



# The Patchy Landscape of State English Learner Policies under ESSA

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## Executive Summary

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The passage of the *Every Student Succeeds Act* (ESSA) in 2015 was hailed as a significant step forward for English Learners (ELs) in the United States. For the first time, federal law required that schools be held accountable for their EL students' progress in achieving English language proficiency (ELP), as well as their performance in academic content areas such as English language arts and math. Previous reauthorizations of the *Elementary and Secondary Education Act* placed most EL education policies under Title III, Part A, while school accountability policies were housed under Title I. This bifurcation resulted in a lack of oversight for these students' language progress across the country. ESSA attempted to fix this long-standing disconnect by requiring that EL accountability be woven into the state education plans that were at the core of ESSA implementation. State education agencies were to consult with key education stakeholders to develop their plans and subsequently submit them to the U.S. Department of Education (ED) to receive federal education funds.

States worked to develop and submit their ESSA plans to ED to meet one of two deadlines provided in the law, either April 3, 2017, or September 18, 2017. However, once submitted, procedurally, the review and approval process surpassed the 120-day timeline ESSA allotted; the length of this process also varied between the first and second rounds of submission. There was also considerable variation in how the process unfolded. For example, states that submitted their plans during the first round depended heavily on ED feedback provided in the form of publicly available letters, while private phone calls between ED and state education agencies were more heavily relied on in the second round in addition to the feedback letters.

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*These plans offer often-scattered information that creates a fractured and incomplete picture of EL education.*

As of the writing of this report, four years since ESSA was signed into law, all plans have been approved. These state plans provide the federal government and the public with a blueprint for how states intend to serve students attending Title I schools. However, after much anticipation of a clear, cohesive outline for EL education policy moving forward, analysis by the Migration Policy Institute (MPI) finds that these plans offer often-scattered information that creates a fractured and incomplete picture of EL education. As a result, EL education policies remain disjointed and inaccessible to local education officials, teachers, and education advocates, within and across states.

To address these variations and make EL education policy more accessible, this report presents a framework for analyzing state ESSA plans through the EL lens and uses it to assess the ESSA plans for all 50 states, the District of Columbia, and Puerto Rico. Accordingly, this compendium comprehensively analyzes targeted policies that affect students' language acquisition journey, from identification as ELs to reclassification as English proficient, their academic achievement as a student subgroup, and the extent to which they are included in state systems of accountability.

On the whole, ESSA created consistency in terms of identification and reclassification procedures within states, and it pushed states to adopt maximum timelines to proficiency to be applied evenly for all ELs within each state as well as a uniform assessment schedule for recently arrived ELs. However, the law's limitations are starkly obvious in other critical areas. For example, it provided no guidance to states on how to address ELs who do not exit services within the maximum timeline to proficiency and students who age out of services before they reach proficiency in their accountability systems. Both groups are notably absent from EL policies nationwide. Moreover, the long-term goals that states established for ELs in their plans—both for academic achievement and ELP—are generally symbolic and do not carry any weight in accountability systems in most states.

Additionally, education agencies used statewide population data when working to meet the law's requirement to identify the most prevalent language(s) other than English among ELs, for purposes of determining the need for native language assessments. This proved inadequate because statewide totals can obscure local concentrations of students who speak a certain language; this question should be considered at the local level, where decisions about instruction are being made and assessment needs may be better defined. Lastly, although ESSA allows states to combine data on the academic performance of former ELs and current ELs for accountability purposes, this comes with certain concessions on transparency that, in some cases, can create an inaccurate picture of current EL performance.

Apart from limitations such as these in the law, the general complexity of ESSA's state accountability framework, and the way EL-related elements are dispersed throughout it, can make it difficult for actors both inside and outside school systems to understand how and to what extent the EL subgroup's performance counts toward overall school accountability ratings. This is far from an inconsequential issue. It was precisely the desire to make EL performance "matter" in school ratings, and thereby prompt attention to their educational needs, that was at the heart of ESSA's changes for EL students. Furthermore, state plans often lack critical information, particularly in the ELP indicator section. Several do not specify how much growth is expected from an EL from one year to the next, or how a timeline to proficiency will be assigned to a newly identified EL. Details such as these are critically important because in their absence, it is impossible to say with certainty what the ELP indicator is measuring.

Finally, EL policies do not exist in isolation. While ESSA prompted states to adopt many promising policies, they often stood alone in states' broader education policy landscape and/or were counteracted by other policies in ways that are likely to diminish their impact. For example, a state may have adopted a rigorous maximum timeline to proficiency but failed to prescribe student-level targets and omitted details about how the ELP indicator would be calculated. Mismatches and lingering ambiguities such as these have resulted in EL policies of inconsistent quality and rigor both within and across states.

Ultimately, it is too soon to say definitively what impact these policies will have on ELs' academic and English acquisition outcomes. However, as more data are collected in the coming years, education researchers, policymakers, and advocates can use this analytical framework to improve understanding of EL policies and how they may need to be refined in particular states to achieve the law's goal of ensuring accountability for every student's success.

# 1 Introduction

The *Every Student Succeeds Act* (ESSA), signed into law in 2015, requires state education agencies (SEAs) to develop and submit state education plans to the U.S. Department of Education (ED) in order to receive federal funds. These state plans provide the federal government and the public a blueprint for how states intend to serve students attending schools that receive Title I funding. ESSA strengthened accountability for English Learners (ELs) by incorporating their progress in achieving English language proficiency (ELP) and their academic achievement into the minimum parameters that states must apply to school accountability systems.

Before ESSA, school accountability systems did not reflect whether ELs were reaching English proficiency and how they performed academically. This meant that the educational outcomes of the 4.8 million ELs nationwide in 2014–15—about 10 percent of all K-12 students—were not being factored into the calculations that determined whether a school was performing well or poorly.<sup>1</sup> This was a critical blind spot, given that the potential of these students to go on to higher education or technical school and a promising career—building a strong future for themselves and contributing to the broader society and the economy—depends on the strength of their K-12 education.

ESSA aimed to address this shortcoming by making EL performance “matter” in school ratings, and thereby draw attention to their educational needs. States could choose between several format options when developing the plans in which they outlined how they would meet their commitments under ESSA. These included two Consolidated State Plan templates provided by ED<sup>2</sup> and an alternative template developed

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in partnership with the Council of Chief State School Officers (CCSSO).<sup>3</sup> States also had the option to submit their plans by April 3, 2017, or September 18, 2017. The secretary of the U.S. Department of Education had 120 days to approve or disapprove plans, during which time the plans were put through a peer review process established by the secretary.<sup>4</sup> ESSA requires peer reviewers to be multidisciplinary and representative

of different sectors; they may include parents, teachers, principals, and other state and local education leaders.<sup>5</sup> All peer review comments, suggestions, recommendations, and concerns are required to be provided to the state in writing.<sup>6</sup> The secretary has the authority to deny plans, in which case ED is required to notify the state in writing of such determination and offer the state the opportunity to revise and resubmit the plan.<sup>7</sup>

1 U.S. Department of Education, “Our Nation’s English Learners: What Are Their Characteristics?” updated January 29, 2018.

2 U.S. Department of Education, “ESSA Consolidated State Plans,” updated July 11, 2017.

3 Council of Chief State School Officers (CCSSO), “Developing a Comprehensive State Plan Pursuant to the Every Student Succeeds Act: A Tool for Structuring Your Plan,” updated March 2017.

4 *Every Student Succeeds Act of 2015*, Public Law 114-95, 114th Cong. (December 10, 2015): 1821–22. For more information about the peer review process, see U.S. Department of Education, “Consolidated State Plan Peer Review Process,” updated March 2017.

5 *Every Student Succeeds Act of 2015*; U.S. Department of Education, “Consolidated State Plan Peer Review Process.”

6 *Every Student Succeeds Act of 2015*; U.S. Department of Education, “Consolidated State Plan Peer Review Process.”

7 *Every Student Succeeds Act of 2015*, 1822; U.S. Department of Education, “Consolidated State Plan Peer Review Process.”

Seventeen states submitted their plans in April 2017, and 35 submitted in September.<sup>8</sup> The secretary of education submitted interim feedback letters to each state outlining aspects of their plans that needed to be clarified or fixed to be consistent with ESSA. As of the writing of this report, all plans had been approved as satisfying the requirements spelled out in the Revised State Plan Template for the Consolidated State Plan that was issued on March 13, 2017. This report will analyze the extent to which ESSA changed state EL policies through these state plans, using states' compliance with the law as the baseline and pushing the dialogue further by discussing the breadth and quality of policies that were approved.<sup>9</sup>

States often varied in how they described certain policies. To facilitate policy comparisons across states, the authors use more uniform terminology, where appropriate. For example, the lexicon used to describe ELP models includes terms such as "growth-to-target," "progress-to-proficiency," "growth-to-standard," and "growth-to-proficiency." Practicably, these terms refer to the same concept; therefore, the authors refer to these as simply measuring student growth.

## Report Roadmap

This compendium will organize state EL policies into three overarching sections with the following guiding questions:<sup>10</sup>

### Section 2. English Language Acquisition

This section will provide an overview of English language acquisition policies adopted by states, starting with an outline of entrance procedures used to identify ELs, the varying timelines to proficiency adopted across the country broken down by statewide ELP assessment, and exit procedures used to reclassify ELs, including the varying definitions for what it means to be proficient in English and any additional exit criteria states may require. Next, this section will include a discussion of statewide aspirations for ELP defined by long-term goals (LTGs). This section will close with

#### BOX 1 Common Acronyms

AMD	Annual meaningful differentiation
ATSI	Additional targeted support and improvement
CSI	Comprehensive support and improvement
ED	U.S. Department of Education
ELD	English language development
ELP	English language proficiency
ESL	English as a Second Language
HLS	Home language survey
LEA	Local education agency
LTGs	Long-term goals
RAELs	Recently arrived English Learners
SEA	State education agency
TSI	Targeted support and improvement

8 For ease of reference, the District of Columbia and Puerto Rico are included in counts of "states" throughout the report. The following states submitted their plans by April 2017: Arizona, Colorado, Connecticut, Delaware, District of Columbia, Illinois, Louisiana, Maine, Massachusetts, Michigan, Nevada, New Jersey, New Mexico, North Dakota, Oregon, Tennessee, and Vermont. The following submitted their plans by September 2017: Alabama, Alaska, Arkansas, California, Florida, Georgia, Hawaii, Idaho, Indiana, Iowa, Kansas, Kentucky, Maryland, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Hampshire, New York State, North Carolina, Ohio, Oklahoma, Pennsylvania, Puerto Rico, Rhode Island, South Carolina, South Dakota, Texas, Utah, Virginia, Washington State, West Virginia, Wisconsin, and Wyoming.

9 While some states have recently made updates to their *Every Student Succeeds Act* (ESSA) plans, for the purposes of cross-state comparison, this report analyzes state plans as they were when first approved. A short overview of the changes that have occurred in some states since then can be found in Appendix D.

10 It should be noted that the topics covered in this report are grouped thematically and do not follow the order of the law.

an analysis of state ELP indicators by identifying details that are vital to understanding how states will track EL progress toward ELP. This analysis will include a discussion on student-level targets and whether they are calculated relative to states' maximum timeline to proficiency, and lastly, the role proficiency will play in ELP indicators. This section will close with an overview of the different methodologies used to calculate progress toward the ELP measure.

### Section 3. Tracking Academic Achievement for the EL Subgroup

This section will describe policies related to the EL subgroup that shape how states track their academic achievement. This section will begin by outlining the options afforded to states regarding testing recently arrived ELs (RAELs) and when these students will be fully incorporated into state accountability calculations. This section also addresses the inclusion of former ELs in the EL subgroup for accountability purposes and how it varies across states. Additionally, this section will delve into state policies on assessing ELs in their home language, including a comparative discussion on what it means for a language to be present to a significant extent in a state. This section will conclude with a reflection on the current state and long-term aspirations for ELs across academic content areas such as English language arts/reading, math, and science.

### Section 4. EL Inclusion in Accountability Systems

This section will examine the statewide accountability systems adopted because of ESSA and address the extent to which ELs were incorporated. First, this section will discuss state n size polices, including differences between reporting and accountability thresholds. Building on this will be an analysis of systems of annual meaningful differentiation, that is, methodologies used to compare school performance, to determine whether the ELP indicator and EL subgroup performance are included and under what conditions. Next this section will outline the legal framework underpinning the identification of schools for support and improvement by describing the differences between the criteria used to identify comprehensive, targeted, and additional targeted schools, and identify which states will consider the ELP indicator and EL subgroup performance when deciding where additional resources will be allocated.

The final section, Section 5, will provide overall conclusions about how ESSA changed EL policy and implications for future *Elementary and Secondary Education Act* (ESEA) reauthorizations.

#### **BOX 2** **About This Study: Tracking the Evolution of ESSA**

The authors recognize that additional information about state education policies exists in other documents, such as detailed instruction program requirements and policies. However, the purpose of this work is to extract and analyze English Learner policies adopted nationwide as a result of the *Every Student Succeeds Act*. Therefore, the scope of this report was constricted to the 52 education plans submitted by the states, the District of Columbia, and Puerto Rico, and approved pursuant to ESSA (see Appendix E for a list of these plans). On occasion, the authors attempted to clarify unclear policies and information by reviewing the respective state education agency's (SEA's) website and/or contacting the appropriate SEA staff. Furthermore, although the Consolidated State Plan template includes assurances for a range of federally funded programs, EL policies were concentrated in two specific sections. As a result, review efforts were generally focused on Title I, Part A: Improving Basic Programs Operated by Local Educational Agencies; and Title III, Part A: English Language Acquisition, Language Enhancement, and Academic Achievement.



## 2 English Language Acquisition

Since the passage of *No Child Left Behind* (NCLB) in 2001, states have been required to include ELP for ELs in accountability systems. Under NCLB, ELs were monitored for ELP progress and proficiency through Annual Measurable Achievement Objectives (AMAOs), and their academic performance was monitored through the Adequate Yearly Progress (AYP). However, because these provisions were housed under Title III, the section of the law dedicated to Language Instruction for English Learners and Immigrant Students, they did not apply to all schools and districts, and the federal government had limited enforcement authority.<sup>11</sup> ESSA moved these provisions to Title I, the section of the law directly linked to the funding states receive from the federal government. In shifting these provisions to Title I, ESSA replaced AMAO one (ELP progress) and two (ELP achievement) with a single, state-defined ELP indicator. ESSA also addressed many aspects of policies related to English language acquisition, including the following:

- ▶ States must establish and implement standardized statewide entrance and exit procedures for ELs, including an assurance to the federal government that all students who may be ELs are assessed within 30 days of being enrolled in a school.<sup>12</sup>
- ▶ States must adopt an annual assessment of ELP that will be taken by all ELs in schools served by the SEA.<sup>13</sup>
- ▶ States must include an indicator in their statewide accountability system that will measure ELs' annual progress in achieving ELP using the statewide annual ELP assessment.<sup>14</sup>
- ▶ States must define what it means to reach proficiency in English, as measured by the statewide annual ELP assessment and within a state-determined timeline.<sup>15</sup>
- ▶ States must establish ambitious LTGs and measurements of interim progress for increasing the percentage of ELs making progress in achieving ELP.<sup>16</sup>

### BOX 3

#### What Is a Timeline to Proficiency?

A state-determined timeline to proficiency refers to the maximum number of years by which an EL is expected to reach proficiency. Previous research has indicated that it should take an EL four to seven years to reach academic English proficiency.

Source: Kenji Hakuta, Yuko Goto Butler, and Daria Witt, *How Long Does It Take English Learners to Attain Proficiency?* (Stanford, CA: University of California Linguistic Minority Research Institute, 2000).

This section will focus on statewide EL identification, assessment, and reclassification processes, and compare state-determined maximum timelines to proficiency and proficiency definitions among states that use the same ELP assessment. This section will also discuss what standardization means in the context of entry/exit procedures, and provide an overview of the LTGs for ELP across states. This section will end with an overview of states' ELP indicators, including an overview of important details states did and did

11 For more information about the shift from *No Child Left Behind* (NCLB) to ESSA, see Julie Sugarman and Kevin Lee, "Facts about English Learners and the NCLB/ESSA Transition in Select States" (fact sheets, Migration Policy Institute, Washington, DC, March 2017).

12 *Every Student Succeeds Act of 2015*, 1802–2192.

13 *Every Student Succeeds Act of 2015*, 1830.

14 *Every Student Succeeds Act of 2015*, 1835–36.

15 *Every Student Succeeds Act of 2015*, 1836.

16 *Every Student Succeeds Act of 2015*, 1835.

not include to facilitate the public’s understanding of what progress toward ELP means for ELs in each respective state.

## A. *Entry, Assessment, and Exit Procedures*

### Initial EL Classification

Local education agencies (LEAs) are required to identify students who may potentially have difficulties in speaking, writing, reading, and/or understanding English upon enrollment, either because they were not born in the United States or because their native language is not English. Students determined to have such challenges, known as ELs, come from an environment where a non-English language is dominant and/or may have a significant impact on the student’s ELP.<sup>17</sup> Difficulties in speaking, reading, writing, or understanding English may deny ELs the ability to meet state academic standards, to perform successfully in classrooms where the language of instruction is English, and/or the opportunity to be full participants in society.<sup>18</sup>

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*ESSA required states to develop standardized entry and exit procedures, and states provided varying degrees of specificity.*

ESSA required states to develop standardized entry and exit procedures, and states provided varying degrees of specificity about how they identify potential ELs and subsequently screen the pool of students identified for ELP.<sup>19</sup> A complete list of entry procedures by state can be found in Tables A-1, A-2, A-3, and A-4 in Appendix A.

### *Home Language Surveys*

Although home language surveys (HLS) are not specifically required by law, they have historically been used as the first step in identifying potential ELs.<sup>20</sup> Rather than testing all enrolling students for English proficiency—which would be time and cost prohibitive—asking all parents to respond to questions about home language use allows school districts to more easily identify which students are most likely to need English support. Researchers suggest that HLS should capture the exposure and use of language that students experience across diverse contexts such as at home, in afterschool care/child care, and in recreational settings.<sup>21</sup>

17 *Elementary and Secondary Education Act of 1965*, as amended through the *Every Student Succeeds Act*, Public Law 114-95 (December 10, 2015): 393.

18 *Elementary and Secondary Education Act of 1965*.

19 Although Florida provided a link to rules that stipulate procedures for identification in Title III, the document was unclear about the instruments used to screen potential English Learners (ELs). The information provided for Florida in Table A-1 in Appendix A was collected from a guidance document provided to local education agencies (LEAs). For more information, see Florida Department of Education (FLDOE), “2017–2018 School Year Information,” accessed July 23, 2018.

20 Alison L. Bailey and Robert Linqanti, “Reprising the Home Language Survey: Summary of a National Working Session on Policies, Practices, and Tools for Identifying Potential English Learners” (working paper 01, Council of Chief State School Officers, Washington, DC, January 2014).

21 Bailey and Linqanti, “Reprising the Home Language Survey,” 1–8.

All states identified a home language survey or language use survey/questionnaire as the first step schools take to identify ELs. Little is known about the validity and quality of the information HLS gather, although previous work has found that single-question HLS are problematic because they can lead to under-identifying students.<sup>22</sup> To provide more objective evidence, school districts must use a valid and reliable ELP assessment to assess the proficiency of students. Further, because students must acquire not only conversational but academic English proficiency in order to succeed academically, the ELP assessment used to identify ELs must assess all four domains of English (listening, speaking, reading, and writing).<sup>23</sup> To provide states and school districts with additional guidance on effective practices, the U.S. Department of Education Office for Civil Rights (OCR) and the U.S. Department of Justice approved the following three HLS questions and considers their use as a way to minimally comply with the law:<sup>24</sup>

- 1 What is the primary language used in the home, regardless of the language spoken by the student?
- 2 What is the language most often spoken by the student?
- 3 What is the language that the student first acquired?

ESSA did not require states to specify detailed information about their HLS. However, some states did provide their HLS as an appendix, provided a link to their online HLS, or listed their HLS question(s) in the plan. Based on the information shared by states, HLS vary in terms of the number of questions that are asked and how they are formulated. Although most of the questions asked pertain to the language spoken by the child or the language spoken at home, some states also include much broader enrollment questions such as “Is there any additional information you would like the school to know about your child to best serve them?” or “Is the student transferring from another state, district, or school? If yes, please provide the location and name of the school,” or “Does your family come from a refugee background?” A nonexhaustive list of HLS questions used across states can be found in Table A-7 in Appendix A.

Although pre-kindergarten (pre-K) students aren’t required to be tested using a standardized assessment and most states did not address pre-K students specifically, notably, Michigan specified that pre-K students be identified solely on the basis of the HLS. Furthermore, Idaho has a process for identifying students whose parents indicated “English only” on the HLS but exhibited characteristics of having a second language present in their lives. Lastly, Montana established a second point of entry for EL eligibility through a standardized Teacher Observation Checklist that is available to all schools on the SEA’s website. Essentially, in Montana, if a teacher suspects that a student speaks a language other than English, the student is screened for ELP using the state-approved screening tool.

22 Jamal Abedi, “Classification System for English Language Learners: Issues and Recommendations,” *Educational Measurement: Issues and Practice* 27, no. 3 (2008): 17–31; Bailey and Linqanti, “Reprising the Home Language Survey,” 2; Claude Goldenberg and Sara Rutherford-Quach, *The Arizona Home Language Survey: The Identification of Students for ELL Services* (Los Angeles: The Civil Rights Project/Proyecto Derechos Civiles at UCLA, 2010).

23 U.S. Department of Justice and U.S. Department of Education, *Dear Colleague Letter: English Learner Students and Limited English Proficient Parents* (Washington, DC: U.S. Department of Justice and U.S. Department of Education, 2015).

24 U.S. Department of Education, “Tools and Resources for Identifying All English Learners” (Chapter 1 of English Learner Toolkit 04, Washington, DC, November 2016).

## Screener Tools

Students who are identified by the HLS as potential ELs are assessed using an ELP test (often called a screener).<sup>25</sup> Although all states use a screener, not all states use the same one. Several states use different screeners for different age groups, primarily those in the World-Class Instructional Design and Assessment (WIDA) Consortium, where different tests are available for students in pre-K, kindergarten, and grades 1-12. Table 1 below categorizes screeners by grade band, when applicable, and all screeners identified by states can be found in Tables A-1, A-2, A-3, and A-4 in Appendix A. Notably, eight states use state-developed screeners,<sup>26</sup> and one state (Oregon) has five different state-approved screening products without reference to grade band.

**TABLE 1**  
**Screeners Identified by Grade Band, 2018**

Pre-Kindergarten	Kindergarten	Grades 1–12
<ul style="list-style-type: none"> <li>- Oral language proficiency test (OLPT)</li> <li>- LAS Links Screener</li> <li>- IDEA oral language proficiency tests (Pre-IPT)</li> <li>- Pre-K screening tool</li> <li>- World-Class Instructional Design and Assessment (WIDA) MODEL</li> </ul>	<ul style="list-style-type: none"> <li>- Kindergarten WIDA ACCESS Placement Test (K W-APT)</li> <li>- WIDA MODEL</li> <li>- OLPT</li> </ul>	<ul style="list-style-type: none"> <li>- WIDA Screener (online and paper)</li> <li>- W-APT*</li> <li>- OLPT</li> <li>- State-approved literacy assessment</li> </ul>

\* It should be noted that the WIDA Consortium discontinued the use of the WIDA-ACCESS Placement Test (W-APT) in grades 1–12 effective August 31, 2017, although the consortium continues to support the Kindergarten W-APT. For more information, see WIDA, “Kindergarten W-APT,” accessed July 19, 2018.

The use of different screeners for students entering at the pre-K and kindergarten levels compared with grades 1–12 suggests that different procedures are needed to capture the oral language and preliteracy skills of early learners compared with those in grade 1 and above.<sup>27</sup> Interestingly, districts in Kentucky are required to enroll a kindergarten student who has taken the WIDA-ACCESS Placement Test (W-APT) as an EL student regardless of the score.

Membership in a consortium does not guarantee the use of the same EL classification procedures. Among the seven states in the ELPA21<sup>28</sup> consortium, only four states (Arkansas, Iowa, Nebraska, and Washington State) specified they only use the ELPA21 screener; two states identified state-specific screeners (Ohio and West Virginia), and one state (Oregon) has five different state-approved screening products without reference to grade band, one of which is the ELPA21 screener. Moreover, all 36 WIDA consortium states use at least one WIDA screener tool, and of these, 15 use additional classification tools.

25 Bailey and Linqanti, “Reprising the Home Language Survey,” 3.

26 Arizona, California, Kansas, Louisiana, New York, Ohio, Texas, and West Virginia.

27 Gary H. Cook and Robert Linqanti, *Strengthening Policies and Practices for the Initial Classification of English Learners: Insights from a National Working Session* (Washington, DC: Council of Chief State School Officers, 2015), 11.

28 English Language Proficiency Assessment for the 21st Century.

### *Additional Identification Tools*

While less common, states also listed additional criteria used to identify ELs that include, but are not limited to:

- ▶ Parent interview (PA)
- ▶ Review of academic records/previous performance (NJ, PA, and RI)
- ▶ EL referral form (AR)
- ▶ Local body of evidence (CO)
- ▶ Family interview form (RI)
- ▶ Teacher referral (ND, OK)
- ▶ Screening/interview by teacher or qualified professional (HI, NJ, and NY)
- ▶ Teacher observation/input (AK, MT, and NJ)
- ▶ English reading and English language arts (ELA) sections from an SEA-approved norm-referenced assessment (TX)
- ▶ Standardized identification screening process (DE)
- ▶ Delaware Alternative EL Protocol (DE)

In addition to the ELP screener, Texas also requires each school to convene a language proficiency assessment committee (LPAC) to review a body of data for each student and make a recommendation for program entry. Moreover, Rhode Island's ESSA plan states that ELs are screened for native language proficiency when screening tools are available to do so during EL classification. Although other states may do this as well, this practice was not identified in any other state plans.

### *30-Day Assurance*

ESSA states that LEAs must notify parents if their newly enrolled child has been identified as an EL no later than 30 days after the beginning of the school year or within two weeks if the child is enrolled during the school year.<sup>29</sup> All but one state (Colorado) provided the ESSA-required assurance that ELs will be assessed within 30 days of enrollment, and five states went beyond the requirement by assuring that assessment takes place within a shorter time frame. Delaware provides a 25-day assurance, Texas and Rhode Island provide a 20-day assurance, and Washington State and New York State provide a ten-day assurance.

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<sup>29</sup> *Every Student Succeeds Act of 2015*, 1858–59.

## B. *ELP Assessments, Maximum Timelines to Proficiency, and Exit Criteria*

Once a student is identified as an EL, states are required to provide them with instructional services to foster their development of the English language and to assess their progress. ESSA's provisions for ELs in this area are derived from various guiding documents from ED and the Department of Justice that have evolved over time. While states are not required to use a specific ELP assessment, they are required to use the same assessment for all ELs in the state and ensure that it measures English proficiency across the four domains of listening, reading, speaking, and writing. The assessment used should be founded on a set of

*States must also establish a maximum timeline to proficiency for ELs, and establish uniform exit criteria.*

language development standards that are aligned with academic standards. In this way, when ELs reach proficiency on the assessment, this means that their English proficiency level is no longer a factor in their ability to access the academic language necessary to participate meaningfully and successfully in all

aspects of the school curriculum. States must also establish a maximum timeline to proficiency for ELs, and establish uniform exit criteria that, at a minimum, use proficiency on their statewide ELP assessment as the main criterion to exit ELs from services. Proficiency must take both oral and written skills into account, and the state definition may use different benchmarks in each language domain or a composite score of proficiency derived from scores in all four language domains.

As students identified as ELs improve in their English proficiency, they eventually reach a point where they can be reclassified as fluent English proficient. ESSA requires that methods for reclassification include results from the statewide ELP assessment, and while states are not precluded from using multiple measures, the measures used should only evaluate students' language skills and minimize the role of subjective human judgments.<sup>30</sup> Lastly, states may require additional objective exit criteria as long as any additional requirements are not used as a substitute for proficiency as measured by the ELP assessment. For example, a student with a passing score on the ELP test may be retained in EL services if he or she does not meet other criteria such as meeting grade-level expectations on the state ELA assessment.<sup>31</sup>

To facilitate the comparison of state ELP definitions and maximum timelines to proficiency, it is useful to consider states in four categories: (1) members of the ELPA21 Consortium (seven states); (2) members of the WIDA Consortium (36 states); (3) states that use LAS Links, a stand-alone assessment not associated with a consortium (three states); and (4) states that developed their own ELP assessment (six states). Grouping states based on a common denominator, in this case the ELP assessment, will showcase the nuances between states that are often talked about as a monolith simply because they use the same assessment tool.

30 Working Group on English Language Learner (ELL) Policy, "Improving Educational Outcomes for English Language Learners: Recommendations for the Reauthorization of the Elementary and Secondary Education Act: Questions and Answers" (questions and answers 5–6, Working Group on ELL Policy, January 14, 2011).

31 U.S. Department of Justice and U.S. Department of Education, *Dear Colleague Letter: English Learner Students and Limited English Proficient Parents*; U.S. Department of Education, Office for Civil Rights, "Policy Update on Schools' Obligations toward National Origin Minority Students with Limited-English Proficiency" (memorandum, U.S. Department of Education, Washington, DC, September 1991).



timeline to proficiency also varies by whether students have one or both of the following designations: students with interrupted formal education (SIFE) or students with a disability (SWD). For example, SIFE or dual-identified children in Oregon will have an extra year (8 years) more than regular ELs to attain proficiency. Lastly, Ohio did not include information about its timeline to proficiency.

#### **BOX 4** **English Language Proficiency Assessment for the 21st Century (ELPA21)**

Performance on ELPA21 is reported in five levels across all four domains of listening, reading, speaking, and writing:

- ▶ Level 1 - Beginning
- ▶ Level 2 - Early Intermediate
- ▶ Level 3 - Intermediate
- ▶ Level 4 - Early Advanced
- ▶ Level 5 - Advanced

Domain scores and performance levels are combined to create a student's proficiency profile whereby students are categorized as follows:

- ▶ Emerging: a profile of levels 1 and 2 in all four domains
- ▶ Progressing: a profile with one or more domain scores above level 2 that does not meet the requirements to be proficient
- ▶ Proficient: a profile of level 4 or higher on all domains

In addition, the following rules apply when categorizing ELs based on their domain level scores:

- ▶ Proficiency cannot be attained with anything lower than a "4" in the reading domain
- ▶ Proficiency cannot be attained with anything lower than a "4" in the writing domain
- ▶ Proficiency may be attained with a "3" in the listening domain
- ▶ A profile with one or more "1s" or "2s" will be considered to be "Emerging"

Source: ELPA21, "[Score Interpretation and Standard Setting](#)" (presentation slides 08–10, ELPA21, National Conference on Student Assessment, June 2017).

## **WIDA Consortium**

As with ELPA21 states, definitions of proficiency and maximum timelines to proficiency varied across WIDA states. Table A-1 in Appendix A shows the maximum timelines to proficiency, proficiency definitions, and any additional exit criteria used for all WIDA consortium members (36 states).



## BOX 5 WIDA Proficiency Levels

EL performance on WIDA ACCESS 2.0 is reported in two ways: (1) scale scores and (2) proficiency level scores. Scale scores are reported as numbers from 100 to 600 and reflect ELs' grade level and the level of difficulty of the test items successfully completed.

Proficiency levels are reported as numbers from 1.0 to 6.0 and are interpretations of the scale scores. When an EL is tested, he or she receives domain scores for listening, speaking, reading, and writing that reflect the four individual sections of the test. Student scale scores are then combined to calculate the following composite scores for each student: oral language (listening and speaking), literacy (reading and writing), and comprehension (listening and reading), and the overall composite score (a combination of all four language domains). These scores correspond to WIDA's six English language proficiency levels:

- 1 Entering: 1.0–1.9
- 2 Beginning: 2.0–2.9
- 3 Developing: 3.0–3.9
- 4 Expanding: 4.0–4.9
- 5 Bridging: 5.0–5.9
- 6 Reaching: 6.0

Sources: WIDA, "Access for ELLs—Parent Guide for ACCESS for ELLs 2.0 Score Report," accessed March 23, 2018; WIDA, "Spring 2019: Interpretive Guide for Score Reports Kindergarten-Grade 12" (Guide 08-11, Board of Regents of the University of Wisconsin, Madison, WI, May 2017).

Maximum timelines to proficiency for WIDA states vary, with states identifying maximum timelines of five (11 states), six (16 states), seven (four states), and eight (three states) years. Additionally, two states provided conflicting information that rendered their maximum timeline unclear, Missouri (six or eight years), and Vermont (five or six years). Timelines in 15 states vary by ELP at entry, whereas timelines in 13 states vary by ELP and grade/age at entry. Indiana considers ELP, grade, and age at entry, and Massachusetts considers ELP, grade, and prior schooling. Tennessee differs in that it considers a student's ELP from the *previous* year to set growth targets, but it does not appear that initial ELP is considered in setting an EL's personalized timeline to proficiency. Five states did not provide enough information to determine whether they consider any student characteristics, such as ELP level or grade at entry, when assigning a timeline to a student.<sup>32</sup> Additionally, students with limited or interrupted formal education (SLIFE) in Minnesota will receive one additional year in their timelines if they are at a beginning or intermediate proficiency level, but not if they are initially at an advanced proficiency level.<sup>33</sup> Lastly, although Kentucky's maximum timeline to proficiency is five years, it does not appear that it sets its growth expectations for ELs against the backdrop of that

32 The five states that did not provide enough information about student characteristics are: Florida, Kentucky, Missouri, Montana, and New Hampshire.

33 Under Minnesota state law, the definition of students with limited or interrupted formal education (SLIFE) can only apply to students in grade 7 or higher who have at least two years less schooling than their peers and function at least two years below the expected grade level in reading and math.

timeline. As a result, it does not appear that Kentucky considers any student characteristics when deciding how long a student should take to attain ELP.

In terms of proficiency, the majority of WIDA states either require only a minimum composite score (19 states) or a combination of a minimum composite score and minimum domain subscores (13 states). Notably, four states provided conflicting proficiency definitions throughout the plan which rendered their ELP definition unclear.<sup>34</sup> Additionally, WIDA member states do not share the same composite score threshold. The most commonly used proficiency threshold to exit ELs is a composite score of 5.0 (15 states), while the rest (17 states) range from 4.0 to 4.8, with Colorado and Florida at the lowest end of the spectrum and Alabama, North Carolina, and Oklahoma at the higher end.

Of the 36 WIDA states, eight<sup>35</sup> require ELs to meet additional criteria to exit EL services. Such criteria include, but are not limited to, local data confirming grade-level proficiency in reading and/or writing, judgement of teaching staff, a language-use inventory, writing samples, and passing grades in academic content classes. Additionally, Minnesota, Oklahoma, and Wisconsin have set forth additional exit criteria for ELs who have not yet reached proficiency but are close. For example, Wisconsin requires LEAs to use a statewide Multiple Indicator Protocol (MIP) to collect evidence on a student's English language use within a school or classroom setting when the student scores between 4.5 and 5.0 on the ELP assessment to determine if a student demonstrates adequate ELP. Similarly, in Oklahoma, students in grades 3–12 who score between 4.3 and 4.7 will be potentially eligible for reclassification if they meet the criteria set forth by a rubric developed by a district-level academic team.

## LAS Links

LAS Links is a stand-alone assessment that is used by two states and one territory—Connecticut, Mississippi, and Puerto Rico—as their ELP assessment. Maximum timelines range from five to six years. Timelines in Mississippi vary by ELP at entry, whereas timelines in Connecticut and Puerto Rico vary by level of proficiency<sup>36</sup> and grade at entry. Additionally, of the three, Connecticut and Mississippi use the same proficiency threshold, requiring an overall score of 4 or 5 as well as at least a 4 in the reading and writing domains, while Puerto Rico differs slightly in that it requires only an overall score of 4 or 5. None of the three requires additional exit criteria.

## State-Developed Assessments

Six states developed their own ELP assessments,<sup>37</sup> and of these, two (Arizona and Texas) did not specify their maximum timeline to proficiency while the rest set it at five or seven years. Timelines in four states vary by ELP at entry (California, Kansas, Louisiana, and New York State), whereas timelines in Arizona vary by ELP and grade at entry, and one state (Texas) did not provide enough information to determine whether it considers any student characteristics, such as ELP level or grade at entry, when assigning a timeline to a

34 The four states with conflicting proficiency definitions are: Idaho, Illinois, Maine, and Rhode Island. More information about the conflict in each of these states can be found in Table A-1 in Appendix A.

35 The eight states that have additional exit criteria are: Colorado, Florida, Georgia, Michigan, Montana, New Jersey, Pennsylvania, and Rhode Island. The extent of these additional requirements can be found in Table A-1 in Appendix A.

36 Puerto Rico tracks Spanish proficiency instead of English proficiency since its primary language of instruction is Spanish.

37 Arizona, California, Kansas, Louisiana, New York State, and Texas.

student. Although proficiency definitions cannot be compared for these states because they do not share a common ELP assessment, it should be noted that two states (California and Texas) use additional exit criteria to reclassify students, and in New York State, ELs who score at the “expanding” level (the fourth highest of five levels) on the New York State English as a Second Language Achievement Test (NYSESLAT) may be considered for reclassification if they score above designated cut points on the Grades 3–8 ELA or the high school Regents Exam in English.

Lastly, reclassification criteria in California, including what is considered proficient on the state ELP assessment, changed due to the transition to a new ELP assessment. Specifically, in November 2018, a study related to the use of the new English Language Proficiency Assessments for California (ELPAC) scores was presented to the State Board of Education to adopt a new ELPAC reclassification criteria. Additional exit criteria including the standardized Language Observation Tool and Parent Involvement Protocol was developed in 2018–19 and piloted in 2019–20. In January 2019, work with the Legislature began to change the reclassification criteria in the California Education Code. This process generally takes one year. Legislation will include the standardized, statewide Language Observation Tool and Parent Involvement Protocol. If the Legislature enacts law to change the reclassification criteria including the Language Observation Tool, and Parent Involvement Protocol, the law goes into effect on July 1, 2020. The Regulatory Process would begin in 2020–21, and full implementation is expected in 2021–22.

More information on these states can be found in Table A-4 in Appendix A.

### Additional Reclassification Criteria

As noted above, 11 states (eight WIDA, one ELPA21, and two states with independently developed assessments) use supplemental exit criteria to reclassify EL students. These criteria include but are not limited to:

- ▶ Grade level proficiency in reading/writing (CO)
- ▶ Grade level proficiency in literacy (MI)
- ▶ Data related to academic achievement (MT)
- ▶ Student’s ability to be successful in various community, college, and career settings (MT)
- ▶ Classroom, district, and statewide assessments of reading comprehension and writing (MT)
- ▶ English Language Observation form, which considers, at minimum, classroom performance, reading level in English, judgment of teaching staff, and student performance on achievement tests in English (NJ)
- ▶ Two language use inventories completed, one by an English as a Second Language (ESL) teacher and one by a single content teacher or team of teachers (PA)
- ▶ Teacher recommendations (RI)
- ▶ Writing samples (RI)

- ▶ Passing grades in all classes (RI)
- ▶ Teacher-student-parent conference (UT)
- ▶ Results of a subjective teacher evaluation, using an SEA-approved Student Exit Rubric (TX)
- ▶ Current satisfactory performance on the reading or ELA assessment (TX)

Notably, in addition to performance on WIDA ACCESS 2.0, Pennsylvania uses a language use inventory developed by CCSSO to exit ELs from services. Two language inventories must be completed, one by an ESL teacher and one by a single content teacher or team of teachers. Each language use inventory produces a single score and the sum of the two is added to the ACCESS points (1.0–6.0) students earned to determine whether they meet the reclassification benchmark—10.5 points out of 16 points possible.

The practice of replacing a score from an ELP assessment that measures all four domains of listening, reading, speaking, and writing with a score for an academic content assessment does not meet the requirements of the law. Researchers have cautioned that the use of academic achievement (rather than ELP) tests to determine proficiency may result in inaccurate classifications.<sup>38</sup> States that use academic content assessments as additional measures should ensure they are able to disentangle progress in ELP from progress in content area achievement to help them target instructional support to address the needs of ELs at all levels of ELP and academic achievement.<sup>39</sup>

### National Picture of Timelines to Proficiency

As noted in Figure 2 below, all but three states (Arizona, Ohio, and Texas) identified a maximum timeline to proficiency, while two states (Missouri and Vermont) referenced different timelines throughout their plan, which rendered their timeline unclear; 16 states chose five years, 20 states chose six years, six states chose seven years, and five states chose eight years.

38 Working Group on ELL Policy, “Improving Educational Outcomes for English Language Learners.”

39 Working Group on ELL Policy, “Improving Educational Outcomes for English Language Learners.”



TABLE 2

**Expected ELP Level by Year of Enrollment in Local Education Agency, New Jersey**

Initial Year	Second Year	Third Year	Fourth Year	Fifth Year
Level 1	Level 2	Level 3	Level 4	Proficient
Level 2	Level 3	Level 4	Proficient	--
Level 3	Level 4	Proficient	--	--
Level 4	Proficient	--	--	--

Source: New Jersey Department of Education, “Every Student Succeeds Act: New Jersey State Plan” (state ESSA plan, New Jersey Department of Education, Trenton, NJ, August 2017).

