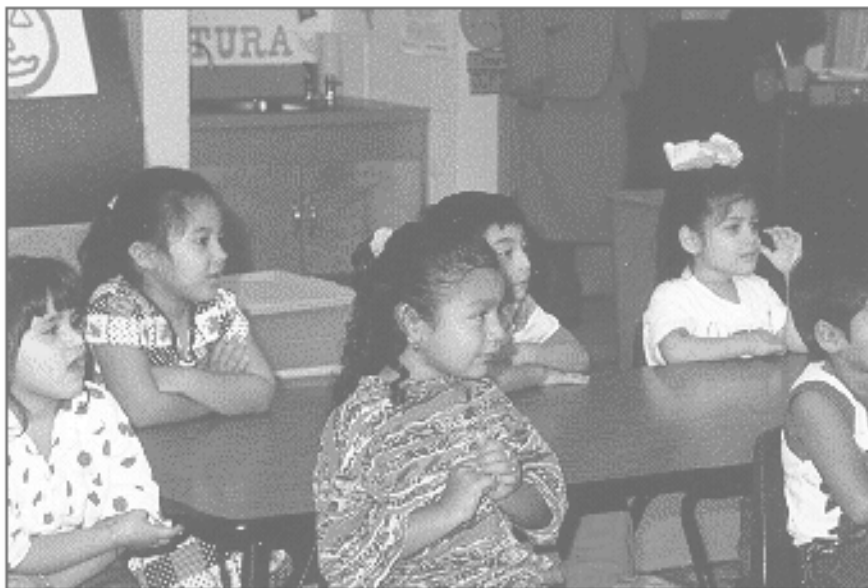
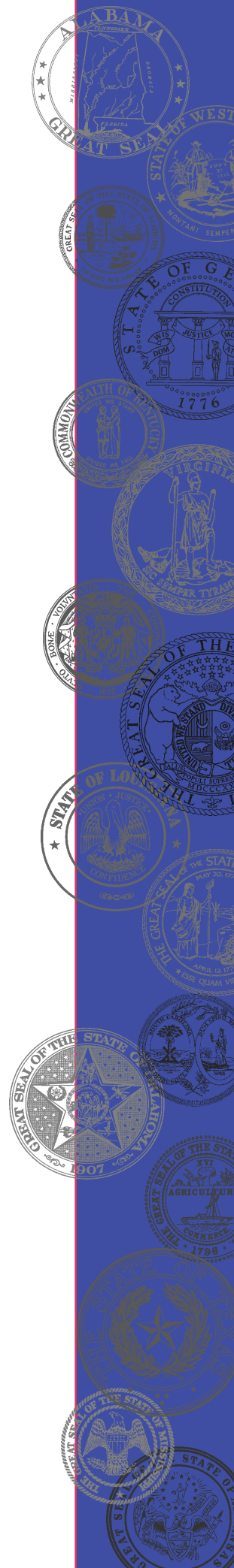


SLC Special Series Report

# Language Diversity and Southern Schools: The Growing Challenge



Prepared by  
Jonathan Watts Hull, Regional Representative  
Southern Legislative Conference  
of The Council of State Governments



# **Language Diversity and Southern Schools: The Growing Challenge**

A Special Series Report  
of the  
Southern Legislative Conference

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The Council of State Governments

3355 Lenox Road N.E.  
Suite 1050  
Atlanta, Georgia 30326  
404/266-1271  
*Colleen Cousineau, Director*

The Education Committee of the Southern Legislative Conference (SLC), chaired by Senator Arthur Dorman, Maryland, has focused on trends which will have an impact on education in the South. This Special Series Report continues this trend, looking at the growing number of students with limited English proficiency and what this means for schools.

This report was prepared for the membership of the Southern Legislative Conference under Chairman Earl Ray Tomblin, President of the West Virginia Senate. Research and development of this Report was conducted under Senator Richard Marable, Georgia, immediate past chairman of the SLC Education Committee, and Senator Dorman.

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## **EXECUTIVE SUMMARY**

As the South becomes more connected to the global economy, the cultural makeup of the region is changing as well. Immigrants and foreign-born workers from Latin America, South Asia, Eastern Europe, the former Soviet Union, and Africa make up a small, but increasingly significant, portion of the population in many parts of the Southern Legislative Conference(SLC)<sup>†</sup>, both in fast growing metropolitan areas and in well as rural ones.

The recent growth in students with limited English proficiency (LEP) in the South reflects a national trend toward a more diverse population. The growth in the South currently is drawing attention because, with the exceptions of Texas and Florida, the South has historically had very few LEP students. While the number of LEP students is relatively low, the dramatic growth in this particular population has many educators interested in preparing schools to serve this rapidly growing group.

The growth in diversity of the LEP population comes at a time when children of immigrants are the fastest growing segment of the youth population. There are now 14 million children who are immigrants or have immigrant parents, accounting for 20 percent of those under 18 in the United States.

### **LEP STUDENTS AND THE LAW**

The principle of special educational support for LEP students was established in Title VI of the Civil Rights Act of 1964. In part, Title VI states that “no person in the United States shall, on the grounds of race, color, or

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<sup>†</sup>The 16 states of the Southern Legislative Conference are Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia and West Virginia.

national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance.”

The principle established in Title VI was expanded upon in Title VII of the federal Elementary and Secondary Education Act of 1968 (Title VII), also known as the Bilingual Education Act, which provided a funding mechanism for certain kinds of educational programs. In addition to Title VII funds, federal support is available for low income schools, migrant support, emergency immigration education assistance, special education and vocational education programs. Limited English Proficient students may receive services through a variety of state and local educational programs as well.

In 1974, the Equal Educational Opportunity Act required schools to take “appropriate action” to help non-English speaking students overcome their language barriers, codifying the U.S. Department of Health, Education and Welfare Office for Civil Rights’ (OCR) interpretation of the 1964 Civil Rights Act, and expanding the scope of this interpretation to cover all students whether they are in a school receiving federal funds or not (TEA, 1998, p. 5). Also in 1974, the Supreme Court upheld the principle of special services for minority-language students in *Lau v. Nichols*, but declined to outline what program or approach would ensure an equal education. In response to the *Lau* ruling, the OCR developed a series of guidelines, known as Lau remedies. The Lau remedies, although never becoming regulatory, evolved into *de facto* compliance standards. Among the standards outlined were methods for identification, assessment, and placement as well as educational strategies and professional development (VA DOE, 1992, p. 6).

The debate over the best approach to serving LEP students and whether a given program satisfied the *Lau* decision’s ambiguous standard continued in the years following. In 1981, a lower federal court set out guidelines in *Castaneda v. Pickard*, establishing a “three-pronged” test for whether a school had met its obligations under federal law.

## **POPULATION and IDENTIFICATION**

The challenge of serving LEP students is compounded by the difficulties of accurately identifying this group. An element of subjectivity remains in what constitutes limited English proficiency. Federal law describes an LEP student as one born outside the United States or whose native language is not English; who comes from an environment where a language other than English is dominant; or is Native American or Alaskan Native and comes from an environment where a language other than English has had a significant impact on his/her level of English language proficiency. The student must also have sufficient difficulty speaking, reading, writing, or understanding the English language to deny him or her the opportunity to learn successfully in

English-only classrooms. Most states have a statewide definition of LEP, with many using the federal definition, or a slightly modified version of it.

In general, states use a three-step process for ensuring that LEP students receive the services they need. The first step is the identification of language minority students. The most prevalent method for identifying these students is a home language survey. Other identification tools include teacher and parent recommendations, student records, achievement tests and teacher interviews. Since not all language minority students need English language services, the second step is to assess these children for their English language ability. Students may be assessed using a variety of tools, including a number of LEP-specific exams, oral interviews and student portfolios. The third step follows from the second: placement in a language support program if warranted. Regular assessment of a student's proficiency is part of almost every English language program. Students are assessed for their progress toward proficiency and to determine their readiness to enter mainstream classes or reduce their participation in language support programs.

Nationally, according to the U.S. Department of Education, there are 3.2 million LEP students, with over 1.3 million enrolled in state and local bilingual education programs (primarily in California, Texas, Florida and New York), and 640,000 not served by any program at all. The LEP population has nearly doubled in less than a decade, over three-fourths of all LEP students attend high-poverty schools (U.S. Department of Education, 1998, p.1).

