

**Published in *Teachers College Record*, Columbia University, March 17, 2010**

**Helping Your English Learners In Spite of No Child Left Behind  
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*<http://www.tcrecord.org> – ID #15937*

Is there any good news in the current requirements of the federal No Child Left Behind (NCLB) legislation, especially regarding English learners (students whose first language is not English)? Many teachers despair of meeting the accountability requirements. We rightfully cry, “Unfair!” Yet policy makers insist that English learners be tested in English within a relatively short time of their beginning exposure to English; and teachers, administrators, schools, and the community are “punished” when English learners are a substantial percentage of the school population. What can be done to transform this picture?

First, let’s look at what exists right now. Since 2001 when NCLB was initiated, most states have used the federal guidelines as a requirement in order to continue receiving federal funding. In the nine years of federal influence from NCLB, the accountability requirements have hit home, school by school. Nationwide English learners’ scores on accountability measures have led to little or no sustained gap closure. The steady flow of new arrivals means that students beginning the acquisition of English are in the pipeline each year to be tested in English in a relatively short time, and their test scores impact each school’s outcomes when annual yearly progress is assessed. Those of us who have conducted research longitudinally on English learners know that it takes a long time to reach grade level achievement in the second language—generally an average of six years in the best of circumstances. Thus the penalties applied to schools and well-meaning educators are not appropriate and extremely damaging to everyone involved.

Here are several reasons why the current version of NCLB does not work for English learners. First, annual testing has led to the creation of tests that focus on short-term gains in the early years of schooling, often achieved via easy material, heavily emphasized, and frequently repeated. Thus most students appear to be doing well initially, and the gains that English learners make in the beginning stages of acquisition of English are usually dramatic-looking. These short-term gains, getting the easy items right on the test, are short-lived. Thus when students move into more cognitively complex material at each succeeding grade, their scores tend to go down. That’s when the penalties of NCLB kick in.

Second, NCLB is focused on cross-sectional achievement, that is taking “snapshots” of different student groups—comparing this year’s fourth graders to last year’s fourth graders, even though the two groups may have nothing in common other than their age. English learners at one grade level vary greatly from year to year by amount of exposure to the English language, amount of prior formal schooling, socioeconomic status, and knowledge of and experience with each curricular subject area. The only appropriate comparison is to follow the achievement of the same students over time—longitudinal comparisons. Following the same students by the

progress that they have made, from their starting point in the previous year to the next year, can lead to fairer and more appropriate assessments of school achievement.

Third, the focus on short-term gains in the yearly testing required by NCLB has led to watered down instruction, overly focused on preparing students for the tests. This has resulted in lowered cognitive complexity of lessons for English learners, less meaningful instruction, and a lack of focus on the sociocultural context in which students are schooled. Ironically, these are key factors in developing successful academic environments for all students, and most especially for English learners. The absence of these factors has led to lowered achievement.

Fourth, the overemphasis on testing has led to a teaching focus on English acquisition at the expense of curricular mastery. Mathematics, science, and social studies are equally important to master grade by grade, and students coming from other countries who have not had opportunities to receive grade-level schooling are working hard on making up lost time. Furthermore, English learners can keep up with subjects by receiving some academic work in their primary language; yet schools often shortchange this route to enhanced academic success with the excuse that testing will be in English. Research shows that students can score better on tests in English when they study the material in the language that they know best.

So what can we do? How can we transform this situation? Our Thomas & Collier research demonstrates that when students are followed longitudinally, the assessment is fair, appropriate, and equitable, and leads to equal educational opportunity for everyone. When teachers can show that students initially below grade level when tested in English are making more progress than students on grade level, the teachers should be applauded rather than punished. For example, if English learners start at zero proficiency in English, and they reach the 25<sup>th</sup> national percentile (not a state test) on the test measuring all subjects for their grade level after two years of instruction, that is a tremendous gain. In fact, we find that is fairly typical. Then the next year, these students might outgain native English speakers, making a five-percentile gain and reaching the 30<sup>th</sup> percentile—that is a clear indicator that they are steadily closing the achievement gap, making more progress than native English speakers who are already at the 50<sup>th</sup> percentile. We find that it takes an average of six years for students to reach grade level (50<sup>th</sup> percentile) in their second language, when they are given the opportunity to receive cognitively complex curricula that develop thinking skills, through both their first and second languages. This is true of native English speakers being schooled bilingually as well as English learners.

Thus teachers can directly influence student outcomes, by refusing to water down the curriculum. English learners need to be taught material that is meaningful and age-appropriate. Following scripted, sequenced, highly structured textbooks that break the curricular steps down into minute pieces can be a disaster for English learners. Students know when they are being given material that doesn't make sense to them, but they will usually go through the ritual of doing what the teacher says to do. Instead, the more that lessons are meaningful and connect to what the students already know, the better. When problem-solving tasks in school connect to the outside world, then students want to take leaps in their learning.

Another step teachers and administrators can take to transform the negative, punitive side of NCLB is to collect your own longitudinal assessment data. It is not very meaningful to count the number of students in your class who have passed the state cutoff score for your students' grade level. What really is meaningful is to know the score each of your students made last year and compare it to their score this year. You can do this profile for each student; it's not that difficult. The principal can set up a system to collect this data grade by grade and keep a longitudinal database. Then when your school is being challenged with arbitrary figures for "annual yearly progress," you have a meaningful assessment system that you can prove is much more effective than the state's cross-sectional analyses. You can argue your case that your English learners are making more progress than typical native English speakers are making, and you can show that they are closing the achievement gap with time.

Maybe the next version of NCLB will be fairer. We can all hope that the policy makers will "get it" and not punish schools with insisting on cross-sectional comparisons. Longitudinal comparisons are the answer, following the same students across time. Another truly remarkable goal would be to conduct assessments in students' primary language. Spanish speakers represent 75 percent of the nation's English learners; excellent tests in Spanish are already available nationwide. Assessments in primary language are the strongest predictors of eventual academic success in second language. If students remain on grade level in primary language, while acquiring English for academic purposes, they will be the highest academic achievers, outperforming native English speakers in future years.

For further reading, see V.P. Collier & W.P. Thomas (2009), *Educating English Learners for a Transformed World*. Albuquerque, NM: Dual Language Education of New Mexico/Fuente Press ([www.dlenm.org](http://www.dlenm.org)).