As Table 2 shows, the initial year is included in counting down the maximum five years. In contrast, although New Mexico says its maximum timeline to proficiency is also five years, the table provided in the plan (see Table 3) specifies that the countdown to exit starts one year after enrollment, meaning the first year does not count towards that timeline.

TABLE 3

**Expected Growth in ELP over Time, By Level upon Entry into Elementary School, New Mexico**

Grades	ELP Level at Entry	English Language Proficiency (ELP) Level				
		1 Year Later	2 Years Later	3 Years Later	4 Years Later	5 Years Later
K–3	1.0	2.6	3.4	4.0	4.6	5.0
	2.0	3.3	3.8	4.5	4.8	5.0
	3.0	3.8	4.3	4.7	4.9	5.0
	4.0	4.4	4.6	4.8	4.9	5.0

Note: The complete table includes information for Grades 4–11.

Source: New Mexico Public Education Department, “New Mexico Rising: New Mexico’s State Plan for the Every Student Succeeds Act” (state ESSA plan, New Mexico Public Education Department, Santa Fe, NM, August 2017).

The confusion over whether the first administration of the ELP test is “year 0”/“baseline” or year 1 may be related to ELP testing schedules. Unlike academic content assessments, which are usually administered closer to the end of the academic year, ELs are typically tested on their ELP around the middle of the school year. WIDA states, for example, test ELs between January and March.<sup>41</sup> The difficulty is that it is unclear what constitutes “a year” in the calculation of the timeline to proficiency. For example, consider a student tested for the first time in January of her kindergarten year and the second time in January of 1st grade. With exactly a year and a half of actual instruction under her belt, it is not clear whether she should be considered to have made one year of progress or two.

Even if tests were given at the end of the academic year, there would still be the problem that there is no true baseline—the test given at the end of kindergarten actually comes at the end of a year of instruction. This is not a problem for state ELA and math tests, because states do not set indicators for within how many years students should achieve a particular benchmark, but this is exactly how the timeline to proficiency is measured for ELP. A state that says students should exit within five years may mean “by the fifth

<sup>41</sup> The two exceptions are Montana, which provides a testing window from December to January, and Wisconsin, which tests between December and February.

administration of the test”—testing in kindergarten, 1st, 2nd, 3rd, and exit in 4th grade—or it may mean “having shown five years of calculated growth” (baseline in kindergarten, show growth in 1st, 2nd, 3rd, and 4th grade, and exit in 5th).

Another possible explanation hinges on whether the state is using the screener score or the first annual ELP assessment score as ELs’ baseline. This anomaly was observed only among WIDA members and Puerto Rico. While neither policy is wrong, states where this inconsistency exists should clarify their timelines to proficiency.

### C. *English Language Proficiency: Long-Term Goals*

States were tasked with establishing ambitious statewide LTGs and measurements of interim progress that demonstrate an increase in the percentage of ELs making progress in achieving ELP, as defined by the state and measured by the statewide ELP assessment and within the state-determined timeline.<sup>42</sup> A LTG states what percentage of students will meet the state-determined benchmark by a particular date, and the interim goals lay out how much improvement needs to happen between the baseline year and the target year. Caution should be taken when trying to make direct comparisons across all state plans due to

*It is also difficult to compare LTGs in terms of rigor and ambition because each state defines progress/growth differently.*

varying baselines and target years as well as state-specific contextual factors that should be considered when trying to determine if a goal is ambitious. It is also difficult to compare LTGs in terms of rigor and ambition because each state defines progress/growth differently, as will be discussed in the next section on ELP indicators. Lastly, it should be noted

that these LTGs are mostly aspirational as, more often than not, whether schools meet LTGs and measures of interim progress has no bearing on accountability systems.

States generally framed their goals in terms of progress/growth, which means they will be measuring the percentage of ELs who meet their annual growth targets year after year, or within a set number of years. A couple exceptions include Puerto Rico, which framed its LTGs in terms of both the percentage of Spanish Learners making progress and the percentage reaching proficiency, and Utah, which aims to increase the percentage of ELs reaching proficiency. Nine states<sup>43</sup> established more than one ELP goal or broke ELP baselines down by grade level, resulting in multiple baselines and LTG targets. For the most part, these states are excluded from the analysis that follows, with the exception of Connecticut, which is included in LTG calculations because although it has two ELP baselines they both have the same LTG (100 percent by 2030), and Puerto Rico, which is included in gaps calculations because although it has two different Spanish proficiency baselines and LTGs, one for proficiency and one

#### **BOX 6** **What Are Annual Growth Targets?**

Annual growth targets represent the incremental changes in ELP that are expected of individual ELs depending on their timeline to proficiency trajectory. These targets are often expressed as specific scale scores or whole ELP levels, as measured by the statewide ELP assessment.

<sup>42</sup> *Every Student Succeeds Act of 2015*, 1835.

<sup>43</sup> In this set are Colorado, Connecticut, Delaware, Georgia, Kentucky, Nevada, Pennsylvania, Puerto Rico, and Utah.

for progress/growth, both exhibit the same gap between the LTGs. Notably, Indiana did not provide ELP baseline information and is therefore also excluded from the following comparative analysis describing such information.

ELP baselines calculated based on past performance fall on a spectrum, with South Dakota at the low end, with 1.9 percent of students meeting the growth benchmark in 2017, and New Jersey at the high end, with 81 percent of ELs meeting their growth targets in 2015.<sup>44</sup>

LTGs range from the lowest expectation, that 26.1 percent of ELs will meet their annual targets in eight years (New Hampshire), to the highest expectation that 100 percent of ELs will meet their annual targets (Connecticut, South Dakota, and Vermont). Table A-5 in Appendix A provides the baseline and LTG for each state, as well as the year it intends to meet this goal.

Table 4 shows that two-thirds of states set goals in the 50 to 90 percent range. Only three states (New Hampshire, Texas, and Wyoming) indicated that fewer than half of their ELs would be making the expected yearly progress. The state with the most progress to make to meet its goal is South Dakota, with a baseline of 1.9 percent and a goal of 100 percent—a gap of 98 percent. Vermont has the smallest gap to close, at 4 percent.

To further understand this, an analysis of the gap that exists between the ELP baseline and LTG must be placed against the backdrop of the number of years states have allotted to reach their respective goals. As Table A-6 in Appendix A shows, states vary dramatically in the number of years they have given themselves to close their ELP gaps. ELP LTG timelines range from three years (Florida) to 23 years (District of Columbia). Notably, a gap could not be calculated for Indiana because it did not include an ELP baseline in its plan. Table 5 shows a sampling of the smallest and biggest gaps represented among states where two or more share the same LTG timeline.

In analyzing ELP LTGs against this backdrop, disparities in what a state considers ambitious begin to surface. For example, Texas aims to close a 5 percent gap in 16 years, whereas New Jersey aims to close the same gap in eight years. It is important to consider these nuances when comparing data across states.

**TABLE 4**  
**State Long-Term Goals for ELP, by Target Year, 2018**

Percentage of Students Meeting Goal in the Target Year	Number of States Setting This Goal
100%	3
90–99.9%	3
80–89.9%	7
70–79.9%	13
60–69.9%	8
50–59.9%	7
40–49.9%	2
20–29.9%	1

Note: This table does not include Colorado, Delaware, Georgia, Kentucky, Nevada, Pennsylvania, Puerto Rico, and Utah because they have more than one ELP LTG target.

Source: see Appendix E for a list of the state ESSA plans and additional clarifying documents from which this information is drawn.

<sup>44</sup> New Jersey represents the highest statewide baseline for all ELs, regardless of grade band. Georgia reported a baseline of 89 percent of ELs meeting annual growth targets in elementary school.



**TABLE 5**  
**ELP Gaps among States that Share the Same LTG Timeline, 2018**

Years	Gaps	
	Smallest	Biggest
5	4% (Iowa)	30% (Puerto Rico)
6	10% (New York State)	45% (Alabama)
8	5% (New Jersey)	45% (Oregon)
9	13% (Michigan)	90% (Vermont)
10	10% (Washington State)	35% (Missouri)
13	21% (West Virginia)	68% (Kansas)

Note: This table does not include Colorado, Connecticut, Delaware, Georgia, Kentucky, Nevada, Pennsylvania, and Utah because they have more than one baseline, and Indiana because it did not provide baseline information.

Source: see Appendix E for a list of the state ESSA plans and additional clarifying documents from which this information is drawn.

In 2017, WIDA went through a standard setting process that realigned performance to better reflect the correlation between ELP scores and outcomes on state standardized content tests. As a result, ELs in WIDA states will need to demonstrate higher language skills to achieve the same proficiency level scores, and many WIDA members stated they may reevaluate their baseline, MIPs, and LTGs for ELP once they have enough data using the new cut scores.

## D. *Progress toward Achieving English Language Proficiency Indicators*

States were required to develop an indicator to monitor ELs' progress toward ELP.<sup>45</sup> ESSA is not overly prescriptive on how states were to develop and implement this indicator, which means each state was free to customize it so long as it included, at minimum, a measurement of progress toward ELP.<sup>46</sup> An initial scan and subsequent analysis of each ELP indicator revealed a patchwork of information, with some states providing critical details to facilitate understanding of what EL progress/growth means in those respective states, while others provided more questions than answers. The wide variance across states' ELP indicators made it difficult to categorize states and draw direct comparisons. However, based on the spectrum of information provided, the authors identified two components fundamental to understanding ELP indicators:

- 1 annual student-level growth/progress targets: these targets tell us how much growth/progress an EL has to make each year to reach ELP within their allotted timeline to proficiency; and
- 2 an explanation of how individual EL scores will be aggregated to produce an ELP indicator measure.

Accordingly, this section uses the following questions to guide the evaluation of state ELP indicators:

- 1 Does the plan include student-level growth/progress targets that are calculated relative to the state's maximum timeline to proficiency?
  - What, if any, student characteristics are considered when determining a student's timeline to proficiency and annual growth/progress targets?
- 2 Does the plan explain how the ELP indicator will be calculated (i.e., the model that will be used)?
  - Are details such as who is included in the numerator/denominator provided?

<sup>45</sup> Every Student Succeeds Act of 2015.

<sup>46</sup> Every Student Succeeds Act of 2015.

- Does the plan say what the indicator will actually measure? (i.e., the percentage of ELs who met their annual targets, or mean student growth percentiles, etc.)

Details such as these create a holistic picture of the annual performance expected of ELs and how that performance will be quantified for purposes of school accountability calculations.

## Annual Student Growth/Progress Targets

The ELP indicator is an appropriate vehicle to communicate a state’s vision for ELs’ English development trajectory. Since the indicator is supposed to measure *progress* toward ELP, this vision is not complete without a clear understanding of the continual progress an EL must make to be reclassified within his or her allotted timeline—best represented by annual student-level targets. Previous research has concluded that English development trajectories are not linear, which means faster growth occurs early on and slows down over time, and can be influenced by student characteristics such as initial ELP level, length of time identified as an EL, initial grade upon entry in the EL program, and whether the student is a new arrival.<sup>47</sup> Essentially, differentiated patterns of growth correspond to students based on student-specific characteristics, which means ELP progress expectations may be different depending on the student demographics of a specific school.<sup>48</sup>

As Table A-8 in Appendix A shows, 30 state plans included student-level targets, while 22 did not. Despite the fact that only 30 states included student-level targets, by considering the whole of information provided by states, the authors were able to decipher that 40 states have already calculated or intend to calculate their targets relative to the state’s maximum timeline to proficiency. Inconsistency between these numbers can be explained by the reality that even if a state did not include student-level targets in its plan, it could have stated an intent to develop student-level targets up to the maximum timeline to proficiency provided in the narrative. Lastly, three states did not frame student-level targets against the timeline to proficiency, and nine states did not provide enough information to conclude one way or the other.

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*ELP progress expectations may be different depending on the student demographics of a specific school.*

Based on the information provided, EL student-level targets have been established in a variety of ways wherein:

- 1 ELs may be expected to make a flat level of growth every year until they exit, or make the same amount of growth every year.
  - States including, but not limited to, California, Georgia, Iowa, Louisiana, and Washington State specified that they expect ELs to improve by at least one level year after year (i.e., move from level 1 to level 2, level 2 to level 3, etc.).

47 Pete Goldschmidt and Kenji Hakuta, *Incorporating English Learner Progress into State Accountability Systems* (Washington, DC: Council of Chief State School Officers, 2017).

48 Goldschmidt and Hakuta, *Incorporating English Learner Progress*.

- Utah defines progress as growing by .4 levels every year, and in Montana ELs are expected to grow by at least .5 points on the composite WIDA score to be making progress.
- 2 ELs have predetermined growth targets based on their personalized language acquisition timelines.
  - States including, but not limited to, Arkansas, Maine, Maryland, and New York State established differentiated growth targets that account for different levels of speed depending on the number of years identified and/or an EL's grade.
- 3 Personalized growth targets are recalculated every year using prior year and current year scale scores based on their personalized language acquisition timelines.
  - States including, but not limited to, Delaware, Michigan, Puerto Rico, Vermont, and Wisconsin use formulas that reset student growth targets every year based on previous and current performance as measured by the scale score that corresponds with the student's grade level.

Student-level targets should be analyzed closely as not all that were included in state plans were necessarily straightforward or matched what was described in the narrative. States including, but not limited to, Arizona, Connecticut, Missouri, and Ohio would benefit from additional clarification in this area.

### *Student-Specific Characteristics*

Notably, in framing personalized student-level targets against a maximum timeline to proficiency, states are, by default, considering one of the most consequential characteristics in language development, which is length of time in an EL program.<sup>49</sup> In addition to time, most states used one or a combination of the following student characteristics to establish their maximum timeline to proficiency and annual student-level growth/progress targets:

- ▶ Initial ELP
- ▶ Grade
- ▶ Age
- ▶ Prior schooling

Across all states, 23 consider only an EL's initial ELP; 17 consider initial ELP and grade; Indiana considers initial ELP, grade, and age; Utah considers initial ELP and age; Oregon considers initial ELP and prior schooling; and Massachusetts considers initial ELP, grade, and prior schooling. Interestingly, Tennessee differs in that it considers a student's ELP from the previous year to set growth targets, but it does not appear that the initial ELP is considered in setting an EL's personalized timeline to proficiency. Seven states were unclear about which student characteristics would be considered.

### **ELP Indicator Calculation Methodologies**

The ELP indicator is not complete without an understanding of what it will measure, how it will be calculated, and whose performance will be included in the measure. At the core of this calculation is the

<sup>49</sup> Goldschmidt and Hakuta, *Incorporating English Learner Progress*, 4.

model that will be used to aggregate individual student performance on the ELP assessment to produce a quantifiable school score for the indicator. Previous research in this area has identified numerous methods to accomplish this goal, including empirical models, some that provide a direct measure of growth and others where growth is inferred, and other models that produce subjective measures.<sup>50</sup> These types of methods, and related considerations, may be summarized as follows:

▶ Empirical models

→ Models with a direct measure of growth

o Simple gain:

- Is calculated for each student (i.e., change = year 1 scale score – year 0 scale score) and averages are calculated for schools.<sup>51</sup>
- Can be easily interpreted, provides a direct and transparent measure for school performance, and produces scores that are low inference.<sup>52</sup>
- Ignores school context by not acknowledging student clusters across schools, which means that it may produce biased estimates of school effects.<sup>53</sup>
- May produce larger gains for first-year students and smaller gains later on, which means schools that serve students later in their trajectory, such as middle schools and high schools, will earn fewer points.<sup>54</sup>
- Is sensitive to data instability over time, which may result in exaggerated variation in school performance from year to year.<sup>55</sup>

o Student Growth Model

- Growth is calculated as a slope wherein  $\text{growth} = (\text{year 2 score} - \text{year 0 score}) / (\text{year 2} - \text{year 0})$ .<sup>56</sup>
- Only model that estimates growth over time.<sup>57</sup>
- Instead of calculating the difference in scores from one year to the next, it measures growth as function of time, which estimates the relationship between scores and time.<sup>58</sup>

50 Goldschmidt and Hakuta, *Incorporating English Learner Progress*, 12–14; Susan Lyons and Nathan Dudley, “Considering English Language Proficiency within Systems of Educational Accountability under the Every Student Succeeds Act” (paper, Center for Assessment and Latino Policy Forum, March 27, 2017).

51 Goldschmidt and Hakuta, *Incorporating English Learner Progress*.

52 Goldschmidt and Hakuta, *Incorporating English Learner Progress*, 17.

53 Goldschmidt and Hakuta, *Incorporating English Learner Progress*, 17–18.

54 Goldschmidt and Hakuta, *Incorporating English Learner Progress*, 5.

55 Goldschmidt and Hakuta, *Incorporating English Learner Progress*, 17–18.

56 Goldschmidt and Hakuta, *Incorporating English Learner Progress*, 18.

57 Goldschmidt and Hakuta, *Incorporating English Learner Progress*, 21.

58 Goldschmidt and Hakuta, *Incorporating English Learner Progress*, 18–19.

- It is stable, flexible in handling measurement of error, and can accommodate a student with incomplete data (i.e., only one assessment score).<sup>59</sup>
- It allows prior performance to be explicitly considered in the model, which reduces the need for additional student characteristics.<sup>60</sup>
- o Growth-to-target/standard/proficiency
  - Compares a student's actual gain to a criterion gain required to meet a specific target (i.e., ELP by a certain year).<sup>61</sup>
  - Is transparent, easy to calculate, and aligned with ESSA's requirement that the indicator be placed against the backdrop of a maximum timeline to proficiency.<sup>62</sup>
  - Inferences about whether enough progress was gained are made at the individual student level.<sup>63</sup>
  - Rests on the assumption that observed growth will be linear, which runs contrary to the fact that actual language proficiency growth is nonlinear. This may result in students meeting their target the first year, but not subsequent years. This may have the unintended consequence of incentivizing schools to focus on those ELs closest to meeting their thresholds instead of those with the most progress to make.<sup>64</sup>
  - Is not generally designed to monitor actual growth, and instead only counts whether students meet or do not meet a target, omitting a lot of information (i.e., when a student has very high growth but does not meet the target).<sup>65</sup> This yes/no dichotomy can be addressed by allowing each student to contribute some points to the school's rating proportional to his or her success.<sup>66</sup>
- Models in which growth is inferred (conditional status): estimates of how ELs should be performing are based on their prior performance.<sup>67</sup>
  - o Student growth percentiles (SGPs)
    - Measure an EL's progress from one year to the next relative to his or her academic peers with similar previous test scores.<sup>68</sup>
    - Can be easily aggregated to the school level to represent the typical growth of an EL.<sup>69</sup>

59 Goldschmidt and Hakuta, *Incorporating English Learner Progress*, 18–19.

60 Goldschmidt and Hakuta, *Incorporating English Learner Progress*, 18–19.

61 Goldschmidt and Hakuta, *Incorporating English Learner Progress*, 21–24.

62 Goldschmidt and Hakuta, *Incorporating English Learner Progress*, 21–24.

63 Goldschmidt and Hakuta, *Incorporating English Learner Progress*, 21–24.

64 Goldschmidt and Hakuta, *Incorporating English Learner Progress*, 21–24.

65 Goldschmidt and Hakuta, *Incorporating English Learner Progress*, 21–24.

66 Goldschmidt and Hakuta, *Incorporating English Learner Progress*, 21–24.

67 Goldschmidt and Hakuta, *Incorporating English Learner Progress*, 21.

68 Goldschmidt and Hakuta, *Incorporating English Learner Progress*, 20.

69 Goldschmidt and Hakuta, *Incorporating English Learner Progress*, 20.

- Require a lot of data to generate enough coverage across percentiles, which can be an issue for schools/states with small EL populations.<sup>70</sup>
- o Value-added models
  - Show how students' current performance differs by accounting for differences in initial performance.<sup>71</sup>
  - Can accommodate more variables than a simple gain model.<sup>72</sup>
  - Do not provide results in terms of growth.<sup>73</sup>
- Proficiency/reclassification rates
  - o Are highly transparent, as a school reclassifying a higher proportion of its ELs will receive a higher reclassification rate.<sup>74</sup>
  - o May bias results against elementary and/or middle schools depending on when/how reclassification occurs in practice.<sup>75</sup>
  - o On its own, a proficiency rate does not facilitate giving schools credit for the progress students make before they reach ELP/are reclassified.<sup>76</sup>
  - o Do not provide much information about the individual student.<sup>77</sup>
- ▶ Subjective models
  - Transition matrix/value table
    - o Allows states to directly link changes in English Language Development (ELD) levels to school performance and how long it takes for an EL to reach ELP.<sup>78</sup>
    - o Can be punitive if states employ a system that takes points away by inserting negative values in the table.<sup>79</sup>
    - o Depending on how the value table is structured, schools may receive a favorable score and not be identified for support by simply maintaining the status quo among student performance—which means students, on average, are not making progress.<sup>80</sup>

70 Goldschmidt and Hakuta, *Incorporating English Learner Progress*, 20.

71 Goldschmidt and Hakuta, *Incorporating English Learner Progress*, 19–20.

72 Goldschmidt and Hakuta, *Incorporating English Learner Progress*, 19–20.

73 Goldschmidt and Hakuta, *Incorporating English Learner Progress*, 19–20.

74 Goldschmidt and Hakuta, *Incorporating English Learner Progress*, 16.

75 Goldschmidt and Hakuta, *Incorporating English Learner Progress*, 16.

76 Goldschmidt and Hakuta, *Incorporating English Learner Progress*, 16.

77 Goldschmidt and Hakuta, *Incorporating English Learner Progress*, 16.

78 Goldschmidt and Hakuta, *Incorporating English Learner Progress*, 14–15.

79 Goldschmidt and Hakuta, *Incorporating English Learner Progress*, 14–15.

80 Goldschmidt and Hakuta, *Incorporating English Learner Progress*, 14–15.

Ultimately, the model chosen determines the kind of inference that can be made about school performance and its ability to help ELs reach ELP—and some kinds are more valid than others.<sup>81</sup> That being said, there is no “right” model; all models discussed here are subject to issues of bias, transparency, precision, and stability that should be considered in state-specific contexts to determine the best fit.<sup>82</sup> Furthermore, a prerequisite to each of these models is an understanding of how the state defines progress, as this is the standard that individual EL performance will be judged by.

How a student performs against this standard is then plugged into a model that aggregates the performance of all ELs in a school, granted the n size is met. Some models may bias some school scores simply based on the demographics of the school, not necessarily because of the quality of the English language development program at a particular school.<sup>83</sup> As a result, previous research in this area has stressed the importance of considering the state-specific context such as distribution of ELs between schools and grade/age at the time of enrollment.<sup>84</sup>

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*There is no “right” model; all models discussed here are subject to issues of bias, transparency, precision, and stability.*

As Table A-9 in Appendix A shows, there is more than one way to define progress/growth. Not all states were clear about how they will calculate EL performance, and not all states will include students who reach proficiency in their measure.

Examples of progress/growth definitions include:

- ▶ Scale score growth in both composite oral and literacy domains (CT)
- ▶ ELs are considered “on track” if they: (1) exit; (2) meet time expectations on three or more domains; or (3) meet time expectations on all nonexempt domains (if the EL has at least one domain exemption) (AR)
- ▶ ELs who increase their proficiency level to the next highest whole number (FL)
- ▶ Any progress in any level across any of the domains on the ELP assessment (GA)
- ▶ ELs who either attained ELP (proficiency) or met annual growth target (IN)

Examples of how the aforementioned models will be operationalized include:

- ▶ In Illinois, schools will receive credit if they meet or exceed their goal of the percentage of ELs meeting their growth targets. Growth targets will be calculated by interpolating between the student’s entry level score on ACCESS and the minimum exit score of 4.8. (growth-to-target/standard/proficiency)
- ▶ In Kentucky, the numerator is the sum of points awarded to ELs based on a growth value table and the denominator is the number of students. (value table)

81 Goldschmidt and Hakuta, *Incorporating English Learner Progress*, 13.

82 Goldschmidt and Hakuta, *Incorporating English Learner Progress*, 13.

83 Goldschmidt and Hakuta, *Incorporating English Learner Progress*, 25.

84 Goldschmidt and Hakuta, *Incorporating English Learner Progress*, 25–27.

- ▶ In Arkansas, a value-added model will condition students' expected growth based on their score histories. The residuals between current year scores and students' expected scores will be used as a proxy measure of whether the student met/exceeded/failed to meet their expected growth. Student-level residuals are aggregated at the school level to provide a metric for ELP. (value-added)
- ▶ In Maine, the numerator is the sum of ELP growth index scores for all ELs who met their target and the denominator is the total number of ELs. The growth target will be calculated as follows:  $(5.0 - \text{lower bound of starting PL}) / (\text{Expected number of years to reach ELP} - 1)$ . (growth-to-target/standard/proficiency)
- ▶ In Massachusetts, the ELP indicator is comprised of two measures, measure one being the percentage of students achieving ELP, and measure two being the percentage of ELs making progress as measured by growth. They will calculate and assign a Student Growth Percentile for ACCESS (SGPA), a number between 1 and 99, to each Massachusetts student who took ACCESS tests in two successive years, and compare the SGPA with the growth-to-proficiency target based on the prior year's proficiency level and number of years the student has attended a U.S. school. (growth-to-target/standard/proficiency)

In addition to measures of growth, measures of proficiency have materialized in different ways. Most clearly, states simply count ELs who reach proficiency as "making progress." However, several other less obvious methods were observed, such as:

- ▶ Only counting ELs who reach proficiency within their initial year (MI and PR)
- ▶ Creating a separate measure for proficiency (MA and MO)
- ▶ Requiring ELs who reached proficiency (but did not exit due to additional criteria) the prior year to maintain it in the current year to be counted as making progress (CO, FL, and TX)

Interestingly, while differences in methodology were expected, an unexpected variance surfaced when looking at the pool of students included in the denominator. A closer look at how states define their denominators shows that not all ELs are necessarily included in ELP indicator calculations. Among states that detailed such information, denominators were defined as:

- ▶ Total ELs with prior and current year scores (and who didn't reach proficiency in the prior year) (UT)
- ▶ Number of ELs with a composite score in the initial year, a score in the reporting year, and who had their initial date of entry into a U.S. school verified (SC)
- ▶ Number of participants and nonparticipants (PA)
- ▶ Sum of students expected to progress (NY)
- ▶ Number of students with paired tests (+) students who reached proficiency in year 1 (PR)
- ▶ Total number of ELs (IN)



Furthermore, some states added language that requires ELs to be “continuously enrolled” (New York State) or to be enrolled for the full current year (Florida) to be included in the denominator. Qualifications such as these were not common but do have the ability to shape who is and is not included in the ELP indicator, when stipulated. Lastly, some states developed methodologies that award partial points for ELs depending on how much progress was made, with some awarding extra points when ELs exceeded their targets. These states include, but are not limited to, Georgia, Mississippi, and Rhode Island.

## ELP Indicator Waivers

In late April 2018, California submitted a letter to ED requesting a four-year waiver that would allow the state to include recently reclassified ELs in its ELP indicator and provide additional weight for long-term ELs in the ELP indicator calculation.<sup>85</sup> In its request letter, the California Department of Education argues that including only current ELs in the ELP indicator would create an unrealistic view of the cohort because it does not show the progress made by all ELs, mainly those who have met all the criteria to be reclassified. The department argues that this is because California uses multiple measures to reclassify ELs, measures that go beyond achieving a specific level of proficiency on the ELP assessment, which means a student may remain an EL even if he or she achieves ELP.<sup>86</sup> According to the department, including reclassified ELs in the ELP indicator is,

*“in line with research on EL students and incentivizes LEAs and schools to view reclassification as a goal, provide appropriate services for EL students, and to exit EL students as soon as they have met California’s reclassification criteria.”<sup>87</sup>*

Essentially, California seeks to define “progress toward ELP” as the percentage of ELs who make progress toward language proficiency from one year to the next, those who maintained ELP in the Early Advanced/Advanced stage, and the number of ELs who were reclassified in the prior year.<sup>88</sup> While California’s justification clarifies that there are two ways to make progress—increasing a proficiency score and exiting EL status, it is unclear why California seeks to count reclassified students from the previous year instead of those who are reclassified in the current year. In calculating progress toward ELP, states such as Alaska, Arkansas, Louisiana, South Dakota, and Tennessee, among others, use a single year of data to give credit to students who improve their performance, including those who improve to the extent that they exit EL status.

Lastly, the justification described in the waiver request relies heavily on a research paper called “The Gap That Won’t Go Away: The Catch 22 of Reclassification in Monitoring the Progress of ELs.” While this paper makes the point that the EL subgroup continually loses its highest performers, its focus is on EL academic

85 Pursuant to the restrictions and conditions in Section 9401 of the *Elementary and Secondary Education Act* (ESEA), as amended by NCLB (Public Law 107-110), the secretary of education may waive statutory or regulatory requirements of the ESEA. For more information on the statutory and regulatory requirements of waivers, see U.S. Department of Education, “[Elementary and Secondary Education Act: Sec. 9401. Waivers of Statutory and Regulatory Requirements](#),” accessed November 26, 2019.

86 For California’s waiver, see Tom Torlakson and Michael W. Kirst, “[Waiver Request to the U.S. Department of Education for the English Learner Proficiency Indicator under the Every Student Succeeds Act](#)” (letter, California Department of Education, Sacramento, CA, April 24, 2018).

87 Torlakson and Kirst, “Waiver Request,” 2.

88 For more information about California’s English language proficiency (ELP) indicator calculation, see California Department of Education, “[English Learner Progress Calculation](#),” updated November 28, 2018.

progress, not progress toward ELP. It makes no argument about including reclassified ELs in the calculation of ELP. It is unclear whether it was appropriate for California to extrapolate from what the research paper argues about the composition of the EL subgroup for academic progress accountability to the composition of the population included in the calculation of progress in achieving English proficiency.

Consequently, ED declined California's request on October 9, 2018, citing that,

*"[...]awarding schools credit for those students who have already exited English learner status, could result in an inaccurate portrayal of the progress of current English learners toward ELP proficiency [and] giving additional weight to the performance of LTELs provides confusing information in the indicator calculation about the performance of English learners in achieving ELP and could obscure the performance of the other English learners and result in a lack of transparency around how English learners in a school are actually performing on the ELP indicator."<sup>89</sup>*

According to ED, this could result in schools not being identified for support even though they may be experiencing low performance on the ELP indicator.<sup>90</sup>

Similarly, Texas submitted a request for a waiver in April 2018 that would have allowed it to exclude an ELP indicator from its accountability system used to meaningfully differentiate among schools for one year. According to the Texas Education Agency (TEA), recent changes in the Texas ELP Assessment (TELPAS) between school year 2016–17 and 2017–18 make it difficult to make direct comparisons between the ELP indicator measures for these two years.<sup>91</sup> However, in July 2018, ED declined to approve this waiver on the basis that,

*"Waiving this requirement would undermine the intent of the statute that States set high expectations that apply to all students and hold schools accountable for reaching those expectations."<sup>92</sup>*

As with all denied waiver requests, both California and Texas may revise and resubmit their waivers within 60 days of the date their request was declined.

## E. Summary

Looking across the various parameters described in this section, it becomes clear that how educators manage and measure the English acquisition journey varies greatly from state to state. Not only do processes differ based on assessment used, but states that use the same ELP assessment also vary in how they identify ELs, the amount of time ELs have to achieve proficiency, and the criteria used to reclassify ELs. These differences should be considered when comparing EL populations across states because current and recently reclassified ELs may perform differently in a state with a lower composite proficiency standard compared with a state that uses a more rigorous standard (e.g., 4.0 vs 5.0) and additional academic criteria

<sup>89</sup> Frank Brogan, "Denial of California's Waiver Request" (letter, U.S. Department of Education, Washington, DC, October 9, 2018).

<sup>90</sup> Brogan, "Denial of California's Waiver Request."

<sup>91</sup> Texas's waiver can be found here: Mike Morath, "ESSA Accountability Waiver" (letter, Texas Education Agency, Austin, TX, April 2018).

<sup>92</sup> Frank Brogan, "Denial of Texas' Waiver Request" (letter, U.S. Department of Education, Washington, DC, July 31, 2018).

to reclassify students. Moreover, proficiency disparities may also have implications for individual students who move across state borders, putting them out of sync with peers who have been assessed using higher or lower standards of proficiency. Relatedly, the question of whether identification and exit criteria are standardized within states proved to be more nuanced than expected. States that use additional criteria at either juncture may see inconsistent application at the district level unless they provide sufficient guidance and training and monitor outcomes over time. Moreover, long-term ELs were notably absent from state ELP plans. In most states it is unclear what happens to students who age out of services before they reach proficiency, or who do not exit within the maximum timeline to proficiency allotted to them. Lastly, states reported drastically different baselines and LTG aspirations in terms of the progress they expect the EL population to make in achieving ELP.

The meaning of the choices states made in creating their ELP indicator must ultimately be considered in the context of state, district, and school policies and the quality of education that students receive. Without effective programs in place, a state's potential to reach its ELP LTGs will be hindered. It is also important to understand the extent to which the outcomes of the measures discussed above have implications for identifying schools in need of improvement in each state. For example, measures of interim progress or LTGs for ELP are not typically factored into accountability determinations because schools often get credit on the ELP indicator based on the percentage of students who meet their personalized annual target, not the percentage of students who meet the statewide annual target. ELP LTGs should be more than symbolic if a state intends to recognize progress toward ELP as a real priority.

*More often than not, states provided only partial information on how they planned to execute the ELP indicator.*

In regards to ELP indicators, a closer look unveiled that only slightly more than half of states included annual student-level growth/progress targets in their plans, and the lack of uniformity of the information provided often made it difficult to decipher important details, such as whether those

targets will be calculated relative to the state's maximum timeline to proficiency. More often than not, states provided only partial information on how they planned to execute the ELP indicator. In piecing together the information provided, it becomes clear that growth/progress toward ELP can mean different things. In its simplest form, it is the percentage of ELs who met their targets, and on the other side of the spectrum it can be the result of a complicated value-added model. Furthermore, less than half of states specified their intent to include ELs who reached proficiency in their growth/progress measures, which begs the questions whether this was an oversight or intentional omission of these students.

States that have additional exit criteria should ensure their ELP indicator methodology accounts for ELs who reach proficiency, but have not yet exited, to allow schools to be given credit for helping those students become proficient. States such as Colorado attempted to address this issue by stipulating that ELs who reach proficiency but have not been reclassified must maintain their ELP to continue to be counted as "on-track," while California chose a different route with the waiver request detailed above. Furthermore, while awarding partial points for ELs based on varying degrees of growth/progress appeared to be a fairly common practice, less so was accounting for ELs if and when they do not reach proficiency within their

allotted timeline. In the latter case, states should ensure these ELs are not omitted from accountability measures.

Lastly, EL students in grades K–2 were notably absent from calculations since the law only requires that students in grades 3–8 and high school be included in accountability frameworks. However, states should evaluate the demographics and distribution of their EL population to determine if including these young ELs in accountability measures makes sense in their state context. Ultimately, while states did not always identify the ELP model by name (i.e., growth-to-standard, SGP, or simple gain), analysis of ELP indicators depended more heavily on the descriptive information states provided on how the system would be carried out. These details proved more important to the reader’s understanding of the mechanics of the ELP indicator than what any label can provide. States with information gaps should work with stakeholders to fill them in a transparent way.

### 3 Tracking Academic Achievement for the EL Subgroup

In addition to provisions related to ELs’ English language acquisition, ESSA requires states to include the outcomes of all test-takers in statewide accountability systems, including those for student subgroups such as ELs. States must not only establish ambitious LTGs and measurements of interim progress for increases in the percentage of students proficient in ELA/reading, math, science, and graduation rates, but also report their outcomes at the school, district, and state level.<sup>93</sup> All elementary, middle, and high schools are required to have an academic achievement indicator, an ELP indicator, and at least one school quality and student success indicator. Additionally, elementary and middle schools are required to have an indicator that measures student growth and another valid and reliable statewide academic indicator, while high schools are required to have an indicator for the four-year-adjusted cohort graduation rate.

Acknowledging ways in which the composition of the EL subgroup differs from other types of subgroups, ESSA allows states to include two groups of ELs in the subgroup: ELs who have exited services (former ELs) and recently arrived ELs (RAELs) who have been enrolled in a school in the United States for less than 12 months. Additionally, states are required to identify languages that are present to a significant extent in the participating student population as the first step in evaluating whether assessments in a language other than English are needed to make content assessments more accessible to ELs.<sup>94</sup>

This section will begin with a discussion of states’ options and choices in relation to RAELs and former ELs that affect the composition of the EL subgroup. It will also include information on how states define languages other than English present to a significant extent in the K-12 population, and the availability of assessments in languages other than English. Lastly, this section will provide an overview of the academic LTGs set for ELs across the country in ELA, math, and the four-year graduation rate.

<sup>93</sup> *Every Student Succeeds Act of 2015*, 1834.

<sup>94</sup> Code of Federal Regulations, “Education—Inclusion of All Students,” title 34, section 200.6.

## A. Recently Arrived English Learners and Former ELs

### Recently Arrived ELs

States have several options for how they consider RAELs in annual academic content assessments and also annual assessments of English proficiency. In the state plan template, states were instructed to choose one of the options presented in Table 6.<sup>95</sup>

TABLE 6

**Assessing Recently Arrived ELs in the First Three Years of Enrollment**

	Year 1	Year 2	Year 3
<b>Option 1</b>	Exclude recently arrived English Learners (RAELs) from one administration of the reading/language arts assessment <u>and</u> exclude their results on the math and the annual assessment of English proficiency for purposes of the state's accountability system.	Test and include RAELs' results on all annual assessments in the state's accountability system.	Test and include RAELs' results on all annual assessments in the state's accountability system.
<b>Option 2</b>	Assess and report the performance of RAELs on the reading/language arts and math assessments <u>but</u> exclude results on these assessments from the state's accountability system.	Assess and report the performance of RAELs on the reading/language arts and math assessments <u>and</u> include results on these assessments as a baseline measure for growth in the state's accountability system.	Assess and report the performance of RAELs on the reading/language arts and math assessments <u>and</u> include results on these assessments as a measure of growth <u>and</u> proficiency in the state's accountability system.
<b>Option 3</b>	Apply the exemption in Option 1 to a group of students that share certain characteristics, and apply the criteria of Option 2 to another group of students who share a different set of characteristics.		

Source: *Every Student Succeeds Act of 2015*, 1833–34.

ESSA plans show that 26 states chose option one, 22 states chose option two, one state chose option three, and three states<sup>96</sup> were unclear or did not provide information, as shown in Figure 3. Interestingly, although Texas ticked the box for option two, the narrative in the plan does not exactly match the framework of option two in that, as it is currently written, it is unclear if RAELs will be assessed and included in both growth and proficiency accountability measures in year three as option two stipulates. Lastly, Colorado is the only state that chose option three, differentiating between RAELs who are classified as Non-English Proficient (NEP) and those who are Limited English Proficient (LEP) or Fluent English Proficient (FEP).<sup>97</sup> Specifically, NEP RAEL students will be exempt from taking the ELA assessment for the first year, while LEP and FEP RAELs will be assessed on the ELA assessment. The only exception to this is that third and fourth

<sup>95</sup> *Every Student Succeeds Act of 2015*, 1833–34.

<sup>96</sup> This set consists of Massachusetts, Puerto Rico, and West Virginia.

<sup>97</sup> Colorado has an uncommon way of categorizing EL students, in that those who have tested proficient but are in the first two years of monitoring are classified as Fluent English Proficient but are still counted as ELs. See Colorado Department of Education, "Identification of English Learners (ELs): Requirements and Process" (webinar slides, Colorado Department of Education, Denver, 2017).



*Year four:* Student takes ELA and ELP assessments and is included in Academic Proficiency, Academic Growth, and ELP indicators

It should be noted that if this waiver had been granted, RAELs in Michigan would not have been fully incorporated into the accountability system until the fourth year of their enrollment, compared with the maximum three years afforded in ESSA through option two. However, ED denied this waiver in January 2019.<sup>99</sup>

Similarly, New York State chose option one but submitted a waiver that would apply to RAELs in their second year of enrollment; it would have these students take the ELA assessment only to set a baseline to determine growth but not to measure achievement for accountability purposes. In support of this waiver, the New York State Education Department cited that about 73.6 percent of ELs within their first three years of enrollment scored a proficiency level 1, which suggests that a score on ELA during that period does not serve as a meaningful measurement of ELA achievement or progress in year one or two of their enrollment.<sup>100</sup> According to the New York State Department of Education, ELs receive low scores in ELA because, unlike in other subjects, ELs do not receive linguistic accommodations on assessments in ELA due to the nature of the skills being measured. However, ED denied the state's waiver request on January 16, 2018, citing that,

*"[...] the State has not demonstrated the requested waiver would advance student achievement or how it will maintain or improve transparency in reporting to parents and the public on student achievement and school performance [...]."*<sup>101</sup>

## Reclassified ELs

The EL subgroup is not static, meaning that as new ELs enter the school system and are identified, others are continuously leaving the subgroup once they achieve ELP.<sup>102</sup> By definition, former ELs have achieved a level of ELP that allows them to fully engage with the curriculum, and once they are able to do so, former ELs tend have better outcomes than currently identified ELs.<sup>103</sup> This results in the best-performing ELs getting "skimmed" out of the EL category,<sup>104</sup> leaving the EL subgroup to reflect lower academic performance.