## **FUNDING**

Although many states provide some limited funding for LEP students, some provide none whatsoever. Where LEP services are funded, schools or school districts usually receive an allotment on a per student basis or an additional percentage over the state allotment per pupil. This money is then available to pay staff salaries, provide for tutors and special aides, and pay for summer and after school programs. Some SLC states do not have categorical funding for LEP students but consider them as part of an "at risk" population, which makes them eligible for state and federal funds. Funding, when available, may also be limited to a set number of years of participation, with allowances for appeals for additional years of funding.

## **PROGRAMS**

There is a vigorous debate over which strategies and assumptions for language acquisition will most effectively provide LEP students the best opportunity for advancement and assimilation. States and schools take varied approaches to teaching LEP students, reflecting both the multiple approaches available to teach English language learners and the tremendous variations in student populations, school sophistication and available resources.

Bilingual education, the most controversial and contested approach to serving LEP students, can take many forms, but at its core is some level — usually a considerable amount — of instruction in the student’s native, or home, language. There are three basic approaches to using native language instruction with LEP students: developmental, transitional, and two-way bilingual education.

Outside of bilingual programs which rely on native language instruction, there are several other approaches to helping LEP students gain English proficiency which use English as the language of instruction, generally with little or no use of the students’ native language. These approaches are grouped under the heading English as a Second Language (ESL) or English for Speakers of Other Languages (ESOL). Instructors in ESL/ESOL need not be fluent in the students’ language, and it is very common for English language learners with several different home languages to be taught together in an ESL/ESOL program.

The most common ESL program is called an ESL pullout program. An in-class version of ESL pullout programs is called ESL inclusion. A hybrid between ESL and bilingual programs found in some schools is called sheltered or structured immersion. While the details of such programs can vary, they generally call for separate instruction in English by a specialist, with allowances for students to ask questions in their native language.

## **LEP STUDENTS AND ASSESSMENT**

Including LEP students in these assessments is seen as necessary both to make schools accountable for all students, to monitor the progress of LEP students and programs and to help in adjusting these programs as needed (CCSSO, p. 5). Most states use some kind of criterion- or norm-referenced tests to measure student academic achievement. LEP students are often exempted from these statewide assessments, typically for a period of one to three years from enrollment in an English language program. After the this time, LEP students are required to participate in state assessments.

States also may allow special accommodations for LEP students, including alternative language exams for students enrolled in bilingual programs, allowing the use of bilingual or native language dictionaries, simultaneous translation of directions in the student’s native language, oral administration of the assessment, additional time, and the use of special scoring procedures for selected parts of an exam.

## **TEACHER TRAINING AND CERTIFICATION**

At the same time that ESL enrollments are on the rise, schools are scrambling to find the qualified staff to provide English language services. The shortage of qualified bilingual and ESL teachers has been called “the single



greatest barrier to the improvement of instructional programs for LEP students” (Crawford, p. 11). This sentiment is echoed across much of the South, where representatives from 11 of the 14 states responded that trained staff was a primary need for improving service delivery.

In the South, only about 30 percent of teachers have received LEP-related training, either through pre-service or in-service training, and only 2.4 percent hold a degree in ESL or bilingual education, while almost 40 percent of teachers teach LEP students (NCES, 1996, 1997). According to the the U.S. Department of Education’s National Center for Education Statistics “Schools and Staffing Report,” schools reporting ESL or bilingual education vacancies increased from 7 percent in the 1990/91 school year to 25 percent in the 1993/94 school year.

## **CONCLUSION**

There are no easy answers to the questions of how to best educate LEP students. Beyond a state’s constitutional obligation to provide an adequate education to every child, states which benefit economically from a diverse workforce find they need to provide services for this workforce or face difficulties in recruitment and retention. The great variety in languages found in the South makes bilingual education impractical for the great majority of schools in fast growing urban areas, and a lack of trained instructors makes these programs difficult for rural districts to implement.

Perhaps most significantly, research from California and elsewhere indicates that programs which favor one instructional model over any other disregards the heterogeneous nature of the student population that is the target audience and the disparate situations in which schools and school districts find themselves. One conclusion which does emerge from much of the discussion around this issue is that a program has a far better chance at meeting its goals if it is well-implemented (Seder, p. 14).

If any priorities emerge from the survey conducted for this report, it is a need for trained staff in the classrooms, and an increased level of training for classroom teachers who are the “front line troops” for providing educational services to LEP students. Many states have attempted to fill this gap in training with summer programs and itinerant in-service training sessions during the school year, with some success. Still other states have worked with teacher training colleges to retool pre-service training for both ESL specialists and for classroom teachers, expanding the offerings available on language acquisition and teaching LEP students.

Just over half of the states in the SLC region provide some categorical funding to districts for LEP students, with appropriations ranging from \$100 to \$1,350 per pupil. Schools are all required to provide specialized services for

LEP students and bear the primary burden of paying for them. Resources for training and instruction at the school or district level, as well as the costs of specialized staff and additional administration and assessments, place unwelcome strains on schools that often are struggling to provide for their mainstream students. Many states have recognized this and have responded with appropriations for these services, many for the first time. Other states operate under the assumption that the cost of serving LEP students should be built into the costs of serving all students, especially where all students, regardless of native language, are expected to meet the same academic standards. As the LEP population grows, there is increasing pressure for states to provide ear-marked funding in some form for English language services.

Adequately assessing LEP students' academic progress is seen as an essential part of a school's accountability effort. But not all students are immediately ready to take an assessment in English, and administering such high stakes tests to language learners with very limited English will not yield meaningful information about their academic achievement and could lead to tremendous frustration for student, parent, and instructor. States strike a fine balance between their need for accountability and the desire to protect students and schools from overly aggressive or meaningless testing protocols, often by allowing exemptions from testing as well as accommodations during tests. Most states allow only those accommodations which the student uses in class and during class assessments, and which will not change the conditions of the test to such an extent as to exclude the results from being averaged with the general population.

The demographics of the South are changing, and the schools are reflecting that change. Many states are taking steps to address the growing wave of students whose native language is not English, but there are numerous opportunities to improve identification, assessment, service delivery and program implementation. In an increasingly global economy, the increasing diversity of Southern schools can be seen as an asset to the region. Providing services for these students, while a challenge, is an investment that has the potential for strong returns as the South becomes more connected to economies and cultures around the world.

## **BACKGROUND**

As the South becomes more connected to the global economy, the cultural makeup of the region is changing too. Immigrants and foreign-born workers from Latin America, South Asia, Eastern Europe, the former Soviet Union, and Africa make up a small but increasingly significant portion of the population in many parts of the Southern Legislative Conference (SLC)<sup>†</sup>, both in fast growing metropolitan areas as well as rural areas. Accommodating these new arrivals and their families is a challenge for communities, social service agencies, and particularly schools. Overcoming these hurdles is a key to opening up educational, professional and social opportunities to a vast and diverse segment of the South and to developing strong global linkages which are seen as essential to our continued growth and expansion into the 21<sup>st</sup> Century.

The recent growth in students with limited English proficiency (LEP) in the South reflects a national trend toward a more diverse population. The growth in the South currently is drawing attention because, with the exceptions of Texas and Florida, the South has historically had very few LEP students. While the number of LEP students is relatively low, the dramatic growth in this particular population has many educators interested in preparing schools to serve this fast growing group. Changes in the agriculture and service sectors in the South, and the overall shift of business and population to the Sunbelt, has accelerated the rate of increase. As more and more international companies locate facilities in the South, and as Southern businesses continue to establish a strong international presence, immigrant children will be attending Southern schools in record numbers.

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The problems encountered in helping the children of recent arrivals to the United States assimilate to American culture is borne heavily by schools. Schools also carry the burden of educating native-born children of citizens whose language is not English. Nationally, this latter group comprises more than 41 percent of the LEP population enrolled in U.S. elementary schools (Fleischman and Hopstock 1993, as quoted in Crawford 1997). The total LEP population includes the children of recent immigrants and those of long-established ethnic groups, including Mexican-Americans, Puerto Ricans, Native Americans, Chinese-Americans, and Vietnamese-Americans (Crawford, p. 7).

Recent Census Bureau reports verify what has been anecdotally recognized for years: the South is becoming increasingly diverse. Historically across the South, LEP students were mostly Hispanic. While this trend holds in many places, especially in rural areas where new manufacturing and meat processing facilities are dependent on labor from Mexico and Latin America, an increasing number of immigrants from Asia, Eastern Europe and the former Soviet Union and Africa are settling in the South. Since 1990, according to the Census Bureau, the Asian population in the South has grown by more 45 percent, with Georgia and North Carolina seeing increases of 70 percent and 62 percent, respectively. While some of these immigrants arrive fluent in English, the boom in this and other ethnic populations has swelled the ranks of LEP students throughout the South. In real numbers, the increases in these populations are impressive as well: 53,892 in Georgia, 88,867 in Florida and 166,847 in Texas.

