



Facts about English Learners and the NCLB/ESSA Transition in Colorado

By Julie Sugarman and Kevin Lee

This fact sheet provides a sketch of key characteristics of the foreign-born and English Learner (EL) populations in Colorado. It is intended to equip community organizations with an understanding of the state demographic context and some of the basics of EL policies under the *No Child Left Behind Act* (NCLB, in effect from 2002 through December 2015) and its successor, the *Every Student Succeeds Act* (ESSA), enacted in December 2015.

The first section looks at the demographics of Colorado, including the entire state population using U.S. Census Bureau 2014 American Community Survey (ACS) data, and EL students as reported by the Colorado Department of Education. A discussion of EL student outcomes as measured by standardized tests follows, and the fact sheet concludes with a brief overview of Colorado accountability mechanisms that affected ELs under NCLB and relevant provisions of ESSA.

I. Demographic Overview of Foreign-Born and EL Populations in Colorado

In 2014, approximately 538,244 foreign-born individuals resided in Colorado, accounting for 10 percent of the state population—slightly lower than the share of immigrants in the United States (13 percent), as seen in Table 1. The growth rate of the foreign-born population in Colorado slowed from 160 percent in the period between 1990 and 2000 to 46 percent between 2000 and 2014.

Table 1. Foreign- and U.S.-Born Populations of Colorado and United States, 2014

	Colorado		United States	
	Foreign Born	U.S. Born	Foreign Born	U.S. Born
Number	538,244	4,817,622	42,391,794	276,465,262
Share of total population	10.0%	90.0%	13.3%	86.7%
Population Change over Time				
% change: 2000-14	45.5%	22.5%	36.3%	10.4%
% change: 1990-2000	159.7%	24.7%	57.4%	9.3%
Age Group				
Share under age 5	0.8%	6.8%	0.6%	7.1%
Share ages 5-17	6.1%	18.3%	5.3%	18.6%
Share ages 18+	93.0%	74.9%	94.0%	74.3%

Source: Migration Policy Institute (MPI) Data Hub, "State Immigration Data Profiles: Demographics & Social," accessed September 8, 2016, www.migrationpolicy.org/data/state-profiles/state/demographics/CO/US/.

Table 2. Children (ages 17 and younger) in Colorado and the United States, 2014

	Colorado		United States	
	Number	Share of Population (%)	Number	Share of Population (%)
Children between ages 6 and 17 with	804,876	100	46,968,394	100
Only native parent(s)	619,671	77.0	35,171,703	74.9
One or more foreign-born parents	185,205	23.0	11,796,691	25.1
Child is native born	161,356	20.0	10,011,547	21.3
Child is foreign born	23,849	3.0	1,785,144	3.8
Children in low-income families	435,151	100	30,272,597	100
Only native parents	279,983	64.3	20,793,941	68.7
One or more foreign-born parents	155,168	35.7	9,478,656	31.3

Note: The definition of children in low-income families includes children under age 18 who resided with at least one parent and in families with annual incomes below 200 percent of the federal poverty threshold.

Source: MPI Data Hub, “State Immigration Data Profiles: Demographics & Social.”

The growth of the immigrant population in Colorado outpaced the rate of the U.S. immigrant population more generally as well as the rate of the native-born population. Age group trends in Colorado mirror broader national trends, with disproportionately fewer foreign-born individuals in the birth-to-age-17 brackets compared to the native born.

The share of school-age children with one or more foreign-born parents is slightly lower in Colorado (23 percent) than nationwide (25 percent), as shown in Table 2. Additionally, about 87 percent of children of immigrants in Colorado were native born. In Colorado, 36 percent of children in low-income families

had foreign-born parents, compared to 31 percent of low-income children nationally.

Colorado has a diverse immigrant population, with sizeable shares coming from Asia and Latin America, which correspond to the top two regions of birth for the foreign-born population nationwide (see Table 3). Colorado has 2 percent more African-born and 4 percent more European-born individuals than the United States overall.

Number of ELs. ACS Census data on the Limited English Proficient (LEP) population rely on self-reporting of English proficiency, with LEP individuals counted as those who speak Eng-

Table 3. Regions of Birth of the Foreign-Born Population in Colorado and the United States, 2014

Region of Birth	Colorado		United States	
	Number	Share of Population (%)	Number	Share of Population (%)
Africa	35,123	6.5	1,931,203	4.6
Asia	122,044	22.7	12,750,422	30.1
Europe	78,579	14.6	4,764,822	11.2
Latin America	284,430	52.8	21,890,416	51.6
Northern America	14,145	2.6	812,642	1.9
Oceania	3,923	0.7	241,200	0.6

Notes: Latin America includes South America, Central America, Mexico, and the Caribbean; Northern America includes Canada, Bermuda, Greenland, and St. Pierre and Miquelon. The region of birth data exclude those born at sea.