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*By definition, former ELs have achieved a level of ELP that allows them to fully engage with the curriculum.*

Before NCLB, it was not common practice to combine former ELs and current ELs to measure academic progress. However, subsequent research found that policies that focus only on current ELs run the risk of overestimating the achievement gap between all students initially classified as ELs and English-only

99 See Frank Brogan, "Denial of Michigan's Waiver Request" (letter, U.S. Department of Education, Washington, DC, January 29, 2019).

100 Ira Schwartz, "Request for a Waiver of the Statutory Requirements of the Elementary and Secondary Education Act (ESEA)" (letter, New York State Education Department, Albany, NY, September 18, 2017).

101 Jason Botel, "Denial of New York's Waiver Request" (letter, U.S. Department of Education, Washington, DC, January 16, 2018).

102 William M. Saunders and David J. Marcelletti, "The Gap That Can't Go Away: The Catch-22 of Reclassification in Monitoring the Progress of English Learners," *Education Evaluation and Policy Analysis* 35, no. 2 (2013): 140.

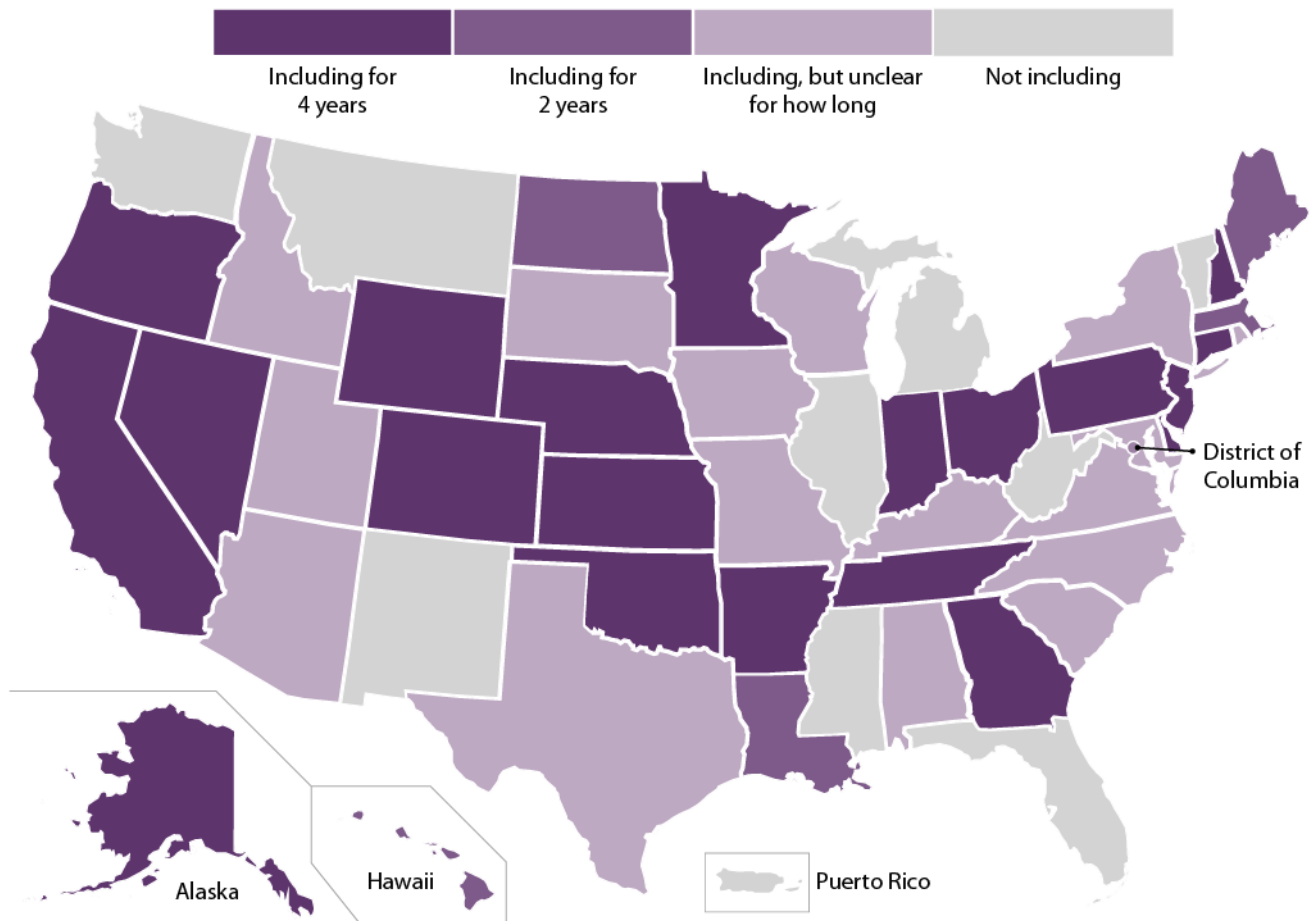
103 Laura E. Hill, Margaret Weston, and Joseph M. Hayes, *Reclassification of English Learner Students in California* (San Francisco: Public Policy Institute of California, 2014), 14.

104 Saunders and Marcelletti, "The Gap That Can't Go Away," 144.

students.<sup>105</sup> Given that a defining characteristic of the reforms begun under NCLB was the intent to close achievement gaps,<sup>106</sup> experts in the field attempted to address this issue by combining current and former ELs in one group. Under NCLB, states were allowed to include former ELs in the EL subgroup for up to two years,<sup>107</sup> and under ESSA states can include the results of former ELs in the EL subgroup along with currently identified ELs for accountability purposes for up to four years.<sup>108</sup>

Across the country, 20 states will include former ELs in the EL subgroup for four years, five states will include them for two years, and ten states will not include them at all. Additionally, 17 states checked the box that said they would include former ELs in the EL subgroup but did not specify the number of years they would allow it for. This may have been due to the format of the template which simply provides two boxes, one indicating yes and the other indicating no, on whether they would be including former ELs in the subgroup. However, the statute allows states to do so for *not more than* four years, which means states can choose to include former ELs for anywhere between zero and four years.

**FIGURE 4**  
**State Policies on Including Reclassified ELs in the EL Subgroup, 2018**



Source: see Appendix E for a list of the state ESSA plans and additional clarifying documents from which this information is drawn.

105 Saunders and Marcelletti, “The Gap That Can’t Go Away,” 139–140, 153.

106 Saunders and Marcelletti, “The Gap That Can’t Go Away,” 145.

107 Saunders and Marcelletti, “The Gap That Can’t Go Away,” 140.

108 *Every Student Succeeds Act of 2015*, 1834.



Interestingly, although Florida chose not to include former ELs in the EL subgroup for purposes of accountability in annual meaningful differentiation, its state plan stated that former ELs would be included in the EL subgroup in the reporting portion of Florida's accountability system. Essentially, this means that when reporting disaggregated data by subgroup, the public will not be able to see how current ELs are doing in terms of academic performance separate from students that have been reclassified. It is unclear whether this is allowed, given, first, that the statute specifically applies this option to the results of former ELs in academic assessments for the purpose of state accountability,<sup>109</sup> and, second, the heavy emphasis on data disaggregation by subgroup in annual reporting requirements.<sup>110</sup> In another example, Massachusetts currently includes the results of former ELs in its accountability results for two school years after these students transition out of EL status, but stated that it is evaluating the possibility of increasing that time frame to four years based on flexibility afforded under ESSA.

Conversely, it should be noted that Illinois opted to create an independent former EL subgroup that will be used for reporting and accountability purposes. In so doing, Illinois is addressing a long-standing catch-22 previously identified in how EL progress is monitored.<sup>111</sup> The reauthorization of the ESEA under ESSA saw a significant shift from closing gaps to creating systems of accountability that meaningfully incorporate the performance of all students. As a result, the need that was previously there to have the performance of both subgroups reflected in one data point may no longer exist. Instead, the issue previously identified could be addressed if states report and include in accountability systems data on former ELs and consider those additional data points when determining which schools need additional improvement. Therefore, supplementing findings from the EL subgroup with one designated for former ELs can eliminate the catch-22.<sup>112</sup>

Monitoring former ELs as a subgroup is warranted. However, whether this should be done at the expense of transparency regarding current EL performance, as is current practice through the combined subgroup, should be considered. Former ELs have been known to have high academic performance, achieving higher academic scores than their current EL counterparts, and even performing better than their English-only peers in certain circumstances.<sup>113</sup> However, in mixing their results with those of current ELs, states may be missing an opportunity to reward schools/districts that exit ELs in a timely manner and continue to do an especially good job with them past reclassification. Under the accountability framework established by ESSA, creating a separate subgroup of former ELs more effectively meets the data infrastructure needs of new statewide accountability systems. This policy will allow Illinois to monitor how ELs perform academically after they reach ELP and will establish the data infrastructure that will allow school ratings to reflect how schools are serving these students, in addition to current ELs, and either give schools credit when it is deserved or identify schools that need additional support.

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109 *Every Student Succeeds Act of 2015*.

110 *Every Student Succeeds Act of 2015*, 1847–51.

111 Saunders and Marcelletti, "The Gap That Can't Go Away," 139–56.

112 Saunders and Marcelletti, "The Gap That Can't Go Away," 153.

113 Hill, Weston, and Hayes, *Reclassification of English Learner Students in California*, 10, 14.

## B. *Assessing ELs in Their Home Language*

States are required to assess ELs in the language and form most likely to yield accurate and reliable data on what they know and can do in academic content areas.<sup>114</sup> To determine if assessments in languages other than English are needed, states are required to define and determine whether languages other than English are present to a significant extent in the participating student population.<sup>115</sup> Although this requirement precedes this iteration of ESEA reauthorization, it was revitalized by its inclusion in the state plan template. States can set their own parameters on what constitutes a “significant extent,” but regulations specify that their definition must at least encompass the most populous language other than English spoken by the state’s participating student population.<sup>116</sup>

As Table A-10 in Appendix B shows, the universe of students that is considered the “participating student population” varies. Some states include all students in their calculation, while others include only students in tested grades, all ELs, or only ELs in tested grades.

The thresholds established are typically a percentage of the state-defined universe (see above) and range from 0.5 percent (Pennsylvania) at the low end to 60 percent (Illinois) at the high end, and two states use a threshold of 1,000 students (Maryland and Washington State). Although most states use only a percentage cutoff point, several states created multipronged ways of determining a language’s significant presence. For example:

- ▶ Idaho defines a language spoken by at least 5 percent of all students **or** at least 20 percent of ELs as having a significant presence.
- ▶ Maryland defines it as a language group comprising 5 percent of the total tested population **or** 1,000 students, whichever is less.
- ▶ New Jersey defines it as the most common language other than English spoken by the tested EL population **and** any native language other than English that is present in the EL population for three or more years, spoken by either more than 5 percent of the total tested population overall or in a given grade **or** by more than 20 percent of the total tested student population in a given county.
- ▶ Tennessee caps it at the five languages other than English that are most commonly spoken by ELs at home and present in (a) at least 4 percent of the overall student population, **or** (b) 20 percent of the student population within a single LEA, **or** (c) 20 percent within a single grade level in the state.

Some states included additional qualifications to their definitions, such as that the language must have a written form and be the first language of at least 20 percent of the pupils enrolled in K–12 who are current or former ELs (Wisconsin), and that students must receive instruction in their native language and services in the EL program (Kansas). Only three states (Alaska, Indiana, and Nevada) did not provide a definition.<sup>117</sup>

<sup>114</sup> *Every Student Succeeds Act of 2015*, 1826.

<sup>115</sup> Code of Federal Regulations, “Education—Inclusion of All Students.”

<sup>116</sup> Code of Federal Regulations, “Education—Inclusion of All Students.”

<sup>117</sup> Although these three states do not define what it means for a language to be present to a significant extent, Indiana and Nevada both identify Spanish, while Alaska identifies Yup’ik, as being present to a significant extent.

Once defined, states are required to list any language(s) that meet their definition and identify whether any assessments in a language other than English exist.<sup>118</sup> The language found to be the most present to a significant extent was Spanish (42 states), the second most common language was Arabic (five states),<sup>119</sup> and the third most common language was a tie between Somali and Chinese, which are each present in three states.<sup>120</sup> While most states reported only one language, eight states reported that more than one language meets their definition. Among these, Washington State cites 12 languages; South Carolina cites five languages; Delaware, Minnesota, and South Dakota cite three; and Michigan, New York State, and Virginia each cite two. Lastly, only five states (Alaska, Hawaii, Maine, South Dakota, and Vermont) did not identify Spanish as a significant language in their participating student population, while three states (Arizona, Arkansas, and Montana) reported that no language meets their definition, and one state (Illinois) was unclear about whether a language meets their definition.

Other languages identified as present to a significant extent include:

- ▶ Haitian Creole (DE)
- ▶ Nepali (VT)
- ▶ Lakota, Dakota, and Nakota (SD)
- ▶ Vietnamese (WA and SC)
- ▶ Ukrainian (WA)
- ▶ Tagalog (WA)
- ▶ Marshallese (WA)
- ▶ Korean (WA)
- ▶ Punjabi (WA)
- ▶ Ilokano (HI)
- ▶ Yup'ik (AK)
- ▶ Hmong (MN)
- ▶ Russian (SC and WA)

The answer to the question of when to assess students in their native language is complex. Just because a student is an EL and speaks another language at home or in social settings does not mean an assessment in that language will yield the most accurate data about what they know in an academic setting, especially

118 Code of Federal Regulations, "Education—Inclusion of All Students."

119 Arabic meets the definition in Delaware, Michigan, South Carolina, Virginia, and Washington State.

120 Somali meets the definition in Maine, Minnesota, and Washington State, while Chinese meets the definition in New York State, South Carolina, and Washington State. Washington State identified both unspecified and Mandarin dialects of Chinese, while New York State and South Carolina did not specify the Chinese dialect spoken among its population.

if they are not receiving instruction in that language.<sup>121</sup> Both statute and regulations specify that states are, to the extent practicable, required to provide assessments in the language and form most likely to yield accurate and reliable information.<sup>122</sup> In some cases, this may be most effectively done by testing students in their home language—if they have also received instruction in that language. However, having large numbers of students speaking a non-English language does not automatically trigger the requirement to provide native language assessments. For example, West Virginia considers a language present to a significant extent if it represents at least 50 percent of the total EL population in the state and stipulates that if no language meets its standard, the language spoken by the largest share of the total EL population will qualify as “present to a significant extent.” While Spanish represents 49 percent of the EL population and qualifies as “present to a significant extent,” West Virginia does not provide assessments in Spanish.

*Just because a student is an EL and speaks another language at home or in social settings does not mean an assessment in that language will yield the most accurate data about what they know in an academic setting.*

Self-reported information in ESSA plans indicates that 31 states<sup>123</sup> provide at least one assessment in a language other than English in at least one subject area. Of these, four states (Colorado, Hawaii, New Mexico, and Texas) provide assessments in another language across all three content areas. While math assessments are those most commonly provided in another language (31 states), science assessments are close behind (21 states), and ELA/reading is provided the least frequently (four states). The most common language accounted for is Spanish, present in 30 states. Of the states that provide native language assessments, only one state, Hawaii, does not provide an assessment in Spanish but offers all assessments in Hawaiian. Lastly, Michigan, New York State, and Washington State are the only ones to offer tests in more than one language, with Michigan offering its science assessment in two languages (Spanish and Arabic), New York State offering its math assessment in five languages and its science assessment in three, and Washington State offering its science assessment in seven languages.

TABLE 7

### Assessments Provided in a Language Other Than English, by State, Content Area, and Languages Offered, 2017

State	Math	Science	Reading/Language Arts
California	Spanish	Spanish	NA
Colorado	Spanish	Spanish	Spanish*
Delaware	Spanish	Spanish	NA
District of Columbia	Spanish	Spanish	NA
Hawaii	Hawaiian	Hawaiian	Hawaiian

121 Melissa Bowles and Charles W. Stansfield, *A Practical Guide to Standards-Based Assessment in the Native Language* (Bethesda, MD: Second Language Testing, Inc., 2008).

122 *Every Student Succeeds Act of 2015*, 1826; Code of Federal Regulations, “Education— Inclusion of All Students.”

123 ESSA state plans did not provide adequate space for the complexities surrounding native language assessments to be discussed, therefore this section simply reports the information states included in their plans. For a more in-depth discussion and analysis on native language assessments, see MPI’s forthcoming publication on native language assessments, Julie Sugarman and Leslie Villegas, *The Prospects of Native Language Assessments under ESSA: State Considerations* (Washington, DC: MPI, forthcoming).

TABLE 7 (cont.)

**Assessments Provided in a Language Other Than English, by State, Content Area, and Languages Offered, 2017**

<b>State</b>	<b>Math</b>	<b>Science</b>	<b>Reading/Language Arts</b>
<b>Idaho</b>	Spanish	Spanish	NA
<b>Illinois</b>	Spanish	NA	NA
<b>Indiana</b>	Spanish	Spanish	NA
<b>Louisiana</b>	Spanish	NA	NA
<b>Maryland</b>	Spanish	NA	NA
<b>Massachusetts</b>	Spanish	NA	NA
<b>Michigan*</b>	Spanish	Spanish Arabic	NA
<b>Montana</b>	Spanish	NA	NA
<b>Nebraska*</b>	Spanish	Spanish	NA
<b>Nevada*</b>	Spanish	NA	NA
<b>New Hampshire</b>	Spanish	Spanish	Spanish
<b>New Jersey</b>	Spanish	Spanish	NA
<b>New Mexico</b>	Spanish	Spanish	Spanish
<b>New York State</b>	Chinese (traditional) Haitian Creole Korean Russian Spanish	Chinese (traditional) Haitian Creole Spanish	NA
<b>North Dakota</b>	Spanish	NA	NA
<b>Ohio*</b>	Spanish	Spanish	NA
<b>Oregon*</b>	Spanish	Spanish	NA
<b>Pennsylvania*</b>	Spanish	Spanish	NA
<b>Rhode Island</b>	Spanish	Spanish	NA
<b>South Dakota*</b>	Spanish	NA	NA
<b>Texas</b>	Spanish	Spanish	Spanish
<b>Vermont</b>	Spanish	NA	NA*
<b>Washington State</b>	Spanish	Arabic Chinese Korean Russian Somali Spanish Vietnamese	NA
<b>West Virginia</b>	Spanish	NA	NA
<b>Wisconsin</b>	Spanish	Spanish	NA
<b>Wyoming</b>	Spanish	Spanish	NA

\* **Colorado** provides a Spanish Language Arts assessment that is an accommodated version of the ELA based on state English content standards with use of Common Core en Español to account for language art skills that are different between the two languages. **Michigan** also provides their social studies assessment in Spanish and Arabic. In **Nebraska**, online assessments are presented in

Spanish only, while pencil/paper assessments are presented in side-by-side Spanish/English. **Nevada's** plan states that the Smarter Balanced Assessment Consortium (SBAC) in ELA and math in grades 3-8 have been implemented throughout the state and that Smarter Balanced Assessments support stacked Spanish translations; SBAC only provides stacked Spanish translations in math, not ELA. **Ohio** and **Oregon** also provide their social studies assessments in Spanish. **Pennsylvania** also offers end-of-course Algebra I and Biology Keystone assessments in Spanish. **South Dakota's** plan stipulates that recently arrived ELs may take the Spanish math assessment. **Vermont's** plan states SBAC offers stacked Spanish assessments for ELA in all tested grades, but only stacked Spanish translations in math.

Source: see Appendix E for a list of the state ESSA plans and additional clarifying documents from which this information is drawn.

## C. *Academic Achievement: Long-Term Goals*

States are required to establish ambitious LTGs and measurements of interim progress for all students and separately for each subgroup of students for, at minimum, improved academic achievement as measured by proficiency on the annual assessments and the four-year-adjusted cohort graduation rate.<sup>124</sup> LTGs are required to be for the same number of years for all students and each subgroup of students and take into account the improvement necessary on such measures to make significant progress in closing statewide proficiency and graduation rate gaps for subgroups of students who are behind.<sup>125</sup>

Tables A-11, A-12, and A-13 in Appendix B include the baseline, LTG, and target year for the EL subgroup in every state for ELA/reading, math, and the four-year graduation rate. Drawing direct comparisons and trends across all state plans is not possible as states' overarching goals, baselines, and measurements of interim progress differ in each subject area. Additionally, 17 states<sup>126</sup> have baseline percentages and/or LTGs that vary by grade or are not defined in terms of percent proficient. These 17 states are excluded from the following analysis of the highs and lows in ELA/reading and math as well as Tables A-14 and A-15 and Figures A-1 and A-2 in Appendix B, which highlight each state's gap between baseline performance and its LTG in ELA and math.

ELA/reading:

- ▶ Baselines range from 4 percent (Maryland)<sup>127</sup> at the low end to 58 percent (Nebraska) at the high end.
- ▶ Targets range from 29 percent (Montana) at the low end to 100 percent (South Dakota) at the high end.

Math:

- ▶ Baselines range from 7 percent (Idaho, Montana, and New Mexico)<sup>128</sup> at the low end to 58 percent (Ohio) at the high end.

<sup>124</sup> *Every Student Succeeds Act of 2015*, 1835.

<sup>125</sup> *Every Student Succeeds Act of 2015*.

<sup>126</sup> These states are: Arizona, Arkansas, California, Colorado, Connecticut, Georgia, Illinois, Indiana, Iowa, Kentucky, Nevada, New York State, North Carolina, Oklahoma, South Carolina, Vermont, and Wyoming.

<sup>127</sup> Tennessee reported a 3.4 percent English language arts (ELA) baseline only in high school, not across all tested grades; therefore, its ELA baseline was not identified as the lowest.

<sup>128</sup> Tennessee reported a 4.8 percent math baseline only in high school, not across all tested grades; therefore, its math baseline was not identified as the lowest. Additionally, New Mexico's unrounded baseline (6.8 percent) was only slightly lower than Montana's unrounded 6.9 percent baseline and Idaho's 7.1 percent baseline.

- ▶ Targets range from 25 percent (New Hampshire) at the low end to 100 percent (South Dakota) at the high end.

Four-year graduation rate:

- ▶ Baselines range from 25 percent (Arizona) at the low end to 93 percent (West Virginia) at the high end.
- ▶ Targets range from 56 percent (New York State) at the low end to 100 percent (South Dakota) at the high end.

Like ELP LTGs, an analysis of the gap that exists between baselines and LTGs must be placed against the backdrop of the number of years states have allotted to reach their respective goals. As Tables A-14, A-15, and A-16 in Appendix B show, states vary dramatically in the number of years they have given themselves to close EL academic achievement gaps in ELA, math, and the four-year graduation rate. ELA and math LTG timelines range from five years (Florida and Puerto Rico) to 24 years (District of Columbia), while four-year graduation rate LTG timelines range from five years (Colorado, Florida, Massachusetts, and Puerto Rico) to 24 years (District of Columbia).

**TABLE 8**  
**ELA/Reading Gaps among States That Share the Same LTG Timeline, 2018**

Years	Gaps	
	Smallest	Biggest
6	19% (Massachusetts)	43% (New Mexico)
8	30% (North Dakota)	55% (Minnesota)
9	23% (New Hampshire)	57% (Oregon)
10	30% (Missouri)	71% (Washington State)
13	30% (West Virginia)	48% (Maryland)
14	42% (Maine)	84% (South Dakota)

Note: This table only includes information on LTG timelines shared by three or more states.

Source: see Appendix E for a list of the state ESSA plans and additional clarifying documents from which this information is drawn.

**TABLE 9**  
**Math Gaps among States That Share the Same LTG Timeline, 2018**

Years	Gaps	
	Smallest	Biggest
6	20% (Massachusetts)	43% (New Mexico)
8	30% (North Dakota)	56% (Rhode Island)
9	12% (New Hampshire)	63% (Oregon)
10	21% (Ohio)	69% (Washington State)
13	33% (West Virginia)	46% (Maryland)
14	41% (Delaware)	83% (South Dakota)

Note: This table only includes information on LTG timelines shared by three or more states.

Source: see Appendix E for a list of the state ESSA plans and additional clarifying documents from which this information is drawn.

TABLE 10

**Four-Year Graduation Rate Gaps among States That Share the Same LTG Timeline, 2018**

Years	Gaps	
	Smallest	Biggest
5	7% (Florida)	15% (Puerto Rico)
6	10% (New York State)	27% (Nevada)
8	15% (Wisconsin)	32% (Minnesota)
9	6% (New Hampshire)	39% (Oregon)
10	16% (Missouri)	40% (Louisiana)
11	11% (Kentucky)	38% (North Carolina)
14	2% (West Virginia)	41% (South Dakota)
15	11% (Wyoming)	65% (Arizona)

Note: This table only includes information on LTG timelines shared by three or more states.

Source: see Appendix E for a list of the state ESSA plans and additional clarifying documents from which this information is drawn

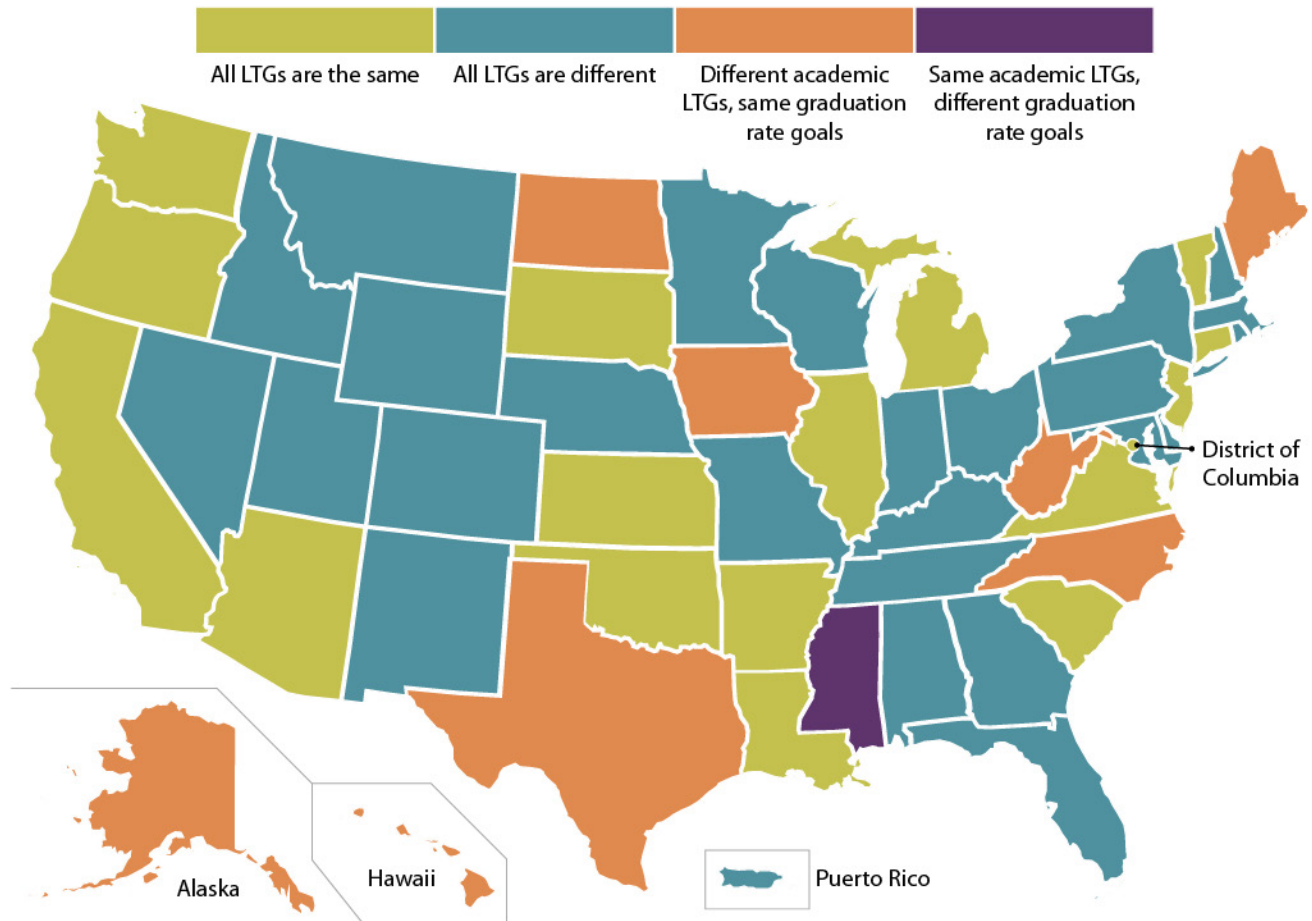
In analyzing LTGs against this backdrop, disparities in what states consider ambitious begin to surface. For example, North Dakota aims to close a 30 percent gap in ELA in eight years, whereas West Virginia aims to close the same gap in 13 years. It is important to consider these nuances when comparing data across states.

One observation with direct implications for the EL subgroup is whether the state will hold subgroups of students to the same rigorous standards as the “all students” group. Seventeen states established the same LTGs for the “all students” group and every subgroup of students for ELA/reading, math, and the four-year adjusted cohort graduation rate; 26 states established different goals for the “all students” group and for each subgroup of students for ELA/reading, math, and the four-year adjusted cohort graduation rate; eight states set different LTGs for the “all students” group and each subgroup of students in ELA/reading and math, but the same LTG for the four-year adjusted cohort graduation rate; and one state set different four-year adjusted cohort graduation LTGs for “all students” and each subgroup of students, but the same LTG for ELA/reading and math.



FIGURE 5

**States That Set the Same and Different Long-Term Goals for ELs and All Students, 2018**



LTGs = Long-term goals.

Source: see Appendix E for a list of the state ESSA plans and additional clarifying documents from which this information is drawn.

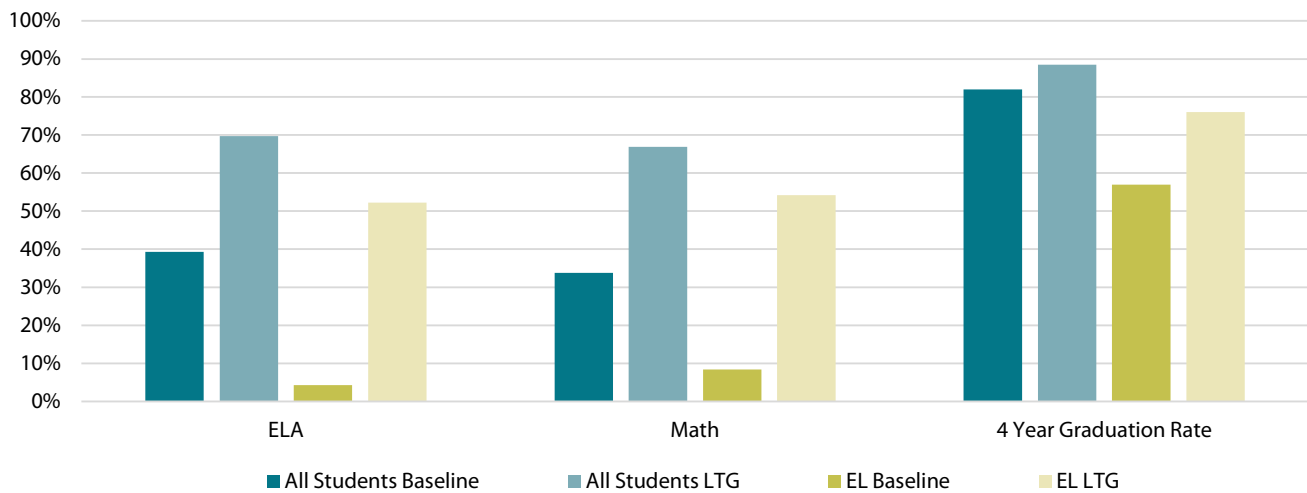
For example, Maryland aims to have the EL four-year graduation rate at 76 percent by 2020, which is below the “all students” 2011 baseline of 82 percent. Figure 6 shows the different expectations for ELs in Maryland compared with “all students” in ELA/reading and math.<sup>129</sup>

A couple of noteworthy anomalies in how EL academic performance will be calculated should be noted. New Jersey and Pennsylvania, for example, plan on making an ELP count adjustment for academic achievement assessments based on a state-determined timeline for ELs to attain ELP. It is unclear from both plans what a count adjustment looks like in practice. Additionally, both New Jersey and Texas will exempt ELs who take native language assessments from their EL academic progress measures. Specifically, New Jersey stated that ELs who may be transitioning from being tested with native language assessments will be exempted from the academic progress indicator, and Texas stipulated that when ELs take the Spanish versions of the State of Texas Assessments of Academic Readiness (STAAR), this will not count toward the EL progress measure that tracks whether a student is meeting or exceeding academic standards.

<sup>129</sup> The ELA/reading, math, and four-year graduation rate LTGs of every state can be found in Tables A-11, A-12, and A-13 in Appendix B.

FIGURE 6

**Baseline and Long-Term Goals of ELs in ELA, Math, and the Four-Year Graduation Rate Compared with the “All Students” Group in Maryland, 2018**



Source: Maryland State Department of Education, *Preparing World Class Students, State ESSA Plan* (Baltimore: Maryland State Department of Education, 2018).

Lastly, in January 2018, New Jersey submitted a request for a waiver on EL graduation rates that would have effectively given ELs five years to graduate “on time.” The adjusted cohort graduation rate used by all states assigns all ninth graders to a cohort, and schools track each cohort’s progress toward graduating in four years. Normally, students who repeat ninth grade may not be reassigned to the cohort with whom they enroll in their second attempt at ninth grade. This was the procedure New Jersey wanted to apply to RAELs so that their schools would not be penalized should these students graduate one year behind their original cohort. This waiver was denied in April 2018, with the department citing that the New Jersey Department of Education did not demonstrate how waiving the requirement to use the federally approved calculation would have advanced student academic achievement.<sup>130</sup> According to ED, ESEA recognizes that some students may take longer than four years to graduate and provides states with the flexibility to calculate and report an extended-year-adjusted cohort graduation rate for students who graduate with a regular high school diploma in more than four years, and that this should address New Jersey’s concern that some ELs may need additional time to graduate.<sup>131</sup> It should be noted that New Jersey submitted an updated waiver request to ED on June 8, 2018, which included additional information explaining its rationale for the waiver and proposed strategies to support certain RAELs. ED subsequently denied this resubmitted waiver in June 2018, citing the issues mentioned in its previous denial as the foundation.<sup>132</sup>

<sup>130</sup> Jason Botel, “Denial of New Jersey Request for a Waiver to Reclassify English Learners in the Four-Year Adjusted-Cohort Graduation Rate” (letter, U.S. Department of Education, Washington, DC, April 12, 2018).

<sup>131</sup> Botel, “Denial of New Jersey Request.”

<sup>132</sup> Jason Botel, “Denial of New Jersey Resubmitted Request for a Waiver to Reclassify English Learners in the Four-Year Adjusted-Cohort Graduation Rate” (letter, U.S. Department of Education, Washington, DC, June 25, 2018).

## D. Summary

As this section has shown, tracking the academic progress of ELs is not straightforward. State policies on whether and how to include RAELs and former ELs in academic achievement measures will have an important impact on the results demonstrated by the EL subgroup. Thus, state choices in these two areas are an important contextual factor in making inferences about EL outcomes. For this reason, it is important that the 18 states that did not specify the length of time they intend to include former ELs in the EL subgroup clarify this policy. Relatedly, states should explore creating a separate former EL subgroup for reporting and accountability purposes to overcome some of the transparency concerns that arise when combining current and former EL performance.

Clearly, the size of gaps between baselines and goals differs across states, subgroups, and subject areas. For example, a state has to do much more to move ELs from 30 percent proficiency to 80 percent proficiency in math than for a subgroup such as Asian Americans that may already have a 78 percent proficiency rate. However, setting different LTGs for different subgroups to make up for these differences (e.g., to only ask ELs to improve to 35 percent proficiency) essentially means different populations of students will be held to different academic expectations. By definition, ELs do not have the English skills necessary to meaningfully engage with the curriculum without supports; however, policies that perpetuate the idea that it is acceptable for some students to demonstrate higher performance than others (possibly forever) run contrary to the equity philosophy behind ESSA. A possible solution would be to consider English language development in content performance and growth because, as previous research has shown, doing so generally eliminates the negative bias in growth for students that have not reached ELP, however that may be defined in their state.<sup>133</sup> This type of policy also reduces the potential that the distribution of students' language proficiency will put schools at an advantage or disadvantage under new accountability schemes.<sup>134</sup> Nevertheless, as with the ELP LTGs discussed in the previous section, academic achievement LTGs are mostly aspirational as, more often than not, whether schools meet LTGs and measures of interim progress has no bearing on accountability systems—with the exception of a handful of states.

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*LEAs across states should be aware of languages present to a significant extent both at the state and local levels to be able to understand the academic needs of their ELs.*

Another contextual issue relates to the definition of languages prevalent to a significant extent. In almost all states, Spanish was identified as the most prevalent language after English. The statewide data used to make these calculations are important; however, they run the risk of masking languages that are low incidence at the state level but are found in higher concentrations at the local level. For example, Indiana identifies Spanish as the language present to a significant extent after English. However, it also recognizes that it has a concentration of refugee students who speak Burmese and Chin in four LEAs where it will need to determine whether assessment in these languages represent the method most likely to yield accurate data, considering the limited literacy skills of these students. Therefore, although there may not

<sup>133</sup> Goldschmidt and Hakuta, *Incorporating English Learner Progress*.

<sup>134</sup> Goldschmidt and Hakuta, *Incorporating English Learner Progress*.

be a statewide need for a native language assessment in these languages, Indiana will need to determine whether failing to use them will disproportionately disadvantage ELs in particular localities. For example, of six LEAs in Indiana, in five the second-most prevalent language was not Spanish. These languages included German (Amish), Burmese, Punjabi, and Chin, and in one district, English was actually the second-most prevalent language following German (Amish).<sup>135</sup> Similarly, Utah identified two LEAs where more than 5 percent of ELs (the state threshold for a language's significant presence) speak a language other than Spanish: in one of these, 25 percent of participating ELs speak Navajo; in another, 19 percent speak Somali. LEAs across states should be aware of languages present to a significant extent both at the state and local levels to be able to understand the academic needs of their ELs.

## 4 EL Inclusion in Accountability Systems

Accountability plans under ESSA have many layers, some that apply to all students and others that apply to specific subgroups of students that have historically been marginalized. While issues such as school discipline policies, such as school suspension and expulsion, warrant attention as they apply to all students and can affect the amount of instruction time a student receives, other holistic analyses of the quality and rigor of state accountability systems for all students have been conducted.<sup>136</sup> Consequently, the purpose of this section is to evaluate state accountability policies specifically as they apply to ELs.

ESSA emphasizes accountability for ELs in two ways. First, states are now required to include a progress toward ELP measure (ELP indicator) in their school accountability systems, even for districts that do not receive federal dollars to support EL and immigrant education under Title III. Second, as in NCLB, states must disaggregate academic student performance data for federally recognized subgroups,<sup>137</sup> including ELs, and develop a system that annually compares schools based on the performance of all students and each subgroup of students across all indicators.<sup>138</sup> This system, also known as annual meaningful differentiation (AMD), is what states are required to use to identify schools for comprehensive support and improvement (CSI), targeted support and improvement (TSI), and additional targeted support and improvement (ATSI).<sup>139</sup>

To evaluate the extent to which ELs are represented in accountability systems, the following policies and accompanying questions must be closely analyzed:

- 1 What is the state's accountability n size?
- 2 Annual meaningful differentiation
  - Is the ELP indicator included in the methodology used to differentiate schools?

<sup>135</sup> Data provided to the authors on July 13, 2018, by the Indiana Department of Education, "Enrollment 2018 Counts by Language for Selected Corps."

<sup>136</sup> For a more comprehensive evaluation of ESSA accountability systems, see The Education Trust, "The Every Student Succeeds Act," updated December 10, 2015.

<sup>137</sup> Other federally recognized subgroups are: economically disadvantaged students, students from major racial and ethnic groups, children with disabilities, gender identity, and migrant status.

<sup>138</sup> *Every Student Succeeds Act of 2015*, 1837–39.

<sup>139</sup> *Every Student Succeeds Act of 2015*.

- Is the academic performance of ELs as a subgroup included in the methodology used to differentiate schools?

### 3 Identifying schools for improvement and support

- Is the ELP indicator included in the criteria used to identify CSI schools?
- Did the state differentiate between TSI and ATSI?

To answer these questions, first this section will consider the n size landscape across the country. Next, it will discuss the different ways ELP indicators were included in accountability systems, including the varying weights attached to them. This will be followed by a discussion of what it means for states to meaningfully incorporate individual subgroups in school accountability. Lastly, this section will discuss how low EL performance, either on the ELP indicator and/or academic performance, will be used to identify schools for support and improvement.

## A. N Size

States are required to establish a threshold for the minimum number of students that triggers when a school is required to report on and include a subgroup in its accountability system, otherwise known as the n size. An n size determines how inclusive accountability systems are of individual subgroups of students and must be statistically sound while protecting the personal information of individual students.<sup>140</sup> For example, if a school does not meet the n size for the EL subgroup, that school is not required to include EL performance in school rating calculations. The result is that although technically ELs and other historically marginalized students are accounted for in the law, they may not necessarily be accounted for in state reviews of school performance. States whose n size omits the performance of too many students can adapt their accountability systems in a way that keeps the performance of smaller groups in mind by pooling data over multiple years or creating a second layer of accountability for small schools (as in Vermont).