This poses special problems for schools struggling to cope with this new student population. Schools are constitutionally required to educate every child. This requirement becomes considerably more daunting when a teacher does not speak the student's language and may know little or nothing about the student's native culture. This challenge may be as complicated as schools with more than 50 languages and dialects or as "simple" as having only a handful of non-English speaking students in a school. Even in less complex situations, teachers may have students speaking Tagalog, Vietnamese, and Hausa in the same class.

The growth in diversity of the LEP population comes at a time when children of immigrants are the fastest growing segment of the youth population. There are now 14 million children who are immigrants or have immigrant parents, accounting for 20 percent of the people under 18 in the United States. Since 1990, this population has grown seven times faster than the population of children of United States-born parents. Both in terms of size and diversity, the LEP population is testing the capacities of schools to deliver adequate educational services (Branigin 1998, p. 1, and Riley 1998, p. 1).

## **LEP STUDENTS AND THE LAW**

LEP students are allotted special educational support to assist them in English language acquisition and in their academic coursework. The principle of special educational support for LEP students was established in Title VI of the Civil Rights Act of 1964. In part, Title VI states that “no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance.” Because federal support for primary and secondary education is utilized by the great majority of school districts, Title VI and its mandate have a very broad reach.

The principle established in Title VI was expanded upon in Title VII of the federal Elementary and Secondary Education Act of 1968 (Title VII), also known as the Bilingual Education Act. Title VII provided a funding mechanism for certain kinds of educational programs. Among these are bilingual education programs, Special Alternative Instructional Programs (those which offer special curricula to meet the needs of the student but are not necessarily bilingual), Family English Literacy Programs (for adults and out-of-school youth) and Special Populations (for pre-school, gifted and talented and learning-disabled LEP students). Title VII was reauthorized in 1994 under the Improving America’s Schools Act with some programs changed or combined, but with the basics of the program essentially intact.

In addition to Title VII funds, federal support is available for low-income schools, migrant support, emergency immigration education assistance, special education and vocational education programs. Limited English proficient students may receive services through a variety of federal, state, and local educational programs as well. Federal funding through Title VII provides support for programs serving about 9.4 percent of the total LEP population, most of this in bilingual programs (Macias, p. 17).

In 1970, the U.S. Department of Health, Education and Welfare’s Office for Civil Rights (OCR) issued a memorandum to all schools receiving federal funding with a significant number of “national origin-minority” students which stated that, “where the inability to speak and understand the English language excludes [these students] from effective participation in the educational program offered by a district, the district must take affirmative steps to rectify the language deficiency in order to open its instructional programs to these students” (OCR, 1970). In 1974, the Equal Educational Opportunity Act required schools to take “appropriate action” to help non-English speaking students overcome their language barriers, codifying OCR’s interpretation of the 1964 Civil Rights Act, and expanding the scope of this interpretation to cover all students whether they are in a school receiving federal funds or not (TEA, 1998, p. 5).

Also in 1974, the Supreme Court upheld the principle of special services for minority-language students in *Lau v. Nichols*, but declined to outline what program or approach would ensure an equal education. In response to the *Lau* ruling, the OCR developed a series of guidelines, known as Lau remedies, which had a strong preference for bilingual programs (VA DOE, 1992). The Lau remedies, although never becoming regulatory, “evolved into *de facto* compliance standards, which allowed undue federal influence over educational judgments that could and should be made by local and state educational authorities” (OCR, 1990, p. 2). Among the standards outlined were methods for identification, assessment, and placement, as well as educational strategies and professional development (VA DOE, 1992, p. 6).

The debate over the best approach to serving LEP students and whether a given program satisfied the *Lau* decision’s ambiguous standard continued in the years following. In 1981, a lower federal court set out guidelines in *Castaneda v. Pickard*, establishing a “three-pronged” test for whether a school had met its obligations under federal law. These three requirements are:

1. the program must be based on an accepted or experimental educational theory recognized as sound by at least some in the field;
  2. the school’s implementation of its chosen policy must be supported by the “good faith efforts” in keeping with its design; and
  3. the school’s program must show that students are making progress in overcoming language barriers.
- (Williams, 1991, p. 3)

## **POPULATION and IDENTIFICATION**

The challenge of serving LEP students is compounded by the difficulties of accurately identifying this group of students. This is the case for a number of reasons. Among these: parents of LEP students often speak little or no English themselves, and many may not understand the initial identification process, why they are being asked, or what the negative ramifications may be of answering honestly (CCSSO, p. 3); parents who are illegal immigrants often do not respond for fear of being reported to immigration officials; and the practice of identifying language minority students is not as formalized in areas where there are few, if any, LEP students, and therefore the process of identification and assessment is not consistently conducted. Furthermore, in states where there is a requirement for special programs or services but little or no additional allocation, there is no incentive to report all LEP students.

An element of subjectivity remains in what constitutes limited English proficiency. Federal law describes an LEP student as a student born outside the United States or whose native language is not English; who comes from an environment where a language other than English is dominant; or is Native

American or Alaskan Native and comes from an environment where a language other than English has had a significant impact on his/her level of English language proficiency. The student must also have sufficient difficulty speaking, reading, writing, or understanding the English language to deny him or her the opportunity to learn successfully in English-only classrooms.

This definition is, as noted, subjective, and the level of proficiency which passes for fluent varies from state to state (CCSSO, 1992, p. 2). According to the Council of Chief State School Officers (CCSSO), because the definition of LEP is general, the process states use for identification of LEP students conveys more information about which language minority students are likely to be considered LEP. Since much of the LEP population is highly itinerant, especially those children of migrant workers, state to state variations on what constitutes LEP may mean inclusion for part of the year, and mainstreaming for the rest. Most states have a statewide definition of LEP, with many using the federal definition, or a slightly modified version of it.

In general, states use a three-step process for ensuring that LEP students receive the services they need. The first step is the identification of language minority students. The most prevalent method for identifying these students is a home language survey, which most often asks a few simple, yes/no questions, such as, "Is a language other than English spoken in the home?" Students or parents are asked to fill these surveys out and return them to the school, often upon registering in the school district. Other identification tools include teacher and parent recommendations, student records, achievement tests and teacher interviews.

Since not all language minority students need English language services, the second step is to assess these children for their English language ability. Procedures for doing this are left up to school districts in all but two Southern states (Florida and Texas indicate procedures for assessment with a menu of assessment tools; Maryland and Tennessee recommend, but do not require, the use of certain assessment tools). Students may be assessed using a variety of tools, including a number of LEP-specific exams including the Language Assessment Scales (LAS), the IDEA Proficiency Test (IPT), the Language Assessment Battery (LAB) and the IDEA test. All of these commercially available tests serve to determine a student's English proficiency, with LAS and IPT being recommended most frequently by state education agencies. Many state education agencies in the South offer training and support for these tests. Some districts may choose to rely on exams designed for the general school population, as well as oral interviews and student portfolios. In the SLC, Louisiana is the only state to establish a required score for designation as LEP, a practice found in several states outside the South. Even when states establish cut off scores, districts still have considerable flexibility insofar as LEP may be defined in part by district standards and

multiple other assessment tools, as well as by achievement tests or language proficiency tests (CCSSO, p. 2). Most states in the SLC region either do not specify assessment procedures or do not specify cut off scores for proficiency.

The third step follows from the second: placement in a language support program if warranted. An important, though often overlooked, aspect of placing a student in a program is the student's academic achievement. Often, students are placed in a program on the basis of being designated as LEP, and are provided services solely according to their language ability (CCSSO, 1992 p. 5). Regular assessment of a student's proficiency is part of almost every English language program. Students are assessed for their progress toward proficiency and to determine their readiness to enter mainstream classes or reduce their participation in language support programs.

In the United States, according to the U.S. Department of Education, there are 3.2 million LEP students, with over 1.3 million enrolled in state and local bilingual education programs (primarily in California, Texas, Florida and New York), and 640,000 not served by any program at all. The LEP population has nearly doubled in less than a decade, over three-fourths of all LEP students attend high-poverty schools (U.S. Department of Education, 1998, p.1).



