



Creating a More Bilingual Texas

A CLOSER LOOK AT BILINGUAL
EDUCATION IN THE LONE STAR STATE



Our Recommendations

- ✓ **Increase** bilingual education adjustment (weight) to account for actual costs of English Learner (EL) education.
- ✓ **Adjust** basic allotment for inflation, so that increased weighted allotments reflect today's educational costs.
- ✓ **Incentivize** implementation of the most effective, evidence-based models for bilingual education.
- ✓ **Expand** bilingual educational models to secondary grades rather than just primary grades to promote biliteracy through high school graduation.
- ✓ **Monitor** EL academic performance annually in accordance with HB 22 (2017) requirement for disaggregated student data in accountability reports.
- ✓ **Address** bilingual teacher shortage in Texas. Bilingual/ESL teacher pay and certification obstacles are pressing areas of concern.

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Introduction

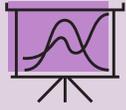
Long before its founding in 1845, Texas was a multilingual state. Currently, Texas educates the second-most students in the country with a home language other than English. Students are identified as English learners (EL) based on a state language assessment that evaluates a student's primary language other than English to determine if the student qualifies for additional support to develop the English language skills necessary for success in school. Students with the EL classification – also known as emergent bilingual students (EB) – are able to acquire additional language education, access public pre-K, and generate additional funding for their school district to provide bilingual and English as a Second Language (ESL) education.

The rich diversity of languages, cultures, skills, and expertise makes Texas an attractive and rapidly growing state. In order for our state to remain home to a competitively skilled and educated workforce, we must ensure that we educate English learners effectively in both their home languages and English. This means working to right past wrongs of racial and ethnic discrimination through equitable and adequate funding and increased support for effective programming to promote the future opportunities for EL/EB students.

Money matters in education. However, the percent of additional funding for EL students above the base level of per-student funding has not changed since 1984. What's more, campus level spending on bilingual education suffered some of the most drastic cuts in 2011 at elementary schools with the highest percentage of low-income students. The big 2019 school finance reform added back some funding but still did not fully make up for the earlier cuts. Meanwhile, Texas serves an increasing number of EL students in public schools as total student enrollment grows across the state.

Now is the time to address and expand the educational opportunities and experiences that Texas provides its EL students. This report introduces the current state of education for English learners in Texas, discusses the challenges and outcomes of bilingual and ESL education, and provides recommendations to improve equitable student performance, opportunities, and state funding. Texas can no longer afford to shortchange our EL students.





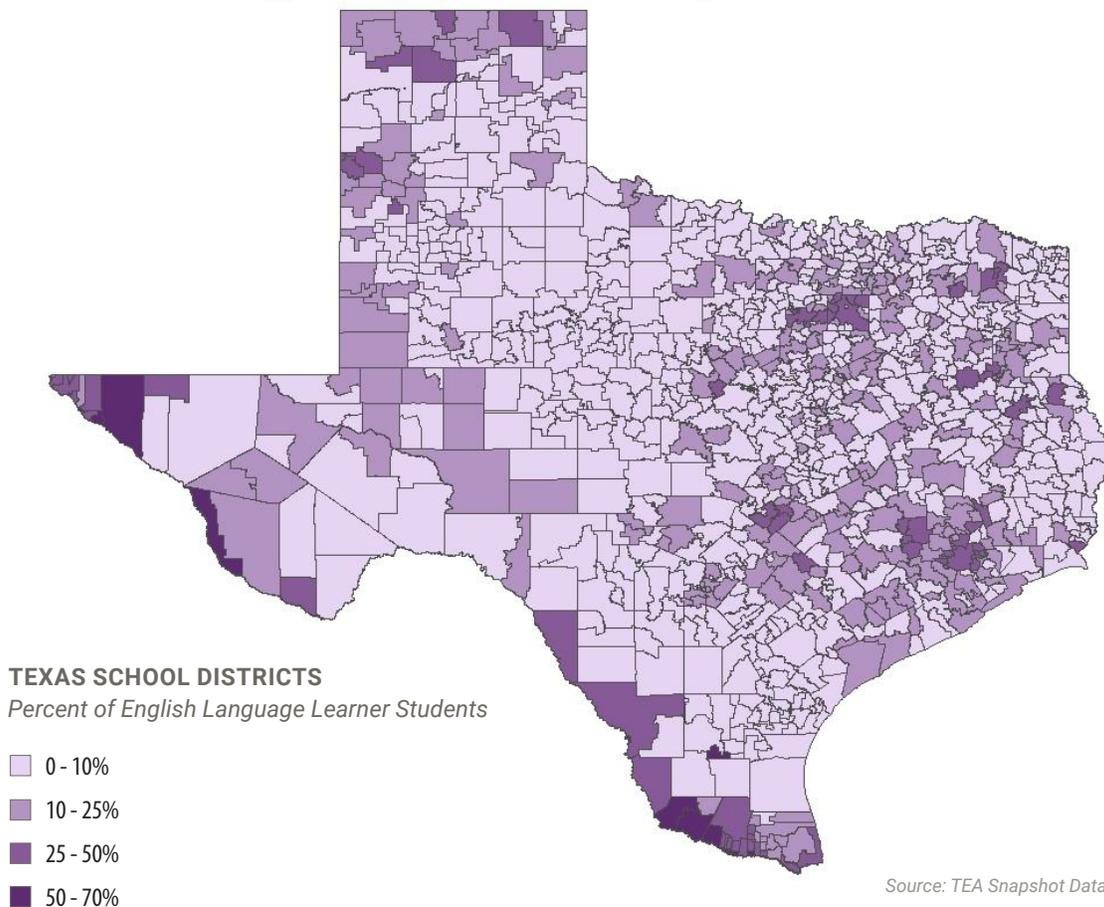
Overview of English Learners in Texas Public Schools

English learners attend schools across the state in urban, suburban, and rural school districts and charter schools. Campuses from Amarillo to Brownsville are striving to provide the support EL students need to become proficient in both English and their home language so that they may achieve grade level success and become lifelong learners.

The population of EL students has increased significantly in the last ten years. In the 2018-19 school year, Texas schools served over one million

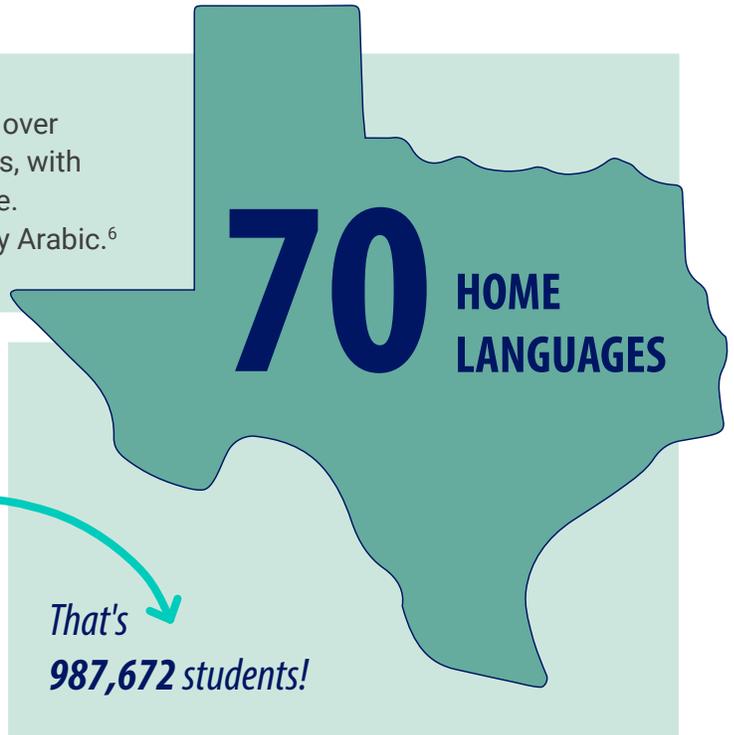
EL students, an increase from 800,554 in the 2008-09 school year. EL students constituted 20% of public school students as of the 2018-19 school year.¹ Eighty-four percent of Texas EL students are also considered economically disadvantaged,² and eight percent receive special education services.³ While some students classified as ELs are immigrants, most are U.S. citizens.⁴ Regardless of nation of origin or immigration status, each student has a right under the U.S. Constitution to effective educational programs and equal educational opportunities.⁵

English Language Learners are Found Across the State

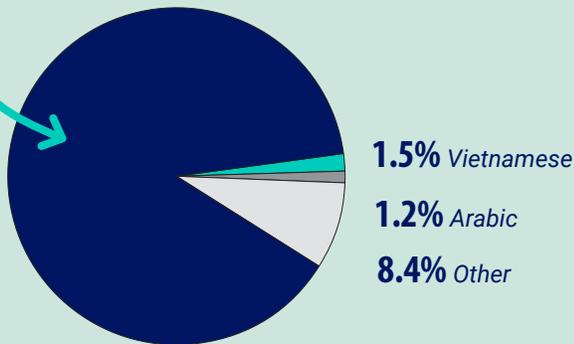


TEXAS IS HOME TO 1,050,172 ELL Students

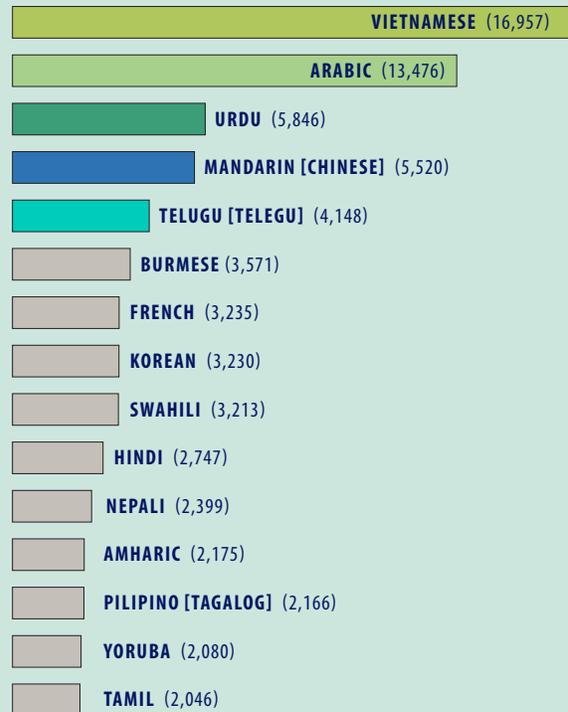
The Texas Education Agency (TEA) identifies over 70 home languages spoken by Texas students, with Spanish as the most common home language. Vietnamese ranks second, closely followed by Arabic.⁶



