



# Facts about English Learners and the NCLB/ESSA Transition in Florida

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 Florida. 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 Florida, including the entire state population using U.S. Census Bureau 2014 American Community Survey (ACS) data, and EL students as reported by the Florida 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 Florida accountability mechanisms that affected ELs under NCLB and relevant provisions of ESSA.

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

In 2014, approximately 3,973,515 foreign-born individuals resided in Florida, accounting for 20 percent of the state population—higher than the share of immigrants in the United States (13 percent), as seen in Table 1. Historically, Florida has been a destination for substantial numbers of immigrants in the United States, with the state home to almost 10 percent of the U.S. foreign-born population (see Table 1).

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

	Florida		United States	
	Foreign Born	U.S. Born	Foreign Born	U.S. Born
Number	3,973,515	15,919,782	42,391,794	276,465,262
Share of total population	20.0%	80.0%	13.3%	86.7%
<b>Population Change over Time</b>				
% change: 2000-14	48.8%	19.6%	36.3%	10.4%
% change: 1990-2000	60.6%	18.1%	57.4%	9.3%
<b>Age Group</b>				
Share under age 5	0.5%	6.6%	0.6%	7.1%
Share ages 5-17	4.8%	17.5%	5.3%	18.6%
Share ages 18+	94.6%	75.9%	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/FL/US/](http://www.migrationpolicy.org/data/state-profiles/state/demographics/FL/US/).

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

	Florida		United States	
	Number	Share of Population (%)	Number	Share of Population (%)
<b>Children between ages 6 and 17 with</b>	<b>2,595,809</b>	<b>100</b>	<b>46,968,394</b>	<b>100</b>
Only native parent(s)	1,733,417	66.8	35,171,703	74.9
One or more foreign-born parents	862,392	33.2	11,796,691	25.1
Child is native born	699,977	27.0	10,011,547	21.3
Child is foreign born	162,415	6.3	1,785,144	3.8
<b>Children in low-income families</b>	<b>1,891,484</b>	<b>100</b>	<b>30,272,597</b>	<b>100</b>
Only native parents	1,201,609	63.5	20,793,941	68.7
One or more foreign-born parents	689,875	36.5	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 rate of the foreign-born population in Florida slowed from 61 percent in the period between 1990 and 2000 to 49 percent between 2000 and 2014. This growth nonetheless 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 Florida mirror broader national trends, with disproportionately fewer foreign-born individuals in the birth-to-age-17 brackets compared to the native born.

With a large population of immigrants, it follows that the share of school-age children with one or more foreign-born parents is higher in Florida (33 percent) compared to

the United States (25 percent), as shown in Table 2. Additionally, about 81 percent of children of immigrants in Florida were native born. In Florida, 37 percent of children in low-income families had foreign-born parents, compared to 31 percent of low-income children nationally.

Florida has a less diverse immigrant population than other large states, with almost three-quarters of foreign-born individuals coming from Latin America compared to about half nationwide (see Table 3). Florida’s Asian-born population is far lower than the U.S. share (11 percent versus 30 percent, respectively), although the share of other

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

Region of Birth	Florida		United States	
	Number	Share of Population (%)	Number	Share of Population (%)
Africa	64,673	1.6	1,931,203	4.6
Asia	422,486	10.6	12,750,422	30.1
Europe	389,866	9.8	4,764,822	11.2
Latin America	2,981,581	75.1	21,890,416	51.6
Northern America	105,964	2.7	812,642	1.9
Oceania	8,183	0.2	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 Florida and U.S. LEP Students, 2014**

	Share of K-12 LEP Children Born in the United States (%)		
	Grades K-5	Grades 6-12	Total
Florida	76	43	59
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/>.

populations is similar to the proportions seen in the U.S. population 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 English less than “very well.” At the national level, ACS data indicate that 5 percent of U.S. children ages 5 to 17 are LEP,<sup>1</sup> 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.<sup>2</sup>

At the state level, ACS data indicate that 5 percent of Florida children ages 5 to 17 are LEP.<sup>3</sup> In contrast, the most recent data from the Florida Department of Education, from SY 2016-17, indicate EL enrollment represents 12 percent of the total K-12 student population, or 294,309 students.<sup>4</sup>

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 Florida, 59 percent 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. The share of native-born ELs was higher for the country as a whole, at 71 percent.