The original state plan template required states to provide information regarding the number and percentage of all students and students in each subgroup whose results would be excluded from the state's accountability system under its chosen n size. However, this requirement was eliminated after Congress rescinded the ESSA accountability regulations in March 2017.<sup>141</sup> Although a few states still voluntarily reported some of this information, enough data were not provided to draw direct comparisons across all states. Without this information it is difficult to ascertain the real scope of the accountability afforded to all subgroups, not just ELs, due to n size restrictions.

Best practice dictates that in setting their n size, states would have used their existing data to examine the effects of various n sizes on the validity, reliability, and credibility of the results that would be at the

<sup>140</sup> Marilyn Seastrom, *Best Practices for Determining Subgroup Size in Accountability Systems While Protecting Personally Identifiable Student Information* (Washington, DC: U.S. Department of Education, Institute of Education Sciences, 2017).

<sup>141</sup> On March 9, 2017, under the *Congressional Review Act*, Congress passed a resolution that rescinded the final accountability regulations that were published on November 29, 2016 (81 FR 86076). The U.S. Department of Education released a fact sheet outlining the effects of this on the Revised Consolidated State Plan Template. See U.S. Department of Education, "ESSA Consolidated State Plans—Resources—Fact Sheet," updated November 7, 2017.

core of their accountability system.<sup>142</sup> Because the average score of a small number of students can be disproportionately affected by one or two very high or very low scores, a small n size produces a greater margin for error, that is, a difference between the observed average score and the actual average ability of the students in the group. Therefore, states had to decide just how much error they were willing to accept. In this way, states balanced a desire to make their n size as small as possible in order to have the measure apply to as many schools as possible, with the dual risks of a small n size—measurement error and the possibility of disclosing personal information.<sup>143</sup> Across the country, subgroup accountability n sizes vary from no n size to 30; through this context-specific exercise, states had to come to their own conclusions about the level of tolerance for error they would be willing to accept.

ESSA allows different n sizes to be used for accountability and reporting purposes, but does not require a specific n size for either category. For example, if a state set its subgroup accountability n size at 15 and its reporting n size at 10, every school in that state would have to report the results of any subgroup that has at least ten students, but include the results of every subgroup that has at least 15 students for that year in its accountability calculations. Twenty-five states established different n sizes for subgroup accountability and reporting.

Unlike accountability n sizes that determine which student scores will be used to compute how a school is performing, reporting n sizes determine which average scores are published. As a result, the need to protect against the unintentional release of personal student information may apply more heavily to the reporting n size. Although there isn't a one-size-fits-all minimum reporting n size, 5 and 3 are often used.<sup>144</sup> Consequently, reporting n sizes in state plans range from 5 to 25 students.

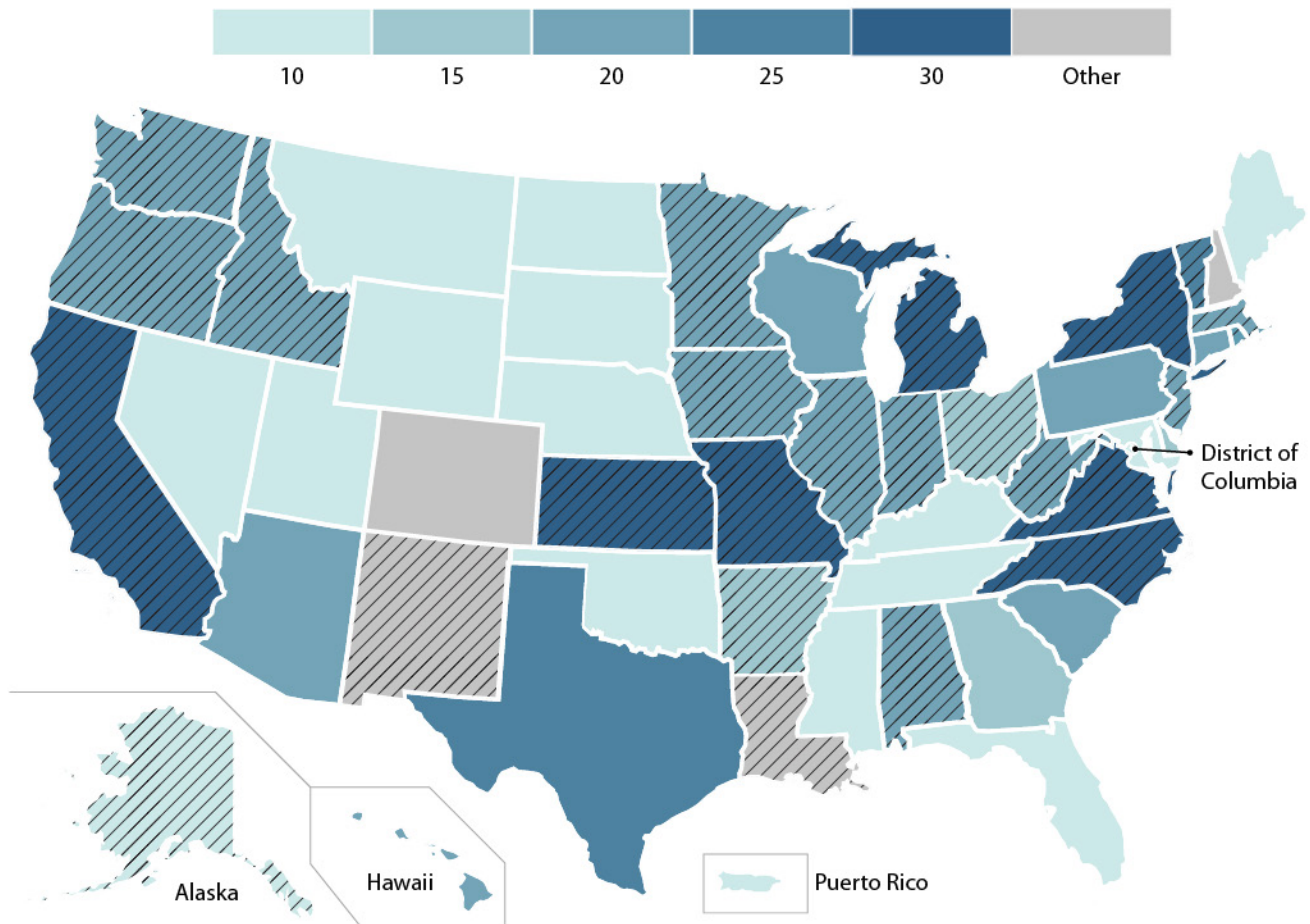
Atypical policies among reporting n sizes include those in Massachusetts, which established one n size for reporting the enrollment, dropout, and graduation rates (n size of 6) and a different one for reporting assessment results (n size of 10). Similarly, Colorado established one n size for reporting academic achievement and graduation rates (n size of 16) and a different one for growth indicators (n size of 20). While reporting n sizes are important because they affect the transparency of disaggregated student performance, the remainder of this section will focus on n sizes prescribed for subgroup accountability, as those are the policies that directly affect the extent to which ELs are included in state accountability systems. Figure 7 provides the n size landscape for subgroups across the country with diagonal stripes denoting that the state set different accountability and reporting n sizes. States' respective n sizes can also be found in Table A-17 in Appendix C.

<sup>142</sup> Seastrom, *Best Practices for Determining Subgroup Size*.

<sup>143</sup> Seastrom, *Best Practices for Determining Subgroup Size*.

<sup>144</sup> Seastrom, *Best Practices for Determining Subgroup Size*, 26.

**FIGURE 7**  
**Subgroup Accountability N Sizes Adopted by States, 2018**



Note: Diagonal stripes denote that the state set different accountability and reporting n sizes.

Source: see Appendix E for a list of the state ESSA plans and additional clarifying documents from which this information is drawn.

As the map in Figure 7 indicates, 17 states adopted an n size of 10, four states adopted an n size of 15, 18 states adopted an n size of 20, two states adopted an n size of 25, and seven states adopted an n size of 30. Additionally, among the four states classified as “other,” New Hampshire adopted an n size of 11. New Mexico and Colorado established different n sizes for different indicators. New Mexico will not use an n size for growth or proficiency indicators but will use an n size of 20 for protected subgroup evaluation and targeted support and improvement. Colorado will use an n size of 16 for academic achievement and graduation rate indicators, and an n size of 20 for growth. Lastly, Louisiana will not use an n size for accountability and will instead calculate a school performance score for every school with 40 units, which is approximately ten total students taking four tests each.

ESSA does not allow states to set different n sizes for different groups of students.<sup>145</sup> Despite this restriction, Texas adopted one n size for individual subgroups and a lower one for the “all students” group, whereby 25 tests (for assessment-related indicators) or 25 students (for graduation rate and non-assessment-related

<sup>145</sup> Seastrom, *Best Practices for Determining Subgroup Size*, 1834.

indicators) will be used for subgroups, but ten assessments (for assessment-related indicators) or ten students (for graduation rate and non-assessment-related indicators) will be used for the “all students” group. This means that schools have a higher burden to meet for subgroup accountability than for the “all students” group, which represents the aggregate performance of all students enrolled. Furthermore, although not specifically prohibited by ESSA, policies that deviate from the norm include setting different n sizes for different indicators (Colorado, Maryland, and New Mexico), setting a different n size for targeted support and improvement (Nevada), and setting a different standard for calculating participation rates (New Mexico and New York State).

## B. *Annual Meaningful Differentiation*

As mentioned previously in this section, Annual Meaningful Differentiation (AMD) is a term used to describe how the performance of one school is evaluated and compared with that of other schools. States are required to demonstrate how they will differentiate between high- and low-performing schools using the performance of all students and each subgroup of students on all the indicators in their system. These systems often establish cutoff levels to categorize schools from the lowest to the highest performing; therefore it is important that these cutoff points are rigorous and correspond with what is going on at the local level and do not inadvertently identify all schools as good or bad. To contextualize this issue through the EL lens, this report considers two questions:

- 1 Is the ELP indicator included in the AMD methodology, and if so, what weight does it carry?
- 2 Do school ratings include individual subgroup performance, or do they use the performance of the “all students” group or a super-subgroup?

### ELP Indicator

While states are required to include an ELP indicator in their accountability systems, ESSA did not prescribe how states should do that. Most states included the ELP indicator on its own; however, several embedded the measure of progress toward ELP into another indicator. States that adopted the later policy include Arkansas, Connecticut, and Georgia, which added the ELP measure to their growth/progress indicators, and Ohio, which includes ELP in its “gap closing” measure. It should be noted that although including the ELP measure within another indicator passed scrutiny from ED on what meets the letter of the law, doing so has the potential to create an additional layer obstructing transparency for ELs.

For example, Table 11 shows the weights for each of the indicators in Delaware’s accountability system, where the ELP indicator is clearly listed. By comparison, Table 12 shows the weights attached to each component of Georgia’s accountability system, which at first glance appears not to include an ELP indicator. This is because it is embedded in the progress component, where it comprises 10 percent of the measure, essentially 3.5 percent in elementary and middle schools, and 3.0 percent in high schools.

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*While states are required to include an ELP indicator in their accountability systems, ESSA did not prescribe how states should do that.*



TABLE 11

**Weights of Indicators in Delaware’s Accountability System, by School Level**

Delaware School Success Framework Indicator	Weight for Elementary and Middle Schools	Weight for High Schools
Academic achievement	30%	40%
Academic progress	40%	N/A
School quality/student success	20%	35%
Graduation rate	N/A	15%
Progress toward English Language Proficiency (ELP)	10%	10%

Source: Delaware Department of Education, “State Template for the Consolidated State Plan under the Every Student Succeeds Act” (state ESSA plan, Delaware Department of Education, Dover, DE, April 2018).

TABLE 12

**Weights of Indicators in Georgia’s Accountability System, by School Level**

	Elementary	Middle	High
Content mastery	30%	30%	30%
Progress	35%	35%	30%
Closing gaps	15%	15%	10%
Readiness	20%	20%	15%
Graduation rate	--	--	15%

Source: Georgia Department of Education, “Educating Georgia’s Future: Georgia’s State Plan for the Every Student Succeeds Act (ESSA)” (state ESSA plan, Georgia Department of Education, Atlanta, GA, January 2018).

States also varied in how much weight they attached to the ELP indicator in their systems of AMD. These weights are important because they determine whether the ELP indicator matters a little, a lot, or not at all in the overall accountability system. While many states (25 states) made the ELP indicator count the same amount across all schools, 13 states<sup>146</sup> set different weights for different grade bands, three states (Arkansas, Louisiana, and North Carolina) will weigh the ELP indicator proportionally to the EL population in the school, ten states<sup>147</sup> will not weigh their indicators at all, and one state (Kentucky) was unclear about the weight. Of all the states that attached weights to the ELP indicator (38 states), the lowest weight assigned is 3 percent (Georgia<sup>148</sup>) while the highest is 25 percent (Kansas and Wyoming<sup>149</sup>).

Interestingly, Arkansas includes a measure of progress toward ELP in its system of AMD by including ELP scores proportionate to EL density in a given school instead of a separate ELP indicator. Essentially, the state will calculate an ELP growth score and combine it with the academic growth score to create an overall school growth score. The ELP indicator weight within the combined growth score will be proportionate to EL density in the school. The overall weight of the growth score will be 50 percent for grades K–8 and

146 These states are: Alaska, Colorado, Connecticut, Georgia, Idaho, Massachusetts, Michigan, New Mexico, Ohio, Utah, West Virginia, Wisconsin, and Wyoming.

147 These states are: California, Florida, Minnesota, Nebraska, New Hampshire, New York State, Oregon, Pennsylvania, Rhode Island, and Virginia.

148 Georgia is one of the states that sets different weights for different grade bands. The 3 percent applies to high schools, while in elementary and middle schools it will be weighted at 3.5 percent.

149 In Wyoming, the ELP indicator is weighted at 25 percent only in grades 3–8, and 20 percent in high school.

35 percent for grades 9–12. Thus, if a school had 100 percent ELs, the ELP indicator would be weighted at 25 percent of the accountability score for grades K–8 or 17.5 percent for grades 9–12. The state’s overall percentage of ELs is 9.5 percent and only 27 percent of schools have an EL density greater than 5 percent; therefore, Arkansas argues that this method allows them to ensure every EL is counted in a school, irrespective of low enrollment numbers.

Louisiana will use a similar proportional formula to include ELP scores in its system of AMD, wherein the ELP assessment will be weighted by six in the Assessment Index such that it is equal to the weight of all academic units to ensure proportional representation for ELs. The assessment index will account for 75 percent of elementary school scores, 70 percent of middle schools, and 12.5 percent of high schools.

Other interesting alternatives to weighting indicators include Minnesota, which uses a decision tree process that funnels indicators according to a specific order that grants more weight to some indicators than others. In this case, the first round of the funneling process identifies schools performing in the lowest quarter in math, reading, or ELP. Rhode Island will categorize schools in a one-to-five-star system depending on how many points they earn on each indicator. Schools can earn a maximum of four points for the ELP indicator compared with eight for academic achievement, six for growth, five for graduation rate, and 15 for the nonacademic indicators. New York State established a similar process in that it uses a series of decision rules to differentiate between schools after assigning a Performance Level of 1–4 for each measure for which a subgroup in a school is held accountable. This system gives greatest weight to academic achievement and growth in elementary and middle schools, and academic achievement and graduation rates in high schools, and weighs the ELP indicator more than academic progress and the nonacademic indicators.

### “All Students” vs. Individual Subgroups

There has been an ongoing public debate among civil rights and education advocacy organizations, members of Congress, and ED about what does and does not meet ESSA’s requirements when it comes to including subgroups of students in systems of AMD based on different interpretations of the law.

In September 2017, Senator Patty Murray and Representative Robert C. Scott, ranking members on the U.S. Senate Health, Education, Labor, and Pensions Committee and the House of Representatives Committee on Education and the Workforce, respectively, and two of the original authors of ESSA, wrote a letter to Secretary of Education Betsy DeVos stating that the department missed statutory violations in its plan review, feedback, and approval process and has thus failed to adequately address all of ESSA’s requirements.<sup>150</sup> Among the issues listed that the department has failed to enforce were the requirements to disaggregate information by subgroup, to measure subgroup performance on each indicator, and to establish accountability systems that are based on all the indicators and that assess the performance of all students and each individual group of students.<sup>151</sup>

In January 2018, the Alliance for Excellent Education (All4Ed) submitted a legal memo to ED stating its concern over the department approving plans that violate ESSA’s policies regarding the inclusion of student

<sup>150</sup> To read the full letter, see Patty Murray and Robert C. Scott, “2017-09-18 ESSA Statutory Requirements Letter” (letter to Secretary of Education Betsy DeVos, Congress of the United States, Washington, DC, September 18, 2017).

<sup>151</sup> Murray and Scott, “2017-09-18 ESSA Statutory Requirements.”

subgroup performance in state systems of AMD.<sup>152</sup> According to All4Ed, states must incorporate student subgroup performance into indicators and school ratings, if that is how they choose to differentiate schools, to comply with ESSA.<sup>153</sup> All4Ed argued that ESSA not only requires states to annually *measure* the prescribed indicators for all students and “separately for each subgroup of students,” but also carries these requirements over into the system of AMD by stating that it must be “based on all indicators in the state’s accountability system[...] for all students and for each subgroup of students.”<sup>154</sup> Therefore, the law intended to ensure that state ratings/systems of AMD include student subgroup performance.<sup>155</sup>

Similarly, in April 2018, the Leadership Conference on Civil and Human Rights wrote a letter to four members of Congress on behalf of 16 organizations citing that plans have been approved that are out of compliance with the law. The letter, which is addressed to the two members mentioned above plus Senator Lamar Alexander, Chair of the U.S. Senate Committee on Health, Education, Labor and Pensions; and Representative Virginia Foxx, Chair of the U.S. House of Representatives Committee on Education and the Workforce, explicitly says plans have been approved that base their system of AMD on the “all students” group only and omit the disaggregated performance of each subgroup, as is required by the statute.<sup>156</sup>

ED has defended its decision to approve the plans that omit the performance of each subgroup by stating that:

*“Section 1111(c)(4)(C) requires a state to establish a ‘system of annual meaningful differentiation’ of indicators for all students and for subgroups so that data is available for identifying schools for comprehensive and targeted support. It does not require the state to establish an overall, public-facing rating system. In fact, the requirement of a summative rating system was rejected by Congress and by the prior administration when it issued regulations under ESSA.*

*“To the extent that a state creates a summative rating system, it is doing something the statute neither requires nor prohibits. ESSA does not dictate any particular criteria for such a system, and therefore it does not violate ESSA for states to include one set of criteria rather than another.”<sup>157</sup>*

ED argues that because ESSA does not require a rating system, the department cannot make a state include the performance of individual subgroups in overall school performance if a state decides to create such a system. However, the reality is that states created publicly facing rating systems (summative or not) as a means to meet the AMD requirement in ESSA; therefore, it is difficult to follow how ESSA’s requirements would not apply to those systems. The following subsection will discuss the various approaches to including subgroup performance in state plans.

152 To read the full legal memo, see Alliance for Excellent Education, “Support for Historically Underserved Students in ESSA” (memo, Alliance for Excellent Education, Washington, DC, January 25, 2018).

153 Alliance for Excellent Education, “Support for Historically Underserved Students in ESSA.”

154 Alliance for Excellent Education, “Support for Historically Underserved Students in ESSA.”

155 Alliance for Excellent Education, “Support for Historically Underserved Students in ESSA.”

156 To read the full letter, see The Leadership Conference on Civil and Human Rights, “ESSA Oversight Letter” (letter, the Leadership Conference on Civil and Human Rights, Washington, DC, April 10, 2018).

157 ED’s response can be found in Alyson Klein, “Democrats Say DeVos Is Flouting ESSA. She Says No Way. Let’s Unpack the Debate,” *Education Week*, February 19, 2018.

One of the more intricate policies to unravel was whether subgroup performance factors into systems of AMD. Some of the confusion comes from the fact that when states say they are using the performance of “all students,” what they mean is they are using an aggregate of all student performance. While on its face the term “all students” sounds inclusive, it does the opposite of considering individual subgroup performance. Using the “all students” group essentially means systems of AMD are based on an average of student performance rather than incorporating the performance of individual subgroups through some sort of weighted representation. Although ESSA includes a school improvement category specifically targeted at subgroups, also known as targeted support and improvement, which will be discussed below, this category is intended to be a subset of AMD and not a replacement. As Table A-17 in Appendix C shows, only eight states (Colorado, the District of Columbia, Illinois, Michigan, Minnesota, New Jersey, Tennessee, and Wyoming) include subgroup performance in their AMD formula, while four states include it to some extent (Georgia, Kentucky, Ohio, and Oklahoma), seven were unclear, and 33 do not include it.<sup>158</sup>

Examples of subgroups being incorporated in systems of AMD include, but are not limited to, the following:

- ▶ The District of Columbia will calculate a framework comprised of all applicable indicators for “all students” and for all subgroups. A school’s final score will be a weighted average of its framework scores according to the following weights: “All students” (75 percent), race/ethnicity (5 percent divided evenly between all racial/ethnic subgroups), economically disadvantaged (5 percent), ELs (5 percent), and special education (10 percent).
- ▶ Michigan will use an overall index value that is calculated based on a weighted average of a school’s performance in the individual components. Component performance is calculated by finding the percentage of the component target met. Student subgroups are weighted equally and averaged into a component level index value. Components, or indicators, are then averaged according to their weights to attain an overall summative index value. Michigan will also include an EL participation indicator that is weighted at 1 percent for schools with a graduation rate and 1.11 percent for schools that do not have a graduation rate.
- ▶ Minnesota will total points earned on each indicator at the group level first (including for the “all students” group), and then calculate a school average by averaging student group rates, awarding equal weight to each student group in the school.
- ▶ Illinois will use a dashboard system that will provide an “all students” view, individual subgroup summative designations used in determining that view, and the individual accountability indicators for each subgroup. The single summative “all students” view will be followed by the aggregate subgroup scores that are used to determine the single summative designation, and the individual accountability scores for a subgroup that makes up the aggregate subgroup score. Under the “all students” view, a school cannot receive either of the top two summative designations (out of four) if it has an underperforming subgroup. Under the aggregate subgroup view, an individual subgroup score

<sup>158</sup> Although Arizona allows schools to earn up to six points for subgroup improvement through the school quality and student success (SQSS) indicator, it is not considered a state that includes subgroup academic performance in its system of annual meaningful differentiation (AMD). Arizona schools are not required to show subgroup improvement to receive full points on the SQSS indicator as this is only one component of the indicator. Therefore, subgroup performance is not necessarily factored into a school’s overall academic performance.

is calculated by aggregating the scores for each indicator, and in order for a school to receive a top tier designation all subgroups must have received a designation in the top two tiers (out of four).

Interestingly, although Tennessee includes the performance of the EL subgroup, it should be noted that it supplants individual Black, Hispanic, and Native American racial subgroups with a subgroup that combines all three, also known as a super-subgroup, which they call the BHN subgroup, in its AMD. Additionally, the state will use a combined subgroup of BHN, economically disadvantaged students, ELs, and students with disabilities in its AMD framework in instances when schools do not meet the minimum required n size for any one of these four subgroups. According to the state plan, this super-subgroup option results in more schools and districts being held accountable.

Of the four states that fall in the “kind of” category, Georgia uses a “Closing Gaps” indicator in the index used for AMD that considers subgroup performance by measuring the extent to which all students and all student subgroups are meeting the annual 3 percent achievement improvement targets in ELA, math, science, and social studies based on the LTGs. Schools earn one point when a subgroup target is met; 0.5 points when progress is made but the target is not met; and 0 points when no progress is made. Schools will earn 1.5 points for subgroups of economically disadvantaged students, ELs, and students with disabilities meeting a 6 percent improvement target. It will be a weighted percentage of achievement targets met across all students and all student subgroups, with a max of 15 percent/15 percent/10 percent of the index for elementary/middle/high school, respectively.

Similarly, Ohio uses a “Gap Closing” measure that incorporates subgroup performance by computing a performance index for each subgroup that will consider ELA, math, graduation rates (when applicable), and ELP (when applicable). Once points for all subgroups are totaled and a preliminary score is assigned based on the percentage points earned by the school or district, with each subcomponent being weighted equally in the calculation, this component is worth a total of 15 percent of the school rating, with each individual measure worth 3.75 percent.

Interestingly, subgroup performance is included to some extent in AMD in Oklahoma because total points earned in the academic achievement indicator are based on two categories: (1) priority student group performance, and (2) performance of the all students group. The state’s “Priority Student Group” policy requires that each student be assigned to only one student group and will categorize students in the following rank-order: students with disabilities, economically disadvantaged status, EL classification, Black/African American, Hispanic/Latino, Native American/American Indian, students identifying two or more races, and lastly, White students. Priority student group performance will contribute 14 points each for ELA and math (out of 15). These points will be students meeting their scale score targets. Additionally, one point will be possible for ELA and math based on the all students group performance. The points earned for both priority student group performance and the all students group performance will be summed to determine an overall score out of 15 points for ELA and math. However, because this Priority Student Group policy alters how reportable subgroups are composed for this indicator, Oklahoma does not holistically include subgroup performance in AMD.

Alternatively, instead of individual subgroups being factored into AMD, Massachusetts and Connecticut will use a super-subgroup. However, whereas Tennessee combined racial groups, a “High Needs” super-subgroup used in these states is comprised of economically disadvantaged students, students with disabilities, and ELs. Similarly, South Dakota uses a “Gap Group” comprised of ELs, economically disadvantaged students, students with disabilities, African American, Hispanic, and American Indian/Alaska Native subgroups in its AMD system instead of individual subgroups, and Mississippi uses the “lowest 25 percent” subgroup, which is essentially any student (regardless of subgroup membership) who performs in the lowest 25 percent. Lastly, South Carolina and New Mexico use a similar tactic in that they use the lowest quintile and quartiles (respectively) to calculate their growth indicators.

### C. *Comprehensive and Targeted Support and Improvement*

States are required to use their system of AMD to identify schools for support and intervention. ESSA differentiates the level of support into three categories of schools: Comprehensive support and improvement (CSI), targeted support and improvement (TSI), and additional targeted support and improvement (ATSI).

The CSI category is required to identify no less than the bottom 5 percent of schools based on the system of AMD,<sup>159</sup> and since the AMD is supposed to provide differentiation based on all indicators for all students and for each subgroup of students,<sup>160</sup> it is often talked about as the category that focuses on how schools are performing overall. Looking at CSI through the EL lens, it is important to ensure that the ELP indicator is not excluded from the criteria used to differentiate schools to identify the bottom 5 percent. Similar to All4Ed’s position on subgroup inclusion in systems of AMD, in its letter to ED (cited above), All4Ed argues that states must include subgroup performance in identifying schools for CSI to comply with ESSA because,

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*Looking at CSI through the EL lens, it is important to ensure that the ELP indicator is not excluded from the criteria used to differentiate schools to identify the bottom 5 percent.*

*“[...] the requirement for the inclusion of student subgroup performance in the system of annual meaningful differentiation applies to the whole system of meaningful differentiation, not just schools identified for TSI or ATSI!”<sup>161</sup>*

Essentially, a *whole system* of AMD includes a methodology that compares school performance and then uses that comparison to identify schools for CSI, TSI, and ATSI. However, ED has defended its approval of the plans that do not factor subgroup performance in the criteria used to identify CSI schools by stating that,

*“With respect to comprehensive support, the Obama administration told states that identifying for purposes of comprehensive support the lowest-performing five percent of schools under section 1111(c)(4)(D)(i)*

<sup>159</sup> In addition to the bottom 5 percent of schools, additional performance triggers for CSI include graduation rates below 67 percent and failure to exit ATSI status after a state-determined number of years.

<sup>160</sup> *Every Student Succeeds Act of 2015*, 1837–39.

<sup>161</sup> To read the full legal memo, see Alliance for Excellent Education, “Support for Historically Underserved Students in ESSA.”

*(I) and low graduation rate under section 1111(c)(4)(D)(i)(II) could be based on indicators for all students and need not include indicators for each subgroup. (See page 33, [www2.ed.gov/programs/titleiparta/eseatitleiaccountabilityfaqs.pdf](http://www2.ed.gov/programs/titleiparta/eseatitleiaccountabilityfaqs.pdf).) We agree with the Obama administration that this is a permissible way of complying with the statute.”<sup>162</sup>*

It should be noted that the document cited in ED’s response is no longer applicable as the accountability regulations on which it is based have since been rescinded. In fact, the frequently asked questions document, along with the regulations issued during the previous administration, have been invalidated by the department with the following statement,

*“Under the Congressional Review Act, Congress has passed, and the president has signed, a resolution of disapproval of the accountability and State plans final regulations that were published on November 29, 2016 (81 FR 86076). Because the resolution of disapproval invalidates the accountability and state plan final regulations on which this guidance is based, this guidance document is no longer applicable.”<sup>163</sup>*

Thus, that ED is using this document to defend its decision to approve plans that do not factor in subgroup performance in its CSI criteria sends a mixed message to the public about which parts of the invalidated guidance/regulations are being enforced.

TSI, unlike the CSI category providing accountability based on how schools are performing overall, hinges on how schools are serving individual subgroups of students. Specifically, states are required to identify two distinct categories:

- 1 TSI schools are those with one or more consistently underperforming student subgroups (and the state defines “consistently underperforming”).
- 2 States are required to identify schools for ATSI if the school has one or more student subgroups, which on their own, perform at or below the lowest-performing 5 percent of Title I schools (essentially the threshold established by CSI schools).

In tandem with the conversation on subgroups being excluded from systems of AMD and CSI criteria, there has been a debate about whether states can use the ATSI definition (number 2 above) to define “consistently underperforming,” thus combining the two categories into one. In the aforementioned letter to Secretary DeVos from Senator Murray and Representative Scott, the members of Congress indicate that states are required to identify three groups of schools: CSI, TSI, and ATSI.<sup>164</sup> Relatedly, in the letter to the four Congressional members, the Leadership Conference on Civil and Human Rights argues that applying the same statutory ATSI definition to TSI fails to create two categories of TSI schools as outlined in ESSA.<sup>165</sup> Lastly, All4Ed’s legal memo argues that identifying schools for TSI using only the standard that applies to ATSI is

<sup>162</sup> Cited in Klein, “Democrats Say DeVos Is Flouting ESSA.”

<sup>163</sup> To view this document, including the disclaimer that it is no longer applicable, see U.S. Department of Education, “[Accountability Under Title I, Part A of the ESEA, Frequently Asked Questions](#)” (fact sheet, U.S. Department of Education, Washington, DC, January 2017).

<sup>164</sup> To read the full letter, see Murray and Scott, “2017-09-18 ESSA Statutory Requirements Letter.”

<sup>165</sup> To read the full letter, see The Leadership Conference on Civil and Human Rights, “ESSA Oversight Letter.”

inconsistent with ESSA, could limit the number of schools identified, and skew the proportion of subgroups that receive support under the TSI provision.<sup>166</sup>

ED has defended its approval of plans that use the same identification criteria for TSI and ATSI by stating that,

*“ESSA directs states to identify schools ‘in which any subgroup of students is consistently underperforming, as determined by the state’ for targeted support and improvement. Because the statute expressly confers on states, rather than the department, the authority to determine what it means for a subgroup to be ‘consistently underperforming,’ ESSA provides no basis for the department to prohibit a state from selecting criteria that overlap with the criteria for additional targeted support.”<sup>167</sup>*

### Comprehensive Support and Improvement

Due to the interdependence between AMD and CSI, it usually follows that if the ELP indicator is included in the AMD methodology it is also included in CSI criteria. As a result, almost all states include the ELP indicator in the criteria used to identify schools for CSI; however, there was one outlier. Although Tennessee includes the ELP indicator in its system of AMD by weighting the ELP indicator at 10 percent of school’s rating, that rating is not used to identify schools for CSI. Instead, Tennessee will identify CSI schools based on the following criteria: (1) if they fail to meet the minimum performance goal by performing in the lowest 5 percent based on the success rate (which is comprised of academic achievement in ELA, math, and science); **and** the Tennessee Value-Added Assessment System (TVAAS) below level 4 or 5 in the most recent 2 consecutive years; **or** (2) if they have a graduation rate below 67 percent; **or** (3) if they have the same consistently underperforming subgroup for more than 3 years.

Moreover, the evidence cited above suggests that because ESSA requires CSI schools be identified based on the system of AMD, which is required to differentiate based on all indicators for all students and for each subgroup, it follows that subgroup performance must be included in the criteria used to identify the lowest-performing 5 percent of Title I schools. However, it is unlikely that CSI criteria include subgroup performance if this is not included in AMD; and as mentioned during the AMD discussion, only a handful of states include subgroup performance in their AMD. An exception to this is observed in states such as Kentucky where the accountability system kind of includes subgroup performance in AMD through the Achievement Gap Closure indicator, but does not include that indicator in the criteria used to identify schools for CSI.

### Targeted Support and Improvement

The TSI category, if implemented correctly, can work as an early warning system that catches subgroup underperformance before it permeates and becomes systemic. The ATSI category uses the threshold established by the lowest-performing 5 percent of schools and applies that to subgroups of students, which means that once a school is identified for this category, the subgroup(s) that trigger it are already performing as poorly as the worst-performing students across the state. Using the same criteria for TSI and ATSI defeats the purpose of creating two separate categories of schools with varying degrees of

<sup>166</sup> To read the full memo, see Alliance for Excellent Education, “Support for Historically Underserved Students in ESSA.”

<sup>167</sup> ED’s response can be found in Klein, “Democrats Say DeVos Is Flouting ESSA.”



intervention, as ESSA explicitly does. Despite the public discourse on this issue, the department approved 18 states that use the same or nearly the same criteria for TSI and ATSI,<sup>168</sup> while 31 states established different criteria, and one state (Florida) was unclear. Additionally, two states (Arkansas and Connecticut) fall into the “kind of” category because they established a more narrow performance criteria for TSI schools than ATSI schools and require ATSI schools to be identified from the pool of TSI-identified schools. As a result, identification processes in these states lead to two nearly identical sets of schools, which means these states did not create meaningfully different TSI and ATSI criteria. For example:

- ▶ In *Arkansas*, schools will be identified for TSI if any subgroup in the school performs in the bottom 1 percent of all Title I schools statewide. Among those identified for TSI, ATSI schools will be those where one or more subgroup(s) of students performs in the bottom 5 percent of all Title I schools statewide.
- ▶ In *Connecticut*, TSI schools will be those where one or more subgroup(s) of students perform in the bottom 1 percent of all schools statewide in each of the three prior years. Of the pool of schools identified for TSI, ATSI schools will be identified where an individual subgroup’s three-year average performance is in the bottom 5 percent of all schools statewide.

Among the 31 states that established separate criteria for TSI and ATSI, how “consistently underperforming” is defined in the TSI category varies greatly; therefore, direct comparisons are difficult to make. Examples include the following:

- ▶ *Colorado*: TSI schools will be identified if a given student group earns the lowest performance rating on at least three indicators (ELA achievement, math achievement, ELA growth, math growth, the “other indicator” of school quality and student success, grad rates, and ELP growth) based on the aggregated three-year performance.
- ▶ *Hawaii*: TSI schools will be identified if a subgroup of students has a performance unit that falls in the lowest 10 percent of all subgroups for at least two consecutive years.
- ▶ *Kansas*: TSI schools will be identified using the most current three years of indicator data and will rank in order, lowest to highest, each subgroup’s overall rating to determine the state median. Those identified below 1.5 standard deviations from the median will be identified for TSI.
- ▶ *Maine*: TSI schools will be those where a subgroup of students is achieving less than the state average and in the bottom 25 percent for that subgroup, using three years of accountability data.
- ▶ *Maryland*: TSI schools will be those where one or more subgroups do not meet their school-level annual targets over two years based on all indicators in the accountability system.
- ▶ *Mississippi*: TSI schools will be those that have not been identified for CSI and in which a subgroup (1) scores in the lowest 50 percent on the overall accountability index results; (2) scores in the lowest quartile of average reading/language arts or math gap-to-goal for the most recent three years of accountability calculations; and (3) scores in the lowest quartile of improvement toward reading/

<sup>168</sup> This includes states where the only difference between TSI and ATSI criteria is the number of years required to trigger each classification.

language arts or math gap-to-goal closure over three years. These schools will be rank-ordered, and the lowest-performing schools will be identified for TSI annually.

- ▶ *New Hampshire*: TSI schools will be identified as those with a subgroup that, for two consecutive years, does not meet its interim target on achievement, graduation rate, and/or ELP, **and** the all students group in the same school meets its goal; **and** for two consecutive years, the subgroup must perform below the state average for the subgroup on the same indicator for which it didn't meet its interim target; **and** the mean growth percentile for the subgroup for the most recent three year period is less than 50.
- ▶ *North Carolina*: TSI schools will be those where one or more subgroups receive an "F" grade in the AMD for the most recent and previous two years.
- ▶ *Ohio*: TSI schools will be those where subgroups fall below the average performance for their respective subgroup for two or more years. TSI schools will also be identified if the school, for the first time, has one or more student groups performing at 30 percent of schools on all federally required indicators, and scores a D or F on the gap closing component for two consecutive years.

Interestingly, although Washington State did not establish two separate criteria, it did create an additional TSI category where a school will be identified if it is consistently performing low on ELP. Moreover, although North Carolina indicated an intent to request a waiver to delay the identification of TSI schools, the status of such a waiver was unclear during the writing of this report. Lastly, Florida's TSI and ATSI identification criteria are unclear because while the state establishes TSI criteria that identify schools where any subgroup performs at or below 31 percent of the state's federal points index, its ATSI section confuses TSI and ATSI schools, which makes it difficult to determine the ATSI identification process.

## D. Summary

Collectively, the policies laid out in this section show that, despite ESSA's clear emphasis on subgroups of students, ELs were only partially incorporated into systems of accountability. Although n size inclusion/exclusion data fell short in ESSA plans, they are critical in understanding the scope of how many ELs actually count in these accountability systems. Furthermore, although all states included a measure of progress toward ELP in their system of AMD in one way or another, it is too soon to understand how these different approaches (proportional weighting vs. a set weight) affect EL accountability. Therefore, it is critical that, moving forward, each of these weighting systems is monitored and evaluated for their ability to provide an accurate glimpse into how individual schools are serving ELs' English language acquisition needs. Moreover, nuanced language was used in state plans regarding the extent to which subgroup performance on other required indicators will be incorporated into accountability systems. As this section showed, there are a handful of states that serve as examples of what it means to truly include the disaggregated performance of each student group, not just the aggregated performance of the "all students" group, which can be used as a starting point if states choose to alter their method moving forward. Lastly, it should not be forgotten that the ultimate

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purpose for these systems is to identify schools that are in need of support and improvement. To improve the efficacy of state accountability plans, it would behoove states to ensure the two TSI and ATSI categories are in order. Given ESSA's heavy emphasis on subgroup accountability, ensuring states set rigorous TSI and ATSI criteria is a critical component in identifying root causes of low subgroup performance and dispersing customized supports to students in need.

## 5 Conclusion

ESSA resulted in a patchy landscape of state EL policies across the country. ELs' experiences in any given state may differ from those of ELs in other states in terms of ELP assessment, proficiency/exit standards, maximum timeline to proficiency and interim growth targets, assessment schedule for recently arrived students, and access to assessments in their native language. Despite this variability across states, ESSA succeeded in creating more consistency within states. This means that thanks to ESSA, ELs within each state will be screened and exited from EL status according to the same standards, each state must work to reclassify ELs within a specific number of years, and a measure of ELP progress must be included in how schools are evaluated and identified for support and improvement.

ESSA also brought renewed attention to requirements that were written into law in previous iterations of ESEA but were not fully implemented. For example, ESSA required states to define what it means for

*Despite this variability across states, ESSA succeeded in creating more consistency within states.*

a language other than English to be present to a significant extent and to explore the assessment needs of students who speak those languages. This could include providing assessments in students' native languages, when appropriate. But while ESSA emphasized prominent languages found statewide,

immigrant community settlement patterns within a state may result in concentrations of students who speak lower incidence languages in certain LEAs—a fact that may be obscured when data are analyzed at the state level.

Nonetheless, whether or not state ESSA plans consistently ensure protection for ELs across the country (regardless of the state they may find themselves in) and maintain data comparability (given the divergence in policies from state to state) is open to interpretation. For example, in terms of ELs' academic achievement, ESSA's provision that allows states to include former ELs in the EL subgroup for up to four years after reclassification presents the biggest obstacle to understanding and addressing the long-term academic needs of immigrant students. Combining the academic outcomes of current and former ELs masks the performance of current ELs by artificially inflating their outcomes with the scores of ELs who have been reclassified. If current and former ELs are not broken out for accountability purposes, schools will not have critical information on former ELs, such as whether immigrant students maintain their proficiency over time and what their accompanying academic needs look like.