88.9%
OF TEXAS ELL STUDENTS
SPEAK *SPANISH* AT HOME



72,809 Excluding Spanish and English,
Texas students
speak these **TOP 15** languages at home



31.8%
INCREASE OF ELLs
OVER THE LAST 10 YEARS



20% OF ELL STUDENTS ARE IN
TEXAS PUBLIC SCHOOLS



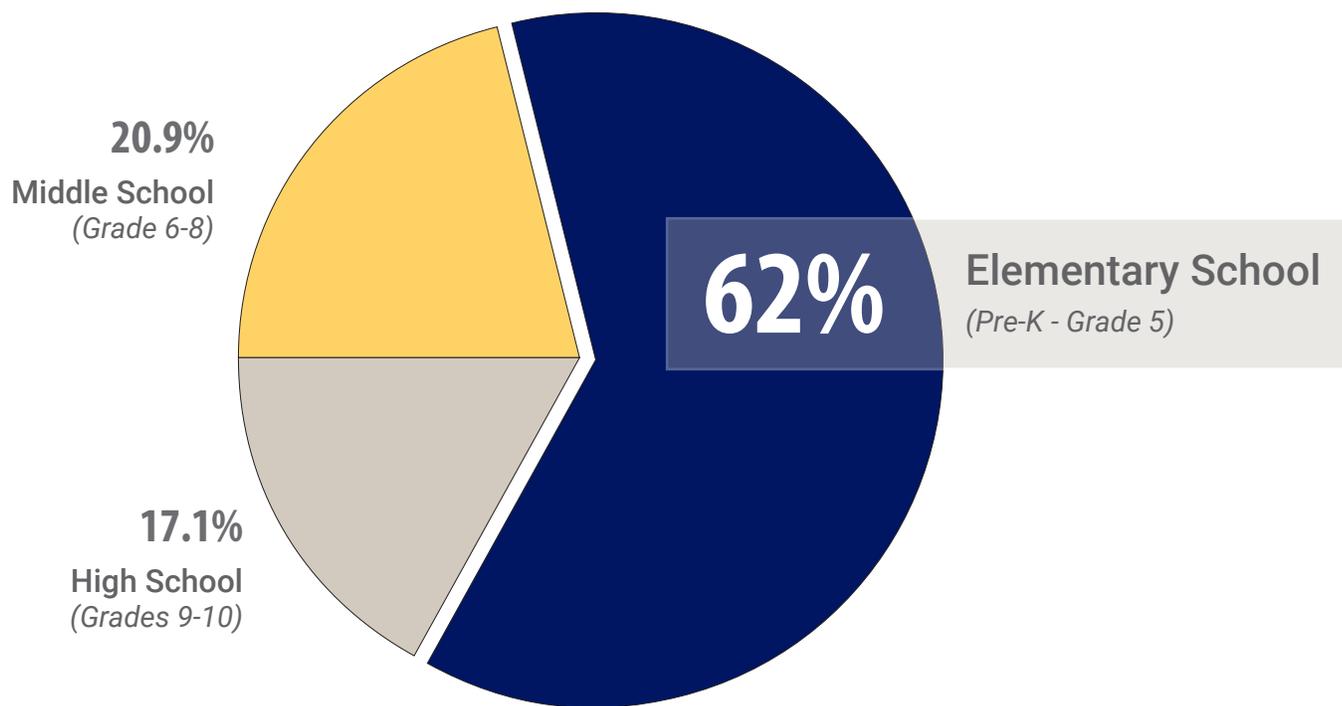
Bilingual Education is Early Education

The most effective bilingual education programs take place at the early grade levels, when students are acquiring the building blocks for lifelong learning and language skills. With the passing of the 1973 Bilingual Education and Training Act (S.B. 121), Texas set a precedent for young English learners by statutorily requiring bilingual education for elementary grades if more than 20 students of the same home language enrolled in a grade. This act also set the stage for a diverse, robust array of bilingual/ESL program types to be provided in early education by making three- and four-year-old English learners in Texas eligible to enroll in the state-supported public Pre-K program. Texas is one of just four states that requires state-funded pre-K to provide bilingual education for English learners. Alaska, New York, and Illinois have similar state requirements.⁷

As of the 2019-2020 school year, EL students in pre-K through third grade comprised 44% of all EL students in the public education system. English learners in the elementary grades (preK-5th) make up 62% of all identified ELs in Texas schools.⁸

In these primary grades, students are still in the earlier stages of brain development that allow for two or more languages to be learned at a more effective rate. One of the most immediate benefits that comes with early dual language learning is increased cognitive development. The U.S. Department of Education found that children who begin learning a second language before the age of six will understand math concepts, solve word problems, develop critical thinking skills, and use logic at more adept rates.⁹

Most Texas EL Students Are in Elementary School



Source: Texas Education Agency, PEIMS Standard Reports, EL Student Report by Category and Grade, 2018-2019 <https://rptsvr1.tea.texas.gov/adhocrpt/adlepcg.html>.



English as a Second Language and Bilingual Programs in Texas

ESL PROGRAMS

GOAL

Students will be English literate.

TEACHERS

Teachers are English literate.

INSTRUCTION

Instruction is predominately in English.

Bilingual PROGRAMS

GOAL

Students will be literate in English and another language.

TEACHERS

Teachers are literate in English and another language.

INSTRUCTION

Instruction is in students' native language, and as students gain proficiency in English, their instruction in English increases.

Types of Programs

There are six main types of bilingual and English as a Second Language (ESL) programs offered in the Texas education system.¹⁰ Each offers different levels of language and academic subject instruction. On the whole, bilingual programs, particularly dual language programs, are considered the most effective and ESL programs are considered the least effective for students' language learning.

ENGLISH AS A SECOND LANGUAGE

English as a Second Language (ESL) programming meets the most basic requirement for educational language services. Instruction in ESL programs is predominately in English, with the main instructional goal of English acquisition. Teachers in ESL programs are English literate and are certified to teach English learners. However, they

do not have to be proficient in a language other than English. ESL services are offered through two program types:

- **ESL Content-based:** Serves students who are identified as having "limited English proficiency" through English-only instruction with a designated full-time teacher. Instruction in ESL Content based classes merge learning English with specific content like mathematics, science, or social studies. ESL instruction is presented along with supplementary content instruction in non-language subject areas, including math, science, social studies, and other subjects. If entering the program during or after first grade, students remain in the program for a minimum of 2 to 5 years before being eligible to exit.
- **Pull-out ESL:** The pull-out ESL program offers English-only instruction exclusively for English Language Arts, not other content areas.

Students in the program are removed or “pulled out” of mainstream instructional environments to receive ESL pull-out. If entering the program during or after first grade, students remain in the program for a minimum of 2 to 5 years before being eligible to exit.

BILINGUAL EDUCATION

Bilingual education instruction allows English learner students to master their grade level content and skills in their home language while learning English. Texas schools offer four types of bilingual education:

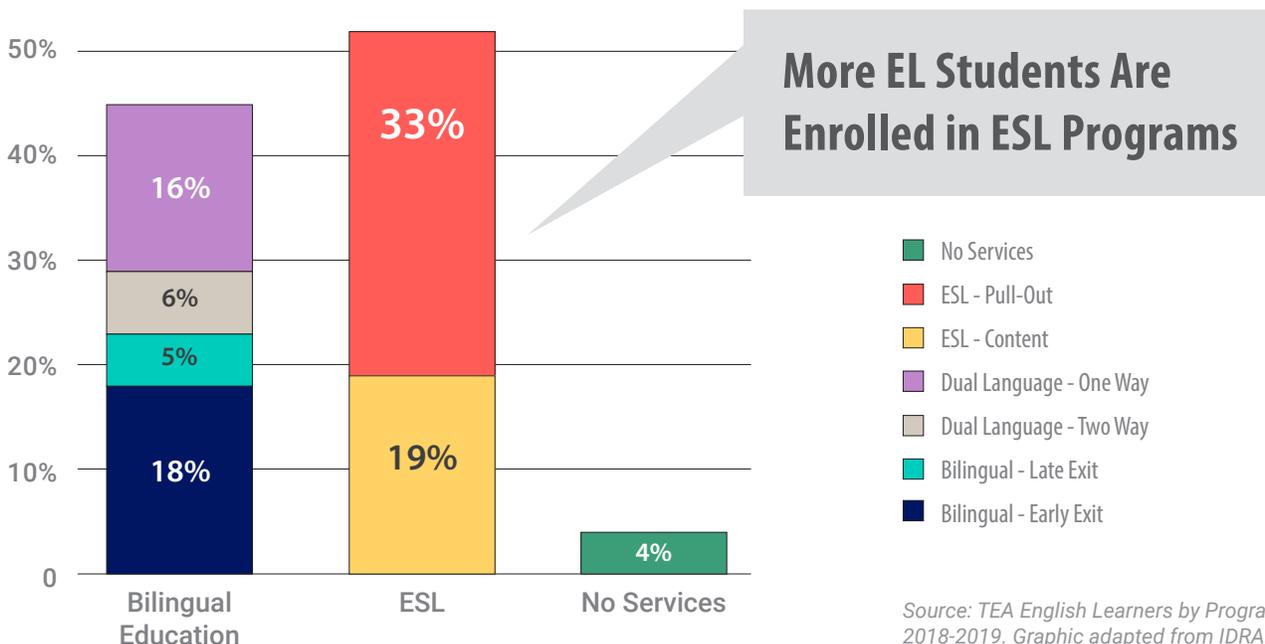
- Bilingual Education-Transitional Early Exit:** This program serves EL students in both English and their home language, with the goal of English acquisition in preparation to exit the students to English-only instruction within 2 to 5 years of enrollment. In contrast to ESL programs, students in bilingual-transitional early exit receive language and academic content instruction in both languages.
- Bilingual Education- Transitional Late Exit:** This program serves EL students similarly to the Early Exit program, but offers a later exit timeframe of 6 to 7 years after enrollment.