The most recent data available that show the top languages spoken by ELs in Florida come from the Consolidated State Performance Reports submitted by each state to the federal government. Table 5 shows data from SY 2013-14 that indicate Spanish was spoken by almost three-quarters of Florida ELs, with Haitian/Haitian Creole, Portuguese, Arabic, and Vietnamese having the next largest groups of speakers.

Among Florida school districts with enrollment of more than 5,000 ELs, the five districts with the largest number of ELs for SY 2015-16 were Miami-Dade, Broward, Orange, Hillsborough,

**Table 5. Top Five Home Languages Spoken by Florida ELs, SY 2013-14**

	Number of ELs	Share of ELs (%)
Spanish	207,729	72.9
Haitian/Haitian Creole	26,104	9.2
Portuguese	3,547	1.2
Arabic	3,516	1.2
Vietnamese	2,906	1.0

EL = English Learner; SY = School Year.

*Note:* Share calculated based on 284,802 Limited English Proficient (LEP) students reported by the state in 2013-14.

*Source:* U.S. Department of Education, “SY 2013-2014 Consolidated State Performance Reports Part I—Florida,” updated October 30, 2015, [www2.ed.gov/admins/lead/account/consolidated/sy13-14part1/index.html](http://www2.ed.gov/admins/lead/account/consolidated/sy13-14part1/index.html).

**Table 6. Number and Share of K-12 ELs in Florida School Districts with More Than 5,000 ELs, SY 2015-16**

	Number of ELs	Share of ELs in District (%)
Miami-Dade	76,852	27.4
Broward	34,616	14.6
Orange	28,980	16.9
Hillsborough	27,152	14.5
Palm Beach	24,554	14.6
Osceola	12,453	24.6
Polk	11,298	12.4
Lee	9,107	10.9
Collier	7,076	18.0
Pinellas	6,894	7.2
Manatee	6,311	14.8
Duval	5,888	4.8

Source: Florida Department of Education, “Welcome to Florida’s PK-20 Education Information Portal—PK-12—Students: Enrollment,” accessed January 12, 2017, <https://edstats.fldoe.org>.

and Palm Beach Counties (see Table 6). The districts with the largest numbers of ELs had shares between 5 percent (Duval County) and 27 percent (Miami-Dade County).

Finally, Table 7 shows that as grade level increases, the population and share of ELs in Florida K-12 schools decrease. Whereas 22 percent of early-elementary-grade students were EL in SY 2016-17, that number dropped to 7 percent for grades 9-12.

## II. EL Student Outcomes in Florida

This section looks at outcomes of the EL subgroup on state standardized assessments. It is important to note two things about the par-

ticipation 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 Florida ELs.

Florida administers the Florida Standards Assessments (FSA) in ELA to students in grades

**Table 7. Number and Share of ELs in Florida, by Grade, SY 2016-17**

	Grades K-2	Grades 3-5	Grades 6-8	Grades 9-12
Share of ELs	21.5%	15.1%	7.5%	6.5%
Number of ELs	110,171	81,815	43,813	49,285

Source: Florida Department of Education, “Welcome to Florida’s PK-20 Education Information Portal—PK-12—Students: Enrollment.”

**Table 8. Share of Florida ELs and Non-ELs Who Passed the FSA for English Language Arts (ELA), by Grade (%), SY 2015-16**

	Grade 3 (%)	Grade 4 (%)	Grade 5 (%)	Grade 6 (%)	Grade 7 (%)	Grade 8 (%)	Grade 9 (%)	Grade 10 (%)
Share of ELs who passed	17.5	20.5	16.1	12.2	9.9	15.3	9.5	7.9
Share of non-ELs who passed	59.3	56.3	55.7	54.8	51.5	59.3	53.9	52.1

EL = English Learner; FSA = Florida Standards Assessments; SY = School Year.

