Graduation Rate Data. Accessed May 29, 2018. https://eddataexpress.ed.gov/state-tables-main.cfm.

Umansky, Ilana M., Megan Hopkins, Dafney Blanca Dabach, Lorna Porter, Karen Thompson, and Delia Pompa. 2018. *Understanding and Supporting the Educational Needs of Recently Arrived Immigrant English Learner Students: Lessons for State and Local Education Agencies.* Washington, DC: Council of Chief State School Officers. www.ccsso.org/resource-library/understanding-and-supporting-educational-needs-recently-arrived-immigrant-english.

Umansky, Ilana M., Sean F. Reardon, Kenji Hakuta, Karen D. Thompson, Peggy Estrada, Katherine Hayes, Hilda Maldonado, Susan Tandberg, and Claude Goldenberg. 2015. *Improving the Opportunities and Outcomes of California's Students Learning English: Findings from School District–University Collaborative Partnerships.* Stanford, CA: Policy Analysis for California Education. www.edpolicyinca.org/publications/improving-opportunities-and-outcomes-californias-students-learning-english-findings-school-district-university-collaborative-partnerships.

Zinth, Jennifer. 2017. Response to Information Request. Response, Education Commission of the States, Denver, March 2017. www.ecs.org/wp-content/uploads/State-Information-Request_High-School-Equivalency-Options-3.pdf.

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Dr. Sugarman earned a BA in anthropology and French from Bryn Mawr College, an MA in anthropology from the University of Virginia, and a PhD in second language education and culture from the University of Maryland, College Park.

The Migration Policy Institute is a nonprofit, nonpartisan think tank dedicated to the study of the movement of people worldwide. MPI provides analysis, development, and evaluation of migration and refugee policies at the local, national, and international levels. It aims to meet the rising demand for pragmatic and thoughtful responses to the challenges and opportunities that large-scale migration, whether voluntary or forced, presents to communities and institutions in an increasingly integrated world.

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