- Dual Language One-Way Immersion:** This program focuses on ELs attaining biliteracy—meaning functional literacy and fluency in oral and written forms—in both English and the home language over a 6 to 7 year time frame before entering an English-only instructional environment.

- Dual Language Two-Way Immersion:** This program can be administered to EL and non-EL (with English home language) students, with the goal of attaining biliteracy over a 6 to 7 year timeframe. Enrollment of non-EL students is limited to no more than 40 percent of total program enrollment.¹¹

ALTERNATIVE LANGUAGE PROGRAMS

Some school districts and charter programs do not have enough certified teachers to lead the required bilingual education or ESL program, which leads these districts/charters to apply for a bilingual education exception and/or ESL waiver from TEA. For these districts/charters, alternative language programs are developed to essentially fill that gap for English learners and meet the affective, linguistic, and cognitive needs of those students. There are several different models that an alternative language program should follow, depending on whether the district/charter is under a bilingual education exception or an ESL waiver.



Notably, alternative language programs must be supported by the recruitment of linguistically and culturally diverse educators.¹² Evaluations of alternative language programs should consider the number of certified teacher waivers requested, granted, and the district's proposal for a professional development plan, including professional conferences, consultants, and certification testing expenses. While the majority of EL students are enrolled in a rich variety of ESL programs in Texas, a small percentage of students opt out due to parental decision and therefore receive "No services."

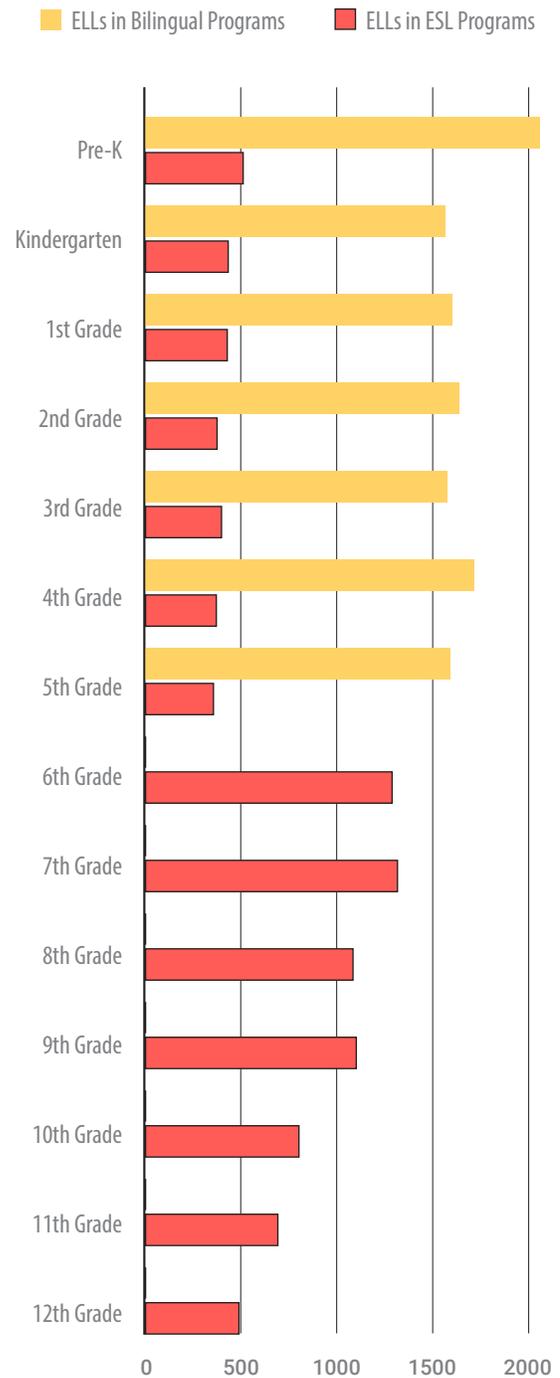
EL PROGRAM ENROLLMENT VARIES ACROSS GRADES

Actual program delivery varies by school campus and district, depending upon a number of circumstantial factors such as the number of enrolled EL students, the diversity of their respective home languages, their academic performance, district personnel, and even educators' ideological beliefs regarding language acquisition. TEA does not mandate the method of program delivery for each type of program, only the program standards.¹³

In theory, students should be attaining biliteracy skills across all bilingual programs. However, biliteracy is only supported in one-way or two-way dual language programs. In the transitional early exit or transitional late exit bilingual programs, as students become English proficient, their instruction in English increases. By the time a student reaches the end of a transitional bilingual program, instruction is English only.

While an EL student may experience multiple types of language and academic content delivery depending on their grade level and course curriculum, the Bilingual Education and Training Act (S.B. 121) maintains the consistency of their bilingual education throughout elementary education.¹⁴ The Act mandates that schools serving at least 20 EL students are required to provide some form of bilingual instruction in grades K-6. Although these programs are more effective, they require a greater amount

Bilingual Programs are Concentrated in the Early Grades



Source: Texas Education Agency - PEIMS Standard Reports, "EL Students by Category and Grade," 2018-2019.

of investment to build long-term retention and success of students. As a result, in subsequent grades ESL programs tend to be the predominant model used to serve English learners.¹⁵



Teacher Certification

Texas teachers serving English learners are required to have either a Bilingual Certification or an ESL Certification. There are two types of Bilingual and ESL Certification: generalist and supplemental certificates.

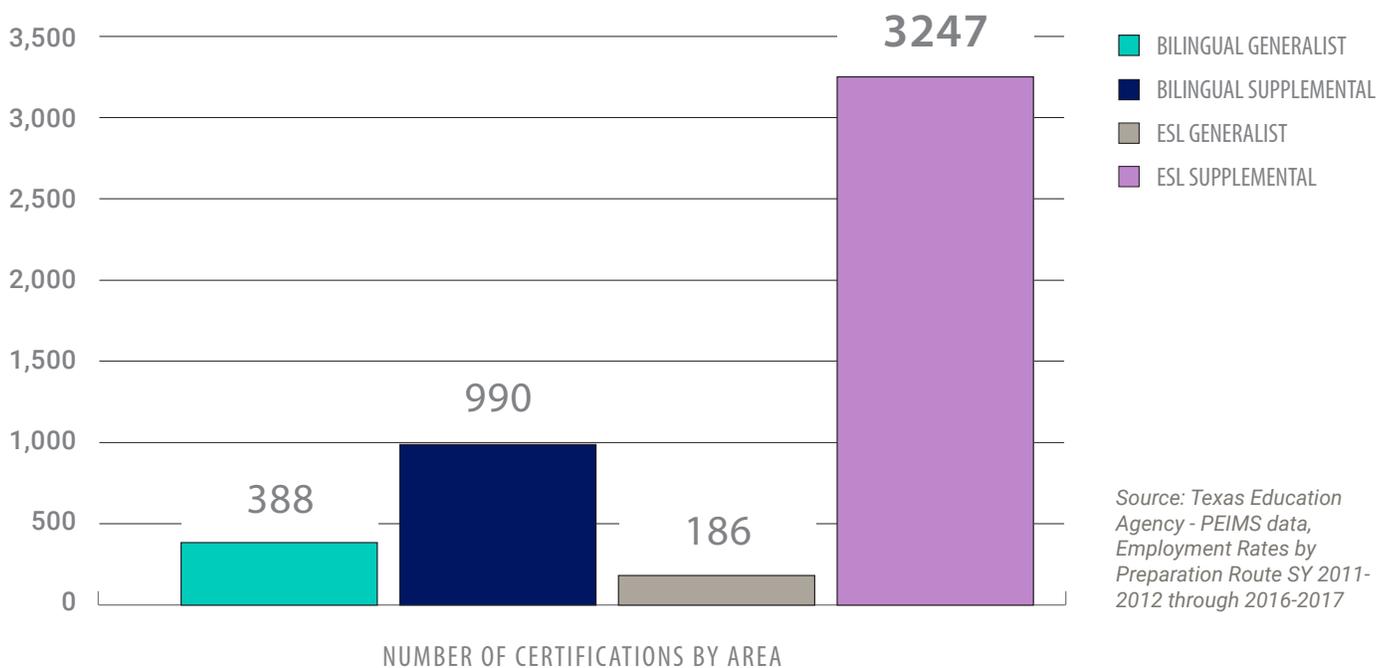
Generalist certificates reflect a teacher’s primary competency in Early Childhood through 8th grade levels. Educators can obtain an ESL or Bilingual Generalist Certification for early childhood through fourth grade, early childhood through sixth grade, or fourth through eighth grade. Any bilingual or ESL certifications for high school teachers must be obtained as a supplemental certificate.

ESL or Bilingual Supplemental certificates are an additional credential that extend beyond the grade level or content area of the primary certificate. Teachers seeking this certificate are already

certified in ESL or bilingual education, and need to pass the ESL Supplemental test or the Bilingual Supplemental and Bilingual Target Language Proficiency test to obtain the supplemental certificate.

Although teachers can teach EL students with either an ESL or bilingual certification, only teachers with a bilingual certification have demonstrated biliteracy skills and can teach transitional and dual language immersion programs. Teachers with an ESL certification have the knowledge and skills to teach English to children from all cultural and language backgrounds. However, bilingual certification requires fluency in a language other than English in addition to the knowledge and skills necessary to teach English learners.