Source: MPI Data Hub, “State Immigration Data Profiles: Demographics & Social.”

Table 4. Nativity of Colorado and U.S. LEP Students, 2014

	Share of K-12 LEP Children Born in the United States (%)		
	Grades K-5	Grades 6-12	Total
Colorado	88	57	75
United States	83	56	71

Note: Analysis based on Limited English Proficient (LEP) children ages 5 and older enrolled in grades K-12.

Source: MPI analysis of U.S. Census Bureau 2014 American Community Survey (ACS) data, accessed through Minnesota Population Center, University of Minnesota, “Integrated Public Use Microdata Series,” accessed September 8, 2016, <https://usa.ipums.org/usa/>.

lish less than “very well.” At the national level, ACS data indicate that 5 percent of U.S. children ages 5 to 17 are LEP,¹ while data submitted to the federal government by the states put the share of ELs amongst the total K-12 population at 10 percent in school year (SY) 2013-14.²

At the state level, ACS data indicate that 4 percent of Colorado children ages 5 to 17 are LEP.³ In contrast, the most recent data from the Colorado Department of Education, from SY 2015-16, indicate EL enrollment represents 14 percent of the total K-12 student population, or 128,041 students.⁴

Although ACS data seem to vastly undercount EL children, they can be used to examine (with due caution) the nativity of ELs, which is not a

variable captured by school data systems. Table 4 shows that in Colorado and in the United States more generally, about three-quarters of school-aged children who were reported as LEP in census data were born in the United States, with a larger share among elementary school children than older students.

Turning now to data collected by the Colorado Department of Education, Table 5 shows that nearly all of the Colorado school districts with enrollment of more than 3,000 ELs are in the greater Denver metropolitan area. The districts with the largest numbers of ELs had shares between 5 percent (Douglas County School District) and 43 percent (Adams County School District 14).

Table 5. Number and Share of PreK-12 ELs in Colorado School Districts with More Than 3,000 ELs, SY 2015-16

	Number of ELs	Share of ELs in District (%)
Denver Public Schools	28,472	31.6
Aurora Public Schools	16,501	39.1
Adams 12 Five Star Schools	7,465	19.0
Jefferson County Public Schools	6,998	8.1
Cherry Creek School District	5,646	10.3
Weld County School District	5,224	24.3
St Vrain Valley School District	4,740	14.9
Westminster Public Schools	3,926	41.3
Charter School Institute	3,366	22.3
Adams County School District 14	3,267	43.1
Douglas County School District	3,159	4.7
Boulder Valley School District	3,144	10.1

EL = English Learner; SY = School Year.

Source: Colorado Department of Education, “Pupil Membership - District Data, 2015-2016 Pupil Membership by Instructional Program, accessed January 10, 2017, www.cde.state.co.us/cdereval/pupilcurrentdistrict.

Table 6. Home Languages Spoken by Colorado K-12 ELs, SY 2014-15

	Number of ELs	Share of ELs (%)
Spanish	102,571	88.0
Vietnamese	2,091	1.8
Arabic	1,877	1.6
Russian	1,181	1.0
Mandarin Chinese	1,137	1.0

EL = English Learner; SY = School Year.

Source: Colorado Department of Education “Culturally and Linguistically Diverse Learners in Colorado, State of the State, 2015” (presentation, 2015), www.cde.state.co.us/cde_english/elstateofthestate2015.

The most recent data on EL student characteristics come from an analysis of 2014-15 data by the Colorado Department of Education. Table 6 shows that in SY 2014-15, Spanish was the most commonly spoken home language of EL students, at 88 percent, with Vietnamese, Arabic, Russian, and Mandarin Chinese rounding out the top five.

This state analysis provides additional graphs showing information such as EL enrollment growth over time and by grade level, which can be accessed online at www.cde.state.co.us/cde_english/elstateofthestate2015.

II. EL Student Outcomes in Colorado

As a member of the WIDA Consortium,⁵ Colorado uses the ACCESS for ELLs for annual assessment of students’ English language proficiency, which is scored on a scale of 1 (lowest) to 6 (highest). Table 7 shows the number of ELs scoring at each level, by grade band.