In terms of English language acquisition accountability, details of how the ELP indicator will be calculated were often missing from state plans. As a result, it is difficult to understand the rationale behind them

and, in some cases, whether the methodology actually reflects the level of rigor that states intended. In order to fully understand the language acquisition expectations for ELs and how that performance will be quantified in the ELP indicator, it is critical that state plans include student-level growth targets calculated relative to their maximum timeline to proficiency. These growth targets should also be accompanied by a clear explanation of how the indicator will be calculated at the school level to produce a public facing score. However, many states failed to provide such details and many also failed to indicate whether they would calculate ELP progress based on student-level characteristics (for example, giving more time to students entering U.S. schools at an older age) or—if no characteristics were listed—what the rationale was. Again, this often made it difficult to understand how the ELP indicator aligned with the state’s theory of action regarding English language development.

In terms of ELs’ academic achievement, more often than not, long-term goals were purely symbolic because they rarely played a meaningful role in accountability systems. Further, there was little evidence that states considered the statistically linked relationship between scoring below proficient on ELP and below proficient in academic achievement to develop realistic academic long-term goals for the current EL subgroup.

Lastly, before ESSA can be hailed as a success for ELs, several key implementation issues must be addressed. For example, most states did not provide clear data on how many ELs will be included/excluded from their accountability systems due to their n size—critical information for determining the extent to which state accountability systems are actually inclusive of ELs. Furthermore, only a small minority of states wholly included subgroups in their systems of AMD—meaning that, practically speaking, ELs are still excluded from school ratings. And lastly, all of this means nothing if the identification criteria for TSI and ATSI are not structured properly—such is the case in states that use the same criteria for both categories—to be able to identify schools who are underperforming in the EL category.

### Recommendations

- 1 Since education is administered locally, it is critical that states begin to evaluate the unique languages present among their own student-age populations to ensure these students’ needs are not being overlooked.
- 2 States should track data on former ELs as a distinct subgroup and begin to explore how to incorporate this subgroup into their reporting and accountability systems.
- 3 States should rethink what academic excellence looks like at various intervals on the language development continuum.

## *Building on the EL Policy Framework in ESSA*

In a major departure from NCLB, ESSA sent a clear message that it would be up to states—rather than the federal government—to define success and hold school systems accountable for how they serve ELs. However, this leaves stakeholders with the task of evaluating whether policies are effective. Before the

next reauthorization of the ESEA, states ought to have clear evidence of what worked and what did not, especially in the numerous policy gray areas that were accentuated by the autonomy allotted to states. It is also unclear whether some of the variation across plans was a predictable outcome of the flexibility at the core of ESSA or whether some aspect of the plan approval process failed to ensure consistent standards across states. This issue was exacerbated by the lack of regulations that are typically put in place in order to ensure equal application of the law. With ED having approved all of the plans, there is no question that they represent one legal interpretation of ESSA. However, questions around the enforceability of these plans arise when approved plans have missing or unclear details. This issue could be addressed by adopting consistent implementation guidelines. Also, will the federal government hold states accountable for implementing policies in their ESSA plans that were neither required nor prohibited in statute? And lastly, how will ED ensure that the amendment process is transparent and fair?

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*Before the next reauthorization of the ESEA, states ought to have clear evidence of what worked and what did not.*

Although it is too soon to evaluate the impact of the EL policies covered in this report, future ESEA policy should work to address, at minimum, the following questions:

### Data Clarity and Transparency

- ▶ Which ELs are included/excluded from the ELP indicator?
  - Does the ELP indicator have to include ELs in all grades?
    - ESSA requires academic assessments to be administered in grades 3–8 and once in high school for purposes of the academic achievement indicator. Schools are also required to assess ELs' proficiency in all grades until they are reclassified. However, ESSA stipulates that the ELP indicator shall only include the ELP scores of ELs in grades 3–8 and once in high school (in line with the academic content areas). States such as North Carolina clearly stipulated that they would only include students in grades 3–8 and 10 for purposes of the ELP indicator. But what does that mean for ELs enrolled in other grades? This inconsistency means that ELs will continue to be tested in all grades until they reach ELP, but depending on which grade they are currently enrolled in, they may not count in the ELP indicator. This may also disproportionately advantage/disadvantage some schools depending on the age/grade composition of their EL population.
    - ESSA also stipulates that when a student attends a school for less than half the school year, his or her academic performance will not be included in the system of AMD and will only be reported. Given the generally high mobility of EL/immigrant students, they are likely to be disproportionately represented in the group of students excluded from accountability for this reason, and data on how many ELs were tested but not included will be obscured.

- What happens when an EL moves from district to district or state to state?
  - In states that do not consider entering the ELP level when calculating student-level timelines to proficiency, and where out-of-state or out-of-district ELP scores do not travel with a student to a new district for accountability purposes, will students be assigned a new maximum time to proficiency even if they have been enrolled in EL services elsewhere?
- ▶ Are there differences between EL subgroup reporting and accountability?
  - Are former ELs allowed to be included in the EL subgroup in how schools *report* subgroup performance as well as for accountability purposes?
    - ESSA allows the academic performance of former ELs to be included in the EL subgroup for accountability purposes. However, the law is silent on whether states are allowed to combine the performance of both groups when reporting student outcomes—Florida was the only state to do this in its plan.
  - Does disaggregating subgroup performance data for *reporting* purposes only meet the statute’s requirement to include subgroup performance in systems of AMD?
    - Many plans mentioned they would *report* disaggregated subgroup performance. However, *reporting* does not equate to *accountability*. A deeper read into systems of AMD uncovered that just because they are reporting subgroup performance, does not necessarily mean they are factoring it into systems of AMD and school ratings, however they may be structured.

## Policy and Guidance Gaps

- ▶ Should accountability systems differentiate the progress of ELs who do not exit within their allotted timeline to proficiency? How are they to be included in systems of AMD?
  - As referenced in Section 2, only a couple of states accounted for ELs who miss their ELP exit date by awarding fewer points for their growth in the ELP indicator after that timeline is exceeded. Notably, long-term ELs were absent from state plans and without this kind of prescriptive policy, it is unclear how schools will be held accountable for those who struggle the most.
- ▶ Are schools prepared to address the reality that some ELs’ timelines to proficiency extend beyond the amount of time they will be enrolled in a traditional K–12 system (e.g., Wisconsin)?
  - This issue is most prominent among newcomer students who first enroll in a U.S. school in their teenage years, and who may age out of school (at age 20 or 21 in most states) before reaching English proficiency; such students have the steepest hill to climb in terms of both language acquisition and catching up in academic content areas.
  - Although this issue extends beyond questions of accountability, it highlights the need for a continuum of services for these students to ensure they ultimately become English proficient.

- ▶ Are academic and ELP long-term goals required to be more than symbolic?
  - Although ESSA required states to establish long-term goals and measures of interim progress for academic achievement and ELP, more often than not, these goals turned out to have no bearing on school systems of AMD.
- ▶ Are states supposed to include a measure of English proficiency in accountability systems?
  - Under Title III of NCLB, states had to report whether schools met goals for both ELP growth and proficiency (these were known as Annual Measurable Achievement Objectives 1 and 2, respectively). However, the EL measure included in ESSA is called, “*progress toward English language proficiency*.” This means that although some states counted students exiting EL status toward those who make growth, ESSA does not have a mandatory measure for proficiency. The intent in doing so was to give schools credit for their work and contributions to the growth ELs are making from one year to the next until they reach proficiency instead of simply penalizing them if/when they do not reach proficiency.
  - As shown in Section 2, not all states included students who reach proficiency in their ELP calculation or were not clear about whether they do so. Many states simply count an EL who reaches proficiency as making progress, while a couple attributed a separate weight to ELs who made progress and to those who reached proficiency. However, ESSA was silent about whether schools should be including a measure of proficiency in their systems of AMD and how that should be done.
- ▶ Are states allowed to include the academic performance of former ELs in the EL subgroup for assessments in subjects other than math and reading/language arts?
  - The provision under ESSA that allows states to combine the academic performance of current and former ELs for accountability purposes for up to four years only extends to math and reading/language arts (paragraph [2][B][v][I]), not science (paragraph [2][B][v][II]) or any other subject chosen by the state (paragraph [2][B][v][III]).
  - While ESSA does not explicitly prohibit states from extending this policy to science and other assessments, it also does not explicitly allow it, which means data uniformity for the EL subgroup within states could be compromised depending on state interpretation. Following the letter of the law, a state might include former ELs in performance data for math and reading/language arts but not for science. Without a clear definition in ESSA plans, in most cases it will be unclear whether states include former EL performance data for science and social studies if they include those in their accountability systems.

The variation in EL policies across ESSA plans potentially has a real-world effect on teachers and students, as outcomes in one state may signal effective schools and the same outcome in another school signal inadequacy. Additionally, these gray areas threaten the comparability of data across states. In order to evaluate policy effectiveness, it is important for states to clarify the parameters of

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*These gray areas threaten the comparability of data across states.*

their measures so that analysts may account for differences between states. Furthermore, although ESSA sought to strike a balance between flexibility and specificity, the fact that critical information was often missing from these state plans highlights the fact that few states looked beyond the framework provided by the template to provide a holistic plan of action for ELs. Lastly, it is not clear what level of transparency and community involvement will be required for states proposing amendments to their plan. In November 2018, ED provided guidance to state chief school officers explaining that if they planned on making changes to their plan they would need to consult with their governor on the amendment(s), provide reasonable opportunity for the public to comment on the amendment(s) and consider their comments, and that changes cannot be implemented prior to ED approval.<sup>169</sup>

### ED Guidelines for Amending ESSA Plans

When submitting an amendment to the U.S. Department of Education, the department requires state education agencies to include the following:

- 1** a redlined version of the approved consolidated state plan that reflects all proposed changes;
- 2** a cover letter describing the proposed changes;
- 3** the signature of the chief state school officer or authorized representative; and
- 4** a description of how the state provided the public a reasonable opportunity to comment on the plan.

Despite this guidance, the amendment process has more or less taken place in a vacuum and little communication has come out of ED if and when it approves/denies amendment requests, which means it is unclear the extent to which key stakeholders have been consulted. So long as ESSA is the guiding policy, this issue alone will prove to be the biggest challenge for education advocates as they attempt to monitor the implementation of these education plans and look at outcomes over time.

<sup>169</sup> Frank Brogan, “Dear Colleague Letter on State Plan Amendments” (letter, U.S. Department of Education, Washington, DC, November 14, 2018).



# Appendices

## Appendix A. Accompanying Tables for Section 2: English Language Acquisition

TABLE A-1

**WIDA Consortium States: Identification Procedures, Maximum Timelines to Proficiency, and Exit Criteria, 2018**

State	Identification Procedures	30-Day Assessment Assurance?	Maximum Timeline to Proficiency	Proficiency Definition	Additional Exit Criteria and/or Notes
<b>Alabama</b>	<ul style="list-style-type: none"> <li>- Home language survey (HLS)</li> <li>- Kindergarten: WIDA-ACCESS Placement Test (W-APT) or WIDA Measure of Developing English Language (MODEL)</li> <li>- Grades 1–12: WIDA Online Screener</li> <li>- Students in grades 1–12 scoring between a 4.0 and 5.0 on the screener shall be further assessed to see if they may require placement in English Learner (EL) services using additional evidence such as previous schooling in English or recommendations from a previous teacher</li> </ul> <p>(1) Identify if student is eligible to be identified as an EL; student must fall in one of two categories:</p> <ul style="list-style-type: none"> <li>A: Student was not born in the United States or has a native language other than English</li> <li>B: Student is American Indian, Alaska Native, or resident of the outlying areas where a language other than English has had a significant impact on the individual's level of English language proficiency (ELP)</li> </ul>	YES	7 years	4.8 composite score	<p>Although the state says that its EL timeline to proficiency is seven years, language was added that says this applies after the initial year, which essentially would make the timeline eight years. However, the student-level targets chart shows that the state does count the first year of enrollment as year one.</p>
<b>Alaska</b>	<ul style="list-style-type: none"> <li>(2) HLS is administered to parents of any child who fits into one of the above categories</li> <li>(3) Teacher observations considered with option to use the Language Observation Checklist</li> <li>(4) State-approved screening assessment (W-APT, WIDA Screener, or WIDA MODEL)</li> </ul>	YES	8 years*	4.5 composite score or higher, and at least 3.8 in writing and 4.0 in all other domains	<p>* Although the state says that its EL timeline to proficiency is seven years, language was added that says this applies following the year of initial identification, which essentially makes the timeline eight years.</p>

TABLE A-1 (cont.)

**WIDA Consortium States: Identification Procedures, Maximum Timelines to Proficiency, and Exit Criteria, 2018**

State	Identification Procedures	30-Day Assessment Assurance?	Maximum Timeline to Proficiency	Proficiency Definition	Additional Exit Criteria and/or Notes
<b>Colorado</b>	<ul style="list-style-type: none"> <li>- HLS/Questionnaire</li> <li>- Body of evidence such as: family interview, student academic record, local school or district assessment, informal assessment, and student profile</li> <li>- W-APT</li> </ul>	NO	6 years	4.0 composite score and 4.0 in literacy	In addition to reaching proficiency, Colorado requires two additional pieces of evidence that demonstrate success in reading and writing through English language arts (ELA), science, social studies, and/or math as comparable to non-EL/native English speaking peers. If ELs have a score less than 4.0 in literacy or the overall composite, or do not have an overall composite score reported, they may still be eligible to be reclassified if they: (1) have one additional piece of evidence that confirms English proficiency that is aligned with the Colorado English Language Proficiency (CELP) standard(s) in the missing domain(s) or that does not reflect typical student performance; and (2) have two additional pieces of evidence mentioned above.
<b>Delaware</b>	<ul style="list-style-type: none"> <li>- HLS</li> <li>- Standardized identification screening process</li> <li>- Pre-K: WIDA speaking and listening domain diagnostic screeners</li> <li>- Grades K–12: W-APT, Kindergarten MODEL, or Delaware Alternative EL Identification Protocol</li> </ul>	Yes, actually 25 days	6 years	5.0 composite score	
<b>District of Columbia</b>	<ul style="list-style-type: none"> <li>- HLS</li> <li>- Pre-K: IDEA Language Proficiency Test (Pre-IPT)</li> <li>- Kindergarten: Kindergarten W-APT or MODEL</li> <li>- Grades 1–12: W-APT or WIDA Screener</li> </ul>	YES	6 years*	5.0 composite score	* Although the state says its EL timeline to proficiency is five years, the plan also says that year one counts as a baseline and starts counting in year two of enrollment, making the timeline six years. The plan also says the state is developing and conducting a pilot to explore the integration of complementary evidence in reclassification procedures.
<b>Florida</b>	<ul style="list-style-type: none"> <li>- HLS</li> <li>- WIDA Screener, the Kindergarten W-APT, or the Kindergarten MODEL</li> <li>- In grades 3–12, a norm-referenced test in reading and writing may be used instead of the reading and writing sections of the state ELP assessment to determine EL status</li> </ul>	YES	5 years	4.0 or higher composite, and at least a 4.0 on the reading subtest	If the student is in a tested grade level for ELA, a score of a level 3 or above on the ELA assessment is also required to exit EL services.

TABLE A-1 (cont.)

**WIDA Consortium States: Identification Procedures, Maximum Timelines to Proficiency, and Exit Criteria, 2018**

State	Identification Procedures	30-Day Assessment Assurance?	Maximum Timeline to Proficiency	Proficiency Definition	Additional Exit Criteria and/or Notes
<b>Georgia</b>	<ul style="list-style-type: none"> <li>- HLS</li> <li>- Kindergarten: W-APT</li> <li>- Grades 1–12: WIDA Screener</li> </ul>	YES	8 years*	4.3 composite score	<p>* Although the state says its EL maximum timeline to proficiency is seven years, the narrative on ELP indicates that the first year of enrollment is not factored into the calculation of maximum years to proficiency making the actual maximum number of years to reach proficiency eight. In addition to reaching proficiency, Georgia requires the completion of the state-required English Learner Redesignation Form, which requires schools to consider, at a minimum, the student’s classroom performance, English literacy skills, and assessment performance; and the judgment of the educators responsible for the student’s content and academic language achievement in the classroom.</p>
<b>Hawaii</b>	<ul style="list-style-type: none"> <li>- One question on home language included in the Hawaii State Department of Education (HIDOE) enrollment form</li> <li>- Kindergarten: W-APT</li> <li>- Grades 1–12: WIDA Screener</li> <li>- Bilingual school-home assistant or other trained staff fluent in the students’ home language interviews the potential EL in the home language</li> </ul>	YES	5 years	5.0 composite score	

TABLE A-1 (cont.)

**WIDA Consortium States: Identification Procedures, Maximum Timelines to Proficiency, and Exit Criteria, 2018**

State	Identification Procedures	30-Day Assessment Assurance?	Maximum Timeline to Proficiency	Proficiency Definition	Additional Exit Criteria and/or Notes
<b>Idaho</b>	<ul style="list-style-type: none"> <li>- HLS</li> <li>- Review additional resources to determine whether student has previously been identified as an EL. These resources are: Idaho’s EL management system; cumulative file review of WIDA assessments, EL plans, and EL exit forms; and communication with previous school district, if necessary. They also have a process for identifying students whose parents indicated “English only” on the HLS, but exhibited characteristics of a second language present.</li> <li>- W-APT or WIDA Screener, depending on grade level and time of year of enrollment</li> </ul>	YES	7 years	Unclear	The plan includes conflicting information about the proficiency definition. The ELP section says that a student is considered proficient when he or she receives a 5.0 composite score; however, the Title III section says that a 5.0 composite, and at least a 4.0 in each domain of listening, speaking, reading, and writing is required to exit.
<b>Illinois</b>	<ul style="list-style-type: none"> <li>- HLS</li> <li>- First semester of Kindergarten to first semester of Grade 1: WIDA MODEL</li> <li>- Second semester of Grade 1 to Grade 12: WIDA Screener</li> </ul>	YES	5 years	Unclear	The plan includes conflicting information about the proficiency definition. A 4.8 composite or above is mentioned, but Title III references that ELs have to achieve a composite 5.0, reading proficiency level of 4.2, and a writing proficiency level of 4.2 on the state’s ELP assessment to exit services. The plan also says the state is currently revising the proficiency definition.
<b>Indiana</b>	<ul style="list-style-type: none"> <li>- HLS</li> <li>- WIDA Screener or W-APT</li> </ul>	YES	6 years	5.0 composite score	
<b>Kentucky</b>	<ul style="list-style-type: none"> <li>- HLS</li> <li>- Kindergarten: W-APT(districts are required to enroll a kindergarten student who has taken the W-APT test as an EL student regardless of the score)</li> <li>- Grades 1–12: WIDA Screener Online</li> </ul>	YES	5 years	4.5 composite on a Tier B or a Tier C	
<b>Maine</b>	<ul style="list-style-type: none"> <li>- HLS</li> <li>- W-APT Screener, WIDA MODEL, or WIDA Screener Online</li> </ul>	YES	6 years	Unclear	The plan includes conflicting information regarding what is considered proficiency. The revised ELP section of the plan identifies a composite score of 5.0 as proficiency. Title III, however, states that a composite level of 6 is proficient.

TABLE A-1 (cont.)

**WIDA Consortium States: Identification Procedures, Maximum Timelines to Proficiency, and Exit Criteria, 2018**

State	Identification Procedures	30-Day Assessment Assurance?	Maximum Timeline to Proficiency	Proficiency Definition	Additional Exit Criteria and/or Notes
<b>Maryland</b>	- HLS - W-APT	YES	6 years	4.5 or higher overall score	The plan included conflicting information about its proficiency definition. Title III only mentions a 5.0 or higher overall score, while the ELP section of the plan defines proficiency as an overall score of 5.0 or higher and a 4.0 or higher in literacy. However, in April 2018, the Maryland Department of Education submitted an amendment request to the U.S. Department of Education requesting to update the proficiency attainment goal from “an overall level of 5.0 or higher” to an overall score of 4.5 or higher on ACCESS for ELLs 2.0.
<b>Massachusetts</b>	- HLS; - Pre-K: LAS Links or Pre-IPT - K–12: WIDA W-APT or MODEL Screener	YES	6 years	5.0 or higher composite and a 4.5 or higher literacy score	
<b>Michigan</b>	- HLS - Pre-K: Students are exempt from the W-APT and are identified solely on the basis of HLS - Kindergarten: W-APT - Grade 1–12: W-APT and state-approved literacy assessment	YES	6 years	4.5 composite, and at least 4.0 on both reading and writing domain scores	The plan provides conflicting information about the state’s definition of proficiency. The ELP section of the plan states that a 4.5 composite constitutes proficiency; however, Title III states that an EL must achieve a 5.0 or higher and minimum 4.5 in all four domains. The proficiency definition listed was gathered from the EL office website. To exit, ELs must also demonstrate grade-level proficiency in literacy. It should be noted that although the plan says the maximum timeline to proficiency is six years, it also says that applicable timelines for ELP will be determined by an empirical policy study, but will be limited to no more than seven years.

TABLE A-1 (cont.)

**WIDA Consortium States: Identification Procedures, Maximum Timelines to Proficiency, and Exit Criteria, 2018**

State	Identification Procedures	30-Day Assessment Assurance?	Maximum Timeline to Proficiency	Proficiency Definition	Additional Exit Criteria and/or Notes
<b>Minnesota</b>	<ul style="list-style-type: none"> <li>- Minnesota’s HLS</li> <li>- Kindergarten: W-APT or WIDA MODEL</li> <li>- Grades 1-12: WIDA Screener</li> </ul>	YES	7 years	4.5 composite score and a minimum of 3.5 in at least three of the four domains	<p>Students with limited or interrupted formal education (SLIFE) will receive one additional year in their timelines if they are at a beginning or intermediate proficiency level, but not if they are initially at an advanced proficiency level.</p> <p>If a student has met the proficiency score but one domain score is below 3.5, local education agencies (LEAs) must take the following steps to determine if a student should be retained in EL services:</p> <ul style="list-style-type: none"> <li>- Determine if there is evidence that the student is able to meet grade-level core content standards. Examples of evidence could include grades, recent examples of student work, and documented observations by classroom teachers focusing on language use in the classroom.</li> <li>- Use an additional assessment instrument to test the domain with a score below 3.5 to determine if the student has a need for continued EL services. Examples of additional assessments could include the WIDA Model, the Test of Emerging Academic English (TEAE) writing assessment, the Minnesota Modified Student Oral Language Observation Matrix (MN SOLOM) speaking assessment, or formative assessments using the WIDA speaking and writing rubrics. The Minnesota Department of Education (MDE) strongly encourages schools and districts to consider any formative language assessments they have used throughout the year.</li> <li>- If a student has a disability, LEAs must consult with the student’s Individualized Education Program (IEP) team to determine if dual service is appropriate moving forward.</li> </ul>

TABLE A-1 (cont.)

**WIDA Consortium States: Identification Procedures, Maximum Timelines to Proficiency, and Exit Criteria, 2018**

State	Identification Procedures	30-Day Assessment Assurance?	Maximum Timeline to Proficiency	Proficiency Definition	Additional Exit Criteria and/or Notes
<b>Missouri</b>	- Language Use Survey (LUS) - WIDA Screener (W-APT)	YES	6 or 8 years (unclear)	4.7 composite score	In the ELP section, the plan says that student targets are built on a six-year expectation. However, the chart depicting student-level targets in the appendix illustrates a maximum of eight years.
<b>Montana</b>	- HLS or Teacher Observation Checklist - Kindergarten: WIDA K W-APT - Grades 1–12: WIDA Screener Online	YES	5 years	5.0 or higher on the composite score and a 4.0 or higher on each of the domains	Schools can make exit decisions based solely on proficiency, but they are encouraged to consider other data related to academic achievement and the student’s ability to be successful in various community, college, and career settings. Additional data may include assessments of reading comprehension and writing from classroom, district, and statewide content assessments.
<b>Nevada</b>	- HLS - Kindergarten: W-APT - Grades 1–12: WIDA Screener	YES	6 years	5.0 minimum composite score and minimum literacy subscore of 5.0	
<b>New Hampshire</b>	- NH HLS - WIDA Screener (W-APT or MODEL, although plan says the screener will be “phased” in 2017–18, it is unclear what will take its place)	YES	5 years	5.0 composite score	
<b>New Jersey</b>	- HLS - Screening conducted by a certified teacher for any student whose native language isn’t English - W-APT, WIDA Screener, or WIDA MODEL - Student’s reading level, previous academic performance, and input of teaching staff who educate ELs also considered	YES	5 years	4.5 composite score	In addition to achieving proficiency, New Jersey’s exit criteria includes an English Language Observation form that requires schools to consider, at minimum, the following when deciding whether to exit an EL from services: classroom performance, reading level in English, judgment of teaching staff, and student performance on achievement tests in English.

TABLE A-1 (cont.)

**WIDA Consortium States: Identification Procedures, Maximum Timelines to Proficiency, and Exit Criteria, 2018**

State	Identification Procedures	30-Day Assessment Assurance?	Maximum Timeline to Proficiency	Proficiency Definition	Additional Exit Criteria and/or Notes
<b>New Mexico</b>	<ul style="list-style-type: none"> <li>- NM LUS</li> <li>- Kindergarten: WIDA W-APT Screener</li> <li>- Grades 1–12: WIDA's Screener Online</li> </ul>	YES	6 years*	5.0 or higher composite score	* Although the plan says that the timeline to proficiency is five years, the state doesn't start counting until one year after initial enrollment. Therefore, ELs really have six years to reach proficiency.
<b>North Carolina</b>	<ul style="list-style-type: none"> <li>- HLS</li> <li>- WIDA Screener</li> <li>- Limited English Proficiency (LEP) coordinator/designee interviews the student and his/her parent/guardian to clarify the home language of the student</li> </ul>	YES	6 years*	4.8 or above overall composite score, with at least a 4.0 on the reading domain and at least a 4.0 on the writing domain for kindergarten, and Tiers B and C in Grades 1–12	* Plan says that ELs have five years to reach proficiency, but the first score counts as "year 0" or a "base score." Therefore, it is a six-year maximum since the countdown begins in the second year of enrollment. The plan says that North Carolina uses a Comprehensive Objective Composite (COC) which involves identifying the cutoff point at which ELP no longer affects reading and math performance on the state's end-of-grade (EOG) and end-of-course (EOC) tests. This method comprehensively takes into account the combination of two objective performance factors: the state's EOG and EOC ELA/reading and math tests and the student's ELP.
<b>North Dakota</b>	<ul style="list-style-type: none"> <li>- HLS (the second page of the HLS contains items the schools will be encouraged to use and districts have the option to add items or addenda as they wish beyond the required elements)</li> <li>- K–12: WIDA MODEL</li> <li>- Grades 1–12: WIDA Screener</li> <li>- Districts may allow teacher referral for students not screened due to information on the HLS</li> </ul>	YES	7 years*	5.0 composite score and a 3.5 proficiency on each domain	* Plan says that ELs have six years to reach proficiency, but the first score counts as "year 0" or a "base score." Therefore, it is a seven-year maximum since the countdown begins in the second year of enrollment. Additionally, the plan states that for students who are never in attendance during annual ELP testing, the full MODEL screener may be used to exit a student.



TABLE A-1 (cont.)

**WIDA Consortium States: Identification Procedures, Maximum Timelines to Proficiency, and Exit Criteria, 2018**

State	Identification Procedures	30-Day Assessment Assurance?	Maximum Timeline to Proficiency	Proficiency Definition	Additional Exit Criteria and/or Notes
Oklahoma	<ul style="list-style-type: none"> <li>- HLS or teacher referral and other indicators may be used to initiate placement testing</li> <li>- Pre-K: Pre-K Screening Tool (PKST), department-created 10-question oral language screener</li> <li>- Kindergarten: Oral portion of Kindergarten W-APT or Kindergarten MODEL</li> <li>- First semester Grade 1: Kindergarten W-APT or Kindergarten MODEL</li> <li>- Second semester Grade 1 to Grade 12: WIDA Screener</li> </ul> <p>(Note: all Pre-K students must be screened again in their kindergarten year with the Kindergarten W-APT)</p>	YES	5 years	4.8 or above composite	<p>Oklahoma has different exit criteria for different grade bands and proficiency levels.</p> <p><b>Kindergarten:</b> proficient in all domains of Kindergarten ACCESS or by testing as proficient on the ACCESS for ELLs 2.0 at the end of Grade 1.</p> <p><b>K–12 scoring 4.8 or above composite:</b> automatic exit.</p> <p><b>Grades 3–12 scoring 4.7 or above composite:</b> automatic exit.</p> <p><b>Grades 3–12 scoring between 4.3–4.7:</b> will be potentially eligible for reclassification and exit based on the decision of a district-level academic team using state-level criteria. To be reclassified, an EL must meet the criteria set forth by the rubric, be recommended for reclassification and exit by an EL representative, and when applicable, the student’s IEP team should participate in the district-level academic team decision on whether to retain or exit the student from EL services.</p>
Pennsylvania	<ul style="list-style-type: none"> <li>- HLS and parent interview</li> <li>- Review of academic records to determine evidence of ELP; If no such evidence exists, student must be screened using one of these WIDA tools:</li> <li>- K W-APT, K MODEL, WIDA Screener, or MODEL Screener</li> </ul>	YES	6 years	5.0 or above composite	<p>Performance on WIDA ACCESS and language use inventory developed by the Council of Chief State School Officers (CCSSO) are used to exit ELs from services. Two language inventories must be completed, one by an English as a Second Language (ESL) teacher and one by a single-content teacher or team of teachers. Each language use inventory produces a single score and the sum of the two will be added to the ACCESS points assigned to determine whether the EL meets the minimum threshold, which is 10.5 out of a total of 16 points possible, to be reclassified.</p>
Rhode Island	<ul style="list-style-type: none"> <li>- HLS</li> <li>- Family interview</li> <li>- Review student records to identify potential EL needs</li> <li>- W-APT (will be replaced by the WIDA Screener)</li> </ul>	Yes, actually 20 days	6 years	Unclear	<p>The plan provides conflicting definitions of proficiency. The ELP section of the plan says it is a 5.0 composite, while Title III specifies that it is a 5.0 or above comprehension composite and a 4.5 literacy composite. ELs must also meet key academic criteria to exit which includes teacher recommendations, writing samples, and passing grades in all classes.</p>

TABLE A-1 (cont.)

**WIDA Consortium States: Identification Procedures, Maximum Timelines to Proficiency, and Exit Criteria, 2018**

State	Identification Procedures	30-Day Assessment Assurance?	Maximum Timeline to Proficiency	Proficiency Definition	Additional Exit Criteria and/or Notes
<b>South Carolina</b>	- HLS - W-APT - Grades 1–12: WIDA Screener	YES	5 years	4.4 composite score of with no subdomain below 4.0	
<b>South Dakota</b>	- HLS - Junior kindergarten and kindergarten: MODEL/KG-WAPT Screener - Grades 1–12: WIDA Online and Paper Screener	YES	6 years*	5.0 composite score	* Although the plan says that ELs have five years to reach proficiency, the baseline year is considered year zero, therefore, the actual timeline is six years.
<b>Tennessee</b>	- HLS - Kindergarten: W-APT - Grades 1–12: WIDA Screener	YES	6 years	4.2 or greater composite and a 4.0 or greater literacy score	The SEA is currently researching additional exit criteria that may be appropriate such as final course grades and/or results on district or local assessments.
<b>Utah</b>	- HLS - WIDA Screener	YES	5 years	5.0 composite score	A teacher-student-parent conference is initiated to discuss the necessary support for the student's ability to make continuous progress within 30 days of receiving the WIDA ACCESS for ELs score.
<b>Vermont</b>	- HLS - WIDA Screener	YES	5 or 6 years (unclear)	5.0 composite score, plus a minimum score of 4.0 or higher on the reading and writing domains	The plan includes inconsistent information about the maximum timeline to proficiency.
<b>Virginia</b>	- HLS - WIDA screening tool such as: Kindergarten W-APT, WIDA MODEL, WIDA Screener, and W-APT	YES	5 years	4.4 composite score	

TABLE A-1 (cont.)

**WIDA Consortium States: Identification Procedures, Maximum Timelines to Proficiency, and Exit Criteria, 2018**

State	Identification Procedures	30-Day Assessment Assurance?	Maximum Timeline to Proficiency	Proficiency Definition	Additional Exit Criteria and/or Notes
<b>Wisconsin</b>	<ul style="list-style-type: none"> <li>- HLS</li> <li>- Kindergarten: K W-APT or Kindergarten MODEL</li> <li>- Grades 1–12: WIDA Screener</li> </ul>	YES	8 years	5.0 or higher composite score	If a score of 5.0 is not reached, an LEA is required, for students scoring between 4.5 and 5.0, to determine if a student demonstrates adequate ELP through the state’s single uniform Multiple Indicator Protocol (MIP). A MIP is a standard tool for collecting evidence for a student’s English language use within a school or classroom setting. Students who score high/very high across the majority of the observation categories within the MIP have demonstrated full English proficiency and shall be reclassified as a former EL.
<b>Wyoming</b>	<ul style="list-style-type: none"> <li>- HLS</li> <li>- Kindergarten (as well as for some Grade 1 students): K W-APT or K MODEL</li> <li>- Grades 1–12: WIDA Screener</li> </ul>	YES	6 years	4.6 composite score	

Source: see Appendix E for a list of the state ESSA plans and additional clarifying documents from which this information is drawn.

TABLE A-2

ELPA21 Consortium States: Identification Procedures, Maximum Timelines to Proficiency, and Exit Criteria, 2018

State	Identification Procedures	30-Day Assessment Assurance?	Maximum Timeline to Proficiency	Proficiency Definition	Additional Criteria and/or Notes
<b>Arkansas</b>	- Home language survey (HLS) and/or English Learner (EL) referral form; - English Language Proficiency Assessment for the 21st Century (ELPA21) Screener	YES	6 years for K–2; 7 years for grades 3–5; 8 years for grades 6–12	Level 4 or above on all four ELPA21 domains	Additional criteria includes: (1) “Proficient” on professional judgment rubric; and (2) Exit recommendation by Language Proficiency and Assessment Committee.
<b>Iowa</b>	- HLS - ELPA21 Screener	YES	5 years	Level 4 or above on all four ELPA21 domains	
<b>Nebraska</b>	- HLS - ELPA21 Screener	YES	6 years	Level 4 or above on all four ELPA21 domains	
<b>Ohio</b>	- HLS - Ohio English Language Proficiency Screener (OELPS)	YES	Info not provided	Scoring any combination of 4’s and 5’s across all four test domains with a summed domain score of 16–20 points	Although the state’s plan says it uses the Ohio English Language Proficiency Assessment, it is actually the ELPA21 assessment.
<b>Oregon</b>	- State-designed Language Use Survey - One of the following state-approved screeners: Language Assessment System (LAS), Woodcock-Munoz, IDEA Proficiency Test (IPT), Stanford, or ELPA21 Screener (if adopted by the state) (Note: in 2019–20, if the state adopts a single ELP screener, the districts must use this particular ELP screener)	YES	7 years for regular ELs; 8 Years for SIFE and dual-identified ELs	Level 4 or above on all four ELPA21 domains	The plan says they will rely “primarily” on ELPA results, and that “most” students that receive a proficiency determination will be exited. This seems like open-ended criteria.
<b>Washington State</b>	- HLS - ELPA21 screener	Yes, actually 10 days	6 years	Level 4 or above on all four ELPA21 domains	
<b>West Virginia</b>	- HLS - Statewide ELP Screener	YES	6 years	Level 4 or above on all four ELPA21 domains	

Source: see Appendix E for a list of the state ESSA plans and additional clarifying documents from which this information is drawn.

TABLE A-3

**LAS Links: Identification Procedures, Maximum Timelines to Proficiency, and Exit Criteria, 2018**

State	Identification Procedures	30-Day Assessment Assurance?	Maximum Timeline to Proficiency	Proficiency Definition	Additional Exit Criteria and/or Notes
<b>Connecticut</b>	- Home language survey (HLS) - English language proficiency (ELP) assessment	YES	5 years	Attain level 4 or 5 in overall score, reading, and writing	
<b>Mississippi</b>	- HLS - LAS Links Screener/Placement Test	YES	5 years	Attain level 4 or 5 in overall score, reading, and writing	
<b>Puerto Rico</b>	- HLS - School Director validates the HLS student's data - LAS Links Screener	YES	6 years*	Attain level 4 or 5 in overall score	* Although the plan says Spanish Learners (SLs) have five years to reach proficiency, the actual timeline is six years because the first year of enrollment is considered a baseline year.

Source: see Appendix E for a list of the state ESSA plans and additional clarifying documents from which this information is drawn.

TABLE A-4

State-Developed Identification Procedures, Maximum Timelines to Proficiency, and Exit Criteria, 2018

State	Identification Procedures	30-Day Assessment Assurance?	Assessment	Maximum Timeline to Proficiency	Proficiency Definition	Additional Exit Criteria and/or Notes
Arizona	- Home language Questionnaire (HLQ) - Arizona English Language Learner Assessment (AZELLA) placement test	YES	AZELLA	Info not provided	Scoring proficient on reading, writing, and overall domains	
California	- Home language survey (HLS) - California English Language Development Test (CELDT)/ English Language Proficiency Assessments for California (ELPAC) (after 2018)	YES	ELPAC	5 years	Overall performance level of 4 or higher	Additional exit criteria include: (1) Teacher evaluation including a review of the student’s curriculum; (2) Parent opinion and consultation; and (3) Comparison of student performance in basic skills against an empirically established range of performance in basic skills based on the performance of English-proficient students of the same age.
Kansas	- HLS - Kansas English Language Proficiency Assessment (KELPA2) Screener (KELPA2-Placement)	YES	KELPA2	7 years	Level 4 on KELPA2	Fluent English scores for Kansas’s English language proficiency (ELP) screener will be available after piloting in spring 2018. The plan doesn’t explicitly state timeline to proficiency, but the student-level targets table indicates it is seven years.
Louisiana	- HLS - ELP Screener	YES	The Louisiana Educational Assessment Program (LEAP) English Language Proficiency Connect	7 years	Level 4 or 5 on all four domains	The plan identifies the state’s definition of ELP; however, exit criteria have not been established due to the shift to a new assessment.
New York State	- HLQ - Individual interview conducted in English and student’s native/home language by qualified personnel - NYS Identification Test for English Language Learners (NYSITELL)	Yes, actually 10 days	NYS English as a Second Language Achievement Test (NYSESLAT)	5 years	Scoring at the “commanding” or on the NYSESLAT	Students who score at the “expanding” level on the NYSESLAT may also be considered for reclassification if they score above the designated cutoff points on the Grades 3–8 English language arts (ELA) or Regents Exam in English.

TABLE A-4 (cont.)

State-Developed Identification Procedures, Maximum Timelines to Proficiency, and Exit Criteria, 2018

State	Identification Procedures	30-Day Assessment Assurance?	Assessment	Maximum Timeline to Proficiency	Proficiency Definition	Additional Exit Criteria and/or Notes
Texas	- HLS - PreK to Grade 1: Texas Education Agency (TEA)-approved English oral proficiency test - Grades 2–12: TEA-approved English oral and written proficiency test - Recommendation for program entry by the language proficiency assessment committee (LPAC) after following a standardized procedure	Yes, actually within 4 weeks (or 20 days) of enrollment	Texas English Language Proficiency Assessment System (TELPAS)	Info not provided	Info not provided	Texas requires all of the following to be met to reclassify ELs: (1) Current results from the state’s annual English proficiency test (TELPAS). (2) Current satisfactory performance on the reading assessment instrument under the Texas Education Code (TEC) 39.023 (a), <b>or</b> an ELA assessment instrument administered in English selected from the list of TEA-approved tests, <b>or</b> a score above the 40th percentile on both the English reading and ELA sections of a TEA-approved norm-referenced standardized achievement instrument for a student who is enrolled in Grade 1 or 2; <b>and</b> (3) Results of a subjective teacher evaluation, using the TEA-approved Student Exit Rubric.

Source: see Appendix E for a list of the state ESSA plans and additional clarifying documents from which this information is drawn.

TABLE A-5

English Language Proficiency Baselines and Long-Term Goals, 2018

State	Baseline and Year	Long-Term Goal	Target Year
Alabama	40% (2017)	85% of English Learners (ELs) meeting their annual growth targets	2023
Alaska	41.9% (2017)	70% of ELs meeting their student-specific progress targets	2027
Arizona	30% (2016)	60% making progress toward proficiency	2028
Arkansas	32% (2017)	52% of students on track to English language proficiency (ELP)	2029
California	68.7% (2015)	75% of ELs gain one performance level on the language proficiency assessment annually	2022
Colorado	Grades K–5 baseline: 67.6% (2017) Grades 6–12 baseline: 43.7% (2017)	Reduce the gap of students on-track between baseline and 80% by 25% Grades K–5: 70.7% Grades 6–12: 52.8%	2022
Connecticut	<b>Oral domain:</b> 70.9% (2017) <b>Literacy domain:</b> 64.9% (2017)	ELs will have an average percentage of target achieved of 100% in both oral and literacy	2030

TABLE A-5 (cont.)