New ESL Certifications Greatly Outpace New Bilingual Certifications in 2015-2016



Some bilingual education advocates argue that the bilingual certification exam is overly rigorous in content areas, rather than focusing on true teacher language competency, and either dissuades or disqualifies aspiring bilingual teachers as a result.¹⁶ Additionally, it is more costly to become a bilingual or ESL teacher. Individuals must pay for and pass two additional exams to become bilingually certified, while teachers seeking ESL certification must pay for and pass one additional exam. Some school districts offer stipends to offset these barriers.

TEACHER SHORTAGE

The hiring of ESL and bilingual teachers has not kept pace with the growth in EL students. Over 10% of all students are in an ESL or bilingual program, while only 2.3% of teachers are ESL or bilingually certified. This is down from 2.9% of teachers being ESL/bilingual certified in 2008.¹⁷ Decreased spending on bilingual education and the rise in EL students could be likely factors in the ongoing bilingual teacher shortage.

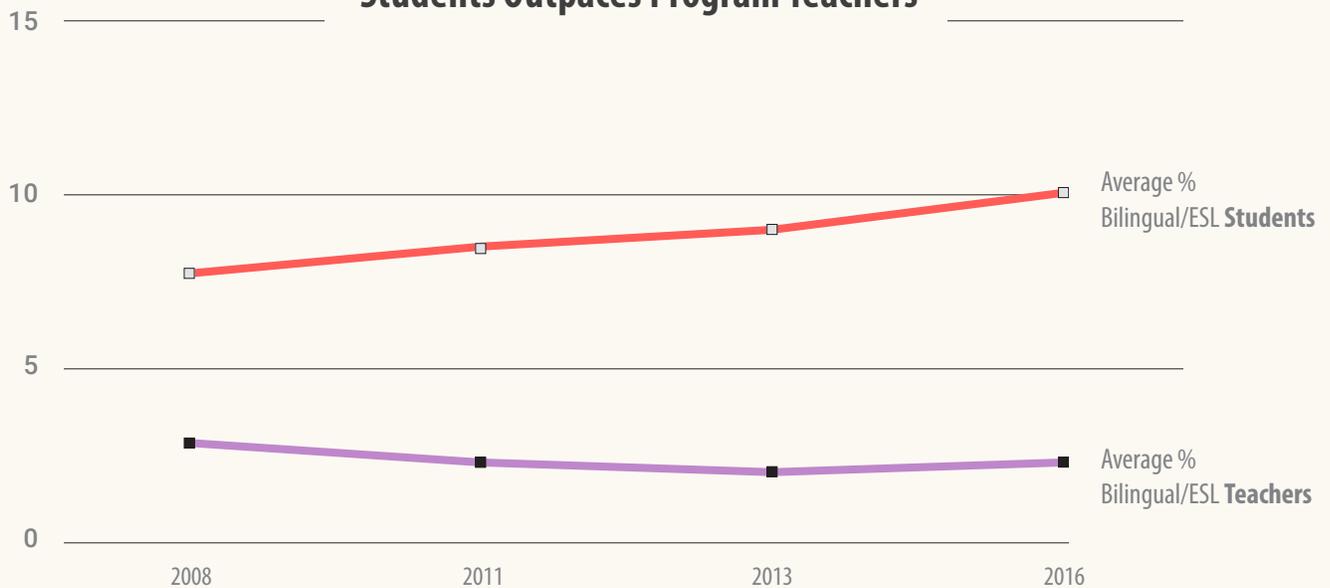
When a district is unable to secure a teacher with the appropriate certification for the type of language program offered, the district must seek a waiver from TEA. In the last five years, the number

of districts granted Bilingual Education Exceptions due to being unable to hire enough bilingual educators has grown by 30%, to 302 districts from 233 districts in 2015. In the same four-year span, ESL waivers increased as well but at a significantly higher rate, skyrocketing to 458 school districts from 141 districts.

Part of the large increase in waivers for ESL teachers is due to an administrative rule change. In 2018, TEA amendments increased teacher requirements for ESL certification, requiring teachers in ESL content-based programs to be certified in not only ESL but also in the content area being taught (i.e. English language arts and reading, mathematics, science, and social studies). In addition, the requirements for an ESL pull-out program mandate that the teacher must be certified in both ESL and English language arts and reading.¹⁸ Confusion around implementation of this new rule led to districts encouraging educators to receive supplemental ESL certifications and a spike in the number of districts requesting an ESL waiver.

Districts granted a bilingual education exception may offer ESL if appropriately certified teachers are available. In the case of a district lacking certified bilingual education and ESL teachers,

Statewide District Average Percentage of Bilingual/ESL Education Students Outpaces Program Teachers



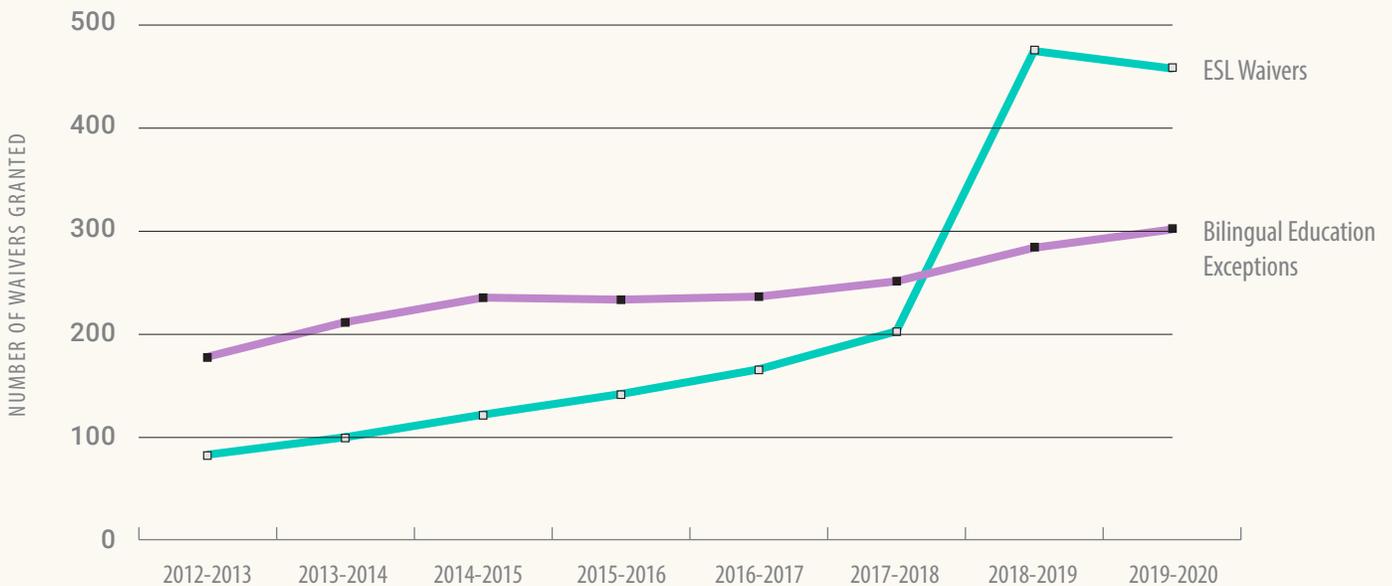
Source: Texas Education Agency, Snapshot Data, 2008-2016.

Bilingual Education Exception	ESL Waiver
ESL Content Based Program Model: ELs receive their content instruction in all subjects—English language arts and reading (ELAR), mathematics, science, and social studies—from teachers with certification in classroom teaching and in ESL.	Content-Based Sheltered Instruction
ESL Pull-Out Program Model: ELs receive content instruction in only English language arts and reading (ELAR) from a teacher with certification in classroom teaching, ELAR, and ESL.	Sheltered English
Content-Based Sheltered Instruction: ELs receive content instruction in all subjects from a teacher who is trained in sheltered instruction.	Other additional primary language support
Sheltered English: ELs receive content instruction in ELAR from a teacher who is sheltered instruction trained.	
Other primary language support: ELs receive additional primary language support from other educators such as paraprofessionals.	

the district must apply for appropriate exceptions and waivers from the state. These are one-year allowable waivers from offering the required bilingual/ESL education programs. Instead, the district is required to offer an alternative language program that “meets the affective, linguistic, and cognitive needs of ELs and equips the teacher under a bilingual education or ESL waiver... through the comprehensive professional development plan.”¹⁹ The comprehensive professional

development plan must propose how the district will attempt to secure appropriately certified teachers to offer full bilingual education and/or ESL programs the subsequent year. English learner students in alternative language programs still generate state funding through the bilingual education allotment (BEA). Districts may use 10% of the BEA for teacher training and certification support.²⁰

Increase in Waivers Signals Growing Teacher Shortage



Source: Texas Education Agency, Public Information Request, 2012-2020.

The state-wide teacher shortage in bilingual education exacerbates barriers that impact English learners' education, and can keep them from advancing to the next grade.²¹ In addition, the narrowly-defined and one-dimensional format of certification exams for bilingual teachers often does not account for the multifaceted linguistic connotations inherent within languages such as Spanish. It is significant to remember that students are not just receiving content instruction in the subject of the English language and grammar; with a bilingual education teacher, English learners are also learning math, science, and history in their home language as well. Mitigating the teacher shortage can present a potential increase in English learner students' standardized testing rates, attendance, dropout rates, enrollment in advanced academic courses, and likeliness to apply for college admission.²²



Family Engagement in Bilingual



Education

The families of English learner students can be some of their best advocates inside and outside the classroom. Unfortunately, schools often do not engage them due to linguistic barriers and incorrect notions that families do not care or are not knowledgeable about their child's academic

abilities and opportunities.²³ This is a missed opportunity for schools to offer families important information about their child's bilingual education options, and in turn for educators to gain a more comprehensive view of a child's home language skills and areas for growth.²⁴



Continual parent involvement is a key aspect of quality bilingual education programs, associated with higher levels of student achievement such as grades, language proficiency, graduation rates and postsecondary enrollment. To unlock this potential, successful schools have adopted culturally responsive strengths-based and community-based approaches to family outreach, making oral and written communication accessible in families' primary language, connecting families with local resources and organizations, and inviting families to lead at councils and events that fit their schedules.²⁵



Funding Bilingual/ESL Education

The federal government covers a small portion of costs for educating English learners through Title III grants, but the majority of funding is allocated by the state through the Foundation School Program – the formulas used to determine school district funding.²⁶ To support bilingual and ESL education in Texas, school districts receive a 0.10 weight, or 10 percent additional funding above base level, for each identified EL student. The funding generated from the EL weight is referred to as the bilingual education allotment. The EL weight has not been updated since its adoption in 1984.