**Table 1: LEP Population and percent change in SLC states 1992-1997**

State	1992 population	1997 population	% change	average annual growth rate (%)
Alabama	2,000	6,000	200	40
Arkansas	1,377 (1993/4)	8,000	481	120
Florida	201,758	288,603 (1996/7)	43	10.7
Georgia	7,190	16,485 (1997/98)	129	18.4
Kentucky	1,658	3,100	87	17.4
Louisiana	5,878	7,014 (1996/7)	19	4.5
Maryland	13,000	17,000	30.7	6.1
Mississippi	2,753	3,224	17.1	3.4
Missouri	2,000	6,000	200	40
North Carolina	8,900	28,535	221	44.2
Oklahoma	19,368	32,121	65.8	13.16
South Carolina	1,574	3,373	114	22.8
Tennessee	3,450 (1993/4)	8,500	146	36.6
Texas	398,222	519,921	30.5	6.1
Virginia	17,766	24,876	40	8
West Virginia	no data	--	--	--

**FUNDING**

Although many states provide some limited funding for LEP students, some provide none whatsoever. Where LEP services are funded, schools or school districts usually receive an allotment on a per student basis or an additional percentage over the state allotment per pupil. Florida has a complex formula for ensuring that funds are equitably distributed between low-wealth and high-wealth schools. Money allocated to schools for LEP students may be specifically earmarked for programs for LEP students, but is more often transferred with relatively few strings attached. This money is then available to pay staff salaries, provide for tutors and special aides, and pay for summer and after school programs. Some SLC states do not have categorical funding for LEP students but consider them as part of an “at risk” population, which makes them eligible for state and federal funds. Funding, when available, may also be limited to a set number of years of participation, with allowances for appeals for additional years of funding.

**Table 2: State expenditures for LEP programs**

State	per pupil expenditure	total expenditure
Alabama	\$100 additional per student through at risk funds	~\$550,000, plus an additional \$200,000 in state at-risk mini-grant funds
Arkansas	~\$500	\$4,000,000
Florida	\$1,389 (average, funds distributed as per state formula)	\$401,119,121
Georgia	~\$1,100	~\$22,000,000
Kentucky	0	0
Louisiana	0	0
Maryland	\$1,350 available through at risk funds	
Mississippi	0	0
Missouri	0	0
North Carolina	N/A	\$5,000,000
Oklahoma	additional 25% of state allotment per student	
South Carolina	0	0
Tennessee	0	0
Texas	additional 10% per student; ~\$212	\$110,300,000
Virginia	N/A	\$6,400,000 for 1998/2000 biennium
West Virginia	0	0

A concern many states have with funding for English language services is ensuring that allocations are sufficient to adequately offset program requirements. There is very little information about the costs for programs as independent units, and splitting out costs for various kinds of services is even more difficult. The California Legislature commissioned a study to determine the costs for different program models in a select group of well-implemented programs. As James Crawford points out in his report *Best Evidence*, because this was not a random sample, the results cannot be generalized to all programs for LEP students. Nevertheless, the cost differentials are instructive. The relative costs of bilingual and sheltered English approaches were considerably lower than for ESL pullout programs, largely because pullout programs require additional teachers that in-class programs do not (for a discussion of program features, see next section). “Nevertheless,” Crawford notes, “ESL pullout

remains the method of choice for many school districts, especially where LEP students are diverse, owing to shortages of bilingual teachers and a lack of expertise in bilingual methodologies (Crawford, p. 18).” The results are summarized in Table 3.

**Table 3: Supplemental LEP Education Costs Per Pupil, by Model and Activity, in Selected California Schools**

<b>Model Type</b>	<b>Develop- mental Bilingual</b>	<b>Transitional Bilingual</b>	<b>Two-way Bilingual</b>	<b>ESL Pullout</b>	<b>Sheltered English</b>	<b>Overall Average</b>
Direct Instruction	\$59	\$20	\$186	\$1,042	\$3	\$123
LEP Administration and Support	\$90	\$129	\$472	\$99	\$106	\$120
LEP Assessment	\$22	\$43	\$194	\$46	\$60	\$36
Consultation and In-service Training	\$9	\$22	\$194	\$11	\$6	\$19
Average Supplemental Costs Per Student	\$180	\$214	\$876	\$1,198	\$175	\$298

Source: Crawford, James. *Best Evidence: Research Foundations of the Bilingual Education Act*, National Clearinghouse for Bilingual Education, Washington, DC, 1997

More than half of the SLC states provide some special funding for programs to serve LEP students. This is accomplished in a number of ways. Perhaps the most common is a block appropriation to the state department of education which is then distributed to individual school systems on a per student basis. A similar approach, found in Oklahoma and Texas, is the provision of an additional percentage of the state per student allotment for each LEP student enrolled in a school or school system and another uses a formula to distribute funds to schools. Such formulas take into account LEP student enrollment as well as overall school wealth, among other factors, to ensure that low-wealth schools, where LEP students are most densely concentrated, are provided the funds they need to serve this population. In some states where LEP students are not provided categorical funding, schools may categorize them as a population “at risk” for dropping out. This makes them eligible for so-called “at-risk” funding at both the state and federal level. Not all states allow students to be categorized as at risk based solely on their English language proficiency, however.

## **PROGRAMS**

There is a vigorous debate over which strategies and assumptions for language acquisition will most effectively provide LEP students the best opportunity for advancement and assimilation. States and schools take varied approaches to teaching LEP students, reflecting both the multiple approaches available to teach English language learners and the tremendous variations in student populations, school sophistication and available resources. As a general introduction to a few of the basic assumptions and strategies involved in teaching LEP students, a brief discussion of the most prevalent formats for these programs follows.

It is convenient to divide approaches to address the needs of LEP students into two broad categories: bilingual education and English as a second language (ESL). Within these categories there are different emphases, reflecting different pedagogical preferences. Programs to serve LEP students are often not drawn from a uniform model, but are, according to the National Research Council Report, “Improving Schooling for Language Minority Students” (1997), “a complex series of components” (NRC, 147), reflecting what best suits the needs of the students to be served. Because of this, it is impossible to list every form of program available.

### **What is bilingual education?**

Bilingual education, the most controversial and contested approach to serving LEP students, can take many forms, but at its core is some level — usually a considerable amount — of instruction in the student’s native, or home, language. There are three basic approaches to using native language instruction with LEP students: developmental, transitional, and two-way bilingual education.

**Developmental Bilingual Education** (DBE or Late-exit Bilingual Education) places an emphasis on maintaining and developing academic proficiency and literacy in the student’s home language while slowly making a transition to all-English classes. The program expects that students will develop fully in their native language as well as English. Proponents of DBE hold that in this way LEP students are not academically penalized for their lack of English fluency as they pursue an education. Opponents maintain that DBE delays students’ academic advancement in English, which serves to restrict their academic progress.

**Transitional Bilingual Education** (TBE or Early-exit Bilingual Education) provides academic content in the student’s native language with a greater emphasis on learning English. The TBE approach provides a gradual transition to all-English classes, with students participating in the programs for two or three years. The emphasis on an early transition to English means students are not expected to develop fully, especially academically, in their

native language. These early exit programs sometimes are viewed as “crash-courses” which supporters insist brings LEP students to parity in academic opportunity much faster than the late-exit approach. Some critics charge that it works contrary to how children learn a language and sacrifices students academic progress for minimal language gains.

**Two-way Bilingual Education** is an approach which places native English (language majority) students in the same classroom as LEP (language minority) students, who then serve as peer teachers for one another. The curriculum is taught in both English and the designated language, with the goal being bilingual capacity for both populations of students. These programs are relatively few in number and are the most recent addition to bilingual education strategies.

### **What is English as a second language?**

Outside of the bilingual programs described above which rely on native language instruction, there are several other approaches to helping LEP students gain English proficiency which use English as the language of instruction. Generally, this is done with little or no use of native language. These are grouped under the heading English as a Second Language (ESL) or English for Speakers of Other Languages (ESOL). Instructors in ESL/ESOL need not be fluent in the students’ language, and it is very common for English language learners with several different home languages to be taught together in an ESL/ESOL program.

The most common ESL program is called an **ESL pullout** program. Under this approach, LEP students pursue their academic course work with language majority students and are given special English language development instruction by trained specialists away from mainstream classes. Students may receive special instruction one period a day or as much as half the day. In some instances it may be directly linked to curricular activities or it may be independent of the student’s other courses. ESL pullout is very often the immediate option available to school districts that find themselves serving LEP students for the first time, especially if they are few in number, dispersed across the district or over several grade levels. In these programs, instruction may be conducted by a teacher in the school, by an itinerant instructor visiting several schools on a circuit, or by a paraprofessional assigned to a particular classroom who has been trained in working with LEP students.

An in-class version of ESL pullout programs is called **ESL inclusion**, where LEP students are taught in classrooms by trained staff who incorporate ESL techniques into their lessons in all subjects. Students do not need to leave their classroom or peers to receive English language instruction and learn English along with their regular course of study.