## English Language Proficiency Baselines and Long-Term Goals, 2018

State	Baseline and Year	Long-Term Goal	Target Year
Delaware	Students meeting growth target: 41.3% (2017) Index average percentage of growth target attained: 67.9% (2017)	Students meeting growth target: 77.1% of ELs meet growth target Index average percentage of growth target attained: 98%	2030
District of Columbia	46% (2016)	85% of ELs will meet individual growth goals	2039
Florida	60% (2017)	66% of ELs making progress toward ELP	2020
Georgia	Elementary: 89% (2016) Middle: 55.25% (2016) High school: 67% (2016)	Reduce the gap between baseline and 100% of ELs making progress toward proficiency by 45% Elementary: 93.95% Middle: 75.35% High school: 81.85%	2031
Hawaii	36% (2017)	75% of students making progress toward ELP	2025
Idaho	48% (2017)	Reduce the number of ELs who are not making expected progress toward proficiency by 1/3 over five years, making it so that 65.3% of ELs are making expected progress	2022
Illinois	22% (2017)	90% making annual progress toward proficiency	2032
Indiana	TBD	70% of ELs will attain individual growth targets within a six-year timeline	2023
Iowa	55.6% (2017)	An increase in the percent of students showing progress toward English proficiency by 1% per year over the next five years to 59.6%	2022
Kansas	27.5% (2017)	95% of students will show progress toward proficiency by an increase in the percent of students that move at least one performance index level	2030
Kentucky	Elementary: 61.1% (2019) Middle: 35.2% (2019) High school: 35.6% (2019)	Reduce the percentage of students who score lower than the level necessary to be declared proficient or who make progress less than being on track to be proficient by 50% Elementary: 80.6% Middle: 67.6% High school: 67.8%	2030
Louisiana	45% (2016)	63% of ELs making progress	2025
Maine	24.7% (2017)	85.9% ELs making progress	2030
Maryland	48% (2017)	74% of ELs attain proficiency within six years	2030
Massachusetts	61.8% (2016)	Reduce the percentage of students that are not making sufficient progress toward ELP by 50% over the next six years, whereby 81% of students are making sufficient progress toward ELP	2022
Michigan	46.41% (2016)	59.26% of ELs making progress	2025



TABLE A-5 (cont.)

## English Language Proficiency Baselines and Long-Term Goals, 2018

State	Baseline and Year	Long-Term Goal	Target Year
Minnesota	41.5% (2017)	85% of ELs making progress toward ELP	2025
Mississippi	48.3% (2016)	70% of ELs will make adequate growth within the time period identified as appropriate for them	2025
Missouri	32.3% (2016)	67.6% of students meeting progress toward proficiency expectations annually	2026
Montana	44.6% (2016)	Reduce the number of students that are not showing progress by 4 percent each year to 59.1%	2022
Nebraska	49.5% (2017)	A 50% reduction in the percentage of ELs not meeting their growth targets by target year to 74.8%	2026
Nevada	<b>Goal 1:</b> 24.9% (2016) <b>Goal 2:</b> 46.8% (2016)	<b>Goal 1:</b> 90% of ELs exit status within six years and 90% of long-term ELs exit status <b>Goal 2:</b> 80% of ELs are achieving adequate growth	2022
New Hampshire	12.6% (2017)	26.1% of ELs making adequate progress	2025
New Jersey	81% (2015)	86% of ELs in each school will make expected annual progress	2023
New Mexico	43% (2016)	55% of ELs making progress	2022
New York State	43% (2016)	53% of ELs demonstrate progress toward ELP	2022
North Carolina	25.3% (2017)	60% of ELs making progress toward or exit EL status	2027
North Dakota	58% (2016)	At least 72% of ELs meeting their interim progress goals within six years	2024
Ohio	45% (2016)	75% of ELs meeting the expected improvement standard as established by the student-level targets	2026
Oklahoma	50% (2015)	66% of ELs on track to proficiency	2025
Oregon	45% (2017)	90% of ELs making progress	2025
Pennsylvania	Average percent of growth target attained: 66% (2018) Percent of EL students meeting growth targets: 53% (2018)	Average percent of growth target attained: 91% Percent of EL students meeting growth targets: 65%	2030
Puerto Rico	Proficiency: 23% (2017) Progress: 61% (2017)	Proficiency: 53% of Spanish Learners (SLs) meeting proficiency Progress: 91% of SLs making progress	2022
Rhode Island	42% (2017)	67% of ELs meeting their growth targets	2025
South Carolina	31% (2017)	70% of ELs will meet or exceed individual growth targets annually	2035
South Dakota	1.9% (2017)	100% of ELs will be on track to exit on time	2031

TABLE A-5 (cont.)

## English Language Proficiency Baselines and Long-Term Goals, 2018

State	Baseline and Year	Long-Term Goal	Target Year
Tennessee	51.3% (2016)	75% of ELs will meet the appropriate growth standard	2025
Texas	41% (2016)	46% of students making progress	2032
Utah	Grades K–3: 26.5% (2016) Grades 4–7: 16.1% (2016) Grades 8–11: 5.7% (2016)	Increase the percent of ELs reaching proficiency Grades K–3: 75% Grades 4–7: 45% Grades 8–11: 15%	2022
Vermont	10% (2016)	100% of students will meet their annual progress targets	2025
Virginia	44% (2017)	58% of ELs making progress	2025
Washington State	67% (2017)	77% of ELs making annual progress	2027
West Virginia	64.4% (2017)	85% of EL students will demonstrate progress toward proficiency within six years of being identified	2030
Wisconsin	61% (2015)	79% of ELs on-track to proficiency	2023
Wyoming	19% (2016)	All Wyoming schools will perform as well or better than a school that performed as well or better than 65% of all Wyoming schools during 2016 so that 44% of ELs are making acceptable progress toward ELP	2031

Source: see Appendix E for a list of the state ESSA plans and additional clarifying documents from which this information is drawn.

TABLE A-6

**Gaps between ELP Baseline and Long-Term Goal, and Years Assigned to Close Gap, by State, 2018**

State	English Language Proficiency (ELP) Gap between Baseline and Long-Term Goal	Years to Close Gap
Florida	6%	3
Iowa	4%	5
Idaho	17.30%	5
Puerto Rico	30%	5
New York State	10%	6
New Mexico	12%	6
Montana	14.50%	6
Massachusetts	19.20%	6
Alabama	45%	6
California	6.30%	7
New Jersey	5%	8
New Hampshire	13.50%	8
North Dakota	14%	8
Virginia	14%	8
Wisconsin	18%	8
Rhode Island	25%	8
Hawaii	39%	8
Minnesota	43.50%	8
Oregon	45%	8
Michigan	12.85%	9
Louisiana	18%	9
Mississippi	21.70%	9
Tennessee	23.70%	9
Nebraska	25.30%	9
Vermont	90%	9
Washington State	10%	10
Oklahoma	16%	10
Alaska	28.10%	10
Ohio	30%	10
North Carolina	34.70%	10
Missouri	35.30%	10
Arkansas	20%	12
Arizona	30%	12
West Virginia	20.60%	13

TABLE A-6 (cont.)

**Gaps between ELP Baseline and Long-Term Goal, and Years Assigned to Close Gap, by State, 2018**

State	English Language Proficiency (ELP) Gap between Baseline and Long-Term Goal	Years to Close Gap
Maryland	27%	13
Maine	61.20%	13
Kansas	67.50%	13
South Dakota	98.10%	14
Wyoming	25%	15
Texas	5%	16
Illinois	27%	16
South Carolina	39%	18
District of Columbia	39%	23
Indiana	Unclear	Unclear
Utah	Grades K–3: 48.5% Grades 4–7: 28.9 % Grades 8–11: 9.3%	6
Colorado	Grades K–5: 3.1% Grades 6–12: 9.1%	5
Connecticut	Oral domain: 29.1% Literacy domain: 35.1%	13
Delaware	Students meeting growth target: 35.8% Index average percentage of growth target attained: 30.1%	13
Georgia	Elementary: 4.95% Middle: 20.1% High school: 14.85%	15
Kentucky	Elementary: 19.5% Middle: 32.4% High school: 32.2%	11
Nevada	Goal 1: 65.1 % Goal 2: 33.2%	6
Pennsylvania	Average percent of growth target attained: 25% Percent of ELs meeting growth targets: 12%	12

Source: see Appendix E for a list of the state ESSA plans and additional clarifying documents from which this information is drawn.

TABLE A-7

**Sample List of Home Language Survey Questions, 2018**

<b>Language-Relevant Questions</b>
<ul style="list-style-type: none"> <li>▪ What is the first language the student learned to speak or understand?</li> <li>▪ What language does the student speak most often?</li> <li>▪ What language is most often spoken in the home?</li> <li>▪ What language do you (parent/guardian) use most to speak to your child?</li> <li>▪ What language(s) are spoken at home?</li> <li>▪ List other language(s) that your child has used with a grandparent or caretaker.</li> <li>▪ In what language do you prefer to receive information from the school, such as phone calls and letters?</li> <li>▪ In what language would you prefer to communicate with school staff?</li> <li>▪ Has your child ever been in an English as a Second Language (ESL) or English Learner (EL) program?</li> <li>▪ Which language does your child speak with you?</li> <li>▪ Which language(s) does your child currently hear, understand, or speak?</li> <li>▪ Does the student read/write in a language(s) other than English?</li> <li>▪ What language(s) do those who interact with your child frequently (daily or at least several times per week) use with your child?</li> <li>▪ Has the student received schooling/education in a language(s) other than English? If yes, which language(s)?</li> <li>▪ Does the student interpret for you or anyone else in a language(s) other than English?</li> <li>▪ Does the student understand when someone communicates with him/her in a language other than English?</li> <li>▪ Does the student use a language(s) other than English with his/her family and friends?</li> <li>▪ What is the home language of each parent/guardian?</li> <li>▪ Do you think your child may have any difficulties or conditions that affect his or her ability to understand, speak, read, or write in English or any other language? If yes, please describe them.</li> </ul>
<b>Other Questions</b>
<ul style="list-style-type: none"> <li>▪ Is there any additional information you would like the school to know about your child to best serve them?</li> <li>▪ What is your relationship to the child?</li> <li>▪ Does your family come from a refugee background?</li> <li>▪ Has your child attended school outside the United States?</li> <li>▪ Is the student transferring from another state, district, or school? If yes, please provide the location and name of the school.</li> <li>▪ Indicate the total number of years that your child has been enrolled in school.</li> <li>▪ Has your child ever been referred for a special education evaluation in the past? If they have been referred, has your child ever received any special education services in the past?</li> </ul>

Source: see Appendix E for a list of the state ESSA plans and additional clarifying documents from which this information is drawn.

TABLE A-8

State ELP Indicator Annual Growth Targets, 2018

Annual Growth Targets				
	Student-Level Targets Are Detailed in the Plan	Targets Are Calculated Relative to the Maximum Timeline to Proficiency	What (if Any) Student Characteristics Are Considered when Determining Yearly Progress Targets or Maximum Time to Proficiency?	Additional Information
Alabama	✓	✓	Initial English language proficiency (ELP)	
Alaska	✗	✓	Initial ELP	
Arizona	✓	✗	Initial ELP and grade	
Arkansas	✓	✓	Initial ELP and grade	
California	✗	✓	Initial ELP	Although California doesn't include student-level targets in its plan, the narrative in the plan explains that the ELP indicator provides credit to schools when students move up one performance level which is their growth expectation for English Learners (ELs). The plan also describes that a student that starts with a beginning ELP level will be expected to achieve ELP within five years, which is the student characteristic considered when establishing a student-level timeline to proficiency.
Colorado	✗	✓	Initial ELP, and number of years in the United States	
Connecticut	✓	✓	Initial ELP and grade	
Delaware	✓	✓	Initial ELP and grade	
District of Columbia	✗	✓	Initial ELP	
Florida	✗	Unclear	Unclear	
Georgia	✓	✓	Initial ELP	
Hawaii	✗	✓	Initial ELP	
Idaho	✗	✓	Initial ELP	
Illinois	✗	Unclear	Initial ELP	
Indiana	✗	✓	Initial ELP, grade, and age	
Iowa	✗	Unclear	Unclear	
Kansas	✓	✓	Initial ELP	
Kentucky	✗	Unclear	Unclear	

TABLE A-8 (cont.)

## State ELP Indicator Annual Growth Targets, 2018

Annual Growth Targets				
	Student-Level Targets Are Detailed in the Plan	Targets Are Calculated Relative to the Maximum Timeline to Proficiency	What (if Any) Student Characteristics Are Considered when Determining Yearly Progress Targets or Maximum Time to Proficiency?	Additional Information
Louisiana	x	✓	Initial ELP	Louisiana defines progress in ELP as improving at least one level in a particular area which is a linear growth expectation. The plan does not detail student-level targets because the state is transitioning to a new ELP assessment. However, the plan does specify that the forthcoming student-level targets will vary based on student baseline proficiency with a maximum of seven years.
Maine	✓	✓	Initial ELP and grade	
Maryland	✓	✓	Initial ELP	
Massachusetts	x	✓	Initial ELP, grade, and prior schooling	
Michigan	✓	✓	Initial ELP and grade	
Minnesota	x	✓	Initial ELP and grade	
Mississippi	✓	✓	Initial ELP	Although Mississippi does not include detailed student-level targets in the plan, it does provide a formula that will be used to determine each student's unique growth targets.
Missouri	✓	Unclear	Unclear	
Montana	x	✓	Unclear	
Nebraska	✓	✓	Initial ELP	
Nevada	✓	✓	Initial ELP	
New Hampshire	x	✓	Unclear	
New Jersey	✓	✓	Initial ELP	
New Mexico	✓	✓	Initial ELP and grade	
New York State	✓	✓	Initial ELP	
North Carolina	✓	✓	Initial ELP	
North Dakota	x	Unclear	Initial ELP	
Ohio	✓	x	Initial ELP and grade	
Oklahoma	x	✓	Initial ELP and grade	

TABLE A-8 (cont.)

## State ELP Indicator Annual Growth Targets, 2018

	Annual Growth Targets			
	Student-Level Targets Are Detailed in the Plan	Targets Are Calculated Relative to the Maximum Timeline to Proficiency	What (if Any) Student Characteristics Are Considered when Determining Yearly Progress Targets or Maximum Time to Proficiency?	Additional Information
Oregon	✓	✓	Initial ELP and prior schooling	
Pennsylvania	✓	✓	Initial ELP and grade	
Puerto Rico	✓	✓	Initial Spanish language proficiency (SLP) and grade	
Rhode Island	✓	✓	Initial ELP and grade	
South Carolina	✓	✓	Initial ELP	
South Dakota	✗	✓	Initial ELP	
Tennessee	✗	Unclear	Prior year ELP	In Tennessee, annual student-level growth targets are determined by the student's ELP level in the previous year. However, it is unclear if any characteristics are considered when determining a student's personalized maximum timelines to proficiency. Without this information it seems as though every EL is on a trajectory of six years regardless of the starting proficiency level.
Texas	✗	Unclear	Unclear	
Utah	✗	Unclear	Initial ELP and age	
Vermont	✓	✓	Initial ELP and grade	Although Vermont does not include detailed student-level targets in the plan, it does provide a growth-to-target formula that will be used to determine whether an EL makes acceptable progress toward ELP. Additionally, Vermont stipulates that these targets will be calculated using a combination of initial proficiency levels, state-determined number of years to achieve proficiency, and the ACCESS proficiency cutoff scores associated with each student's grade level. These targets will be reset every year until proficiency is attained.
Virginia	✓	✗	Initial ELP and grade	
Washington State	✓	✓	Initial ELP	
West Virginia	✓	✓	Initial ELP	
Wisconsin	✓	✓	Initial ELP and grade	
Wyoming	✓	✓	Initial ELP and grade	

Source: see Appendix E for a list of the state ESSA plans and additional clarifying documents from which this information is drawn.



TABLE A-9

State ELP Indicator Methodologies, 2018

		Progress toward ELP Indicators		
	How Does the State Define Progress/ Growth?	How Will the English Language Proficiency (ELP) Indicator Be Calculated at the School Level?	Methodology Gives Schools Credit for Students that Exit English Learner (EL) Status/Reach Proficiency	Additional information
<b>Alabama</b>	An increase by equal intervals each year; previous year's growth is counted toward the current year's growth (cumulative growth).	A student's overall proficiency level of the two most current test scores will be compared. The indicator score will be determined by the percentage of students meeting their growth targets.	x	
<b>Alaska</b>	ELs who earn at least the expected increase in the overall composite proficiency level from the previous year.	Schools will earn points based on the percentage of ELs making progress. Numerator: Full Annual Year (FAY) ELs who achieved growth or exited Denominator: FAY ELs with growth targets Schools will earn 0–100 points equal to the percentage of ELs who met growth/exited.	✓	
<b>Arizona</b>	ELs who meet their annual growth targets.	They will include both growth and proficiency. For growth, schools will receive points based on their students' growth (change in performance levels) aggregated to a school level compared to the state's average change in performance the previous year. For proficiency, schools will get points based on the percentage of ELs proficient compared to the state average. Denominator: current ELs with two years of scores	✓	
<b>Arkansas</b>	ELs are considered "on track" if they: (a) exit; (b) meet time expectations on three or more domains; or (c) meet time expectations on all nonexempt domains (if the EL has at least one domain exemption).	They will use a value-added model which conditions students' expected growth based on students' score histories. The residuals between current year scores and students' expected scores will be used as a proxy measure of whether the student met/exceeded/failed to meet their expected growth. Student-level residuals are aggregated at the school level to provide a metric for ELP.	✓	

TABLE A-9 (cont.)

State ELP Indicator Methodologies, 2018

Progress toward ELP Indicators				
	How Does the State Define Progress/ Growth?	How Will the English Language Proficiency (ELP) Indicator Be Calculated at the School Level?	Methodology Gives Schools Credit for Students that Exit English Learner (EL) Status/Reach Proficiency	Additional information
<b>California</b>	ELs who increase at least one level, a student who previously reached proficiency and maintains it in the current year, and a student who is reclassified.	Growth is measured by the following: Numerator: the number of ELs who increased at least one level (+) ELs who maintained proficiency Denominator: number of ELs who took the state ELP test for two consecutive years	✓	It should be noted that California is pursuing a waiver for how it calculates the ELP indicator, which is detailed in Chapter II.
<b>Colorado</b>	Colorado will use a stepping-stone timeline of 1-2-3, meaning that a student initially scoring a level 1 on ACCESS will have one year to move to level 2, two years to move from level 2 to level 3, and three years to move from level 3 to level 4. Adequate growth targets will be calculated and compared against the student's observed growth percentile to determine if the EL is on track.	Measure 1: Student growth percentiles (SGPs) are calculated for Grades 1–12 and reported as school-level medians for inclusion in accountability. Measure 2: Colorado will also include a metric for ELP progress that will gauge the proportion of students on track to attain fluency within the state-allotted time frame. Each student has a target level of growth that would indicate whether he or she is on track, and the individual on-track yes/no results are aggregated to the school level, indicating the total proportion of ELs currently on track to attain ELP. Aggregation at the school level will be calculated as follows: Numerator: number of students on track Denominator: total number of ELs with valid scores in the current and previous year	Kind of	In Colorado, students who have reached proficiency but have not been reclassified must maintain their ELP to continue to be counted as "on track," hence the "kind of" classification for proficiency in the last column.

TABLE A-9 (cont.)

State ELP Indicator Methodologies, 2018

	Progress toward ELP Indicators			
	How Does the State Define Progress/Growth?	How Will the English Language Proficiency (ELP) Indicator Be Calculated at the School Level?	Methodology Gives Schools Credit for Students that Exit English Learner (EL) Status/Reach Proficiency	Additional information
<b>Connecticut</b>	Scale score growth in both composite oral and literacy domains.	Actual scale score growth achieved in both domains will be compared against their growth target. Growth achieved relative to the target will be the percentage of target achieved (capped at 110 percent). This percentage of target achieved is averaged for all ELs. This will result in the average percentage of target achieved for schools. A maximum 50 points will be awarded for growth in each dimension. Actual points will be based on the average percentage of target achieved.	✘	Connecticut will also report the percentage of ELs meeting/exceeding targets.
<b>Delaware</b>	ELs who meet the ELP cutoff scale score within the established time frame will be used to calculate the percentage of all current ELs making progress.	Points will be awarded to schools for students meeting the annual interim growth targets and on-time attainment of ELP. Numerator: sum of the student-level scores Denominator: the number of participants and nonparticipants The outcome of this is then multiplied by 100 and the possible range of schools scores is 0–110.	✓	In Delaware, student-level ELP growth index scores vary by student outcome, wherein zero points are assigned to students who showed no growth; 0.01 to 0.99 assigned to students who have made growth toward the target; 1.00 to 1.10 assigned to students who have reached (1.00) or exceeded the target (1.01 to 1.09), with a maximum bonus for exceeding the target by 10 percent or more (1.10). For every year that a student misses his or her designated attainment year, he/she will be awarded a partial points wherein 0.75 is awarded for those a year late, 0.50 for those who are two years late, and 0.25 for those who are three or more years late.
<b>District of Columbia</b>	When ELs' actual growth is greater than or equal to their growth targets, they are considered to have made acceptable growth.	Information not included.	Unclear/✘	

TABLE A-9 (cont.)

State ELP Indicator Methodologies, 2018

	Progress toward ELP Indicators			
	How Does the State Define Progress/ Growth?	How Will the English Language Proficiency (ELP) Indicator Be Calculated at the School Level?	Methodology Gives Schools Credit for Students that Exit English Learner (EL) Status/Reach Proficiency	Additional information
<b>Florida</b>	ELs who increase their proficiency level to the next highest whole number.	The indicator will measure the percentage of ELs who made progress.	Kind of	Florida was designated as “kind of” including ELs who reach proficiency because students who remain at a composite score of 4, 5, or 6 (proficient) are also counted as making progress.
<b>Georgia</b>	ELs moving from one state-determined performance band to a higher one.	The percentage of ELs moving from one state-determined performance band to a higher one.	✓	Georgia will award partial points for ELs on the ELP indicator wherein ELs making no progress earn zero points, those making progress but not moving one band earn .5 points, those moving one band earn 1 point, and those moving more than one band earn 1.5 points.
<b>Hawaii</b>	Annually, there is an incremental growth expectation, generally one proficiency level per year.	The percentage of ELs who are on target to achieve ELP within their given time frame and meeting growth expectations.	Unclear/✗	
<b>Idaho</b>	ELs who meet their annual scale score target.	Information not included.	✗	
<b>Illinois</b>	An EL scores at or above their calculated interim target.	Schools will receive credit for whether they meet or exceed their goal of the percentage of ELs meeting their growth targets.	✗	Illinois will award partial points for ELs depending on whether they met their target.

TABLE A-9 (cont.)

State ELP Indicator Methodologies, 2018

Progress toward ELP Indicators				
	How Does the State Define Progress/Growth?	How Will the English Language Proficiency (ELP) Indicator Be Calculated at the School Level?	Methodology Gives Schools Credit for Students that Exit English Learner (EL) Status/Reach Proficiency	Additional information
<b>Indiana</b>	ELs who either attained ELP (proficiency) or met an annual growth target.	<p>Numerator: number of ELs meeting/exceeding growth target (+) number of ELs attaining ELP Denominator: total number of ELs</p> <p>The ELP indicator score equals the product of the percentage of ELs who meet or exceed their annual growth target or attain English language proficiency (ELP) during the school year, and the state goal factor.</p> <p>The state goal factor is determined by dividing 100 by the state long-term goal of 70 percent of ELs to achieve their individual growth targets within six years (state goal factor = <math>100/70 = 1.43</math>).</p> <p>Ultimately, if a school meets or exceeds the 70 percent goal, then the full 100.0 points is awarded for the ELP Indicator score.</p> <p>Points are awarded for the ELP Indicator based on the following scale. A school cannot earn more than 100.0 points for the ELP Indicator.</p> <p>90.0 – 100.0 points = A 80.0 – 89.9 points = B 70.0 – 79.9 points = C 60.0 – 69.9 points = D 0.0 – 59.9 points = F</p>	✓	
<b>Iowa</b>	Any progress in any level across any of the domains on the ELP assessment.	<p>Numerator: number of students making at least one level gain Denominator: total number of students assessed</p>	Unclear	

TABLE A-9 (cont.)

State ELP Indicator Methodologies, 2018

Progress toward ELP Indicators				
	How Does the State Define Progress/Growth?	How Will the English Language Proficiency (ELP) Indicator Be Calculated at the School Level?	Methodology Gives Schools Credit for Students that Exit English Learner (EL) Status/Reach Proficiency	Additional information
<b>Kansas</b>	Improve performance on at least 2/4 domains.	The indicator will measure the percentage of ELs who moved at least one English language proficiency assessment performance index (ELP API) level since the last assessment. Numerator: number of students making progress. Denominator: total number of students. A negative performance on one domain will negate positive progress in another domain when calculating overall student progress.	✓	After 2021, Kansas will implement a speed-to-proficiency model outlined in the plan. The information included in the table is valid from 2018–21.
<b>Kentucky</b>	ELs who reach proficiency that year, or are on track to reach proficiency.	Progress toward ELP will be calculated for each school and district by summing the points from the English language acquisition value table for each student and dividing by the number of students. Additionally, in high school, the EL Transition Readiness credit shall be earned in two ways: progress towards attainment of ELP and having the student meet the criteria for Academic or Career Readiness. The number of high school graduates who have demonstrated transition readiness plus the number of ELs who have achieved ELP is divided by the total number of graduates plus the number of graduates who have received English language services during high school.	✓	Kentucky will award points for ELs on the ELP indicator depending on the amount of growth achieved according to a value table included in the plan. Negative points will be awarded to ELs who regress on ELP and points range from -1.50 to 1.50.
<b>Louisiana</b>	Improving at least one level in a particular year.	Points are awarded for meeting exit criteria and/or meeting or exceeding annual targets. Each school will earn up to 150 points for each EL who meets exit criteria and/or meets/exceeds his or her student-level performance target.	✓	

TABLE A-9 (cont.)

**State ELP Indicator Methodologies, 2018**

Progress toward ELP Indicators				
	How Does the State Define Progress/Growth?	How Will the English Language Proficiency (ELP) Indicator Be Calculated at the School Level?	Methodology Gives Schools Credit for Students that Exit English Learner (EL) Status/Reach Proficiency	Additional information
<b>Maine</b>	A growth index score awards varying points for ELs who meet their growth target.	A school's score on the Progress in ELP Indicator in the accountability system is calculated by aggregating the growth index scores of all ELs who took ACCESS for ELs in the current year and dividing by the total number of ELs. Formula: Progress in ELP = (Sum of ELP growth index scores for all students) / (Total number of students) x 100	Kind of	In Maine, the system gives ELs credit for making progress toward ELP even if they do not meet their growth target, as long as they have an annual increase of at least 50 percent of their growth target. The minimum obtainable non-zero value a student can receive is .50 (for ELs who met 50 percent of their target) and the maximum is 1.4. Only students who took the ELP assessment for the first time in the current year and scored proficient will be awarded 1.0 point, hence the "kind of" classification for inclusion of proficient students.
<b>Maryland</b>	ELs meeting their annual target; multiple year aggregation will be used to calculate growth, therefore, if an EL doesn't meet the growth target in the current year, current year growth will be combined with the prior year (cumulative growth).	ELP indicator points will be awarded as a percent of a whole, meaning that if a school's value for ELP is 60 percent, and the measure is 10 points, the school would receive 6 points.	x	

TABLE A-9 (cont.)

**State ELP Indicator Methodologies, 2018**

Progress toward ELP Indicators				
	How Does the State Define Progress/ Growth?	How Will the English Language Proficiency (ELP) Indicator Be Calculated at the School Level?	Methodology Gives Schools Credit for Students that Exit English Learner (EL) Status/Reach Proficiency	Additional information
<b>Massachusetts</b>	They will calculate and assign a Student Growth Percentile for ACCESS (SGPA), a number between 1–99, to each student who took ACCESS tests in two successive years, and compare the SGPA with the growth-to-proficiency target based on the prior year’s proficiency level and number of years the student has attended a U.S. school. If a student meets or exceeds the target assigned to them based on proficiency level and years in a Massachusetts school, the student considered on track and therefore making progress.	Measure one: the percentage of students achieving ELP. Measure two: the percentage of ELs making progress as measured by growth.	✓	



TABLE A-9 (cont.)

State ELP Indicator Methodologies, 2018

	Progress toward ELP Indicators			
	How Does the State Define Progress/Growth?	How Will the English Language Proficiency (ELP) Indicator Be Calculated at the School Level?	Methodology Gives Schools Credit for Students that Exit English Learner (EL) Status/Reach Proficiency	Additional information
<b>Michigan</b>	Growth and proficiency will be counted as progress whereby growth is defined as ELs who meet the ELP composite cutoff scale score within the established time frame, and proficiency by whether they achieve the score necessary to be reclassified.	Numerator: number of students who demonstrate growth (+) number of students who achieved proficiency. Denominator: all current ELs. Each school will have a “percent target met” which is the participation adjusted adequate growth rate divided by the growth rate. The adequate growth rate is calculated as follows. Numerator: number meeting adequate growth Denominator: number of FAY ELs who have SGPs. The number of students where their SGP is greater than or equal to their adequate growth percentile (AGP) are ELs who met adequate growth.	✓	In Michigan, ELs who achieve proficiency on their initial ACCESS assessment will be considered as meeting their growth target.
<b>Minnesota</b>	A student who reaches or exceeds the individual target for the year.	A student’s points are based on the percentage of the target reached for the current year. Numerator: total number of student points. Denominator: number of students with two scores.	✗	Minnesota will award partial points for ELs on the ELP indicator depending on how much progress the students made. For example, students who progressed 80 percent of the way from their initial score to this year’s score would receive 80 points; students who meet or exceed their target for the year would receive 100 points.
<b>Mississippi</b>	ELs who meet their annual target score.	Points are calculated for each student by dividing the current year score (numerator) with the annual target score (denominator). The average score for all ELs is calculated; this average is then multiplied by 5 percent of the total available points to allow a maximum of 35 points and 50 points for schools without a Grade 12 and with a Grade 12, respectively.	✓	Mississippi will award partial points to ELs on the ELP indicator wherein a student meeting or exceeding will earn one point, while a student making half the expected progress will earn a score of .5, and a student who regresses or earns the same score as the prior year will earn a score of zero.

TABLE A-9 (cont.)

State ELP Indicator Methodologies, 2018

Progress toward ELP Indicators				
	How Does the State Define Progress/Growth?	How Will the English Language Proficiency (ELP) Indicator Be Calculated at the School Level?	Methodology Gives Schools Credit for Students that Exit English Learner (EL) Status/Reach Proficiency	Additional information
<b>Missouri</b>	ELs who meet their progress expectations, or reach proficiency.	Schools will receive credit for the percentage of ELs attaining ELP and/or growth. The English language acquisition index will be comprised of a growth and a proficiency measure. Growth will be measured by the percentage of ELs meeting progress expectations multiplied by 150. The percent proficient measure will be schools that meet the percentage of ELs attaining ELP (depending on how long they have been ELs) and they are given 50 points. The index is worth a maximum of 200 points.	✓	
<b>Montana</b>	Growing by at least .5 points on the composite World-Class Instructional Design and Assessment (WIDA) score.	The percentage of students that show progress at each school will be the ELP measure. Numerator: number of students that show progress. Denominator: ELs with two consecutive test scores.	✗	
<b>Nebraska</b>	Meeting or exceeding their expected level.	The percentage of ELs making adequate progress will be calculated by comparing each student's current level to their expected level. Numerator: number of ELs who met or exceeded their expected level. Denominator: number of students that have two scores, one for the current year and one for the baseline score.	✓	
<b>Nevada</b>	ELs meeting their AGP.	The indicator will measure the percentage of students meeting their AGP.	Unclear	
<b>New Hampshire</b>	SGPs and AGPs will be used to determine whether or not a student is on track.	The mean SGP for ELs in each school will be the school-level indicator.	✗	In New Hampshire progress SGPs and AGPs will focus on how much the student has grown toward attaining ELP in comparison to EL peers with similar trajectories of prior achievement on the ELP assessment.

TABLE A-9 (cont.)

State ELP Indicator Methodologies, 2018

	Progress toward ELP Indicators			
	How Does the State Define Progress/ Growth?	How Will the English Language Proficiency (ELP) Indicator Be Calculated at the School Level?	Methodology Gives Schools Credit for Students that Exit English Learner (EL) Status/Reach Proficiency	Additional information
<b>New Jersey</b>	ELs who demonstrate a predetermined level of cumulative growth for five years, or ELs who meet the ELP cut score within the established time frame (proficiency).	The percentage of ELs making expected progress, as defined.	✓	
<b>New Mexico</b>	If ELs meet their annual growth target they are considered on track.	An overall student ELP achievement summary will be calculated by accumulating the residual values for all ELs within a school. When the student's score falls short of the target, it will be negative, if the student exceeds expectations, the value will be positive.	✗	
<b>New York State</b>	ELs who meet their progress goal for that year.	Credit is awarded based on a student's growth from one level to the next. A school's achievement level will be presented as level 1–4, which will be determined by a success ratio which is computed by: Numerator: number of students meeting progress goals. Denominator: sum of students expected progress.	✗	New York State has a safe harbor rule that will give credit for cumulative growth, which means that if an EL doesn't make his or her expected target in a given year, schools will still get credit if the student is, overall, at the level he/she should be at that year. Additionally, expectations for every continuously enrolled EL student with a current and prior year score are used to compute the denominator, while schools only get credit for students who make annual progress in the computation of the numerator.
<b>North Carolina</b>	ELs meeting their annual progress targets.	Information not included.	✗	

TABLE A-9 (cont.)

**State ELP Indicator Methodologies, 2018**

	Progress toward ELP Indicators			
	How Does the State Define Progress/ Growth?	How Will the English Language Proficiency (ELP) Indicator Be Calculated at the School Level?	Methodology Gives Schools Credit for Students that Exit English Learner (EL) Status/Reach Proficiency	Additional information
<b>North Dakota</b>	Annual increase in their composite proficiency level and remain at or above their trajectory line.	The percentage of students meeting the growth target for the school.	Unclear/✗	
<b>Ohio</b>	ELs who increase their attainment or have attained proficiency.	The indicator is based on the percentage of ELs meeting their student-level targets in conjunction with the long-term goal and interim state goal for ELs.	✓	
<b>Oklahoma</b>	ELs meeting or exceeding their expected growth for an on-time exit.	The percentage of ELs earning points for meeting/exceeding their target or exiting.	✓	
<b>Oregon</b>	If ELs are on track by meeting or exceeding their trajectory expectations across all four English Language Proficiency Assessment for the 21st Century (ELPA21) domains given their initial ELP and years identified as an EL.	The ELP indicator will be comprised of two measures: 1) The percentage of ELs on track to ELP; and 2) ELP growth The percentage of ELs on track will be calculated for each student group using initial ELP, current ELP level, and years identified. Growth will be calculated using median growth percentiles using a conditional status model. The difference between observed and predicted current year domain scores will be converted to a percentile and this percentile will be used as the equivalent to an SGP. An index score that reflects whether students are making adequate progress toward proficiency in English will be calculated.	✗	
<b>Pennsylvania</b>	Meeting or exceeding annual scale score growth target or exiting.	Numerator: sum of student-level scores in a school. Denominator: number of participants and nonparticipants.	✓	

TABLE A-9 (cont.)

**State ELP Indicator Methodologies, 2018**

Progress toward ELP Indicators				
	How Does the State Define Progress/ Growth?	How Will the English Language Proficiency (ELP) Indicator Be Calculated at the School Level?	Methodology Gives Schools Credit for Students that Exit English Learner (EL) Status/Reach Proficiency	Additional information
<b>Puerto Rico</b>	Spanish Learners (SLs) that meet their interim scale score goals, or reach proficiency in their initial year.	Puerto Rico will measure the increases in the percentage of all current SLs making progress. Numerator: number of students who achieve the interim goals (+) number of students achieving a proficiency on their initial assessment. Denominator: number of students with paired tests (+) students who reached proficiency in year 1.	Kind of	Puerto Rico will count SLs that achieve proficiency on their initial assessment in the numerator.
<b>Rhode Island</b>	ELs meeting or exceeding their target, or achieving proficiency.	A school's ELP growth score will be the mean of student index scores.	✓	Rhode Island will award partial points for partial growth and more credit for faster growth wherein zero points are awarded when no growth is made, .01-.99 points are awarded for ELs who demonstrate growth toward target, 1-1.1 points awarded for ELs who reached (1.0) or exceeded their target (1.01-1.09), with a bonus for exceeding target by 10 percent (1.10).
<b>South Carolina</b>	Meeting or exceeding growth target.	Numerator: number of ELs who meet or exceed growth target. Denominator: number of ELs with a composite score in the initial year, a score in the reporting year, and who had their initial date of entry into a U.S. school verified.	Unclear	

TABLE A-9 (cont.)

**State ELP Indicator Methodologies, 2018**

	Progress toward ELP Indicators			
	How Does the State Define Progress/ Growth?	How Will the English Language Proficiency (ELP) Indicator Be Calculated at the School Level?	Methodology Gives Schools Credit for Students that Exit English Learner (EL) Status/Reach Proficiency	Additional information
<b>South Dakota</b>	ELs must meet or exceed their annual proficiency target to be considered on track. Proficiency will be plotted out after the first assessment, which will allow cumulative growth.	Schools will earn a percentage of points (out of 10) based on how their ELs are performing toward the state's goal for reaching ELP. There are seven categories for ELs which determine how many points they are worth. The cumulative percentage of students in each point category are multiplied by the point level and by the points available for the indicator to create an ELP indicator score.	✓	South Dakota will award a range of points for students who reach proficiency whereby students who took ACCESS for the first time and exited are given one point, returning students who exit early are given 1.25 points, and students who exit on time earn one point.
<b>Tennessee</b>	ELs scoring as proficient, or meeting their growth standard in the current year or over the last two cumulative years.	Indicator will focus on the percentage of ELs scoring proficient and the percentage of ELs meeting their growth standard.	✓	
<b>Texas</b>	An increase of at least one proficiency level on the ELP assessment composite rating.	Information not included.	Kind of	Texas was designated as "kind of" including ELs who reach proficiency because students who have reached proficiency in the previous year must maintain the proficiency in the current year to be counted as making progress.
<b>Utah</b>	Current EL students who meet or exceed their annual adequate growth target, or reach proficiency in the current year.	The percentage of points for a school is determined by the number of current EL students who meet or exceed their annual adequate growth target, or reach proficiency in the current year, divided by the total number of EL students in the school (EL students in their first year are subtracted from the denominator and are excluded from the calculation for English Learner Progress because they do not have a prior year score). This percentage is multiplied by the 13 points possible for this indicator to determine the number of points allocated to a school.	✓	

TABLE A-9 (cont.)

State ELP Indicator Methodologies, 2018

	Progress toward ELP Indicators			
	How Does the State Define Progress/ Growth?	How Will the English Language Proficiency (ELP) Indicator Be Calculated at the School Level?	Methodology Gives Schools Credit for Students that Exit English Learner (EL) Status/Reach Proficiency	Additional information
<b>Vermont</b>	ELs meeting or exceeding their annual progress targets.	Indicator will assess the percentage of ELs meeting or exceeding their annual progress targets.	Unclear	
<b>Virginia</b>	Info not included.	Info not included.	Unclear	
<b>Washington State</b>	If an EL student meets growth annually they are considered to be on track.	The indicator will measure the percentage of ELs making enough progress to transition within six years. Numerator: number of ELs who made progress. Denominator: ELs who have two ELP assessment scores.	Kind of	Washington was designated as “kind of” including ELs who reach proficiency because it will include ELs who reach proficiency in the same year they are identified as ELs in the numerator and denominator. This, however, does not seem to apply to ELs who reach proficiency in later years.
<b>West Virginia</b>	ELs who demonstrate progress by one of more performance levels across all ELPA21 domains.	Numerator: number of ELs who made progress. Denominator: total number of ELs who meet inclusion criteria.	✘	
<b>Wisconsin</b>	Whether or not students are on track to exit within their assigned timeline in a given year as measured by whether they met their annual growth target.	The indicator will consist of a student-level mean SGP measure. An SGP model will be used to calculate normative growth percentile ranks. SGPs will be averaged together to produce a mean SGP for all ELs in each school. Mean SGPs will be converted to an indicator score from 0 to 100 using a percentile-based approach.	Unclear	
<b>Wyoming</b>	If students meet their annual growth target.	A school’s interim target toward the statewide goal for ELP will be based on the percentage of EL students making “acceptable” progress toward ELP, based on their performance on the ELP assessment. This goal will vary based on each school’s starting point.	✓	

Source: see Appendix E for a list of the state ESSA plans and additional clarifying documents from which this information is drawn.

## Appendix B. Accompanying Tables for Section 3: Tracking Academic Achievement for the English Learner Subgroup

TABLE A-10  
Languages Present to a Significant Extent, by State, 2018

State	Definition of “Languages Present to a Significant Extent”	Language(s) Present to a Significant Extent	Notes
Alabama	Languages that account for 2 percent or more of the student population	Spanish	
Alaska	Does not define	Yup’ik	Alaska is proposing that the definition of “languages other than English that are present to a significant extent in the participating student population” be Yup’ik although it does not define a threshold.
Arizona	A language that exceeds 10 percent of the total tested population	None	
Arkansas	When the number of students speaking that language exceeds 15 percent of the total student population, OR the most populous language within the state, of the total student population	None	
California	Any native language spoken by 15 percent or more of the K–12 student population	Spanish	
Colorado	5 percent or 1,000 persons, whichever is less, of the state grade-level EL population eligible to be served or likely to be affected, which includes students of a language background within a grade level who have received content instruction in that language within the last year	Spanish	
Connecticut	Any language spoken among more than 1 percent of students	Spanish	
Delaware	Any language present statewide in at least 5 percent of the EL population in tested grades	Spanish (Grades 3–8, 11); Haitian Creole (Grades 3–8, 11); Arabic (Grade 11)	
District of Columbia	A language present in 5 percent of the total tested student population	Spanish	
Florida	Languages spoken by more than 5 percent of the student population	Spanish	
Georgia	Any language spoken by 3 percent or more of the participating student population	Spanish	



TABLE A-10 (cont.)