The 2019 omnibus school finance reform bill, House Bill 3, created two new funding streams tied to bilingual education and EL students: Dual Language Allotment and Early Education Allotment.

To incentivize dual language program creation and enrollment, the Dual Language Allotment provides districts an additional 0.05 weight, or five percent additional funding over base level, for every EL in a one- or two-way dual language program and for non-EL students in a two-way dual language program. This means EL students in a dual language program will receive 15% additional funding (10% for the EL classification plus 5% for their enrollment in dual language), and for the first time non-EL students will receive 5% additional funding for participating in a two-way dual language program. This increased weight will only impact 20% of English learners, and it is unlikely that the increased funding will cover the costs for schools to provide dual language programs if they do not already do so.²⁷

The Early Education Allotment provides districts 10% additional funding over base level for each low-income and EL student in grades kindergarten

through third to invest in strategies to improve third grade reading and math outcomes. A student who is both low-income and EL generates 20% additional funding for the district. Though the numbers of EL students and students from limited incomes are used to determine the amount of funding a district receives through this new allotment, there are no stipulations that the funding be used to enhance or support bilingual services.

Limited Use of Funding

The bilingual allotment is intended to fund additional expenses for bilingual and ESL educational programs. It funds language education programming, monitoring and assessment of programs, student learning success, instructional materials, supplies and equipment, training and professional development, and salary supplements to teacher and staff salaries. Even with additional funding, the cost to operate ESL and bilingual programs with fidelity makes it more expensive for school districts to not only educate, but also retain English learners within the public school system. However, spending regulations only mandate that 55 percent of the allotment be dedicated to bilingual education. This statutory stipulation was put in place by the sweeping 1995 state legislation, the Public Schools Reform Act.²⁸ However, the Texas EL population and total school enrollment have grown substantially since then, therefore as much of the bilingual allotment funds as possible should go directly toward supporting ELs. Low spending requirements and the low weight amount are outdated and insufficient to meet the needs of Texas students today.



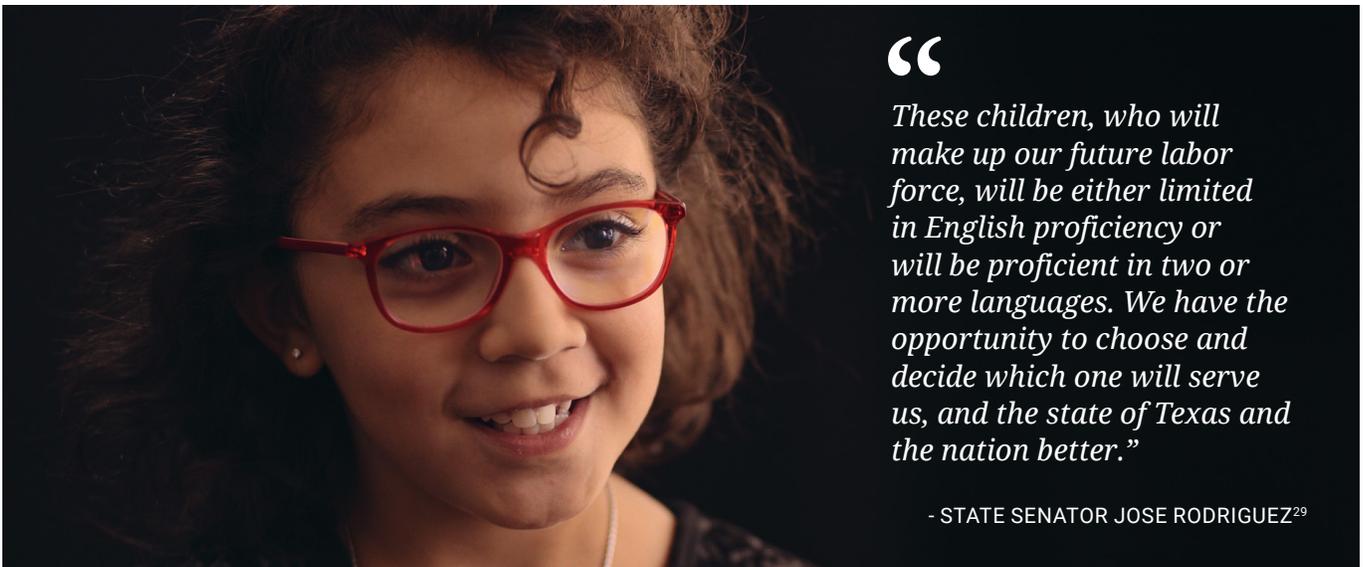
Outcomes

Texas serves more EL students than any other state except California.³⁰ In our global world of trade, travel, and commerce, communication is critical. We all benefit from a bilingual state if we invest in bilingual education, not only because bilingualism is a significant asset for building a competitive workforce and strong state economy, but also because bilingual education is an integral civil right for all students' educational opportunities. For many children, the non-English home language is a direct tie to their cultural heritage. School districts and campuses have a responsibility to cultivate and maintain their cultural roots by teaching students in the language(s) they are growing up in. However, if we fail to meet the educational needs of English learners, then we will all suffer the consequences. As stated in an Intercultural Development Research Association symposium on English learners' education, "Students who are failed by their schools and educators do not get to go on to the next grade level. They do not get to go across the stage in front of their families to get their high school diplomas. They do not go on to college. They do not get a fair chance at a good life. When we do not effectively educate our EL students we as a community lose them and lose all they might have contributed to our well-being."³¹

Challenges with Assessment

Understanding how well Texas schools are serving EL students involves several unique challenges, one of them being the inability of typical standardized testing to evaluate EL students' readiness. All public school students in grades 3-12 take the standardized state assessment, STAAR (State of Texas Assessments of Academic Readiness), as a measure of preparedness for the next grade. However, current STAAR results cannot accurately show the success of ESL and bilingual program, because scores do not tell the story of how many years an EL student may have received language services. For instance, STAAR reading results for EL eighth graders leave several questions:

- Are the EL students new entrants to the school?
- Have they received several years of programming at the elementary and middle school level and still have EL status?
- For those that have received services, how many years were they enrolled?



“

These children, who will make up our future labor force, will be either limited in English proficiency or will be proficient in two or more languages. We have the opportunity to choose and decide which one will serve us, and the state of Texas and the nation better.”

- STATE SENATOR JOSE RODRIGUEZ²⁹

Current indicators do not provide answers to these questions. Instead, they show one point in time when students are classified as an EL. As of the 2019-2020 academic year, TEA now tracks exited-out ELs beyond the two-year monitoring period. This additional monitoring will provide more information on the continued K-12 progress of students formerly designated as English learners and their postsecondary paths.

Ambiguity in reading scores presents challenges not only with assessing the quality of ESL and bilingual programs, but also with assessing the reading proficiency of EL students themselves. Education research suggests that the minimum standard of competency for learning to read and write in two languages should be different from those learning only one.³² This means that a bilingual learner does not need to relearn certain proficiencies in a second language because the skills and concepts learned in the first language reinforce the acquisition of another. Therefore, current reading standards unnecessarily categorize EL students as needing reading remediation.

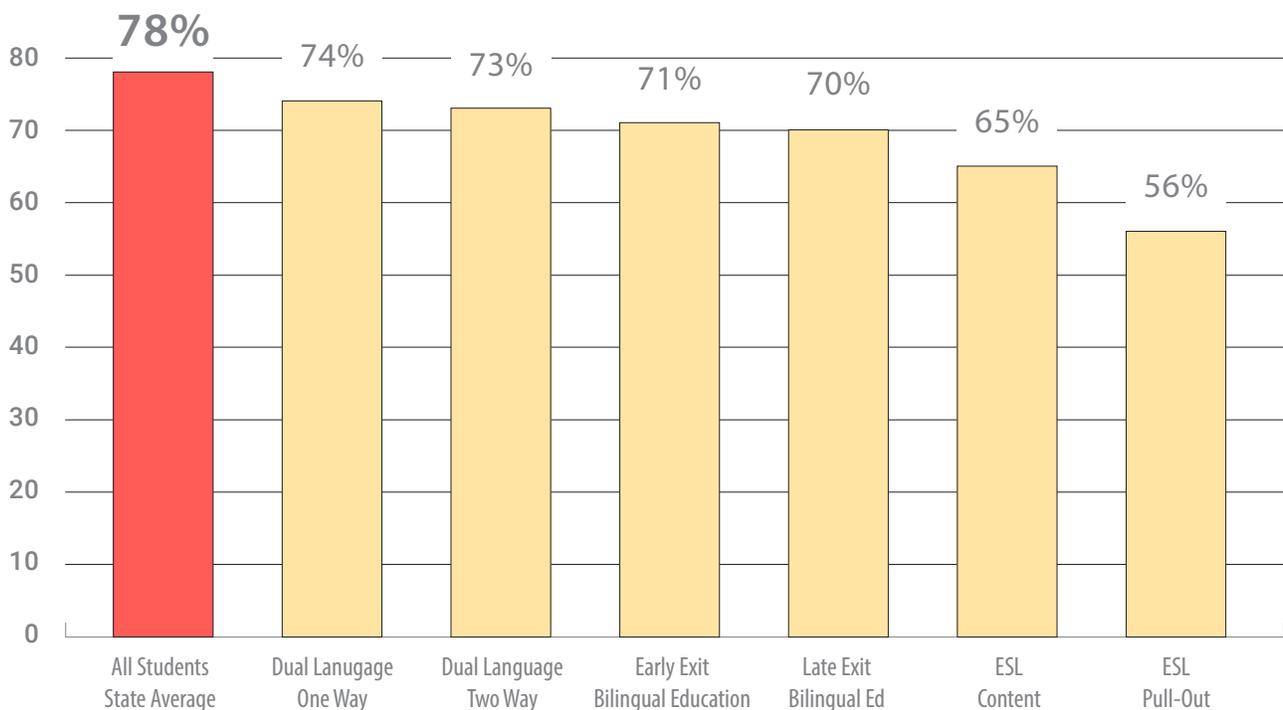
For instance, a 2014 study found that more than half of EL students in the study sample showed proficiency in Spanish reading but were classified as needing reading remediation because of their English reading scores.³³ Schools were expending scarce resources to provide remedial reading to these EL students when in fact they needed targeted English language arts. In order to efficiently and effectively serve EL students, schools must consider the bilingual nature of their learning and assess students in their home language.