Across the state, 18 percent of K-12 ELs score at the lowest proficiency levels (levels 1 and 2) and 75 percent at the upper levels (levels 3 through 5) during SY 2014-15. Only 7 percent scored at level 6, likely because the state sug-

Table 7. Share of ELs at Each ACCESS Composite Level (%), SY 2014-2015

	Kindergarten (%)	Grades 1-2 (%)	Grades 3-5 (%)	Grades 6-8 (%)	Grades 9-12 (%)	All Students (%)
Level 1	59.7	2.4	1.1	1.8	3.1	8.6
Level 2	15.8	16.6	3.7	6.9	7.2	9.4
Level 3	12.5	46.4	14.7	25.4	16.5	24.6
Level 4	7.7	24.3	34.0	41.2	29.4	29.3
Level 5	4.0	8.5	33.4	22.6	31.8	21.5
Level 6	0.3	1.8	13.2	2.2	12.0	6.6

EL = English Learner; SY = School Year.

Notes: Excludes 1,643 students with no score out of 106,129 students tested.

Source: Colorado Department of Education, “ACCESS for ELLs: Summary Data—State, District, and School Proficiency Levels by Grade Cluster for 2014 and 2015,” accessed January 10, 2017, www.cde.state.co.us/assessment/ells2015results.

gests that students may exit EL status once they have reached a composite score of 5.0 out of 6.0 with a literacy score of 5.0.

Next, the fact sheet looks at outcomes of the EL subgroup on state standardized assessments. It is important to note two things about the participation of ELs on these assessments. First, compared to other student subgroups based on ethnicity, poverty, gender, and special education status, ELs are a much more dynamic population: as students gain proficiency, they exit the EL subgroup and new ELs are identified as they enter the U.S. school system. By definition, students who remain in the EL subgroup are not performing at a level where their achievement on mainstream assessments is comparable to that of their English-proficient peers.

Second, under NCLB, states were allowed to exempt EL students from taking the English language arts (ELA) test for one year and to exclude the math scores of those newcomers from accountability reports. For that reason, the results below do not include all Colorado ELs.

The Colorado Measures of Academic Success (CMAS) is the system used to assess the academic achievement of students for accountability purposes. For ELA and math, Colorado uses tests developed by the Partnership for As-

essment of Readiness for College and Careers (PARCC) national consortium, which were first given in Colorado in spring 2015. In addition, science and social studies assessments were first given in spring 2014.⁶ Starting in SY 2016-17, ELA and math will be administered to grades 3 through 9, science will be given to students in grades 5, 8, and 11, and social studies will be given to 4th and 7th graders in one-third of schools each year.⁷ Five proficiency levels are reported for the PARCC assessments (did not meet, partially met, approached, met, or exceeded expectations), with levels 4 and 5 (met and exceeded expectations, respectively) counting as having met the grade-level benchmark.⁸ There are four proficiency levels for the science and social studies tests, with the highest two counting as on track for college and career readiness.⁹

In the tables below, results reported for ELs include three categories of learners reported separately in state databases: Not English Proficient (NEP), Limited English Proficient (LEP), and Fluent English Proficient (FEP) students in monitor year 1 and year 2. These three categories are combined for the purposes of the state definition of EL.¹⁰

Table 8 shows moderate achievement gaps between the share of ELs and the share of all students who met or exceeded the standard in ELA, with that gap narrowing at successively

Table 8. Share of Colorado ELs and All Students Scoring at Benchmark on English Language Arts (ELA), by Grade (%), SY 2014-15

	Grade 3 (%)	Grade 4 (%)	Grade 5 (%)	Grade 6 (%)	Grade 7 (%)	Grade 8 (%)	Grade 9 (%)	Grade 10 (%)	Grade 11 (%)
Share of ELs at benchmark	18.6	20.3	20.3	20.0	22.2	23.6	20.5	21.4	23.5
Share of all students at benchmark	38.2	41.7	40.5	39.1	41.0	40.9	37.8	37.4	39.9

EL = English Learner; SY = School Year.

Note: Students scoring at benchmark includes those who scored at either level 4 (met expectations) or level 5 (exceeded expectations).

Source: Colorado Department of Education, "CMAS - English Language Arts and Math Data and Results—CMAS PARCC 2015 Achievement and Participation Results," accessed January 11, 2017, www.cde.state.co.us/assessment/cmas-elamath2015-achievementandparticipation.