**Languages Present to a Significant Extent, by State, 2018**

State	Definition of “Languages Present to a Significant Extent”	Language(s) Present to a Significant Extent	Notes
Hawaii	Primary language used by a student group that exceeds 5 percent of the student population in the state	Ilokano	No language meets the state’s definition of present to a significant extent. However, the most populous language other than English used is Ilokano.
Idaho	A language spoken by 5 percent or more of all students or 20 percent or more of ELs	Spanish	
Illinois	Any world language spoken by more than 60 percent of ELs in the state	Unclear	The plan says that this definition accounts for over 91 percent of ELs in the state, but doesn’t state which language(s) meet this definition, although the plan lists the top ten languages in the state, with Spanish as number one. The plan also says the state will work to develop translations for all languages where 30 percent or more of the EL population speaks the same language, other than English. It is unclear if this is another way the state is defining a language present to a significant extent.
Indiana	Does not define	Spanish	Although the state does not define a language present to a significant extent, it considers Spanish to be significant due to the fact it is spoken by a majority of the non-English speakers in the state (71.2 percent).
Iowa	Any language that represents 4 percent or more of the native languages spoken by identified ELs	Spanish	
Kansas	Any language spoken by more than 5 percent of the participating student population statewide that receives instruction in the native language and services in the EL program	Spanish	
Kentucky	A language spoken by more than 2.4 percent Kentucky’s K-12 total school population.	Spanish	
Louisiana	Languages spoken by more than 1 percent of all students statewide	Spanish	
Maine	Any language by more than 3 percent of the tested student population	Somali	Although no language meets the state’s definition, the state is designating Somali as present to a significant extent as it is the most prevalent language after English.
Maryland	A language group comprising 5 percent of the total tested population, or 1,000, whichever is less	Spanish	

TABLE A-10 (cont.)

**Languages Present to a Significant Extent, by State, 2018**

State	Definition of “Languages Present to a Significant Extent”	Language(s) Present to a Significant Extent	Notes
<b>Massachusetts</b>	The first language of 10 percent or more of students eligible to take assessments in the state	Spanish	
<b>Michigan</b>	Any language other than English that accounts for 10 percent or more of the EL student population in tested Grades 3–8 and 11	Spanish; Arabic	
<b>Minnesota</b>	The three most populous languages other than English	Spanish; Somali; Hmong	
<b>Mississippi</b>	Any language spoken by more than 5 percent of students in tested grades, and the most populous language other than English	Spanish	
<b>Missouri</b>	A language spoken by 5 percent of the statewide tested population, and the most prevalent language	Spanish	“Tested population” is defined as the unduplicated count of students who participated in a given content assessment in the prior year; numerator is the number of students that local education agencies (LEAs) report as having a specific non-English language code in the state data system.
<b>Montana</b>	When 10 percent or more of students statewide identify a particular home language other than English on the home language survey	None	No language meets this definition and although the plan identifies German as the most populous language other than English spoken by the state’s participating population at (.34 percent), the plan doesn’t identify this as a language present to a significant extent.
<b>Nebraska</b>	Any language that represents 15 percent or more of the native languages spoken by identified ELs statewide	Spanish	
<b>Nevada</b>	Does not define	Spanish	Although the state does not define what it means for a language to be present to a significant extent, it identifies Spanish as a language present to a significant extent because it is predominant at 91.5 percent.
<b>New Hampshire</b>	A language that exceeds 5 percent of the total tested population or the most prevalent language if none are greater than 5 percent	Spanish	

TABLE A-10 (cont.)

**Languages Present to a Significant Extent, by State, 2018**

State	Definition of “Languages Present to a Significant Extent”	Language(s) Present to a Significant Extent	Notes
<b>New Jersey</b>	The most common language other than English spoken by the tested EL population; and any native language other than English that is present in the EL population for three or more years, spoken by: (a) either more than 5 percent of the total tested student population overall or in a given grade; OR, (b) by more than 20 percent of the total tested student population in a given county	Spanish	
<b>New Mexico</b>	A language that exceeds 10 percent of the total tested population	Spanish	
<b>New York State</b>	Those spoken by 5 percent or more of NYS’s English Language Learners (ELLs)/Multilingual Learners (MLLs)	Spanish; Chinese	
<b>North Carolina</b>	Any language other than English that accounts for 2 percent or more of the overall tested student population (Grades 3–8 and 10)	Spanish	
<b>North Dakota</b>	Any language spoken by an EL population that is at or above 30 percent, OR if there is no population 30 percent or greater, the language with the largest EL population	Spanish	
<b>Ohio</b>	Languages that include at least 20 percent of the state’s EL population	Spanish	
<b>Oklahoma</b>	Students speaking a given language must both qualify as an EL and make up 5 percent or more of the total student population	Spanish	
<b>Oregon</b>	The language of origin for at least 9 percent of the student population in Grades K–12	Spanish	
<b>Pennsylvania</b>	Languages spoken as a first or home language by one-half of 1 percent of the statewide public school enrollment	Spanish	
<b>Puerto Rico</b>	A language spoken by 30 percent or more of the population	English	The language of instruction in the territory is Spanish; therefore, it defines “languages other than Spanish that are present to a significant extent.”
<b>Rhode Island</b>	A language group comprising 5 percent or more of the total tested population	Spanish	

TABLE A-10 (cont.)

## Languages Present to a Significant Extent, by State, 2018

State	Definition of “Languages Present to a Significant Extent”	Language(s) Present to a Significant Extent	Notes
<b>South Carolina</b>	Languages that are equal to or greater than 1.5 percent of the overall percentage of ELs statewide	Spanish; Russian; Vietnamese; Chinese; Arabic	
<b>South Dakota</b>	The native Lakota, Dakota, and Nakota languages, and, second, any language that is present in at least 5 percent of the tested student population	Lakota; Dakota; Nakota	No language meets the second definition.
<b>Tennessee</b>	The five languages other than English that are most commonly spoken by ELs at home and present in: (1) at least 4 percent of the overall student population; OR (2) 20 percent of the student population within a single LEA; OR (3) 20 percent within a single grade level in the state	Spanish	
<b>Texas</b>	A language present in greater than 10 percent of the total student population	Spanish	
<b>Utah</b>	A language spoken by 5 percent or more of the participating student population (i.e., students enrolled in grades for which a statewide assessment is administered)	Spanish	
<b>Vermont</b>	A language spoken by 10 percent or more of the tested population or the most prevalent language if none are greater than 10 percent	Nepali	
<b>Virginia</b>	A language spoken by 5 percent or more of the EL population	Spanish; Arabic	
<b>Washington State</b>	Any student/language combination that exceeds 1,000 in total across the state	Spanish; Russian; Vietnamese; Somali; Arabic; Ukrainian; Tagalog; Marshallese; Korean; Punjabi; Chinese (unspecified); Chinese (Mandarin)	
<b>West Virginia</b>	A language that represents at least 50 percent of the total EL student population in the state, OR the language with the highest representation of the total EL population when no language meets that threshold	Spanish	
<b>Wisconsin</b>	A language that has a written form and is the first language of students who represent at least 20 percent of the pupils enrolled in Grades K–12 who are current or former ELs	Spanish	

TABLE A-10 (cont.)

**Languages Present to a Significant Extent, by State, 2018**

State	Definition of “Languages Present to a Significant Extent”	Language(s) Present to a Significant Extent	Notes
Wyoming	Native languages that represent more than or equal to 1 percent of the total student population taking the English language proficiency (ELP) assessment	Spanish	

Source: see Appendix E for a list of the state ESSA plans and additional clarifying documents from which this information is drawn.

TABLE A-11

**English Learner English Language Arts/Reading Baseline and Long-Term Goals, by State, 2018**

State	Baseline (Year)	Long-Term Goal	Target Year	Notes	Same Long-Term Goal for All Subgroups?
Alabama	11.43% (2017)	55.76%	2030		NO
Alaska	5.1% (2017)	52.50%	2027	This only applies to Grades 3–9	NO
Arizona	Varies by grade	90%	2040	<b>2017 baselines—Grade 3:</b> 18%; <b>Grade 4:</b> 31%; <b>Grade 5:</b> 27%; <b>Grade 6:</b> 12%; <b>Grade 7:</b> 10%; <b>Grade 8:</b> 6%; <b>Grade 9:</b> 6%; <b>Grade 10:</b> 4%; <b>Grade 11:</b> 6%	YES
Arkansas	Varies by grade	80%	2029	<b>Grades K–5 2017 baseline:</b> 41.06% <b>Grades 6–8 2017 baseline:</b> 46.11% <b>Grades 9–12 2017 baseline:</b> 34.92%	YES
California	Varies by grade	Level 3	2024	<b>Grades 3–8 2017 baseline:</b> -50.8 <b>Grade 11 2017 baseline:</b> -78.6 <b>Note:</b> Academic achievement long-term goals (LTGs) are framed as the proficiency level (PL) associated with scale scores on Smarter Balanced Assessments (SBAC) instead of proficiency percentage targets. SBAC has four performance levels and each assessment and grade level covers a different range of scale points. Level 3 is considered proficient.	YES
Colorado	727.3 (2017)	733	2022	This baseline and LTG are scale scores	NO
Connecticut	51 (2017)	75	2030	Academic achievement LTG are framed as scale scores on a performance index instead of proficiency percentage targets	YES
Delaware	15.14% (2016)	57.57%	2030		NO
District of Columbia	11% (2015)	85%	2039		YES
Florida	26% (2015)	32%	2020		NO
Georgia	Varies by grade	Varies by grade	2031	<b>Elementary 2016 baseline:</b> 39.52%; <b>LTG:</b> 66.67% <b>Middle 2016 baseline:</b> 23.67%; <b>LTG:</b> 58.02% <b>High school 2016 baseline:</b> 23.16%; <b>LTG:</b> 57.74%	NO

TABLE A-11 (cont.)

**English Learner English Language Arts/Reading Baseline and Long-Term Goals, by State, 2018**

State	Baseline (Year)	Long-Term Goal	Target Year	Notes	Same Long-Term Goal for All Subgroups?
Hawaii	21% (2016)	61%	2025		NO
Idaho	6.9% (2016)	37.90%	2022		NO
Illinois	Varies by grade	90%	2032	<b>Grades 3–8 2016 baseline:</b> 9.7% <b>Grades 9–12 2016 baseline:</b> 3.1%	YES
Indiana	Varies by grade	Varies by grade	2023	<b>Grades 3–8 2016 baseline:</b> 55%; <b>LTG:</b> 77.5% <b>Grade 10 2016 baseline:</b> 45.7%; <b>LTG:</b> 72.9%	NO
Iowa	Varies by grade	Varies by grade	2022	<b>Grade 3 2016 baseline:</b> 48.2%; <b>LTG:</b> 53.2% <b>Grade 4 2016 baseline:</b> 42.9%; <b>LTG:</b> 47.9% <b>Grade 5 2016 baseline:</b> 40.0%; <b>LTG:</b> 45% <b>Grade 6 2016 baseline:</b> 32%; <b>LTG:</b> 37% <b>Grade 7 2016 baseline:</b> 33.1%; <b>LTG:</b> 38.1% <b>Grade 8 2016 baseline:</b> 28.4%; <b>LTG:</b> 33.4% <b>Grade 11 2016 baseline:</b> 21.4%; <b>LTG:</b> 26.4%	NO
Kansas	19.7% (2016)	75%	2030		YES
Kentucky	Varies by grade	Varies by grade	2030	<b>Reading</b> <b>Elementary 2019 baseline:</b> 26.3%; <b>LTG:</b> 63.2% <b>Middle 2019 baseline:</b> 11.3%; <b>LTG:</b> 55.7% <b>High school 2019 baseline:</b> 7.0%; <b>LTG:</b> 53.5% <b>Writing</b> <b>Elementary 2019 baseline:</b> 15.8%; <b>LTG:</b> 57.9% <b>Middle 2019 baseline:</b> 14.9%; <b>LTG:</b> 57.5% <b>High school 2019 baseline:</b> 11.9%; <b>LTG:</b> 56%	NO
Louisiana	15% (2016)	63.50%	2025		YES
Maine	15.86% (2016)	57.93%	2030		NO
Maryland	4.33% (2017)	52.16%	2030		NO
Massachusetts	42.7% (2016)	61.60%	2022		NO
Michigan	22.25% (2016)	60%	2025		YES
Minnesota	30.44% (2017)	85%	2025		NO
Mississippi	13.6% (2016)	70%	2025		YES
Missouri	40.5% (2016)	70.30%	2026		NO

TABLE A-11 (cont.)

**English Learner English Language Arts/Reading Baseline and Long-Term Goals, by State, 2018**

State	Baseline (Year)	Long-Term Goal	Target Year	Notes	Same Long-Term Goal for All Subgroups?
Montana	6.5% (2017)	29.20%	2023		NO
Nebraska	58% (2015)	79%	2026		NO
Nevada	Varies by grade	Varies by grade	2022	<b>Grades 3–5 2016 baseline: 31.7%; LTG: 49.8%</b> <b>Middle school 2016 baseline: 11.7%; LTG: 35.1%</b> <b>High school English language arts (ELA) I 2016 baseline: 11.7%; LTG: 35.1%</b> <b>High school ELA II 2016 baseline: 29.4%; LTG: 48.1%</b>	NO
New Hampshire	11.73% (2016)	34.72%	2025		NO
New Jersey	11.34% (2016)	80%	2030		YES
New Mexico	7.8% (2016)	51%	2022		NO
New York State	Varies by grade	Varies by grade	2022	<b>Grades 3–8 2016 baseline: 58; LTG: 86</b> <b>High school 2016 baseline: 87; LTG: 110</b> <b>Note:</b> The “end goal” doesn’t have a target year, therefore the 2022 interim LTGs were used. Academic achievement LTGs are framed as performance index scores instead of proficiency percentage targets.	NO
North Carolina	Varies by grade	Varies by grade	2027	<b>Grades 3–8 2016 baseline: 11.1%; LTG: 41.7%</b> <b>High school 2016 baseline: 3.6%; LTG: 38.9%</b>	NO
North Dakota	9.3% (2016)	39.23%	2024		NO
Ohio	28.2% (2016)	64.10%	2026		NO
Oklahoma	Varies by grade	50%	2030	<b>Grade 3 2017 baseline: 9%</b> <b>Grade 4 2017 baseline: 5%</b> <b>Grade 5 2017 baseline: 3%</b> <b>Grade 6 2017 baseline: 7%</b> <b>Grade 7 2017 baseline: 4%</b> <b>Grade 8 2017 baseline: 2%</b> <b>High school 2017 baseline: 0%</b>	YES
Oregon	23% (2016)	80%	2025		YES
Pennsylvania	11.7% (2015)	55.90%	2030		NO
Puerto Rico	31% (2017)	72%	2022	Data for the territory are based on the Spanish Learner (SL) subgroup, which means this baseline and LTG are for Spanish language arts.	NO
Rhode Island	12% (2017)	65%	2025		NO

TABLE A-11 (cont.)

## English Learner English Language Arts/Reading Baseline and Long-Term Goals, by State, 2018

State	Baseline (Year)	Long-Term Goal	Target Year	Notes	Same Long-Term Goal for All Subgroups?
South Carolina	Varies by grade	Goal 1: 90% Goal 2: 70%	2035	<b>Goal 1 2017 baselines:</b> Elementary: 65.9% Middle: 68% High school: 60.1%  <b>Goal 2 2017 baselines:</b> Elementary: 30.7% Middle: 27.4% High school: 34.9%	YES
South Dakota	16.55% (2017)	100.00%	2031		YES
Tennessee	3.4% (2016) (High School)	57.70%	2025	The state suspended testing in Grades 3–8 in 2016, therefore plan didn't include LTGs and baselines for these grades.	NO
Texas	29% (2017)	65%	2032		NO
Utah	11.4% (2016)	41.00%	2022		NO
Vermont	Varies by grade	3.9 Proficiency level	2025	<b>Grade 3 2016 baseline: 2.3</b> <b>Grades 4–8 2016 baseline: 1.0</b> <b>Note:</b> Academic achievement LTGs are framed as the proficiency level (PL) associated with scale scores on Smarter Balanced Assessments (SBAC) instead of proficiency percentage targets. SBAC has four performance levels and each assessment and grade level covers a different range of scale points. Level 3 is considered proficient.	YES
Virginia	50% (2016)	75%	2025		YES
Washington State	19.2% (2017)	90%	2027	The plan uses 2015–16 data to project 2017 baseline values.	YES
West Virginia	40.1% (2017)	70.10%	2030		NO
Wisconsin	10.6% (2016)	33.40%	2023		NO
Wyoming	Varies by grade	Varies by grade	2031	<b>Grades 3–8 reading 2016 baseline: 25%; LTG: 40%</b> <b>Grade 11 ACT reading 2016 baseline: 6%; LTG: 17%</b>	NO

Source: see Appendix E for a list of the state ESSA plans and additional clarifying documents from which this information is drawn.



TABLE A-12

## English Learner Math Baseline and Long-Term Goals, by State, 2018

State	Baseline (Year)	Long-Term Goal	Target Year	Notes	Same Long-term Goal for All Subgroups?
Alabama	28.27% (2017)	64.15%	2030		NO
Alaska	8.4% (2017)	54.20%	2027	This applies to only grades 3–8	NO
Arizona	Varies by grade	90%	2040	<b>2017 baselines—Grade 3: 27%; Grade 4: 33%; Grade 5: 32%; Grade 6: 17%; Grade 7: 9%; Grade 8: 10%; Tested prior to high school Algebra I, Geometry, and Algebra II 2017 baselines—Algebra I: 68%; Geometry: 58%; Algebra II: no baseline as English Learners (ELs) did not meet subgroup reporting n size Tested in high school Algebra I, Geometry, and Algebra II 2017 baselines—Algebra I: 8%; Geometry: 10%; Algebra II: 11%</b>	YES
Arkansas	Varies by grade	80%	2029	<b>Grades K–5 2017 baseline: 50.18% Grades 6–8 2017 baseline: 39.48% Grades 9–12 2017baseline: 18.68%</b>	YES
California	Varies by grade	Level 3	2024	<b>Grades 3–8 2017 baseline: -50.8 Grade 11 2017 baseline: -78.6 Note:</b> Academic achievement long-term goals (LTGs) are framed as the proficiency level (PL) associated with scale scores on Smarter Balanced Assessments (SBAC) instead of proficiency percentage targets. The SBAC has four performance levels and each assessment and grade level covers a different range of scale points. Level 3 is considered proficient.	YES
Colorado	721.2 (2017)	728.4	2022	This baseline and LTG are scale scores.	NO
Connecticut	46 (2017)	75	2030	Academic achievement LTG are framed as scale scores on a performance index instead of proficiency percentage targets.	YES
Delaware	18.10% (2016)	59.05%	2030		NO
District of Columbia	13.9% (2015)	85%	2039		YES
Florida	35% (2015)	41%	2020		NO
Georgia	Varies by grade	Varies by grade	2031	<b>Elementary 2016 baseline: 52.23%; LTG: 73.68% Middle 2016 baseline: 36.25%; LTG: 64.90% High school 2016 baseline: 30.79%; LTG: 61.93%</b>	NO
Hawaii	22% (2016)	61%	2025		NO
Idaho	7.1% (2016)	38.10%	2022		NO
Illinois	Varies by grade	90%	2032	<b>Grades 3–8 2016 baseline: 13.1% Grades 9–12 2016 baseline: 6.0%</b>	YES
Indiana	Varies by grade	Varies by grade	2023	<b>Grades 3–8 2016 baseline: 51.2%; LTG: 75.6% Grade 10 2016 baseline: 26.7%; LTG: 63.4%</b>	NO

TABLE A-12 (cont.)

**English Learner Math Baseline and Long-Term Goals, by State, 2018**

State	Baseline (Year)	Long-Term Goal	Target Year	Notes	Same Long-term Goal for All Subgroups?
Iowa	Varies by grade	Varies by grade	2022	Grade 3 2016 baseline: 58.1%; LTG: 63.1% Grade 4 2016 baseline: 52.9%; LTG: 57.9% Grade 5 2016 baseline: 42.5%; LTG: 47.5% Grade 6 2016 baseline: 36.4%; LTG: 41.4% Grade 7 2016 baseline: 51.6%; LTG: 56.6% Grade 8 2016 baseline: 41.4%; LTG: 36.4% Grade 11 2016 baseline: 38.1%; LTG: 43.1%	NO
Kansas	15.4% (2016)	75%	2030		YES
Kentucky	Varies by grade	Varies by grade	2030	Elementary 2019 baseline: 27.6%; LTG: 63.9% Middle 2019 baseline: 16%; LTG: 58.1% High school 2019 baseline: 24.6%; LTG: 62.4%	NO
Louisiana	20% (2016)	56.50%	2025		YES
Maine	12.67% (2016)	56.32%	2030		NO
Maryland	8.36% (2017)	54.18%	2030		NO
Massachusetts	40.7% (2016)	60.30%	2022		NO
Michigan	21.04% (2016)	47.55%	2025		YES
Minnesota	32.54% (2017)	85%	2025		NO
Mississippi	22.9% (2016)	70%	2025		YES
Missouri	31.8% (2016)	65.90%	2026		NO
Montana	6.9% (2017)	29.40%	2023		NO
Nebraska	49% (2015)	74.50%	2026		NO
Nevada	Varies by grade	Varies by grade	2022	Grades 3–5 2016 baseline: 25.1% LTG: 44.9% Middle school 2016 baseline: 6.9%; LTG: 31.6% High school math I 2016 baseline: 59.5%; LTG: 70.2% High school math II 2016 baseline: 8.6%; LTG: 32.8%	NO
New Hampshire	12.9% (2016)	24.58%	2025		NO
New Jersey	14.34% (2016)	80%	2030		YES
New Mexico	6.8% (2016)	50.00%	2022		NO

TABLE A-12 (cont.)

## English Learner Math Baseline and Long-Term Goals, by State, 2018

State	Baseline (Year)	Long-Term Goal	Target Year	Notes	Same Long-term Goal for All Subgroups?
<b>New York State</b>	Varies by grade	Varies by grade	2022	<b>Grades 3–8 2016 baseline: 73; LTG: 98</b> <b>High school 2016 baseline: 98; LTG: 118</b> <b>Note:</b> The “end goal” doesn’t have a target year, therefore the 2022 interim LTGs were used. Academic achievement LTGs are framed as performance index scores instead of proficiency percentage targets.	NO
<b>North Carolina</b>	Varies by grade	Varies by grade	2027	<b>Grades 3–8 2016 baseline: 21.4%; LTG: 56.9%</b> <b>High school 2016 baseline: 4.9%; LTG: 46.1%</b>	NO
<b>North Dakota</b>	9% (2016)	39.03%	2024		NO
<b>Ohio</b>	58.1% (2016)	79.10%	2026		NO
<b>Oklahoma</b>	Varies by grade	50%	2030	<b>Grade 3 2017 baseline: 18%</b> <b>Grade 4 2017 baseline: 12%</b> <b>Grade 5 2017 baseline: 7%</b> <b>Grade 6 2017 baseline: 6%</b> <b>Grade 7 2017 baseline: 8%</b> <b>Grade 8 2017 baseline: 0%</b> <b>High school 2017 baseline: 4%</b>	YES
<b>Oregon</b>	17% (2016)	80%	2025		YES
<b>Pennsylvania</b>	9.3% (2015)	54.70%	2030		NO
<b>Puerto Rico</b>	29% (2017)	72%	2022	Data are based on the Spanish Learner (SL) subgroup.	NO
<b>Rhode Island</b>	12% (2017)	68%	2025		NO
<b>South Carolina</b>	Varies by grade	Goal 1: 90% Goal 2: 70%	2035	<b>Goal 1 2017 baselines:</b> Elementary: 72.9% Middle: 68.6% High school: 80.7% <b>Goal 2 2017 baselines:</b> Elementary: 40.6% Middle: 29.6% High School: 55.8%	YES
<b>South Dakota</b>	16.93% (2017)	100.00%	2031		YES
<b>Tennessee</b>	4.8% (2016) (High School)	58.40%	2025	The state suspended testing in grades 3–8 in 2016, therefore, the plan only included LTGs and baselines for high school.	NO
<b>Texas</b>	40% (2017)	70%	2032		NO
<b>Utah</b>	15.1% (2016)	43.30%	2022		NO

TABLE A-12 (cont.)

**English Learner Math Baseline and Long-Term Goals, by State, 2018**

State	Baseline (Year)	Long-Term Goal	Target Year	Notes	Same Long-term Goal for All Subgroups?
<b>Vermont</b>	Varies by grade	3.9 Proficiency level	2025	<b>Grade 3 2016 baseline:</b> 2.6 <b>Grade 4 2016 baseline:</b> 1.1 <b>Grades 5–8 2016 baseline:</b> 1.0 <b>Note:</b> Academic achievement LTG are framed as the proficiency level (PL) associated with scale scores on SBAC instead of proficiency percentage targets. SBAC has four performance levels and each assessment and grade level covers a different range of scale points. Level 3 is considered proficient.	YES
<b>Virginia</b>	55% (2016)	70%	2025		YES
<b>Washington State</b>	20.7% (2017)	90%	2027	The plan uses 2015–16 data to project 2017 baseline values.	YES
<b>West Virginia</b>	34.4%% (2017)	67.20%	2030		NO
<b>Wisconsin</b>	12.8% (2016)	33.80%	2023		NO
<b>Wyoming</b>	Varies by grade	Varies by grade	2031	<b>Grades 3–8 math 2016 baseline:</b> 25%; LTG: 40% <b>Grade 11 ACT math 2016 baseline:</b> 8%; LTG: 24%	NO

Source: see Appendix E for a list of the state ESSA plans and additional clarifying documents from which this information is drawn.

TABLE A-13

**English Learner Four-Year Graduate Rate Baseline and Long-Term Goals, by State, 2018**

State	Baseline (Year)	Long-Term Goal	Target Year	Notes	Same Long-Term Goal for All Subgroups?
Alabama	64.41% (2016)	82%	2030		NO
Alaska	57.7% (2017)	90.00%	2027		YES
Arizona	25% (2015)	90%	2030	Arizona is recalculating these rates; previously, only students classified as English Learners (ELs) upon graduation were considered in this rate. Moving forward, the state will also include any student classified as an EL at any point during high school; once the new rate is calculated, the state will provide updated rates and Multiple Indicator Protocols (MIPs).	YES
Arkansas	85.71 (2016)	94%	2028		YES
California	77.7% (2015)	90%	2022		YES
Colorado	61.4% (2017)	71.10%	2022		NO
Connecticut	66.7% (2016)	94%	2029		YES
Delaware	68.7% (2015)	84.30%	2030		NO
District of Columbia	59.6% (2015)	90%	2039		YES
Florida	59.5% (2015)	66.60%	2020		NO
Georgia	56.46% (2016)	76.11%	2031		NO
Hawaii	69% (2016)	90%	2025		YES
Idaho	73.3% (2016)	93.30%	2022		NO
Illinois	71.9% (2016)	90%	2032		YES
Indiana	52.6% (2016)	76.30%	2023		NO
Iowa	80.8% (2016)	95%	2022		YES
Kansas	77.7% (2016)	95%	2030		YES
Kentucky	72.4% (2019)	83.70%	2030		NO
Louisiana	50.2% (2015)	90%	2025		YES
Maine	78.14% (2016)	90%	2030		YES
Maryland	56.98% (2011)	75.99%	2020		NO
Massachusetts	64% (2015)	74.40%	2020		NO
Michigan	72.14% (2016)	94.44%	2025		YES
Minnesota	52.64% (2012)	85%	2020		NO
Mississippi	55.9% (2016)	78.90%	2025		NO
Missouri	68.1% (2016)	84.1%	2026		NO
Montana	58.7% (2016)	73.30%	2022		NO
Nebraska	55% (2015)	77%	2026		NO

TABLE A-13 (cont.)

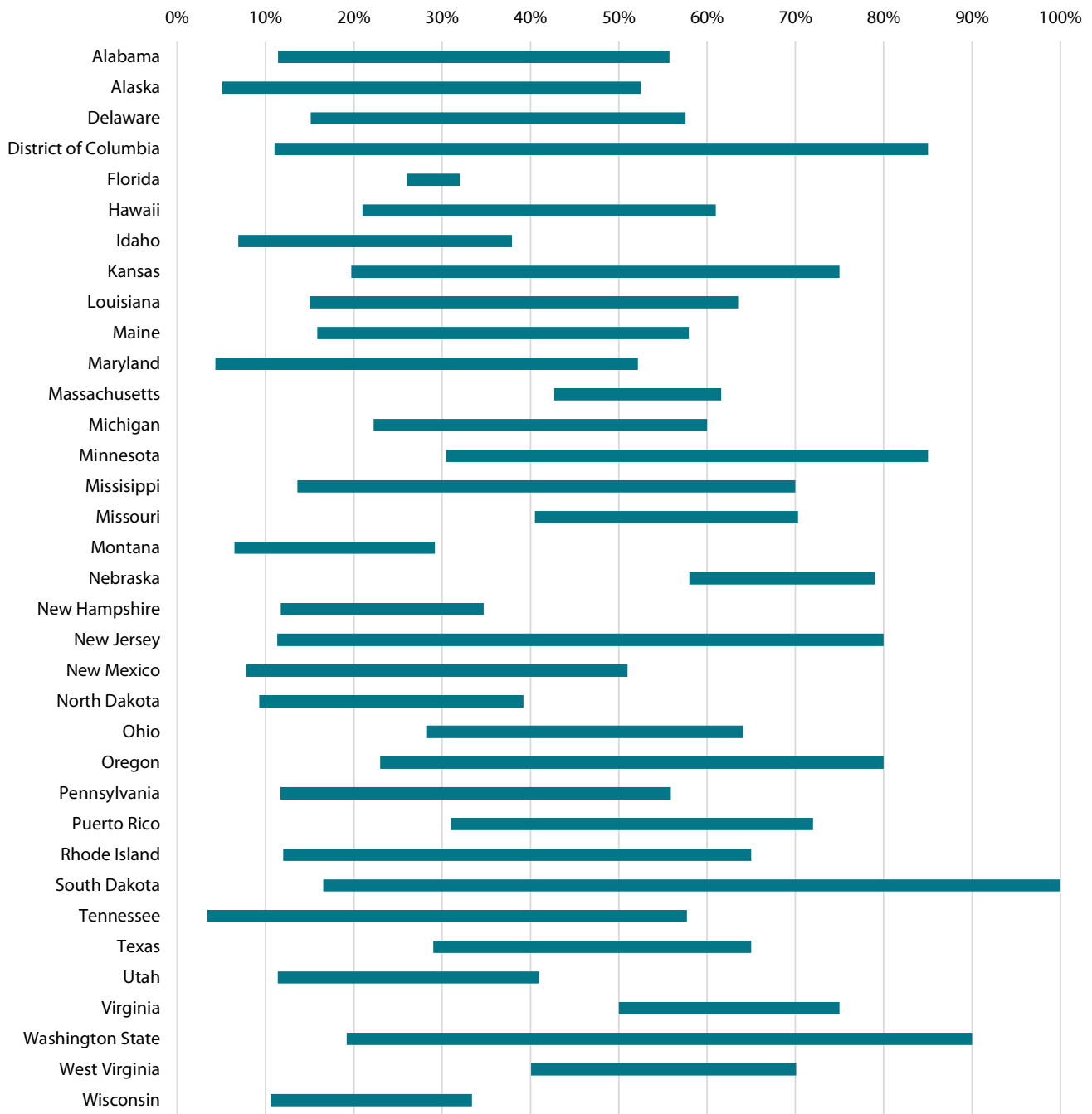
**English Learner Four-Year Graduate Rate Baseline and Long-Term Goals, by State, 2018**

State	Baseline (Year)	Long-Term Goal	Target Year	Notes	Same Long-Term Goal for All Subgroups?
<b>Nevada</b>	42.6% (2016)	70%	2022		NO
<b>New Hampshire</b>	77.72% (2016)	83.38%	2025		NO
<b>New Jersey</b>	74.65% (2016)	95%	2030		YES
<b>New Mexico</b>	67% (2016)	82%	2022		NO
<b>New York State</b>	46.6% (2016)	56.30%	2022		NO
<b>North Carolina</b>	57.2% (2016)	95%	2027		YES
<b>North Dakota</b>	60% (2016)	90%	2024		YES
<b>Ohio</b>	54.4% (2016)	77.20%	2026		NO
<b>Oklahoma</b>	57.9% (2016)	90%	2025		YES
<b>Oregon</b>	51% (2016)	90%	2025		YES
<b>Pennsylvania</b>	62.6% (2015)	81.30%	2030		NO
<b>Puerto Rico</b>	77% (2017)	92%	2022	Data are based on the Spanish Learner (SL) subgroup.	NO
<b>Rhode Island</b>	74% (2016)	92%	2025		NO
<b>South Carolina</b>	76% (2017)	90%	2035		YES
<b>South Dakota</b>	59.50% (2017)	100.00%	2031		YES
<b>Tennessee</b>	75.6% (2016)	89.30%	2025		NO
<b>Texas</b>	72% (2015)	94%	2032		YES
<b>Utah</b>	65.7% (2016)	77.10%	2022		NO
<b>Vermont</b>	68.1% (2016)	90%	2025		YES
<b>Virginia</b>	62% (2016)	84%	2025		YES
<b>Washington State</b>	57.6% (2017)	90%	2027	The plan uses 2015–16 data to project 2017 baseline values.	YES
<b>West Virginia</b>	92.66% (2016)	95%	2030		YES
<b>Wisconsin</b>	62.2% (2015)	77.60%	2023		NO
<b>Wyoming</b>	70% (2016)	81%	2031		NO

Source: see Appendix E for a list of the state ESSA plans and additional clarifying documents from which this information is drawn.

FIGURE A-1

**Gap between Baseline and Long-Term Goals in English Language Arts/Reading for English Learners, Selected States, 2018**



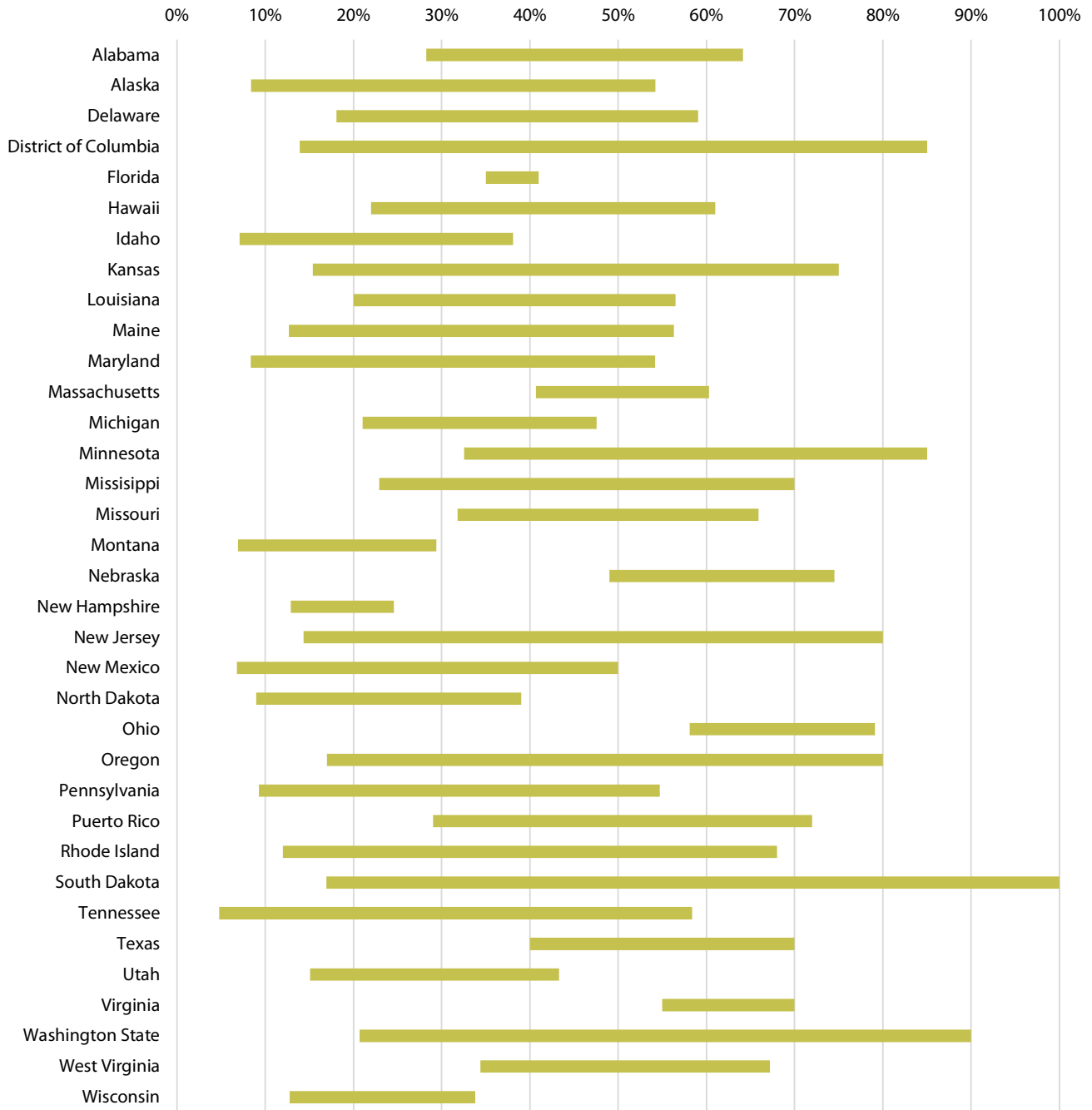
ELA = English language arts.

Notes: States not included in this chart are those where baseline percentages and long-term goals (LTGs) vary by grade, are not defined in terms of percent proficient, or where this information was not provided (Arizona, Arkansas, California, Colorado, Connecticut, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Nevada, New York State, North Carolina, Oklahoma, South Carolina, Vermont, Wyoming). Tennessee did not report LTGs and baselines for grades 3–8 in their state plan; the Tennessee gap calculation is based on high schools only.

Source: see Appendix E for a list of the state ESSA plans and additional clarifying documents from which this information is drawn.

FIGURE A-2

Gap between Baseline and Long-Term Goal in Math for English Learners, Selected States, 2018

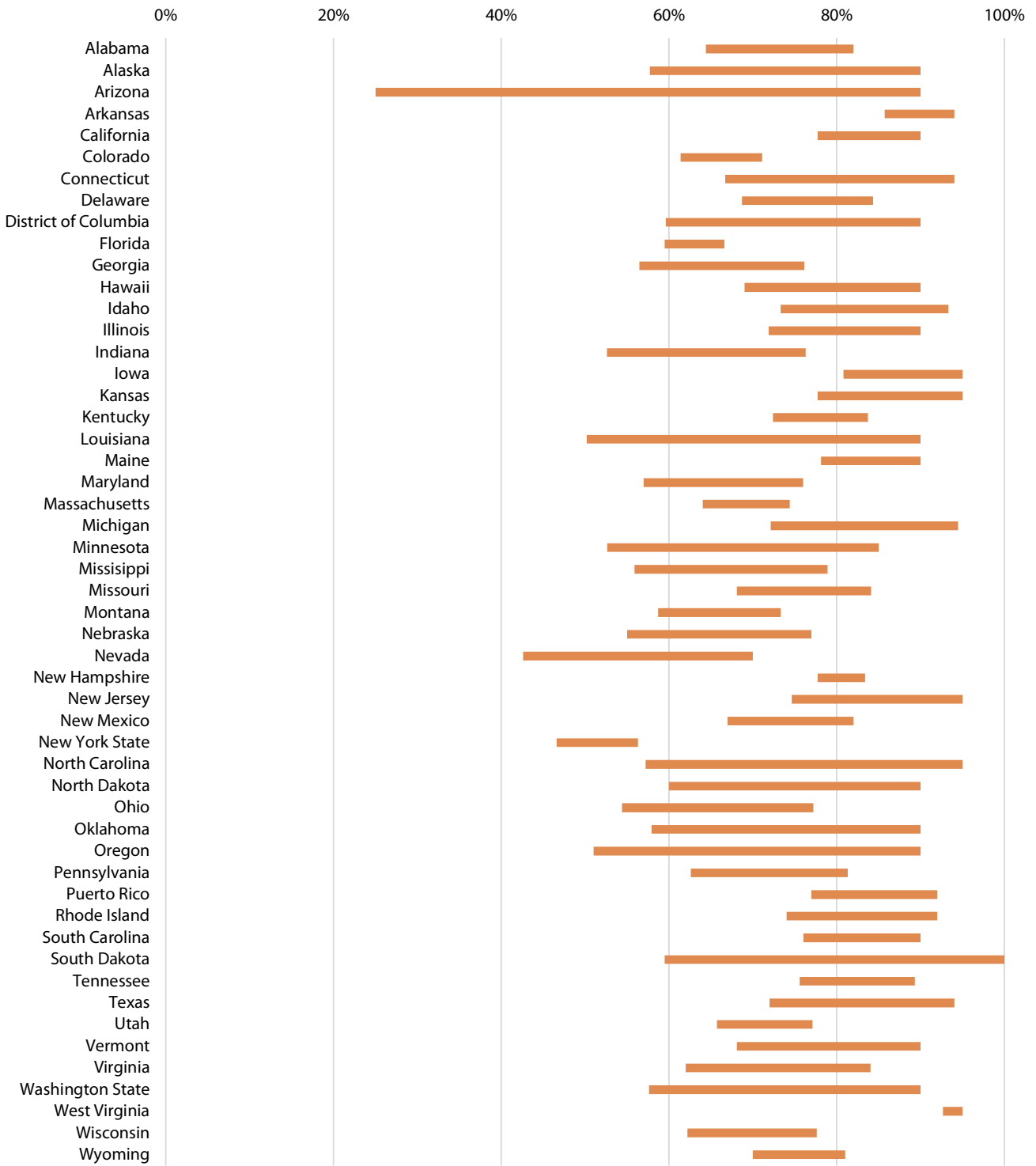


Notes: States not included in this chart are those where baseline percentages and LTGs vary by grade, are not defined in terms of percent proficient, or where this information was not provided (Arizona, Arkansas, California, Colorado, Connecticut, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Nevada, New York, North Carolina, Oklahoma, South Carolina, Vermont, Wyoming). Tennessee did not report LTGs and baselines for grades 3-8 in their state plan; the Tennessee gap calculation is based on high schools only. Source: see Appendix E for a list of the state ESSA plans and additional clarifying documents from which this information is drawn.