Statewide Outcomes

Although data about test outcomes associated with each program serving English learners remains minimal, it is clear that investments in dual language programs support EL students' academic performance on the STAAR test scores.

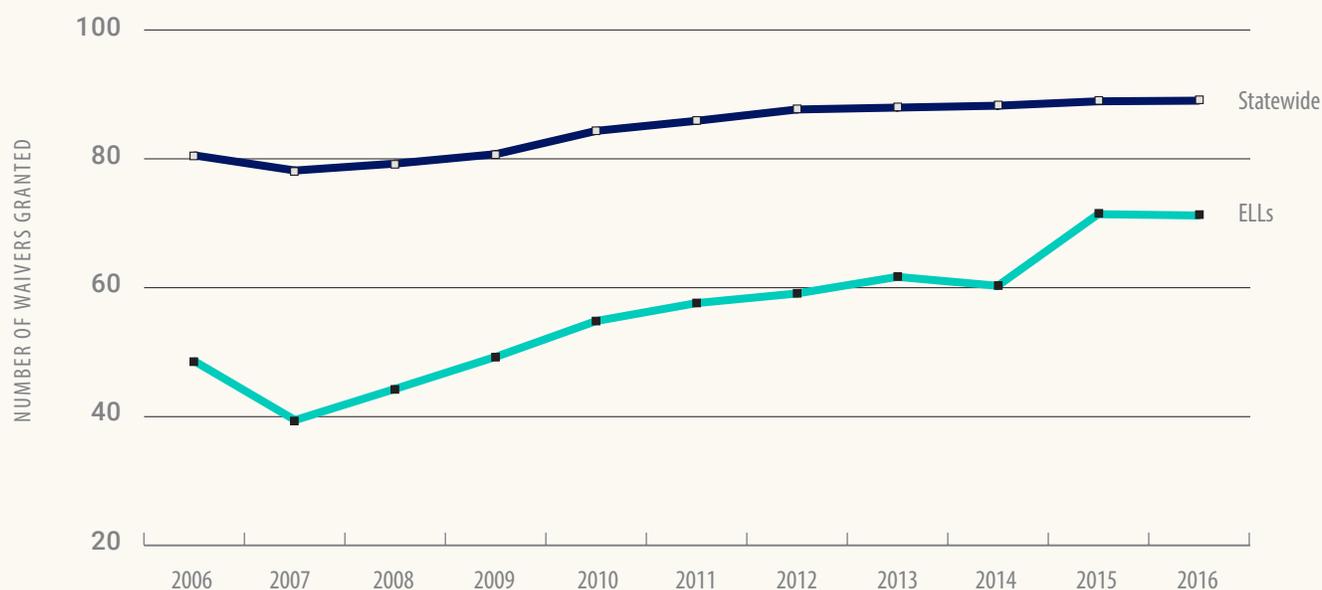
EL Percent Passing on STAAR

[All Grades and Subjects]



Source: Texas Education Agency, TAPR- STAAR State Performance of ELs by Program. 2018-19.

4-Year Graduation Rates for ELLs Approaching Statewide Rates



Source: TAPR and AEIS 4-year Graduation Data, 2006-2016.

EL students have recently made impressive strides on state exams, and the two Texas districts serving the most EL students—Dallas ISD and Houston ISD—met 2018 state accountability goals for English learner proficiency.³⁴ English learners are also contributing to Texas’ strong four-year high school graduation rate. EL graduation rates have risen over the past decade and are closer than ever to approaching statewide rates.³⁵

However, these gains mask disparities in achievement between elementary and secondary grades. Middle schools and high schools are not mandated to offer the most effective programs to secondary students. As a result, we see larger gaps between the performances of secondary EL students compared to elementary students.

The legislative efforts from the 2019 session will better support our elementary-level ELs, but secondary students should not be overlooked. Students enter the education pipeline at all stages, and we should have a strong system for each entry point. EL programs serving adolescent students will not benefit from the Early Education Allotment and few will benefit from the Dual Language Allotment.

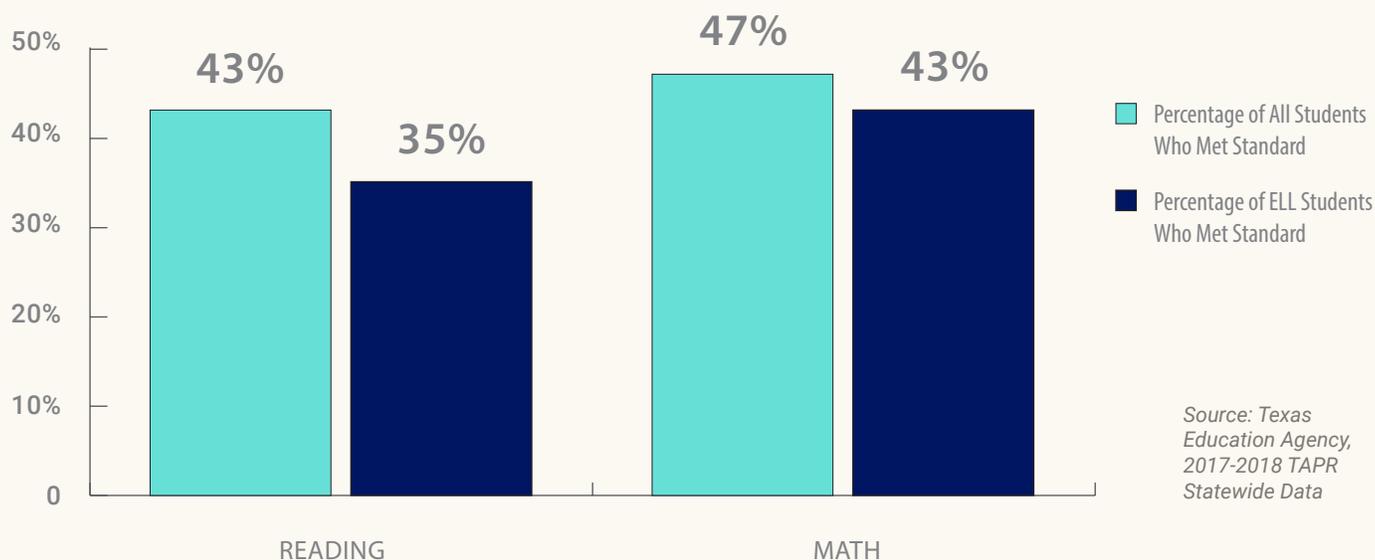
Grade Level Outcomes

Despite the imperfect nature of test-based outcomes to gauge EL students’ success, the data shows gaps in ELs’ performance compared to statewide results. In 2018, 43% of all third graders statewide met the state standard for reading, and 35% of third-grade English learners met the same standards. Comparing the results from the third grade math assessments, gaps are even smaller. Forty-seven percent of all third graders in the state met third grade standards and EL students fall shortly behind at 43%.

However, these performance gaps double for EL students in eighth grade. From 3rd grade to 8th grade, more students across the state met their grade level standard, but these percentages do not grow at the same rate for ELs.

Several factors contribute to increasing gaps in academic achievement for EL students in upper grades. First, students designated as English learners in middle school and high school may also include newcomer students who did not attend elementary schools in the United States.

Early Childhood Interventions Close Gaps in Third Grade STAAR Outcomes



Newcomer students in upper grades learn English as well as new academic coursework, and perhaps must navigate U.S. schools for the first time.³⁶ Second, EL students' academic programs influence their educational success. According to Texas statutes, bilingual education is only mandated to be offered at the elementary level. Students in 7th through 12th grades often receive ESL services, which do not offer the home-language instruction and academic supports of bilingual education programs. In addition, research demonstrates that academic tracking in secondary schools influences English Learner students' academic performance.³⁷ Third, teacher training for appropriate ESL instruction, and bilingual education, is critically important for secondary EL students. Teachers at all levels can integrate quality language practices in their classroom content to improve EL students' educational programs.³⁸

Thus, adolescent EL students are tasked with mastering both English content and grade level specific content in environments unequipped

to meet their needs. Researchers who reviewed extensive research on adolescent ELs cited the specific need for a comprehensive approach to their education:

One impediment to the success of secondary English Learners has been the overly simplistic perspective that improving their limited English will automatically lead to educational success. This narrow perspective often obscures the importance of academic content knowledge, of motivation and social skills, and of developing the academic vocabulary, competent rhetorical skills, and in some cases, basic academic skills students need in order to access school subjects and communicate understanding of content.³⁹

English proficiency is just as critical for our secondary EL students as those in elementary school. They represent 35% of all English learners and should be supported in robust programs that attend to the needs of the whole child. Continued support of secondary EL students can lead to a stronger workforce and economy, as middle and high school students prepare to enter the workforce. Fifty to sixty-five percent of adults all over the world now speak a language other than English. Globally, bilingual and biliterate adults find more job opportunities and enter a higher annual salary bracket than their monolingual peers.⁴⁰ Like our elementary EL programs, the state should provide funding and require secondary schools to implement the most effective bilingual education programs.