Table 9. Share of Colorado ELs and All Students Scoring at Benchmark in Math, by Grade (%), SY 2014-15

	Grade 3 (%)	Grade 4 (%)	Grade 5 (%)	Grade 6 (%)	Grade 7 (%)	Grade 8 (%)	Algebra 1 (%)	Geometry (%)	Algebra 2 (%)
Share of ELs at benchmark	19.9	14.8	16.0	15.9	14.1	12.3	15.6	10.6	11.9
Share of all students at benchmark	36.7	30.2	30.1	31.7	27.4	18.9	30.4	24.0	27.8

EL = English Learner; SY = School Year.

Note: Students scoring at benchmark includes those who scored at either level 4 (met expectations) or level 5 (exceeded expectations).

Source: Colorado Department of Education, “CMAS - English Language Arts and Math.”

older grade levels. The gap was largest in 4th grade (21 points) and smallest in 10th and 11th grade (both 16 points).

In math, achievement gaps between ELs and all students decreased between 3rd grade (17 points) and 8th grade (7 points), before increasing again to between 13 and 16 points in high school (see Table 9).

Table 10 shows that there were larger gaps in science (22 points in 5th grade and 17 points in 8th grade) than for social studies

(14 points in 4th grade and 10 points in 7th grade).

Finally, graduation rates in Colorado have been increasing over the last five years for students overall and for subgroups such as ELs,¹¹ but wide gaps remain between ELs and all students. For the class of 2015, the four-year high school graduation rate for ELs was 61 percent, compared to a rate of 77 percent for all students.¹² The national rates for that year were 65 percent for ELs and 83 percent for all students.¹³

Table 10. Share of Colorado ELs and All Students at Benchmark in Science and Social Studies, by Grade (%), SY 2014-15

	Science		Social Studies	
	Grade 5 (%)	Grade 8 (%)	Grade 4 (%)	Grade 7 (%)
Share of ELs at benchmark	12.8	11.6	7.6	7.7
Share of all students at benchmark	34.8	29.0	21.8	17.6

EL = English Learner; SY = School Year.

Note: Students scoring at benchmark includes those who scored at either level 3 (strong command) or level 4 (distinguished command).

Sources: Colorado Department of Education, “Colorado Measures of Academic Success: Science” (State Disaggregated Summary Report, Colorado Department of Education, Denver, Spring 2015), www.cde.state.co.us/assessment/2015cmas-science-state; Colorado Department of Education, “Colorado Measures of Academic Success: Social Studies” (State Disaggregated Summary Report, Colorado Department of Education, Denver, Spring 2015), www.cde.state.co.us/assessment/2015cmas-socialstudies-state.

III. Accountability under NCLB and ESSA

Although many mechanisms within Colorado's accountability system are in the process of changing, it is important to have a sense of the tests, benchmarks, and accommodations for ELs that have been implemented for the last 15 years in preparation for ESSA accountability planning.

A. Identification and Reclassification of ELs

As in most states, the EL identification process in Colorado begins with the administration of a home-language survey, which is distributed to all parents when their child enters a Colorado school. Districts may include the survey with other enrollment paperwork and must include questions on the student's first language and languages spoken, as well as languages spoken in the home.

If students are identified as potential ELs, they are administered the WIDA-ACCESS Placement Test (W-APT) and additional evidence—such as other assessments or a family interview—is considered in determining eligibility for EL services. Identified ELs are categorized as not English speakers or limited English speakers and are given the WIDA ACCESS for ELLs annually until they meet reclassification requirements. As per NCLB guidelines, ACCESS tests proficiency levels in the four language domains of listening, speaking, reading, and writing. As of SY 2016-17, the Colorado Department of Education has not set cut-off scores or other criteria for the reclassification of students to fluent English proficient;¹⁴ instead, exit criteria are set by districts. The state recommends that districts use a threshold of a composite score of 5.0 out of 6.0 and a literacy score of 5.0 on the ACCESS in order to trigger a reclassification review for an EL student.¹⁵

B. Accountability for EL Performance

Under Title III of NCLB, EL performance was monitored at the district and state level through Annual Measurable Achievement Objectives (AMAOs). Although these are no longer part of Title III of ESSA, states will include a measure of English proficiency and include EL subgroup scores on state grade-level assessments in their new accountability plans.