FIGURE A-3

**Gap between Baseline and Long-Term Goal in Four-Year Graduation Rate for English Learners, by State, 2018**



Source: see Appendix E for a list of the state ESSA plans and additional clarifying documents from which this information is drawn.

TABLE A-14

**Gaps between English Language Arts/Reading Baseline and Long-Term Goals for English Learners, and Number of Years Allotted to Close Gap, Selected States, 2018**

State	Gap between Baseline and Long-Term Goal	Years to Close Gap
Florida	6%	5
Puerto Rico	41%	5
Massachusetts	18.90%	6
Montana	22.70%	6
Utah	29.60%	6
Idaho	31%	6
New Mexico	43.20%	6
Wisconsin	22.80%	7
North Dakota	29.93%	8
Rhode Island	53%	8
Minnesota	54.56%	8
New Hampshire	22.99%	9
Virginia	25%	9
Michigan	37.75%	9
Hawaii	40%	9
Louisiana	48.50%	9
Tennessee	54.30%	9
Mississippi	56.40%	9
Oregon	57%	9
Missouri	29.80%	10
Ohio	35.90%	10
Alaska	47.40%	10
Washington State	70.80%	10
Nebraska	21%	11
West Virginia	30%	13
Alabama	44.33%	13
Maryland	47.86%	13
Maine	42.07%	14
Delaware	42.43%	14
Kansas	55.30%	14
New Jersey	68.66%	14
South Dakota	83.45%	14
Texas	36%	15
Pennsylvania	44.20%	15
District of Columbia	74%	24

Notes: States not included in this table are those where baseline percentages and LTGs vary by grade, are not defined in terms of percent proficient, or where this information was not provided (Arizona, Arkansas, California, Colorado, Connecticut, Florida, Georgia,

Illinois, Indiana, Iowa, Kentucky, Nevada, New York State, North Carolina, Oklahoma, South Carolina, Vermont, Wyoming). Tennessee did not report LTGs and baselines for grades 3-8 in their state plan; the Tennessee gap calculation is based on high schools only.

Source: see Appendix E for a list of the state ESSA plans and additional clarifying documents from which this information is drawn.

TABLE A-15

**Gaps between Math Baseline and Long-Term Goals for English Learners, and Number of Years Allotted to Close Gap, Selected States, 2018**

State	Gap between Baseline and Long-Term Goal	Years to Close Gap
Florida	6%	5
Puerto Rico	43%	5
Massachusetts	19.60%	6
Montana	22.50%	6
Utah	28.20%	6
Idaho	31%	6
New Mexico	43.20%	6
Wisconsin	21%	7
North Dakota	30.03%	8
Minnesota	52.46%	8
Rhode Island	56%	8
New Hampshire	11.68%	9
Virginia	15%	9
Michigan	26.51%	9
Louisiana	36.50%	9
Hawaii	39%	9
Mississippi	47.10%	9
Tennessee	53.60%	9
Oregon	63%	9
Ohio	21%	10
Missouri	34.10%	10
Alaska	45.80%	10
Washington State	69.30%	10
Nebraska	25.50%	11
West Virginia	32.80%	13
Alabama	35.88%	13
Maryland	45.82%	13
Delaware	40.95%	14
Maine	43.65%	14
Kansas	59.60%	14
New Jersey	65.66%	14
South Dakota	83.07%	14
Texas	30%	15

TABLE A-15 (cont.)

**Gaps between Math Baseline and Long-Term Goals for English Learners, and Number of Years Allotted to Close Gap, Selected States, 2018**

State	Gap between Baseline and Long-Term Goal	Years to Close Gap
Pennsylvania	45.40%	15
District of Columbia	71.10%	24

Notes: States not included in this table are those where baseline percentages and LTGs vary by grade, are not defined in terms of percent proficient, or where this information was not provided (Arizona, Arkansas, California, Colorado, Connecticut, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Nevada, New York, North Carolina, Oklahoma, South Carolina, Vermont, Wyoming). Tennessee did not report LTGs and baselines for grades 3-8 in their state plan; the Tennessee gap calculation is based on high schools only.

Source: see Appendix E for a list of the state ESSA plans and additional clarifying documents from which this information is drawn.

TABLE A-16

**Gaps between Four-Year Graduation Rate Baseline and Long-Term Goals for English Learners, and Number of Years Allotted to Close Gap, by State, 2018**

State	Gap between Baseline and Long-Term Goal	Years to Close Gap
Florida	7.10%	5
Colorado	9.70%	5
Massachusetts	10.40%	5
Puerto Rico	15%	5
New York State	9.70%	6
Utah	11.40%	6
Iowa	14.20%	6
Montana	14.60%	6
New Mexico	15%	6
Idaho	20%	6
Nevada	27.40%	6
California	12.30%	7
Indiana	23.70%	7
Wisconsin	15.40%	8
North Dakota	30%	8
Minnesota	32.36%	8
New Hampshire	5.66%	9
Tennessee	13.70%	9
Rhode Island	18%	9
Maryland	19.01%	9
Hawaii	21%	9
Vermont	21.90%	9
Virginia	22%	9
Michigan	22.30%	9
Mississippi	23%	9

TABLE A-16 (cont.)

**Gaps between Four-Year Graduation Rate Baseline and Long-Term Goals for English Learners, and Number of Years Allotted to Close Gap, by State, 2018**

<b>State</b>	<b>Gap between Baseline and Long-Term Goal</b>	<b>Years to Close Gap</b>
Oklahoma	32.10%	9
Oregon	39%	9
Missouri	16%	10
Ohio	22.80%	10
Alaska	32.30%	10
Washington State	32.40%	10
Louisiana	39.80%	10
Kentucky	11.30%	11
Nebraska	22%	11
North Carolina	37.80%	11
Arkansas	8.29%	12
Connecticut	27.30%	13
West Virginia	2.34%	14
Maine	11.86%	14
Kansas	17.30%	14
Alabama	17.59%	14
New Jersey	20.35%	14
South Dakota	40.50%	14
Wyoming	11%	15
Delaware	15.60%	15
Pennsylvania	18.70%	15
Georgia	19.65%	15
Arizona	65%	15
Illinois	18.10%	16
Texas	22%	17
South Carolina	14%	18
District of Columbia	30.40%	24

Source: see Appendix E for a list of the state ESSA plans and additional clarifying documents from which this information is drawn.

## Appendix C. Accompanying Tables for Section 4: English Learners in Accountability Systems

TABLE A-17

### State English Learner Accountability Systems: N Size, Annual Meaningful Differentiation, and School Identification Criteria, 2018

	N Size		Annual Meaningful Differentiation		Identifying Schools for Support	
	Subgroup Accountability	Reporting	Weight of English Language Proficiency (ELP) Indicator	Are Disaggregated English Learner (EL) Academic Scores Included in Overall School Performance?	ELP Indicator in Comprehensive Support and Improvement (CSI) Criteria?	Does the State Differentiate between Targeted Support and Improvement (TSI) and Additional Targeted Support and Improvement (ATSI)?
Alabama	20	10	5%	✗	✓	✗
Alaska*	10	5	10–15%	✗	✓	✗
Arizona	20	20	10%	✗	✓	✓
Arkansas*	15	10	Proportional	✗	✓	Kind of
California*	30	11	No weights	✗	✓	✗
Colorado*	16 & 20	16 & 20	8–12%	✓	✓	✓
Connecticut*	20	20	7–11%	✗	✓	Kind of
Delaware	15	15	10%	✗	✓	✗
District of Columbia	10	10	5%	✓	✓	✗
Florida*	10	10	9–12.5%	✗	✓	Unclear
Georgia*	15	15	3–3.5%	Kind of	✓	✓
Hawaii	20	20	10%	✗	✓	✓
Idaho*	20	5	18–22.5%	✗	✓	✓
Illinois	20	10	5%	✓	✓	✓
Indiana	20	10	10%	✗	✓	✗
Iowa	20	10	10%	✗	✓	✗
Kansas	30	10	25%	✗	✓	✓
Kentucky*	10	10	Unclear	Kind of	✓	✓
Louisiana*	None	10	Proportional	✗	✓	✗
Maine*	10	10	10%	?	✓	✓
Maryland*	10	10	10%	✗	✓	✓
Massachusetts*	20	6 & 10	5–10%	✗	✓	✗
Michigan*	30	10	10–11.11%	✓	✓	✗
Minnesota	20	10	No weights	✓	✓	✓
Mississippi*	10	10	5%	✗	✓	✓
Missouri*	30	10	20%	✗	✓	✗

TABLE A-17 (cont.)

**State English Learner Accountability Systems: N Size, Annual Meaningful Differentiation, and School Identification Criteria, 2018**

	N Size		Annual Meaningful Differentiation		Identifying Schools for Support	
	Subgroup Accountability	Reporting	Weight of English Language Proficiency (ELP) Indicator	Are Disaggregated English Learner (EL) Academic Scores Included in Overall School Performance?	ELP Indicator in Comprehensive Support and Improvement (CSI) Criteria?	Does the State Differentiate between Targeted Support and Improvement (TSI) and Additional Targeted Support and Improvement (ATSI)?
Montana	10	10	10%	?		✘
Nebraska	10	10	No weights	✘	✓	✓
Nevada*	10	10	10%	?		✓
New Hampshire	11	11	No weights	✘	✓	✓
New Jersey	20	10	20%	✓	✓	✓
New Mexico*	None & 20	10	5–10%	✘	✓	✘
New York State*	30	5	No weights	✘	✓	✓
North Carolina*	30	10	Proportional	✘	✓	✓
North Dakota	10	10	10%	?		✘
Ohio*	15	10	4.5–10.56%	Kind of	✓	✓
Oklahoma*	10	10	17%	Kind of	✓	✓
Oregon*	20	10	No weights	?	✓	✘
Pennsylvania*	20	20	No weights	✘	✓	✘
Puerto Rico	10	10	20%	?	✓	✓
Rhode Island*	20	10	No weights	✘	✓	✓
South Carolina	20	20	10%	✘	✓	✓
South Dakota	10	10	10%	✘	✓	✓
Tennessee*	10	10	10%	✓	✘	✓
Texas*	25	25	10%	✘	✓	✓
Utah*	10	10	6–9%	✘	✓	✘
Vermont*	25	11	10%	✘	✓	✓
Virginia*	30	10	No weights	✘	✓	✓
Washington State*	20	10	5%	?	✓	✘
West Virginia*	20	10	12.5–14%	✘	✓	✓
Wisconsin*	20	20	5–10%	✘	✓	✓
Wyoming*	10	10	20–25%	✓	✓	✓

\* Notes:

**Alaska** will aggregate up to three years of available data when calculating index scores and determining designations for support. Additionally, the English language proficiency (ELP) indicator will be weighted at 15 percent in schools that serve Grades K–6 and 10 percent in schools that serve Grades 7–12.

In **Arkansas**, ELP is included in the Growth indicator which is weighted at 50 percent for K–8 and 35 percent for high schools. ELP is proportionately weighted in the school growth score by the number of English Learners (ELs), whereby it is a 1:1 ELP to content growth. ELP is included in comprehensive support and improvement (CSI) identification through its inclusion in the Growth indicator. Arkansas will identify targeted support and improvement (TSI) schools as those where any subgroup in the school is in the bottom 1 percent of all Title I schools statewide on all indicators in the accountability system in each of the three prior years. Among those schools identified for TSI, Arkansas will identify schools for additional targeted support and improvement (ATSI) if one or more subgroup(s) of students in any school on its own would have led to its identification as a school in need of CSI (meaning the subgroup falls in the bottom 5 percent of school performance statewide). Following these parameters, there will be significant, if not complete, overlap between TSI- and ATSI-identified schools, thus failing to meaningfully differentiate between the two.

Although **California** does not weight its indicators, all indicators are given equal consideration in the system of Annual Meaningful Differentiation (AMD) which means the ELP indicator will be weighted equal to the other indicators, when applicable.

**Colorado** will use an n size of 16 for academic achievement and graduation rate indicators and 20 for growth indicators. The ELP indicator is considered growth, therefore the n size of 20 will apply to this indicator, as well as EL growth on English language arts (ELA) and math. Conversely, EL subgroup performance on academic achievement and graduation rate indicators will depend on the threshold of 16. Colorado will also use a combined subgroup called the “Aggregated Non-White Group” for accountability in addition to individual racial subgroups when there are remaining non-White students from racial/ethnic groups that do not meet the minimum number on their own. In Colorado, two measures of ELP are part of the growth indicator, a growth measure, and a growth-to-standard measure, which are given equal weight (10 percent each) in the indicator along with growth in ELA (40 percent) and math (40 percent). Collectively, this indicator is worth 60 percent in elementary and middle school and 40 percent in high school. Therefore, ELP weighs 12 percent in elementary and middle schools and 8 percent in high schools.

In **Connecticut**, ELP growth will be worth 100 points within the Academic Growth indicator. As part of the Academic Growth indicator, ELP growth will be weighted 11 percent in elementary, 10 percent in middle, 7 percent in high school, and 7 percent in middle/high combination schools. These weights were determined by dividing the ELP 100 points by the total number of points possible for different schools. ELP is included in CSI identification through its inclusion in the Academic Growth indicator. Connecticut’s TSI schools will be those where one or more subgroup(s) performs in the bottom 1 percent of all schools statewide on all indicators in the accountability system in each of the three prior years. Among TSI schools, ATSI schools will be those where any subgroup on its own would have led to its identification as a comprehensive support school (three-year accountability average falls in bottom 5 percent of statewide school performance). Because the TSI identification threshold is narrower than the ATSI threshold, and ATSI schools will be selected from TSI-identified schools, there is significant overlap between the two groups, thus failing to meaningfully differentiate.

In **Florida**, the ELP indicator is weighted at 12.5 percent in elementary schools, 10 percent in middle schools, and 9 percent in high schools. This was calculated by dividing the points allotted to the ELP indicator (100) by the total amount of points a school in each grade band can receive for all indicators which is 800 for elementary schools, 1,000 for middle schools, and 1,100 for high schools. It should be noted that Florida’s system to meaningfully differentiate among schools is based on its school report card, which includes the school’s grade, a Federal Percent of Points Index comprised of the indicators required by the *Every Student Succeeds Act* (ESSA), and other performance information. According to Florida’s plan, school and district report cards will report the performance of each subgroup separately for each component and the progress ELs are making in achieving ELP. Additionally, instead of including individual subgroups in AMD, Florida will use the learning gains of the lowest-performing 25 percent of students in ELA and math.

In **Georgia**, ELP is included in the Progress indicator and accounts for 10 percent of it. The Progress indicator is weighted at 35 percent/35 percent/30 percent in the College and Career Readiness Performance Index for elementary, middle, and high school, respectively. This dilutes ELP to 3.5 percent in elementary and middle school and 3.0 percent in high school total performance scores. ELP is included in CSI identification through its inclusion in the Progress indicator. Additionally, Georgia “kind of” includes subgroup performance because it uses a “Closing Gaps” indicator in the index used for AMD that considers subgroup performance and measures the extent to which all students and all student subgroups are meeting annual 3 percent achievement improvement targets in ELA, math, science, and social studies based on the long-term goals. Schools earn one point when a subgroup target is met, 0.5 point when progress is made but the target is not met, and 0 points when no progress is made. Schools will earn 1.5 points for Economically Disadvantaged, EL, and students with a disability (SWD) subgroups meeting a 6 percent improvement target. This indicator will be a weighted percentage of achievement targets met across all students and all student subgroups, with a max of 15 percent/15 percent/10 percent of the index for elementary, middle, and high schools, respectively.

In **Idaho**, the ELP indicator will be weighted at 18 percent in schools K–8, and 22.5 percent in both high schools and alternative high schools.

In **Kentucky**, the ELP indicator will be included in the Growth indicator in elementary and middle school, and the Transition Readiness indicator in high school. The Growth indicator is weighted at 20–30 and the Transition Readiness indicator is weighted at 15–30. However, how much the ELP measure will weigh within these indicators is unclear as Kentucky has not assigned a single weight to any indicator or measure within its accountability system. Additionally, Kentucky “kind of” includes subgroup performance in its system of AMD because it uses an Achievement Gap Closure indicator comprised of two measures—(1) Gap to Group: a comparison



of performances between student groups (EL and non-EL) to see if there is a statistically significant gap; and (2) Gap to Proficiency: a comparison of performance between a student group and the long-term proficiency goals to see if there is a statistically significant gap. Additionally, Kentucky identifies TSI schools using all indicators for each subgroup of students, and any school identified as TSI is barred from getting more than three stars.

In **Louisiana**, the ELP assessment will be weighted by 6 in the Assessment Index such that it is equal to the weight of all academic units to ensure proportional representation for ELs. The Assessment Index will account for 75 percent of elementary school scores, 70 percent of middle schools, and 12.5 percent of high schools. ELP is included in CSI identification through its inclusion in the Assessment Index. With regard to their no n size, a school performance score will be calculated for every school with 40 units, which is approximately 10 total students taking four tests each. With regard to subgroup inclusion in AMD, although base A–F grades do not include subgroups, TSI schools are barred from receiving an “A” classification.

In **Maine**, although on the surface it looks as though the ELP indicator will carry a weight of 10 percent and that it will be included in CSI identification, the plan does not include sufficient information to understand how the AMD system will work. Therefore, it is unclear how subgroup performance will be included in school ratings.

**Maryland** will use an n size of 30 for the graduation rate indicator.

**Massachusetts** will use an n size of six for reporting enrollment, dropout, and graduation rate, and 10 for reporting assessment results. Additionally, the ELP indicator will be weighted at 5 percent for high schools and 10 percent for nonhigh schools. Additionally, although subgroups are not included in AMD, Massachusetts adopted a business rule which stipulates that a school identified for TSI is barred from receiving the highest rating, Tier 1.

In **Michigan**, the ELP indicator will be weighted at 10 percent for schools that have a graduation rate and 11.11 percent for schools without a graduation rate. Although the majority of schools will fall under these two weights, there may be limited instances where the weight of the ELP indicator diverges from these two standards depending on which indicators are/are not present in a school, K–2 schools where only select indicators apply.

Instead of including the performance of individual subgroups, such as ELs, **Mississippi** will use the performance of the lowest 25 percent of students based on statewide assessments in its accountability model.

In **Missouri**, the ELP indicator will be divided by proficiency and growth, wherein proficiency accounts for .05/2 points and growth accounts for 1.5/2 points of the total points possible for ELP.

**Nevada** will use an n size of 25 when identifying schools for TSI.

Although **New Mexico** will not use an n size for growth or proficiency in school grades, it will use an n size of 20 for protected subgroup evaluation and TSI identification, therefore an n size of 20 applies to ELs for ELP inclusion in school ratings. It will also use an n size of 30 for school participation. Additionally, the ELP indicator will be weighted at 5 percent for high schools and 10 percent for elementary and middle schools.

In addition to the accountability n size, **New York State** will use an n size of 40 to determine participation rate. New York’s schools will be identified for TSI if they are among the lowest 5 percent of public schools for a subgroup’s performance for two consecutive years. Schools will be identified for ATSI if a subgroup, on its own, would have caused it to be identified as a CSI school, the process for which uses a series of decision rules to identify lowest-performing 5 percent of schools statewide. Because TSI schools are identified by comparing a school’s subgroup performance to the state subgroup performance overall, and ATSI schools are identified by comparing a school’s subgroup performance to statewide school performance, the two definitions are meaningfully different.

In **North Carolina**, a measure of ELP progress is included in the academic achievement score of a school. North Carolina will use proportional weighting to calculate the system of AMD where it will award one point for each percent of students who progress in achieving ELP. In calculating the overall achievement score it will use a composite approach to weigh the achievement elements based on the number of students measured by any given achievement element. This school achievement score will account for 80 percent of a school’s final grade. North Carolina will measure ELP of students in Grades 3–8 and 10 for purposes of the ELP indicator.

In **Ohio**, the ELP indicator is included in the “Gap Closing” measure which measures subgroup performance in ELA, math, graduation (if applicable), and ELP. The weight of the ELP indicator varies by school grade band, wherein it is worth 10.56 percent for Grades K–3, 10 percent for Grades 4–8, and 4.5 percent for Grades 9–12. Regarding subgroup inclusion in AMD calculations, Ohio uses a “Gap Closing” component which accounts for subgroup performance in ELA, math, graduation rate (if applicable), and ELP. This component is in addition to the “Academic Achievement” component which only considers the performance of “all students.” Ohio is identified as “kind of” including EL subgroup performance in AMD because the “Gap Closing” component aggregates data of all subgroups that meet the n size and does not consider the performance of each subgroup on its own. ELP is included in CSI identification through its inclusion in the “Gap Closing” component.

In **Oklahoma**, subgroup performance is kind of included in AMD because total points earned in the academic achievement indicator are based on two categories: (1) priority student group performance; and (2) performance of the all students group. The state's "Priority Student Group" policy requires that each student be assigned to only one student group and will categorize students in the following rank order: students with disabilities, economically disadvantaged status, EL classification, Black/African American, Hispanic/Latino, Native American/American Indian, students identifying two or more races, and lastly, White students. Priority student group performance will contribute 14 points each for ELA and math (out of 15). These points will be students meeting their scale score targets. Additionally, one point will be possible for ELA and math based on the all students group performance. The points earned for both priority student group performance and the all students group performance will be summed to determine an overall score out of 15 points for ELA and math. However, because this Priority Student Group policy alters how reportable subgroups are composed for this indicator, Oklahoma does not holistically include subgroup performance in AMD.

In **Oregon**, the ELP indicator will carry a double weight, meaning it will count for two indicators when identifying schools for support. Additionally, Oregon will use three years' worth of data for accountability for all indicators which effectively makes the n size seven students per year.

In **Pennsylvania**, although the ELP indicator is included in the AMD it comes into play in step two along with nonacademic indicators which means it isn't given that much weight in determinations. Pennsylvania will examine the performance of low-performance and low-growth schools in these additional indicators, and if they also fall in the bottom quartile on one or more of these additional indicators, then they will be identified for CSI. It should also be noted that the plan does not have cutoff points for what it means to be inadequate in achievement and growth as they will determine these in the fall of 2018 once sufficient data are available.

**Rhode Island** does not weigh indicators and instead uses a rule-based methodology in its system of AMD whereby the ELP indicator has an individual target requirement for each classification and carries a maximum of four points.

In **Tennessee** the accountability n size of 10 only applies to the ELP indicator while an n size of 30 will apply to all other accountability indicators. Additionally, although it includes the EL subgroup in its AMD formula, it should be noted that it uses a Black/Hispanic/Native American (BHN) super-subgroup in place of individual groups in the AMD A–F system. Additionally, in instances when schools do not meet the n size for any one of the following subgroups, BHN, economically disadvantaged, EL, and students with disabilities, they will be combined into a super-subgroup for purposes of the AMD A–F rating system. Lastly, the weight of the ELP indicator (10 percent) is contingent upon the number of indicators for which a school is not eligible which means the weight will fluctuate between 0.00–10 percent.

**Texas** will use an n size of 25 tests (for assessment-related indicators) or 25 students (for graduation rate and non-assessment-related indicators) for subgroup accountability, and an n size of 10 assessments (for assessment-related indicators) or 10 students (for graduation rate and non-assessment-related indicators) for the all students group. Texas will also conduct small numbers analyses when there are fewer than ten test results or ten students' results. A three-year uniform average is computed based on the current year, prior year, and prior-prior year results. If there are ten or more test results or students available when all three years are combined, then the three-year uniform average is used to evaluate the all students group.

In **Utah**, the ELP indicator will weigh 8.61 percent in elementary/middle schools and 5.78 percent in high schools.

**Vermont** will use data from three consecutive years for accountability which is roughly eight students per year.

**Virginia** does not weigh indicators and instead uses a multistep methodology where academic achievement and growth are given the greatest weight in step one of the system, while EL progress is considered in step two and is therefore given significantly less weight than the indicators in step one. Indicators of school quality or student success carry the least weight in step three. Additionally, Virginia will use "all students" to identify schools for CSI, and ELP does not come into play until step two out of three for when identifying both CSI and TSI schools.

**Washington State** will use three years' worth of data for accountability purposes.

In **West Virginia**, the ELP indicator will carry a relative weight of 12.5 percent for high schools and 14 percent for elementary and middle schools.

In **Wisconsin**, the ELP indicator will weigh 10 percent for schools with ELs making up at least 10 percent of the whole school, and 5 percent for schools with less than 10 percent EL student population.

In **Wyoming**, the ELP indicator will be weighted at 25 percent in Grades 3–8 and 20 percent in high school.

Source: see Appendix E for a list of the state ESSA plans and additional clarifying documents from which this information is drawn.

## Appendix D. Ongoing Changes to States' ESSA Plans

As this report was being finalized, several state plan changes were brought to the authors' attention. Due to the dynamic nature of the state plan amendment process and in order to ensure comparable analysis across states based on their final approved plans, these changes were not incorporated into the report. The authors are aware more changes are likely to develop that may render parts of this report out of date. At this point, the changes we are aware of are listed below:

### California

The waiver that California submitted to include reclassified English Learners (ELs) in the English language proficiency (ELP) indicator for four years was denied. For more details on this waiver, see Section 2 for an in-depth discussion and analysis of the waiver.

### Utah

Utah submitted an amendment to the Education Department (ED) that was subsequently approved in June 2019. The amendment makes the following changes to the state's ELP indicator.

#### *Student-level targets*

Annual adequate growth targets are set for each student dependent on three variables: grade level at the time of initial enrollment, initial proficiency level, and number of years enrolled in school. Growth targets are set according to the tables below, divided into three grade spans based on grade level at the time of initial enrollment: Grades 1–3, 4–7, and 9–12. Each table accounts for initial ELP level and time enrolled in Utah schools and time in the program which means the targets are calculated relative to the maximum timeline to proficiency (six years). This is up from five years in the previous version of the plan.

#### *ELP indicator calculation*

Points are awarded to schools for this indicator in proportion to the percentage of students who make adequate progress toward ELP or who reach English proficiency as measured

TABLE A-18

#### Adequate Growth Targets Based on Initial ELP for Grade 1-3

Initial ELP	Time in EL Program (in Years)					
	1	2	3	4	5	6
<b>1.0–1.9</b>	+1.4	+1.0	+0.7	+0.6	+0.3	+0.1
<b>2.0–2.9</b>	+1.2	+0.7	+0.6	+0.3	+0.2	+0.1
<b>3.0–3.9</b>	+0.8	+0.6	+0.5	+0.3	+0.1	+0.1
<b>4.0–4.9</b>	+0.6	+0.5	+0.3	+0.2	+0.1	+0.1

Source: Utah Department of Education, "Draft Methodology for ESSA ELP Indicator" (draft guidance document, Utah Department of Education, Salt Lake City, n.d.).

TABLE A-19

#### Adequate Growth Targets Based on Initial ELP for Grade 4-7

Initial ELP Level	Time in EL Program (in Years)					
	1	2	3	4	5	6
<b>1.0–1.9</b>	+1.0	+1.2	+0.8	+0.6	+0.4	+0.2
<b>2.0–2.9</b>	+1.0	+0.8	+0.6	+0.4	+0.3	+0.1
<b>3.0–3.9</b>	+0.8	+0.6	+0.3	+0.2	+0.1	+0.1
<b>4.0–4.9</b>	+0.6	+0.3	+0.2	+0.1	+0.1	+0.1

Source: Utah Department of Education, "Draft Methodology for ESSA ELP Indicator."

by the World-Class Instructional Design and Assessment (WIDA) ACCESS assessment. If the student scores as proficient (a 5.0 or greater on the WIDA ACCESS assessment) or if a student's score is equal to or greater than their growth target, the student is considered to have made adequate progress.

**TABLE A-20**  
**Adequate Growth Targets Based on Initial ELP for Grade 8–12**

Initial ELP Level	Time in EL Program (in Years)					
	1	2	3	4	5	6
<b>1.0–1.9</b>	+0.7	+1.0	+0.6	+0.4	+0.3	+0.2
<b>2.0–2.9</b>	+0.6	+0.8	+0.6	+0.5	+0.3	+0.1
<b>3.0–3.9</b>	+0.6	+0.7	+0.5	+0.3	+0.1	+0.1
<b>4.0–4.9</b>	+0.4	+0.5	+0.1	+0.1	+0.1	+0.1

Source: Utah Department of Education, "Draft Methodology for ESSA ELP Indicator."

The percentage of points for a school is determined by the number of current EL students who meet or exceed their annual adequate growth target or reach proficiency in the current year, divided by the total number of EL students in the school (EL students in their first year are subtracted from the denominator and are excluded from the calculation for English Learner Progress because they do not have a prior year score; the ACCESS score in their first year is needed to establish a baseline). This percentage is multiplied by the 13 points possible for this indicator to determine the number of points allocated to a school.

## Nebraska

After their plan was approved, Nebraska released a document that details specific business rules the ELP indicator.<sup>170</sup> According to this document, student-level targets were adjusted to accommodate an additional level, progressing medium, which was not in the original plan but is reflected in Table A-21:

**TABLE A-21**  
**Student-Level Growth Targets**

Baseline Year	Year 2	Year 3	Year 4	Year 5	Year 6
<b>Emerging Low</b>	Emerging High	Progressing Low	Progressing Medium	Progressing High	Proficient
<b>Emerging High</b>	Progressing Low	Progressing Medium	Progressing High	Proficient	
<b>Progressing Low</b>	Progressing Medium	Progressing High	Proficient		
<b>Progressing Medium</b>	Progressing High	Proficient			
<b>Progressing High</b>	Proficient				

Source: AQuESTT for Nebraska, "AQuESTT Classification Rules — Version 2.0" (rules to be used in accountability calculations, AQuESTT for Nebraska, Lincoln, December 2018).

These business rules also stipulate that students become "off track" if they do not make the requisite growth, but schools can still receive credit for such students in future years. An off-track student will receive half credit if he or she shows growth (a change in level) compared with the previous year. Furthermore, the

<sup>170</sup> AQuESTT for Nebraska, "AQuESTT Classification Rules — Version 2.0" (rules to be used in accountability calculations, AQuESTT for Nebraska, Lincoln, December 2018).

document specified that growth is only applied when a student moves up a proficiency level. Lastly, the document includes scale scores for all of the proficiency levels listed above.<sup>171</sup>

### *Who is included/excluded?*

Students in their first year of taking the assessment are not eligible for the ELP indicator as students' initial assessment determines their baseline score from which future progress is measured. Furthermore, a student's English Language Proficiency Assessment for the 21st Century (ELPA21) assessment at a school/district will be eligible for the ELP indicator if the student was enrolled at the district on the date that the ELPA21 test eligibility for the year is entered into the state database. Lastly, if a student who has a baseline assessment and has not yet reached proficiency does not complete an ELPA21 assessment in the current school year, the student will be counted as not on track for the school/district to which he or she was assigned on the date that test eligibility is entered into the state database.

## Delaware

In May 2019, Delaware released an accountability technical and operational manual for the 2018–19 school year.<sup>172</sup> This document included a section on business rules that apply to the ELP indicator, which includes the following:

- ▶ Students achieving a proficiency level of 5.0 or higher on their initial ACCESS assessment (Year 1) are considered to have met their growth target and the school receives full credit.
- ▶ Any student whose number of years to attain proficiency exceeds Grade 12 based on their initial ACCESS assessment will be assigned the scale score at a proficiency level (PL) 5.0 at Grade 12 as his or her attainment target.
- ▶ A bonus of 10 percent will be awarded to the EL student's score when ELP is achieved prior to the required year of attainment as described in the "Calculation" section. Bonus points are aggregated in the school-level calculation, which is capped at 100 percent.
- ▶ EL students who are retained are expected to meet the interim target for the grade level in which they are actively enrolled (e.g., a Grade 7 EL student who is retained in Grade 7 is expected to meet his/her 7th grade interim growth target). These students are expected to reach their attainment targets in the same amount of time as determined by their initial ACCESS 2.0 scores as described in Table A-18. No extra time is provided due to retention.

This document also includes a table of the scale scores that correspond with each grade that should be referenced when calculating students' annual growth targets.<sup>173</sup>

171 AQuESTT for Nebraska, "AQuESTT Classification Rules," 10–11.

172 Delaware Department of Education, *Delaware Accountability: Delaware School Success Framework (DSSF): Technical and Operational Manual* (Dover, DE: Delaware Department of Education, May 2019).

173 Delaware Department of Education, *Delaware Accountability*, 42.

## Michigan

In February 2019, Michigan updated the Michigan School Index System Business Rules Document to align the state's targeted support and improvement (TSI) and additional targeted support and improvement (ATSI) criteria with ESSA.<sup>174</sup> Specifically, the business rules stipulate that TSI status will be assigned to schools that have one or more student subgroups performing in the bottom 25 percent within each applicable component in a given year (TSI identification occurs every year). The following steps dictate how this category will be calculated:

- 1 Determine the threshold for the bottom 25 percent within each component.
- 2 Exclude comprehensive support and improvement (CSI) schools.
- 3 Identify as "Preliminary TSI" schools having one or more student groups at or below the bottom 25 percent threshold in each applicable component.
- 4 Complete the identification process for ATSI schools.
- 5 Exclude ATSI schools.
- 6 Identify as TSI schools that are (1) identified as "Preliminary TSI" and (2) are NOT identified as CSI or ATSI.

The following rules also apply to TSI identification:

- ▶ Limit to schools having one or more valid student subgroups (n size 30) in both English language arts (ELA) and math in the proficiency component.
- ▶ Exclude schools that report 100 percent of enrolled students as students with disabilities.
- ▶ Exclude nonpublic schools.

Furthermore, ATSI schools are the preliminary TSI schools having any subgroup performing overall at or below the lowest-performing 5 percent of schools in the state (ATSI naming years initially occur once every five years, and then subsequently occur every six years). ATSI schools are a subset of TSI schools. The following steps dictate which schools are included in this category:

- 1 If it is an ATSI naming year (ATSI naming years initially occur once every five years, and then subsequently every six years), proceed to the steps below else skip to the next block of rules.
- 2 Determine the CSI threshold (i.e., the highest overall 0–100 index value of that year's designated CSI schools) and set this as the ATSI threshold.

<sup>174</sup> Michigan Department of Education, "Michigan School Index System Business Rules 2018" (business rules to be used in accountability calculations, Michigan Department of Education, Lansing, MI, February 2019). Michigan Department of Education, "School Accountability Identification Flowchart" (business rules to be used in accountability calculations, Michigan Department of Education, Lansing, MI, February 2019).

- 3 Identify as ATSI schools those having one or more student groups whose overall 0–100 index is at or below the CSI/ATSI threshold (i.e., have one or more student groups performing comparable to a lowest 5 percent school). Among all schools with a preliminary TSI designation, determine which schools have any subgroup performing overall at or below the lowest-performing 5 percent of schools in the state.
- 4 Remove the “Preliminary TSI” designation from any school identified as ATSI.
- 5 If it is NOT a CSI-ATSI naming year, do NOT identify any school as ATSI.

The following rules also apply to ATSI identification:

- ▶ Limit to schools having one or more valid student subgroups (n size 30) in ELA and math in the proficiency component.
- ▶ Exclude schools that report 100 percent of enrolled students as students with disabilities.
- ▶ Exclude nonpublic schools.
- ▶ Exclude schools identified as CSI.
- ▶ Limit to schools identified as “Preliminary TSI.”

## Tennessee

In March 2019, Tennessee released an accountability protocol document that outlines the data sources and procedures used in accountability calculations at the school and district levels, which though similar, are not identical.<sup>175</sup>

According to this protocol document, the growth trajectories for ELs are listed in Table A-22.

Based off of these growth targets, students are considered to have met the growth standard if the difference between their current year and prior year composite performance levels is greater than or equal to the corresponding growth standard based on their prior year composite performance level. Alternatively, students who miss the growth standard in the most recent year but meet a combined two-year growth standard will also count as having met the growth standard. The department will also consider students to have met the growth standard if they meet the reclassification criteria in the most recent year, regardless of whether their year-over-year growth

TABLE A-22

**Growth Targets for ELs in Tennessee Based on Prior Year Score**

Prior Year Score Range	Growth Standard
1.0–1.4	1.3
1.5–1.9	0.7
2.0–2.4	0.8
2.5–2.9	0.7
3.0–3.4	0.4
3.5–3.9	0.5
4.0–4.4	0.4
4.5–4.9	0.2

Source: Tennessee Department of Education, “Accountability Protocol,” accessed June 20, 2019.

<sup>175</sup> The March 13, 2019, version of the protocol can be found here: Tennessee Department of Education, “Accountability Protocol,” accessed June 20, 2019. Previous accountability protocol documents can be found here: Tennessee Department of Education, “District and School Accountability,” accessed June 20, 2019.

meets the standard for their prior composite score. Lastly, Tennessee defines long-term ELs as students entering their 7<sup>th</sup> year of English as a Second Language (ESL) services.<sup>176</sup>

Schools receive points for the percentage of students meeting growth standards based on their performance relative to the state’s long-term goals. Table A-23 summarizes how schools earn points for the performance of EL students on the WIDA ACCESS 2.0 assessment for the ELP indicator.

In addition to this protocol document, Tennessee submitted an amendment to ED that would change its CSI identification criteria to address the fact that the methodology did not previously include the ELP indicator. This document was not publicly available as of the writing of this report.

## Appendix E. State ESSA Plans and Clarifying Documents

The following is a list of the state ESSA plans analyzed for this study, as well as additional documents consulted for certain states where the state plan did not provide complete information on a topic. While some states have made changes to their plans since they were first approved (described in Appendix D), this study assesses these initial plans to facilitate cross-state comparison.

Alabama State Department of Education. 2018. [Revised State Template for the Consolidated State Plan](#). State ESSA plan, Alabama State Department of Education, Montgomery, AL, April 2018.

Alaska Department of Education and Early Development. 2018. [Revised State Template for the Consolidated State Plan](#). State ESSA plan, Alaska Department of Education and Early Development, Juneau, AK, May 2018.

Arizona Department of Education. 2017. [Revised State Template for the Consolidated State Plan](#). State ESSA plan, Arizona Department of Education, Phoenix, AZ, August 2017.

Arkansas Department of Education. 2018. [Every Student Succeeds Act Arkansas State Plan](#). State ESSA plan, Little Rock, AR, January 2018.

California Department of Education. 2017. [Revised State Template for the Consolidated State Plan](#). State ESSA plan, California Department of Education, Sacramento, CA, September 2017.

Colorado Department of Education. 2018. [Consolidated State Plan under the Every Student Succeeds Act \(ESSA\)](#). State ESSA plan, Colorado Department of Education, Denver, CO, April 2018.

———. 2018. [Identification of English Learners \(ELs\): Requirements and Processes](#). Webinar, Colorado Department of Education, Denver, CO, Fall 2018.

TABLE A-23

### Index for Performance on ELP Indicator

Grade	Points	Percent of Students Meeting Growth Standards (All Students and Subgroups)
A	4	≥ 60
B	3	50 – 59.9
C	2	40 – 49.9
D	1	25 – 39.9
F	0	< 25

Source: Tennessee Department of Education, “Accountability Protocol.”

<sup>176</sup> Email communication with Katie Barcy, Assistant Director of English Learner and Immigrant Programs at the Tennessee Department of Education, June 18, 2019.



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Leslie Villegas was an Associate Policy Analyst with the Migration Policy Institute (MPI), where she worked with the National Center on Immigrant Integration Policy on K-12 education issues affecting immigrant children and their families. She conducted research on implementation of the *Every Student Succeeds Act* (ESSA) and worked with a network of organizations in seven states that ensure English Learners (ELs) are provided with equitable and accountable public education services.

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