Inequities in College Readiness

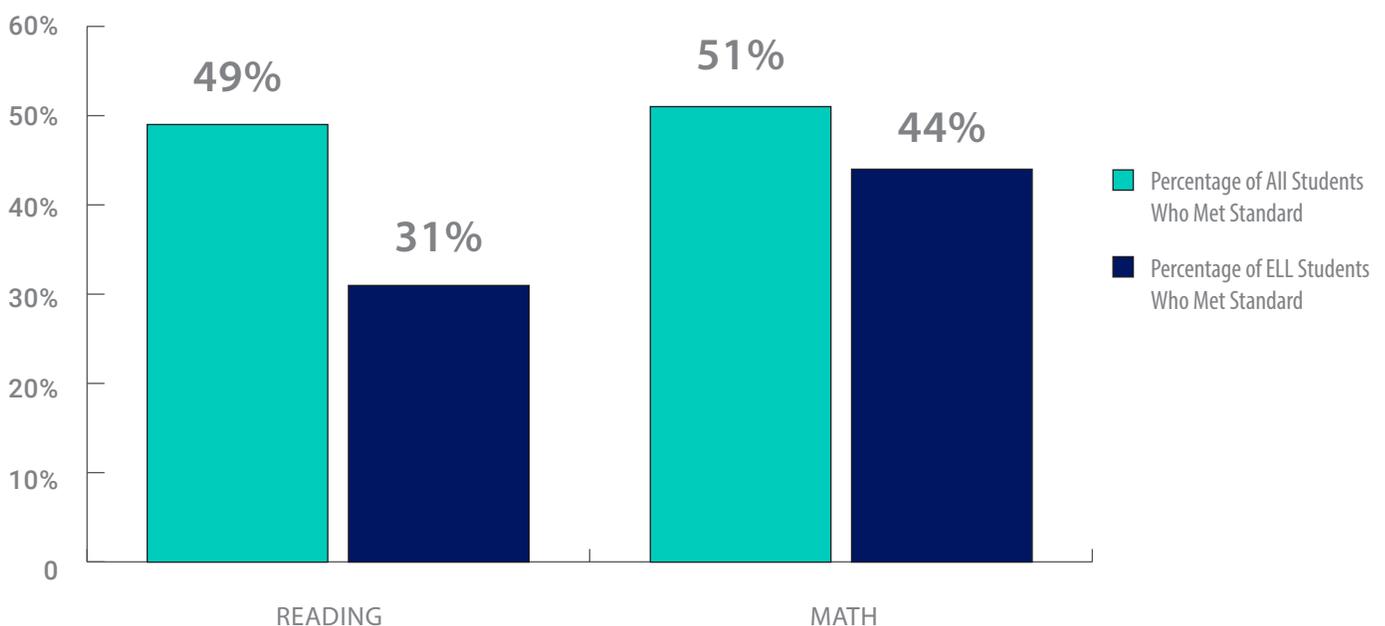
College readiness benchmarks reveal similar disparities between EL students and the state average rates. Texas assesses college readiness according to English Language Arts (ELA) and math score criteria on one of three exams: the

Texas Success Initiative Assessment, the SAT, or the ACT.⁴¹ However, not every student is required to be assessed for college readiness, and EL students often have less access to college preparatory coursework and information about preparing for college.⁴²

With the passage of HB 3 in the 2019 Legislative Session, high schools are reimbursed for students' SAT and ACT test costs. This measure opens the opportunity to more EL students to take college entry exams, providing more data about their college readiness.

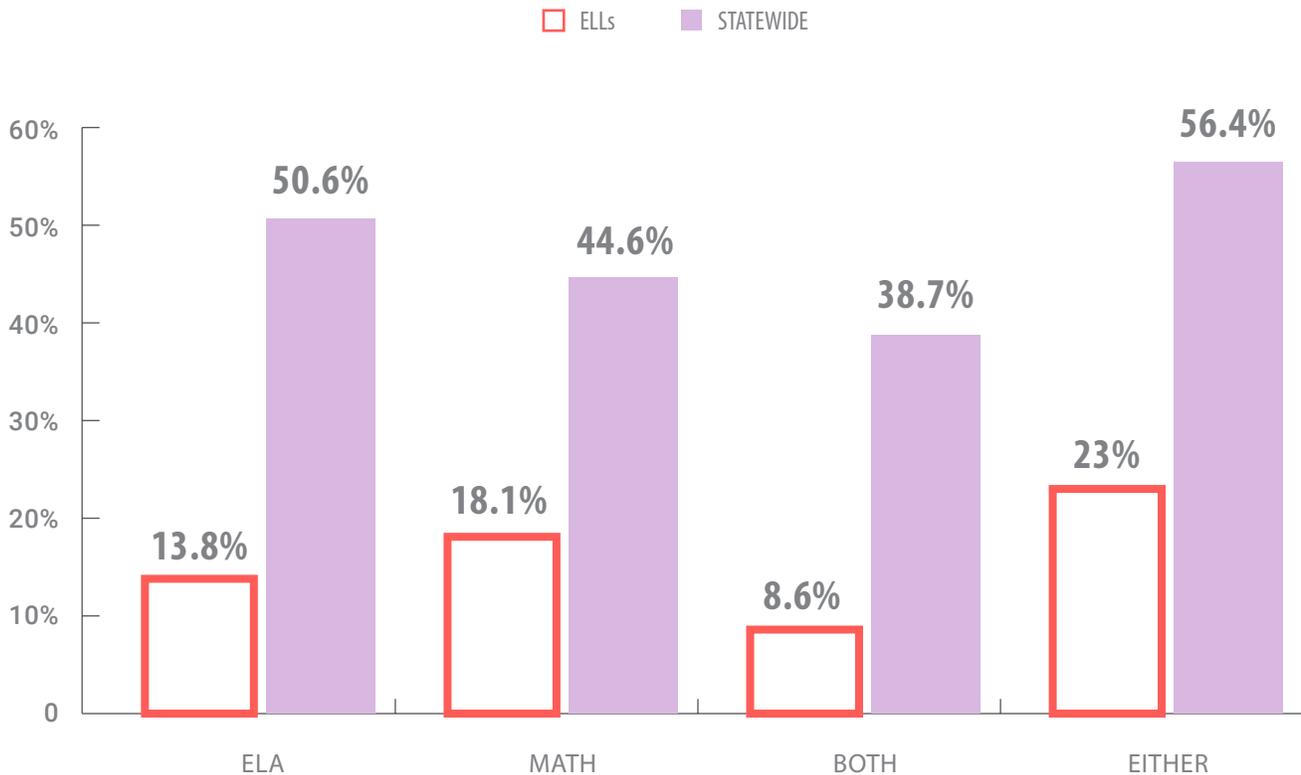
The future of Texas depends on a robust, talented, and educated workforce. Investing in EL students' success throughout K-12 grades toward postsecondary achievement is critical for Texas' continued growth and economic competitiveness with an educated and skilled workforce. To ensure that Texas meets its 60x30 higher education goal of 60% of adults between the ages of 24-35 having a certificate, degree, or other credential by 2030, more needs to be done to move our growing EL population into higher education.

College Readiness Performance Gaps Widen for Adolescent ELLs



Source: Texas Education Agency, 2017-2018 TAPR Statewide Data for Grade 8.

ELLs Need More Support to Meet College Readiness Benchmarks



Source: Texas Education Agency, 2016-2017 TAPR Statewide Data

Adjusting to COVID-19

The ongoing COVID-19 pandemic has not only revealed, but also exacerbated a number of pre-existing barriers that EL students face within the Texas education system.

Even though online learning tools such as language translation technology can enhance the educational experiences of ELs, students are still more likely to shoulder the burden of the digital divide,⁴³ a systemic issue of Internet infrastructure that is at direct odds with the transition to online learning.

EL students are also more likely to experience chronic absenteeism with 24.1% of EL students likely to miss three or more days of school.⁴⁴

Already faced with a short teacher supply, EL students must now navigate the complexities and hardships posed by campus closures.

The transition to home learning also opens English learners to other burdens, such as lack of access to technology and other socioeconomic factors that often overlap, such as lack of access to technology, broadband connectivity, healthcare facilities, and other compounded health and education issues.

Consistent immersion and exposure to both English and students' home language in academic settings is a focal part of the English learner's educational environment, an element that can become inconsistent via online learning.

Educational materials must be translated into the home language for parents to understand and assist students.



Our Recommendations

- ✓ **Increase** bilingual education adjustment (weight) to account for actual costs of EL education.
- ✓ **Adjust** basic allotment for inflation, so that increased weighted allotments reflect today's educational costs.
- ✓ **Incentivize** implementation of the most effective, evidence-based models for bilingual education.
- ✓ **Expand** bilingual educational models to secondary grades rather than just primary grades to promote biliteracy through high school graduation.
- ✓ **Monitor** EL academic performance annually in accordance with HB 22 (2017) requirement for disaggregated student data in accountability reports.
- ✓ **Address** bilingual teacher shortage in Texas. Bilingual/ESL teacher pay and certification obstacles are pressing areas of concern.





Conclusion

Bilingualism is a Skill to be Nurtured, not a Deficit to Overcome

Many school programs for EL students are designed to reclassify them so that they can enter general education classes with their monolingual peers. However, research shows that current program designs may not provide enough time for second language development.⁴⁵ A 2014 study of San Francisco Unified School District showed that it took eight years for 50% of EL students to be reclassified into general education classrooms, and roughly a quarter were never reclassified. Even in an English-only environment, in a program designed to promote rapid acquisition of English, only about 40% of students were exited-out by the end of fifth grade and 45% had not been reclassified by high school. This points to the importance of cultivating bilingualism as students acquire knowledge and skills.