*Note:* Students who passed these assessments include those who score at the levels of satisfactory, proficient, and mastery.

*Source:* Florida Department of Education, “Welcome to Florida’s PK-20 Education Information Portal—PK-12—Assessments: English Language Arts,” accessed January 12, 2017, <https://edstats.fldoe.org>.

3 to 10 and in math to students in grades 3 to 8. Students in grades 5 and 8 also take the Statewide Science Assessment and students in high school take end-of-course assessments in math, social studies, and science. Results are reported in five achievement levels: inadequate, below satisfactory, satisfactory, proficient, and mastery; level 3 (satisfactory) and above serve as indication of a passing score.<sup>5</sup>

Table 8 shows considerable and relatively steady achievement gaps between the share

of ELs and of non-EL students who met or exceeded the standard, with that gap growing larger at successively older grade levels. The gap was lowest in 4th grade (36 points) and highest in 8th, 9th, and 10th grade (44 points each).

Achievement gaps for mathematics were somewhat smaller compared to ELA, as seen in Table 9, with a low of 19 points for Algebra 2 and a high of 34 points in 6th grade.

**Table 9. Share of Florida ELs and Non-ELs Who Passed the FSA for Mathematics, by Grade (%), SY 2015-16**

	Grade 3 (%)	Grade 4 (%)	Grade 5 (%)	Grade 6 (%)	Grade 7 (%)	Grade 8 (%)	Algebra 1 (%)	Geometry (%)	Algebra 2 (%)
Share of ELs who passed	34.2	31.6	28.6	18.2	20.6	26.8	24.3	19.9	21.2
Share of non-ELs who passed	64.5	62.5	58.3	52.3	54.2	49.8	56.6	52.4	40.6

EL = English Learner; FSA = Florida Standards Assessments; SY = School Year.

*Note:* Students who passed these assessments include those who score at the levels of satisfactory, proficient, and mastery.

*Sources:* Florida Department of Education, “Welcome to Florida’s PK-20 Education Information Portal—PK-12—Assessments: Algebra 1,” accessed January 12, 2017, <https://edstats.fldoe.org>; Florida Department of Education, “Welcome to Florida’s PK-20 Education Information Portal—PK-12—Assessments: Algebra 2,” accessed January 12, 2017, <https://edstats.fldoe.org>; Florida Department of Education, “Welcome to Florida’s PK-20 Education Information Portal—PK-12—Assessments: Geometry,” accessed January 12, 2017, <https://edstats.fldoe.org>; Florida Department of Education, “Welcome to Florida’s PK-20 Education Information Portal—PK-12—Assessments: Mathematics,” accessed January 12, 2017, <https://edstats.fldoe.org>.

**Table 10. Share of Florida ELs and Non-ELs Who Passed Science and Social Studies Assessments, by Grade (%), SY 2015-16**

	Statewide Science Assessment		End-of-Course Assessments		
	Grade 5 (%)	Grade 8 (%)	Biology 1 (%)	Civics (%)	U.S. History (%)
Share of ELs who passed	16.8	11.1	21.1	27.1	20.9
Share of non-ELs who passed	54.9	50.7	66.2	69.9	68.4

EL = English Learner; SY = School Year.

*Note:* Students who passed these assessments scored in the top three of five levels.

*Sources:* Florida Department of Education, “Welcome to Florida’s PK-20 Education Information Portal—PK-12—Assessments: Biology 1,” accessed January 12, 2017, <https://edstats.fldoe.org>; Florida Department of Education, “Welcome to Florida’s PK-20 Education Information Portal—PK-12—Assessments: Civics,” accessed January 12, 2017, <https://edstats.fldoe.org>; Florida Department of Education, “Welcome to Florida’s PK-20 Education Information Portal—PK-12—Assessments: U.S. History,” accessed January 12, 2017, <https://edstats.fldoe.org>; Florida Department of Education, “Welcome to Florida’s PK-20 Education Information Portal—PK-12—Assessments: Science,” accessed January 12, 2017, <https://edstats.fldoe.org>.