A hybrid between ESL and bilingual programs found in some schools is called **sheltered or structured immersion**. While the details of such programs can vary, they generally call for separate instruction in English by a specialist, with allowances for students to ask questions in their native language. Even in the instance of questions raised in a minority language, the response and all explanations are usually given in English. These classes may or may not include language majority pupils. Because questions may be raised in a home language, instructors or aides who are fluent in the home language are essential for this program to be implemented.

A final approach to teaching LEP students is referred to as **submersion**. Submersion essentially places LEP students in the general school population with no special support. This “sink or swim” technique is generally not considered a valid program model under court rulings mandating LEP student support, but it is the situation for about 3 percent of the LEP students nationwide according to the National Center for Educational Statistics (NCES 1997, p. 12).

## **Bilingual Education in Mississippi**

An interesting element of Mississippi's LEP population is the high percentage of students registered as Native American. Nearly half of the registered LEP students are under the responsibility of tribal schools, which serve as an independent unit largely outside of the control of the state school board. The success of the Choctaw bilingual program in Mississippi was highlighted in *Bilingual and ESL Classrooms*, by Carlos J. Ovando and Virginia P. Collier.

"The community participates in three important roles in the Mississippi Choctaw bilingual program: making decisions, providing resources, and developing parents' skills. ...The program grew out of the community's awareness of a need to develop their children's bilingual skills. The situation involved children who could use Choctaw informally with family and friends but were unable to carry on discourse in Choctaw in formal situations such as public meetings. Survey results indicated that most parents favored using both Choctaw and English in the school, and in the late 1970s the community applied for and received a Title VII grant so that 12 Choctaw teachers could be certified; consequently children's Choctaw as well as English skills could be developed in school. Parents participated in decision-making for the program through the advisory board and in the development of instructional materials. As resource persons, community members demonstrated crafts, music, and dance; told stories; and organized special events and activities. As learners, the parents participated in a variety of activities. For example, they enrolled in literacy programs and learned the school orthography for Choctaw. They learned about the school curriculum and had opportunities to clarify conflicting values and goals. Some community members participated in a writers' workshop so that they could create Choctaw literature based on their experiences.

"The Choctaw bilingual program no longer receives Title VII support, and program design has changed over the years. However, with tribal funding and monies from the Indian Students Equalization Program, the Choctaw schools continue to thrive today and to be an integral part of the Choctaw community. The Mississippi Band of the Choctaw Indians now locally operate six schools that were once administered through the Bureau of Indian Affairs. Parents conduct their activities out of the school system's central office, and this physical location reflects their status within the organization. Twenty percent of the parents volunteer in classrooms on a daily basis, and parents participate actively in every type of committee work — for example, textbook adoption, grant money allocations, and modification of programs to meet student needs (Ovando, p. 313-4)."

## Looking at California

For much of the South, the issue of integrating language minority students into the classroom is only just emerging. Some states in the region have had large LEP student populations for decades, most notably Texas and Florida, where respectively about 10 percent and 6 percent of all students are classified as LEP (NCES, 1997, p.5). Not surprisingly, these two states have the most developed infrastructure for delivering services to LEP students. But as the population grows and diversifies, the new challenges can be daunting for policymakers and educators alike. The recent furor over bilingual education in California and the solution mandated by the passage of Proposition 227 has turned a spotlight on California's efforts to educate its LEP students.

California is faced with a stunning task. Immigration into the state and a large resident minority-language population contribute to the state's incredible 20 percent LEP population. Of the 2.1 million LEP students reported as enrolled in U.S. schools, almost 45 percent are in California (NCES 1997, p. 6). From 1967 to 1987, California law mandated bilingual education within a relatively strict framework. In 1987, the Bilingual Education Improvement and Reform Act was allowed to sunset a move intended to allow schools to adapt curricula to meet their needs outside the rigid structure outlined by the law. In practice, however, the California Department of Education perpetuated the law, establishing regulations which enforced home language instruction as the preferred model of education and required districts to obtain a waiver from the state in order to teach LEP students in a different manner. Thus, while the law has changed several times in California over the past three decades, the practice of teaching LEP students has remained relatively unchanged, requiring native language instruction as the primary approach.

Assessing how successful these programs have been is problematic. Opponents of bilingual education point to statistics which do not show increases in the number of students gaining English fluency, even as the number of students categorized as LEP has risen. There are numerous reports which indicate that bilingual instruction is worse, or at best no better, than English-based instruction. Furthermore, children of immigrants exposed to native language instruction have been shown to have lower earning potential than their non-bilingually taught peers (Seder, p. 10). Proponents of native language instruction argue that, while short term gains for LEP students in bilingual programs over those in ESL programs are insignificant, research indicates that students in bilingual programs can achieve real gains in the long run over their peers in ESL programs (Seder, p. 12).

Since bilingual education plays a small role in most SLC states, the lessons to be learned from California may be that schools need to provide multiple opportunities and have maximum flexibility. It is interesting that in the state where *Lau v. Nichols* originated, and where the bilingual solution was established, complaints and lawsuits brought by a later generation of language minority parents seeking adequate educational services for their children fueled the movement to dismantle the nation's largest bilingual education program.



## **LEP STUDENTS AND ASSESSMENT**

School accountability has been possibly the hottest education issue in recent years. Many education reform efforts focus on student assessments as the key element in holding schools, districts and educators accountable for academic progress. Including LEP students in these assessments is seen as necessary both to make schools accountable for all students, to monitor the progress of LEP students and programs, and to help in adjusting these programs as needed (CCSSO, p. 5). But, as the National Research Council Report has pointed out, since “every assessment is an assessment of language...the English language proficiency levels of students affect their performance on subject area assessments given in English” (NRC 1998, p.12). It follows from this that LEP students will be at a decided disadvantage against the general population for the assessment. In the context of assessing students’ subject area knowledge for accountability purposes, LEP students may score below their actual knowledge base because of unfamiliar vocabulary in the questions or answer choices. “Aptitude,” the NRC concludes, “can be seriously underestimated if the test-taker is not proficient in the language in which the test is being given” (NRC, 1998, p. 121).

Most states use some kind of criterion- or norm-referenced tests to measure student academic achievement. LEP students often are exempted from these statewide assessments, typically for a period of one to three years from enrollment in an English language program. After this time, LEP students are required to participate in state assessments. An alternative to this time-limited exemption which is found in a few states, though not in the South, is one which exempts students by virtue of their scores on language proficiency tests, such as those used to determine program placement. Furthermore, some states, including Missouri, South Carolina, and Tennessee, leave the decision on exemption entirely to local school districts (CCSSO, 1996, p.7).

Three states in the South — Georgia, Virginia, and West Virginia — lack automatic exemptions for LEP students. Georgia requires all students to take the statewide assessment unless the school, parent or guardian agree it is not in the best interest of the student to do so. Any elective exemption must be documented and justified, and must be signed by the parent or guardian when the exemption involves a graduation requirement. Virginia allows for LEP students to be exempted from the state’s Standards of Learning (SOL) tests in either grade 3, 5 or 8, but board accreditation regulations require the students to take high school end-of-course tests, which determine grade promotion and graduation. LEP students in ESL programs may be excluded from the exam for three years by petition, and LEP students may not receive a standard diploma without passing the exam. The scores of LEP students were not used in reporting the SOL scores for schools and districts for the 1997/98 or 1998/99 school years. West Virginia leaves the decision for inclusion to committees for each student, although the state provides guidelines for exemption or

inclusion with accommodation or modification. Students enrolled in English-speaking schools for fewer than three years may be exempted. Other students, and those enrolled fewer than three years but who have demonstrated a proficiency in English, may be included in the exam with accommodations which maintain standard conditions and allow for the student's scores to be reported in school and county summaries, or with modifications which create non-standard conditions and allow only for individual student scores to be reported.

States also may allow special accommodations for LEP students, including alternative language exams for students enrolled in bilingual programs, allowing the use of bilingual or native language dictionaries, simultaneous translation of directions in the student's native language, oral administration of the assessment, additional time, and the use of special scoring procedures for selected parts of an exam. This final method is in practice in South Carolina, which has a special rubric for scoring the writing portion of the statewide exit exam for LEP students. In the South, only Texas provides assessment in a language other than English (CCSSO, p. 9).