Under NCLB, states set ever-increasing targets for the number of students achieving benchmarks for the three AMAOs:

- 1) Progress (improving English proficiency from year to year)
- 2) Proficiency (exiting EL status)
- 3) Adequate yearly progress (AYP) in academic achievement for the EL subgroup (indicators included state standardized tests in reading and math, participation in assessments, and graduation rate).¹⁶

Originally, NCLB called for parental notification if districts missed AMAO targets, and the development of a school improvement plan (involving program and/or staffing changes) for schools that missed AYP targets for any subgroup (including ELs) over multiple years. The AYP benchmarks and rules for developing school improvement plans were significantly changed in many states with the NCLB waiver program instituted in 2012, and will be revised again as states create accountability plans under ESSA.

C. Changes under ESSA

The following are some of the changes in federal law under ESSA, enacted in 2015, which affect EL students:¹⁷

- **EL accountability moved from Title III to Title I.** EL subgroup accountability for measures such as reading,

math, and high school graduation rates continues to be included in district accountability under Title I, and a measure of progress in English language proficiency moved from Title III to Title I, thus giving it more weight.

- ***Additional option for including recently arrived ELs in assessment.*** Under NCLB, states could exempt ELs enrolled in U.S. schools for less than 12 months from taking ELA tests and exclude results of their ELA (if taken) and math tests from accountability calculations for that first year. States can continue with this option, or they can assess ELs in ELA and math in the first year but exclude their scores from accountability calculations, use a measure of growth in reading and math in the second year, and then report proficiency levels as for other students in the third year and thereafter.
- ***Inclusion of former ELs in subgroup.*** Under NCLB, students were included in the EL subgroup for up to two years after they had been reclassified; ESSA extends this period to up to four years.
- ***Disaggregation.*** States must now report the number of EL students with disabilities who are making progress toward English proficiency and in academic achievement, and report the number of ELs who have not attained

English proficiency within five years of identification.

- ***Standardization of entrance and exit procedures.*** States must develop standardized procedures for identifying and reclassifying EL students.

The U.S. Department of Education issued regulations regarding accountability on November 28, 2016.¹⁸ These regulations also address English learners. The regulations require that states consider at least one unique student characteristic, including students' initial English language proficiency level, in determining ambitious but achievable targets for English learners' progress toward English language proficiency, within a state-determined maximum number of years. These targets are then used to set state-level, long-term goals and measurements of interim progress, and may also be used in the state's indicator of progress in achieving English language proficiency, which can include all English learners in grades K-12.

As states move forward with ESSA accountability plans, policymakers are taking the opportunity to revise existing regulations on funding, program requirements, teacher training, and other aspects of school administration. Provisions that affect the EL students should be scrutinized closely by stakeholders at all levels, whether parents, teachers, or community organizations. Data on EL demographics and performance, such as those provided in this fact sheet, will prove an important tool in this effort.