Table 10 shows that achievement gaps between EL and non-EL students were 38 and 40 points in 5th and 8th grade science, respectively. For high school end-of-course assessments, these gaps were 45 points for Biology 1, 43 points for Civics, and 48 points for U.S. History.

Finally, graduation rates in Florida have been increasing over the last five years for students overall and for subgroups such as ELs, but there remain wide gaps between ELs and all students. For the class of 2015, the four-year high school graduation rate for ELs was 60 percent compared to a rate of 78 percent for all students.<sup>6</sup> The national rates for that year were 65 percent for ELs and 83 percent for all students.<sup>7</sup>

### III. Accountability under NCLB and ESSA

Although many mechanisms within Florida’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 Florida begins with the administration of a home-language survey, given to the parents of newly enrolling students. The survey must include questions on whether there is a language other than English spoken at home as well as the child’s first language and most frequently spoken language. Based on the responses to those questions, potential ELs are given an approved English language proficiency test to determine their EL status.<sup>8</sup>

Florida joined the WIDA Consortium<sup>9</sup> in 2015, meaning that it joined 35 other states that have adopted a set of English language proficiency standards and use a common set of assessments for screening and annual assessment of ELs. In general, students in WIDA states who are identified as potential ELs are administered one of the screening tests developed by the WIDA Consortium and their eligibility for EL services is determined based on cut-off scores set by the state. ELs are given the WIDA ACCESS for ELLs annually until they meet reclassification requirements, which are usually set by states. As per NCLB guidelines, ACCESS tests proficiency levels in the four language domains of listening, speaking, reading, and writing. Likely due to their



recent transition to WIDA, no state-specific information about reclassification procedures or criteria could be found on the Florida Department of Education website.

## 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).<sup>10</sup>

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:<sup>11</sup>

- **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.<sup>12</sup> 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/FL/US/](http://www.migrationpolicy.org/data/state-profiles/state/language/FL/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 Florida Department of Education, “Welcome to Florida’s PK-20 Education Information Portal—PK-12—Students: Enrollment,” accessed January 12, 2017, <https://edstats.fldoe.org>.
- 5 Florida Department of Education, *Understanding Florida Standards Assessments Reports* (Tallahassee, FL: Florida Department of Education, 2016), [www.fsassessments.org/wp-content/uploads/2015/09/Understanding-FSA-Reports-2016-051016-Final.pdf](http://www.fsassessments.org/wp-content/uploads/2015/09/Understanding-FSA-Reports-2016-051016-Final.pdf).
- 6 Florida Department of Education, “Welcome to Florida’s PK-20 Education Information Portal—PK-12—Students: High School Graduation Rates,” accessed January 12, 2017, <https://edstats.fldoe.org>.
- 7 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](http://nces.ed.gov/ccd/tables/ACGR_RE_and_characteristics_2014-15.asp).
- 8 Florida Administrative Code, Rule 6A-6.0902, “Requirements for Identification, Eligibility, and Programmatic Assessments of English Language Learners,” August 23, 2012, [www.flrules.org/gateway/ruleNo.asp?id=6A-6.0902](http://www.flrules.org/gateway/ruleNo.asp?id=6A-6.0902).
- 9 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](http://www.wida.us/aboutus/mission.aspx).
- 10 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](http://www2.ed.gov/rschstat/eval/title-iii/behind-numbers.pdf).
- 11 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](http://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](http://www.ccsso.org/Documents/2016/ESSA/CCSSOResourceonESSAELLS02.23.2016.pdf).
- 12 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](http://www.gpo.gov/fdsys/pkg/FR-2016-12-08/pdf/2016-29128.pdf).

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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](mailto: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](http://www.migrationpolicy.org/programs/nciip-english-learners-and-every-student-succeeds-act).

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