The voluntary National Assessment of Educational Progress (NAEP), which is administered by the U.S. Department of Education and the National Assessments Governing Board, recently revised its exclusion/inclusion rules for LEP students to reflect a need to have "assessments that are meaningful, challenging, and appropriate for *all* students" (NCES, 1996, p. 1). NAEP is intended to provide key indicators of what pupils actually know and can do. This means that NAEP is intended to cover all students, although in reality, many English language learners and students with learning disabilities are not included. Rules issued by NAEP in 1996 broadened participation to as many students as possible, increasing the representativeness of the results, and improving measurement of overall student performance and achievement. In previous years, about 1 percent of all students were excluded from NAEP because of their LEP status, a small number overall, but a significant number of the LEP population. In 1994, about half of all LEP students in grades 4 and 8, and slightly fewer in grade 12, were excluded from NAEP exams because of their LEP status.

In 1995, several changes were made to the NAEP exam process to include more students, including producing Spanish-English and Spanish-only assessment books, as well as new inclusion rules which encourage, but do not mandate, participation by more LEP students (NCES, 1996, p. 3). These new strategies were field-tested in 1995 and found to include more LEP students in the assessments, but may not produce results, because of special accommodations, which are comparable to the broader non-LEP population (NCES, 1996, p. 5). This problem is not seen as insurmountable, however.

While most states which allow for categorical or elective exclusion from assessment require some documentation, in the form of portfolios, student reports, or some other review of the students work, these are difficult to standardize and compare, making programing decisions difficult and may not be reported to the state education agency. Only about one-third of the states in the SLC region (Alabama, Kentucky, Florida, South Carolina, and Texas) collect data on exempted students at the state level. By including LEP students in statewide assessments, states are able to more completely count and assess the progress of the LEP population and make informed decisions about the success of existing language services.

What accommodations are appropriate for testing LEP students depends greatly on the goals of the assessment. If the purpose of the assessment is to determine how these students compare with their peers in English, no accommodation is needed. But, if the purpose is to determine how much these students know and what they can do, numerous accommodations could be considered (NCBE 1997, p 5). While recognizing that it is unrealistic for schools to completely retool their assessments to include all LEP students, some inclusion techniques, including extra time; the use of glossaries or dictionaries; reading the directions aloud in either English or the native language; simplifying instructions; providing a familiar test facilitator; providing small group or individual administration of the assessment; and providing for multiple testing sessions all have been recommended. After the exam has been taken, the development of special scoring procedures for LEP students on some parts of the assessment which may require particular sensitivity or care is also a consideration. “Because of the diversity within the LEP population,” the Council of Chief State School Officers concludes, “no single [accommodation] strategy will succeed in including all LEP students in state level assessments, and several, tried in concert or under different circumstances, appear to satisfy educators across the United States” (CCSSO, p. 8).

## **TEACHER TRAINING AND CERTIFICATION**

At the same time that ESL enrollments are on the rise, schools are scrambling to find the qualified staff to provide English language services. The shortage of qualified bilingual and ESL teachers has been called “the single greatest barrier to the improvement of instructional programs for LEP students” (Crawford, p. 11). This sentiment is echoed across much of the South, where representatives from 11 out of 16 states responded that trained staff was a primary need for improving service delivery. Fewer than one-third of the teachers with LEP students in their classrooms have received training for these students (NCES, p. 18). National estimates of the shortage of LEP teachers range as high as 175,000 (GAO, as quoted in Crawford, p. 11).

Nationally, the likelihood that a teacher of LEP students has received some training in ESL increases with the percentage of LEP students in a class. Classrooms with fewer than 10 percent LEP students have a one-in-five possibility of having an instructor with special training in ESL (see table 4). Further evidence indicates that, predictably, LEP-trained staff are found in areas where the concentrations of LEP students are the highest. While this is good news for states and school districts where LEP students have long been a part of the school milieu, where they are new arrivals, especially in low-wealth and rural schools where training budgets are exceedingly strained, it only underscores the shortage in trained staff.

In the South, only about 30 percent of teachers have received LEP-related training, either through pre-service or in-service training, and only 2.4 percent hold a degree in ESL or bilingual education, while almost 40 percent of teachers teach LEP students (NCES, 1996, 1997). According to the NCES “Schools and Staffing Report,” schools reporting ESL or bilingual education vacancies increased from 7 percent in the 1990/91 school year to 25 percent in the 1993/94 school year. Interestingly, while the number of vacancies is rising, the number of schools finding it “difficult or impossible” to fill these vacancies dropped over that same time period from 37 percent to 26 percent, which remains an extremely high vacancy rate for an education position.

**Table 4: Percentage of public school teachers with LEP training and with LEP students in their classes, (1993-1994)**

<b>% LEP Students in Class</b>	<b>% of Teachers with LEP training</b>
<10 %	19.2
10-25%	42.7
26-50%	62.7
>50%	86.7

Source: U.S. Department of Education, National Center for Educational Statistics, 1993-94 Schools and Staffing Survey.

While every state but Arkansas has or recognizes ESL or English for Speakers of Other Languages as an endorsement to a teaching certificate, and many offer either primary or add-on licensure for these areas, the number of colleges and universities offering training programs is relatively few, producing a limited number of graduates for an increasing number of positions.

More universal among the respondents to the SLC survey was the perception that classroom teachers, not just ESL specialists, needed training in strategies for teaching LEP students. In response to this need, states and districts offer numerous in-service training opportunities in cross-cultural

education, ESL teaching strategies, and LEP student identification and assessment. The current and projected shortage of ESL teachers means that classroom teachers will continue to be the “front line” for language service delivery, and makes having trained staff at this level of critical importance.

**Table 5: States offering endorsement and full licensure for ESL/bilingual education**

State	ESL endorsement	ESL add-on certification	ESL primary certification
Alabama		X (at master’s level)	X
Arkansas		expected 2000	
Florida	X (ESOL)	X (ESOL)	X (ESOL)
Georgia	X (ESOL)		
Kentucky	X		X
Louisiana		X (ESL & Bilingual)	X (ESL & Bilingual)
Maryland		X (ESOL)	X (ESOL)
Mississippi	X		X
Missouri	X		
North Carolina		X	
Oklahoma	X		
South Carolina	X (proposed 7/1/99)		
Tennessee	X		
Texas	X (ESL/Bilingual)	X (ESL/Bilingual)	X (ESL/Bilingual)
Virginia	X		
West Virginia	X		

## **State-by-state programs**

For this report, a survey was conducted of the SLC states to determine the status of the LEP population and programs to serve them. All 16 SLC states responded to the survey in some manner. Individuals responsible for coordinating services for LEP students were contacted in each of the 16 SLC states and asked the following questions:

### **Population and Identification**

How many language minority and LEP students were enrolled in state schools in the 1992/93 and 1997/98 school years?

How many languages are registered?

What are the top five languages and their prevalence?

How are LEP students identified?

### **Funding**

Does the state provide funding for LEP students? If so, how much and how distributed?

How long are students eligible for LEP assistance?

### **Programs**

What are program exit requirements?

What instructional programs are available to LEP students in state schools?

### **Teacher Training and Certification**

Does the state offer certification or endorsements in ESOL, ESL or Bilingual education?

Does the state offer any special in-service or other kinds of training for LEP students?

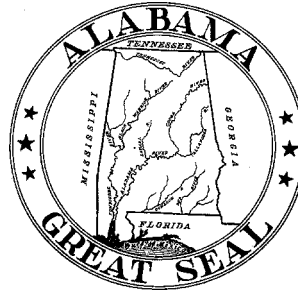
Are teachers working with LEP students required to have special training?

How many LEP specialists are in the schools?

Does the state have adequate LEP specialists for its current needs?

Information about statewide student assessment was gathered from the Council of Chief State School Officers' Stanford Working Group Report *Systemic Reform and Limited English Proficient Students*, 1996, with additional information from state LEP coordinators.

# Alabama



## Population and Identification

Alabama reported approximately 6,000+ LEP students (out of a total student population of 739,321) speaking 40 languages for the 1997/98 school year, up from about 2,000 in 1992/93. The majority of language minority pupils spoke Spanish, Vietnamese, Lao-Hmong, and Haitian Creole. Mobile has the greatest number of LEP students, with about 1,200 students speaking 38 languages, while the Albertville City School District in central Alabama has the highest percentage, with 11 percent of its 3,000 students classified as LEP.

While there has been growth in this population, this may also be due in part to better identification procedures. School systems are expected to have identification policies in place at a local level. The state department of education provides guidelines and handbooks which encourage the use of a home language survey as part of enrollment along with a formal assessment for language minority students. While schools may use any credible assessment tool, the state offers training and some support for the IDEA Proficiency Test (IPT) and The Language Assessment Scale (LAS).