Endnotes

- 1 Migration Policy Institute (MPI) Data Hub, “State Immigration Data Profiles: Language & Education,” accessed September 8, 2016, www.migrationpolicy.org/data/state-profiles/state/language/CO/US/.
- 2 U.S. Department of Education, National Center for Education Statistics, “Table 204.27: English Language Learner (ELL) Students Enrolled in Public Elementary and Secondary Schools, by Grade and Home Language: Selected Years, 2008-09 through 2013-14,” accessed January 17, 2017, <http://nces.ed.gov/programs/digest/d15/tables/xls/tabn204.27.xls>.
- 3 MPI Data Hub, “State Immigration Data Profiles: Language & Education.”
- 4 Colorado Department of Education, “2015-2016 Pupil Membership—District Level Data—Pupil Membership by Instructional Program,” accessed February 3, 2017, www.cde.state.co.us/cdereval/rv2015pmlinks. For additional information, see also Colorado Department of Education, “Pupil Membership – District Data,” accessed February 3, 2017, www.cde.state.co.us/cdereval/pupilcurrentdistrict.
- 5 Although “WIDA” was previously used as an acronym with different definitions, it now stands alone as the name of the consortium. See WIDA, “Mission & the WIDA Story,” accessed February 2, 2017, www.wida.us/aboutus/mission.aspx.
- 6 Colorado Department of Education, “Assessment—Frequently Asked Questions,” accessed January 11, 2017, www.cde.state.co.us/communications/factsheetsandfaqs-assessment#faq.
- 7 Students in grades 10 and 11 were given the Partnership for Assessment of Readiness for College and Careers (PARCC) for English language arts in SY 2014-15, but that is no longer a requirement; instead, students take the PSAT (grade 10) or SAT (grade 11). See Colorado Department of Education, “Test Scores Set New Baseline for Measuring Student Success” (news release, November 12, 2015), www.cde.state.co.us/communications/20151112parccscores.
- 8 Colorado Department of Education, “Assessment—Frequently Asked Questions.”
- 9 The names of the four levels in 2014-15 were limited command, moderate command, strong command, and distinguished command. These were renamed to partially met expectations, approached expectations, met expectations, and exceeded expectations. See Colorado Department of Education, “CMAS Science and Social Studies Performance Levels” (fact sheet, July 20, 2016), www.cde.state.co.us/assessment/cmasplpc.
- 10 Colorado Department of Education “Culturally and Linguistically Diverse Learners in Colorado, State of the State, 2015” (presentation, 2015), www.cde.state.co.us/cde_english/elstateofthestate2015.
- 11 Colorado Department of Education, “Graduation Statistics—Historical Overview,” accessed January 11, 2017, www.cde.state.co.us/cdereval/gradcurrenthistory.
- 12 Colorado Department of Education, “Colorado Graduation Data Dashboard,” accessed January 11, 2017, www2.cde.state.co.us/cdereval/graduationdatamap.asp.
- 13 National Center for Education Statistics (NCES), “Common Core of Data (CCD),” updated September 15, 2016, http://nces.ed.gov/ccd/tables/ACGR_RE_and_characteristics_2014-15.asp.
- 14 States are required to set a uniform process for exit under the Every Student Succeeds Act (ESSA), but the act does not specify that states must set a uniform cut-off score at which students exit EL services.
- 15 Colorado Department of Education, “Identification of English Learners (ELs): Requirements and Process” (presentation, September 7, 2016), www.cde.state.co.us/cde_english/identification-ofenglishlearnersrequirementsandprocess.

- 16 Andrea Boyle, James Taylor, Steven Hurlburt, and Kay Soga, *Title III Accountability: Behind the Numbers. ESEA Evaluation Brief: The English Language Acquisition, Language Enhancement, and Academic Achievement Act* (Washington, DC: U.S. Department of Education, 2010), www2.ed.gov/rschstat/eval/title-iii/behind-numbers.pdf.
- 17 Delia Pompa, “New Education Legislation Includes Important Policies for English Learners, Potential Pitfalls for their Advocates” (commentary, MPI, December 2015), www.migrationpolicy.org/news/new-education-legislation-includes-important-policies-english-learners-potential-pitfalls-their; Council of Chief State School Officers (CCSSO), *Major Provisions of Every Student Succeeds Act (ESSA) Related to the Education of English Learners* (Washington, DC: CCSSO, 2016), www.ccsso.org/Documents/2016/ESSA/CCSSOResourceonESSAELLS02.23.2016.pdf.
- 18 U.S. Department of Education, “Title I—Improving the Academic Achievement of the Disadvantaged—Academic Assessments,” *Federal Register* 81, no. 236 (December 8, 2016): 88886, www.gpo.gov/fdsys/pkg/FR-2016-12-08/pdf/2016-29128.pdf.

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Acknowledgments

The authors are grateful to Migration Policy Institute (MPI) colleagues Jie Zong and Jeanne Batalova for their compilation of the U.S. Census Bureau data used throughout this fact sheet and to Morgan Hollie and Sarah Schwartz for their research assistance. The authors also acknowledge the support of colleagues Margie McHugh, Michelle Mittelstadt, Lauren Shaw, and Delia Pompa.

This fact sheet was developed for the National Partnership to Improve PreK-12 Success for Immigrant Children and Youth, a collaboration of state-level immigrant policy organizations working with MPI's National Center on Immigrant Integration Policy to improve the quality of education provided to English Learner (EL) children and youth. Support was provided by the Bill & Melinda Gates Foundation and the Walton Family Foundation.

For policy and/or implementation support related to the data provided in this fact sheet, contact Delia Pompa, Senior Fellow for Education Policy at the MPI National Center on Immigrant Integration Policy (dpompa@migrationpolicy.org).

For more information on the impact of the Every Student Succeeds Act on EL and immigrant students, see www.migrationpolicy.org/programs/nciip-english-learners-and-every-student-succeeds-act.

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Suggested citation: Sugarman, Julie and Kevin Lee. 2017. *Facts about English Learners and the NCLB/ESSA Transition in Colorado*. Washington, DC: Migration Policy Institute.

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