Dual language immersion programs shift the program goal from English acquisition to full bilingual/biliteracy development. Research shows that EL students enrolled in a program that supports their home language have lasting positive outcomes in school. While students in English-only programs show higher reading scores than dual language immersion students in elementary school, dual language immersion students outperform them by the fifth grade and continue to have a clear and large advantage over EL students in English-only programs throughout middle school.⁴⁶ These findings support a body of research showing that a solid foundation in one's home language supports the ability to acquire proficiency in a second language.

Despite the advantages of dual language immersion programs, limited resources and a lack of qualified staffing prevent many schools



from implementing these programs. Starting a program requires community buy-in from families committing to several years of bilingual education that may not follow the pace of traditional monolingual programs. School leaders must also consider how to achieve equitable access to dual language immersion, both through choice of location and design of curriculum. For instance, limits in instructional time or staff capacity may result in a less robust curriculum in the non-English language.⁴⁷ An investment in a community's emerging bilingual population contributes to a more talented, linguistically diverse workforce for the future – a workforce needed to resolve the bilingual teacher shortage as well.

Texas can, and must, do better to serve its English learner students. Decades of civil rights litigation, court mandates, and policy battles have allowed Texas schools to make progress in bilingual education, but we still have far to go. Funding for the public school system and EL students remains inadequate to meet the needs of today's dynamic and growing state economy.

As the state grows and faces rising enrollment in the public education system, the number of EL students also rises. Texas has been home to many languages, and now is the time to seriously invest in our EL students' educational success. After all, shortchanging bilingual education now means cheating the future of Texas of an educated and bilingual workforce.

Appendix A: Glossary

English Learner/EL

A classification referring to a student whose primary language is other than English, and who demonstrates difficulty performing ordinary classwork in English according to state language assessments. This term is in greater use than Limited English Proficient (LEP). Similar term: English Learner (EL).

Limited English Proficient/LEP

A classification identical to English learner. Term is used interchangeably in Texas statute although is no longer preferred due to its deficit connotation of students' linguistic capabilities.

English as a Second Language/ESL

An English-only instruction program for EL students with the primary goal of English acquisition.

Bilingual Education

An instructional program that teaches language and subject-area academic content in a student's primary or home language, as well as the target language for acquisition.

Dual Language Immersion (one way and two way)

A language and academic instructional program with the goal of fluency and literacy in two languages: the partner (home) language and the target language (often English). One-way programs exclusively enroll English learners. Two-way programs enroll both EL and non-EL students.

Bilingual education weight and weighted allotment

The bilingual education weight refers to the additional adjustment factor to the basic allotment calculated for EL-identified students in a school district (currently .10). The weighted allotment is the total of the adjusted calculation of the weight and average daily attendance (ADA) to the basic allotment.

Appendix B: Historical Overview of EL in Texas

Historical discrimination against non-English speaking students

Dating back to *Plessy v. Ferguson* (1896)—which upheld the “separate but equal” doctrine that legalized racial segregation in public facilities for decades—racial and linguistic segregation have been entangled in schools. Children of Mexican, Asian, and Native American descent were frequently pushed into racially segregated schools on the grounds of requiring English-only instruction. For decades, educators and politicians argued that racial isolation of perceived “language-minority” groups was necessary for English acquisition and education.

However, as was determined by *Brown v. Board of Education* in 1954, separate cannot be equal. Schools segregated by language and race suffered from dilapidated facilities, shortened school years, understaffing, severe shortages in educational materials, and overall unequal quality of education.⁴⁸ A number of significant district, state, and U.S. Supreme Court legal decisions changed the course of education for English learners, many of them originating in Texas.

Texas as a legal and political battleground for educating English Learners

A Brief Litigation History Of Educating English Learners		
Litigation	Ruling	Legislative Response
<i>Hernandez et al. v. Driscoll CISD</i> (1957)	TX District Court: Court ruled against the practice of segregated first-grade classrooms based on language tests that had discriminatory effect on Mexican American children. ⁴⁹	No action taken.
<i>United States v. State of Texas</i> (1971)	TX District Court: State and nine school districts must remedy educational harms suffered by ELs.	No action taken.
<i>San Antonio ISD v. Rodriguez</i> (1973)	U.S. Supreme Court: Ruled that there is no constitutional right to an education, so funding inequities (i.e. in bilingual) are not protected under the 14 th Amendment Equal Protection Clause. Limited future cases to state litigation instead of federal.	No legislative response required.

Litigation	Ruling	Legislative Response
<i>Lau v. Nichols</i> (1974)	U.S. Supreme Court: Children who are not proficient in English cannot be denied educational services or given substandard educational treatment, as enforceable by the Civil Rights Act of 1964. Required that remedial efforts be provided to EL students. ⁵⁰	Codification into law through Equal Educational Opportunity Act of 1974, which protected against discrimination by national origin among other factors. Adoption of the “Lau Remedies” by US Dept. of Ed. Office of Civil Rights. Include specific guidelines for EL (1) identification and evaluation; (2) appropriate instructional plans; (3) appropriate determination of EL student readiness for mainstream class; (4) appropriate teacher standards.
<i>United States v. State of Texas</i> (1981)	TX District Court: State continued to fail ELs since 1971 decision.	During appeal, Texas legislature passed law to provide bilingual education to K-6 and ESL for middle and high school ELs (TEC §29.053).
<i>Castañeda v. Pickard</i> (1981)	Originated in Texas. Court ignored violation of Lau Remedies and EEOA, but instituted 3-part “Castañeda Standard” of EL education. Standard mandates EL programs to (1) be based on sound educational theory; (2) have effective implementation with sufficient resources and personnel; (3) be evaluated for effectiveness in addressing language barriers. ⁵¹	None required.
<i>Gomez v. Illinois</i> (1987)	Seventh Circuit Ct of Appeals: State and local education agencies are required to ensure ELs’ educational needs are met through educational programs. No specific program models mandated.	
<i>United States v. State of Texas</i> (2010)	Fifth Circuit Ct of Appeals: Reversed and remanded a district court ruling that Texas had continued to fail EL students as evidenced by disparate academic achievement. Required specific educational districts to be named to prove EEOA violation and decide remedy. ⁵²	None required.

Major Bilingual Education Legislation

FEDERAL LEGISLATION

In January of 1968, President Lyndon B. Johnson—a former teacher at a segregated Texas school for Mexican-Americans—signed landmark federal legislation regarding the education of English learners in the Bilingual Education Act of 1968. Though the Act lacked educational program guidelines for EL students, it provided competitive grants for bilingual educational program resources, teacher training, material development and dissemination, and projects geared toward parent involvement, and prioritized the needs of low-income students.⁵³

In 1970, the U.S. Department of Health, Education, and Welfare (HEW) Office of Civil Rights issued a memorandum that protection of equal educational opportunity of “language-minority” children fell under Title VI of the Civil Rights Act of 1964. The memo stated that school districts must “take affirmative steps” toward effective language services for EL/LEP students’ educational participation, and included three guidelines for school districts serving EL students: 1) districts could not exclude EL students from college courses or mainstream instruction solely on the basis of language; 2) ability grouping (i.e. tracking) for special language needs could only be temporary, not a permanent assignment; 3) parents of EL students must receive information about school activities in the applicable language other than English.⁵⁴

STATE LEGISLATION

Following federal action, in 1969, Texas lawmakers repealed sections of the penal code that prohibited the use of languages other than English in instruction and they formally established English as language of instruction in public schools. Then four years later, the Texas Legislature passed the Bilingual Education and Training Act (S.B. 121) during the 1973 Legislative Session. For the first time in Texas history, the law stipulated rules for the identification, enrollment, assessment, and educational standards for English learners. Per the law, school districts that enrolled 20 or more EL children in the same grade level, speaking the same language, must offer a bilingual education program.

This law finally ended Texas’ English only teaching requirements, which often punished and fined Spanish speaking students. The Bilingual Education and Training Act also tasked the State Board of Education with creating regulations to certify bilingual teachers. In 1975, the legislature passed HB 1126 which mandated school districts provide bilingual instruction for students in kindergarten through third grade. Districts were given the option to offer bilingual instruction in fourth and fifth grade. House Bill 1126 also shifted the responsibility for funding bilingual education beyond fifth grade to local school districts from the state.⁵⁵

Few changes were made to support English learners until 1981 when a federal district court found Texas liable for failing to ensure that public schools were not discriminating against Mexican American students, who were largely English learners. In response to the case, lawmakers passed SB 477 which mandated that bilingual education be available in kindergarten through fifth grade. From sixth grade through twelfth grade schools still needed to support English learners but they had the option to provide either bilingual or English as Second Language (ESL) programs. This bill also required the State Board of Education to develop more comprehensive criteria to identify, classify, and assess students with "limited English proficiency (LEP)." Finally, SB 477 drew attention to monitoring the recruitment and preparation of certified bilingual teachers. Schools unable to staff qualified bilingual teachers now needed to provide documentation.⁵⁶

In 2001, Senate Bill 467 amended the Texas Education Code to include dual language immersion programs as an option for all students, regardless of home language, to attain literacy in English and another language.

Appendix C: Formula Funding Models Across States

States use one of three primary funding models for English learners: formula funding, categorical funding, and reimbursement funding.⁵⁷ Even within formula funding models, the unit for calculating EL weights can vary across program types, including student-based, resource-based, and program-based.⁵⁸

Texas uses a formula funding model based on identified students in average daily attendance. Texas ranks at the bottom of the 16 other states that use a comparable weighted allotment system for EL students. In Maryland, EL students comprise just 6.9 percent of public school enrollment, and their state funding provides a 0.99 weight—nearly double the base per-pupil funding amount—for EL students. In stark contrast, Texas ELs comprise over 18 percent of public school students but are funded at a 0.10 weight. The average weight nationally for EL students is 0.387, or 38.7 percent, in addition to base funding.⁵⁹

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