## Funding

Alabama allocates \$100 per student additional funds for assistance programs for “at-risk” students, including LEP students. In addition, \$200,000 of state at-risk funds is available for school districts with identified LEP populations through mini-grant applications.

## Programs

The state has a variety of ESL programs in operation at the district level. The Office for Civil Rights (OCR) of the U.S. Department of Education has investigated selected Alabama school systems with high LEP populations for civil rights compliance. OCR has requested that the state require program compliance and indicate penalties for non-compliance. The state department of education has voluntarily agreed to take the actions specified in the Agreement for Corrective Action to ensure that all national origin minority (NOM) LEP students in the state receive an equal education opportunity. The actions are taken to ensure that these students receive required educational services pursuant to Title VI of the Civil Rights Act of 1964, 42 U.S.C. Sections 2000d-d6, and its implementing regulations, 34 C.F.R. part 100. By accepting the agreement, the state will be considered for the continued receipt of federal financial assistance.

To address the needs of migrant workers' children, the state conducts an exchange program with Mexico which brings Mexican classroom teachers to Alabama to provide summer school programs. These are particularly valuable in Alabama's more rural districts where migrant populations can be high, but Spanish-fluent teachers few.

### **Student Assessment**

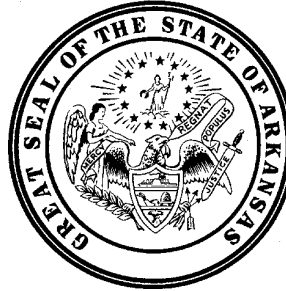
Students may be exempted from statewide assessments on the basis of LEP status for two years from the date of initial entry if the student has been identified according to state guidelines and is receiving English language services. For every exempted student, the district must have the written consent of the parent or guardian. Districts collect data on proficiency scores, grades, and course work on students exempted from the tests, although these data are not reported to the state board of education.

### **Teacher Training and Certification**

The Alabama State Board of Education adopted standards for the approval of ESL teacher education programs at the master's degree level and persons who complete approved ESL programs earn Class A or master's level certification. However, Alabama will award Class B or baccalaureate level certification in ESL to a person who earns ESL certification at that level in another state and is eligible for Alabama certification through one of several reciprocity systems. To date, only the University of Alabama has requested the review of, and received State Board of Education approval for, an ESL master's level teacher education program.

Contact: Diane Courtney, Alabama Department of Education,  
334/242-9700, ext. 28216





## **Population and Identification**

Arkansas reported approximately 8,000 LEP students out of 12,000 language minority students (and a total student population of 457,349) speaking 98 different languages or dialects in the 1997/98 school year, an increase in LEP students of 209 percent from the 1993/94 school year (the language minority population only increased 165 percent during this period). Three-fourths of the LEP population speak Spanish as a native language, with significant populations speaking Laotian, Vietnamese, and Chinese also represented.

Students are identified through a wide range of assessment tools. Districts are expected to have a policy for determining LEP students at the local level. Most conduct home language surveys and follow up with language minority students with English language assessments, the Language Assessment Scales (LAS) being the most common. Several times annually students are tested for their progress and to determine their readiness to exit the program. A student's participation is not time-limited, but most enter mainstream classes in two to two-and-a-half years. Also, very early in most programs, students are tested for learning disabilities which might complicate the student's English language acquisition.

## **Funding**

The state allocated to districts \$4 million for programs to serve LEP students for the 1997/98 school year. Districts are eligible for the money on a per student basis.

## **Programs**

Arkansas has no state mandate for LEP programs and state law mandates all courses be taught in English, essentially limiting the state to ESL programs. What bilingual education does exist is conducted entirely under federal grants. Most students are served through ESL pull-out programs.

## **Student Assessment**

All students enrolled in Arkansas public schools, including LEP students, must participate in the state's assessment program. While LEP students are not granted exemptions by the state, they may be assessed using portfolio assessments. The contents and scoring rubrics for these portfolios were under consideration when this report was published. Students are eligible to be assessed using portfolios for three years, after which they are included in the general pool of pupils in the statewide criterion-referenced tests. The portfolio approach has been adopted as a means to include LEP students in the

assessment program that is more meaningful to their learning status.

### **Teacher Training and Certification**

Arkansas offers certification and endorsements in ESL and provides summer workshops on techniques teachers can use with LEP students. The state expects to have an add-on ESL requirement for teacher certification by 2000, and is moving toward requiring an ESL endorsement before teaching LEP students. Currently, however, the state does not have enough trained personnel, and it is only now becoming perceived as a priority issue by school districts.

Contact: Dr. Andre Guerero, Arkansas Department of Education,  
501/682-5014

## Florida



### Population and Identification

Florida reported 288,603 Language Enriched Pupils (Florida uses this term to designate students who speak non-English languages and need assistance in learning English) out of 371,918 language minority students (and a total student population of 2,356,369) speaking 171 languages in the 1996/97 school year. This figure is an increase from 201,758 LEPs (out of 316,570 language minority pupils) in the 1992/93 school year. Three quarters of this population speak Spanish as a native language, followed by Haitian-Creole (12.27 percent), English (6.37 percent, mostly students who use English at home, but who do not have English speaking parents or peers), Portuguese (1.56 percent) and Vietnamese (1.02 percent). Much of the requirement for services for LEP students has been laid out in the *State Board of Education v. LULAC, et al* Consent Decree, which resulted from a 1990 court settlement.

Each student, upon initial enrollment in a Florida school, is given a home language survey to identify language minority pupils. If the student indicates that he or she uses a language other than English in the home, has a first language other than English, or most frequently speaks a language other than English, the student is to be assessed for English proficiency. All language minority students so identified must take an oral/aural comprehension proficiency test, and students in grades 4-12 also must take a reading and writing proficiency test. The state also requires schools to have an LEP committee which may determine a student's status in consideration of certain social, academic, and personal factors.

### Funding

The state provides funding for students in ESOL programs for an initial three years. After this time, districts may report LEP students for a fourth, fifth, and sixth year of funding provided the student's English proficiency is assessed and properly documented prior to enrollment in each additional year beyond the first three years. In 1996/97, the state provided \$401,119,121 to districts for the provision of services to LEP students. These funds are provided through the Florida Educational Finance Program, which uses a complex set of formulas to ensure that funds are equitably distributed. These state-provided funds are then combined with local funds for the provision of services. This works out to an average of \$1,389.86 per LEP pupil in the state. Exit from the program is based on surpassing entry criteria.

## **Programs**

All LEP students are entitled to comprehensive instruction, but there is no state mandate for bilingual education. Most LEP students are enrolled in ESOL programs based on inclusion strategies (LEP students in classrooms with native speakers), although some districts have opted, based on population or other considerations, to deliver instruction through self-contained, dual language, or other models. Basic subject instruction of LEP students may be accomplished through home language instruction, sheltered English-self-contained instruction, or inclusion using ESOL modifications (Garcia, p. 3). Limited English proficient students in ESOL basic subject area classrooms have access to an individual proficient in their languages in addition to an ESOL trained specialist. Any school in which 15 students in the same grade level speak the same home language must provide students with a bilingual teacher or an aide available and dedicated to helping these children in their basic subject areas.

## **Student Assessment**

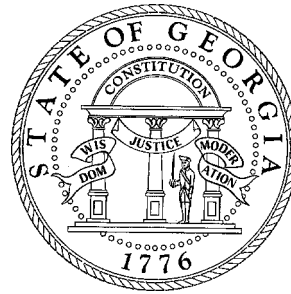
LEP students may be exempted from state assessments and from standardized, norm reference tests when they have been in a program designed to meet their needs for less than two years. School districts must report information about LEP students such as progress in learning the English language, progress toward completion of academic requirements, retention rates, graduation rates, drop-out rates, and grade point average. These data are reported to the state. Students can not be awarded a standard high school diploma until they pass the High School Competency Test, regardless of LEP status. Accommodations for LEP students in the administration of the High School Competency Test have been developed by the state.

## **Teacher Training and Certification**

According to the Consent Decree, basic ESOL instruction, which must be available to all LEP students, is to be provided by “appropriately qualified personnel,” who may either be certified or endorsed ESOL professionals or a paraprofessional with special skills and experience, usually bilingual as well as education skills. Florida offers both certification and endorsements in ESOL. Districts offer in-service training in ESOL to teachers of both basic subjects (math, science, social studies, and computer literacy) and other areas. A teacher who has English as a primary certification and is delivering language arts or ESOL instruction to an LEP student is required to have an ESOL endorsement. The state employs “tens of thousands” of ESOL endorsed or certified professionals and paraprofessionals (Best, p 3).

Contact: Bernardo Garcia, Florida Department of Education, Office of Multicultural Student Language Education, 850/488-8533

## Georgia



### Population and Identification

Georgia reported 16,485 ESOL students in the 1997/98 school year (out of a total student population of 1,375,980). This figure is an increase from 7,190 ESOL students in 1992/93 school year. Over the past five years, there has been an average annual growth rate of 18.4 percent, and a total five-year growth rate of 129 percent. It is anticipated that there will be approximately 20,000 ESOL students in the 1998/99 school year. Spanish is the most prevalent language, spoken by more than half of all language minority students, followed by Vietnamese, Korean, Chinese and Lao-Hmong.

Student eligibility consists of multiple criteria which include: a primary language other than English; difficulty in speaking, reading, writing, or understanding the English language to an extent preventing success in classrooms where the language of instruction is English; and a Language Assessment Battery (LAB) score below the 25<sup>th</sup> percentile. Students who score above the 25<sup>th</sup> percentile on the LAB are administered a norm-referenced achievement test in reading/reading comprehension. Those who score above the 40<sup>th</sup> percentile on the reading/reading comprehension standardized norm-referenced test are considered English proficient, require no further ESOL services, and are “mainstreamed” with monitoring. Those who score between the 30<sup>th</sup> and 40<sup>th</sup> percentile are reviewed by the Language Assessment Conference with ESOL and classroom personnel in attendance. Students who score below the 30<sup>th</sup> percentile may be retained in ESOL. For all students, other considerations, such as length of time language assistance services have been received and classroom performance, may be considered in placement decisions.

### Funding

Georgia has allocated \$22 million to school districts for the 1999 school year, or about \$1,100 per student (based on predicted student numbers). This money is distributed to school systems for the support of ESOL programs.

### Programs

LEP students participate in regular courses and receive additional instruction in ESOL-designated courses. Allowable service delivery models, eligibility criteria, curricula requirements (four language skills as well as American cultural concepts) and maximum segment funding are outlined in state rules. The state has produced a draft of a new ESOL curriculum which was scheduled for completion in December 1998.

### **Student Assessment**

Students are not exempted from state assessments. The policy is that LEP students participate in all assessments unless the school, parent or guardian agrees that it is not in the interest of the student to participate. Furthermore, the decision to exclude students is documented and justified. When the exclusion involves the graduation assessment, the signature of a parent or legal guardian is required. There are no data collected on students exempted from the testing program.

### **Teacher Training and Certification**

Georgia has had an ESOL endorsement for the past 25 years, with 92 percent of all first time ESOL endorsements having been issued in the past five years. There are 17 approved endorsement programs in the state, consisting of universities, regional education service agencies and local school district staff development programs. Only ESOL instructors need to have an ESOL endorsement.

Contact: Mary Beth Heyer, Coordinator, ESOL Programs, Georgia  
Department of Education, 404/656-4995

## *Kentucky*



### **Population and Identification**

Kentucky has more than 3,000 LEP students (out of a total student population of 656,089) speaking 69 languages, a population that has more than doubled over the past five years. Spanish is the predominant language, but the state has significant concentrations of Russian and Bosnian children as well. The state is seeing pockets of growth, especially in smaller school districts, where the total number of students is not significant enough to be competitive for Title VII grants, although Federal Emergency Immigration Program funds are available. This uneven growth is perhaps most evident in the area around Bowling Green, where Bosnian immigrants have pushed the LEP population in the schools up to 6 percent. Small schools in Appalachia are also facing this new challenge, exemplified by four Turkish children enrolled in tiny Perry County School District.

### **Funding**

The commonwealth does not have a separate funding mechanism for LEP students. Following a reform of state funding for public education, funding is designed to help all children receive an adequate education. To this end, supplemental money is available to schools for extended school session programs and other special programs, which can include programs to serve LEP students. School-based consolidated planning is mandated by the state for schools to determine how they will manage their resources to serve all of their students, and LEP populations are often specifically covered within these.

### **Programs**

Sheltered English and ESL pullout programs are both found in Kentucky schools.

### **Student Assessment**

LEP students were allowed a onetime exemption from the statewide assessment, the Kentucky Instructional Results Information System (KIRIS), which is anticipated to continue under the Commonwealth Accountability Testing System (CATS), Kentucky's new assessment tool. LEP students are exempted from the statewide assessment program if they have been in the school system for less than two years. Data are collected on exempted students, but is maintained at the district or school level. No specific accommodations for LEP students taking the assessment are required by the state.

## **Teacher Training and Certification**

The state offers teachers a 12-hour course for ESL endorsement. The state department of education has supported 15 to 18 teachers in this program over the past few years, and Federal Emergency Immigration Program funds are also available for districts to support teachers for the program. The state had about 50 certified ESL teachers in the schools during the 1997/98 school year, but this number is expected to rise as more teachers receive an ESL endorsement through the state's support of the program. A number of colleges and universities have begun offering courses for ESL endorsements, but the state is still facing a near-term shortage of ESL teachers and bilingual staff to meet the needs of the growing LEP population.

Contact: Nancy LaCount, Instructional Strategies Manager, Kentucky  
Department of Education, 502/564-2672





## **Population and Identification**

Louisiana reported 7,014 LEP students in the 1996/97 school year out of 16,855 language minority students (and out of a total student population of 866,934), a figure which has seen very small increases over the past few years (the state reported 5,878 LEP students in 1992). Part of this is due to Louisiana's immigration boom which occurred in the late 1970s and 1980s, with large numbers of Vietnamese refugees relocating to the state. This also reflects the fact that Cajuns — French-Creole speaking descendants of Acadian settlers — are no longer categorized as LEP. The LEP students in Louisiana come from 75 countries and speak 27 languages, with the predominant languages being Spanish (2,691 students) and Vietnamese (2,509 students), followed by Chinese (214), Arabic (199) and Korean (126).

The state requires a home language survey and assessment to identify potential language minority students. In parts of the state where LEP students are not common, parent or teacher referrals and scores from norm- and criterion-referenced tests are more often the methods for identification. The lack of a statewide identification and assessment system leads to a potential undercounting of LEP students, by as much as 500 students, according to Roseanna Boyd of the Southwest Educational Development Center. Language minority students are assessed using the Language Assessment Scales (LAS) or IDEA Oral Language Proficiency Test (IPT). Boyd indicated that in districts where the LEP population is already large, this is done routinely, but in smaller districts and those in which LEP students may only be arriving, the assessment may not be adequately conducted.

## **Funding**

The state has no categorical funding for LEP students who are counted in with the general school population regardless of their participation in special programs.

## **Programs**

In part a reflection of the high concentrations of Vietnamese and Spanish students in some schools, there are some bilingual programs in Louisiana, although ESL strategies are much more the norm. Some districts utilize itinerant full- or part-time ESL teachers. Certain school districts serve only those LEP students who are most needy of language services, such as non-English speaking students. All others in this scenario are “mainstreamed” with progress monitored by tutors. Very few non-public schools have programs for LEP students, although they may, in some cases, offer tutoring in

content areas after school hours for these children. In all, as many as 1,638 LEP students were not enrolled in programs specifically designed to meet their language needs (Boyd 1997, p. 9).

### **Student Assessment**

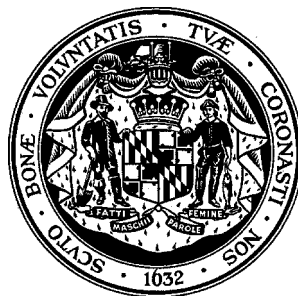
LEP students are exempted from the Louisiana Educational Assessment Program (LEAP) test if enrolled in the school system for less than two years. However, they must eventually take the LEAP test, which is administered in grades 3, 5, and 7, and the graduation exit exam in grades 10 and 11. As of spring 1998, students in grades 4, 8, and 10 will be assessed with the new LEAP for the 21<sup>st</sup> Century assessments which reflects new state standards. Limited English proficient students may be exempted from the LEAP tests for up to two years with a parents permission. Modifications in test administration are permitted, including the use of bilingual dictionaries, administration of the exam by an ESL teacher in a small group setting and repeated directions. Student achievement data are reported for LEP students for language arts and math in grades 3, 5 and 7, and for science, social studies, language arts, written composition and math for grades 10 and 11. Students must pass all sections of the graduation exit exam in order to graduate from high school.

### **Teacher Training and Qualification**

Teachers can earn add-on certification in either bilingual education or ESL through a four-course training program. The number of personnel serving LEP students has steadily increased from 1,038 in 1994/95 to 2,612 in 1996/97. Of the teachers working with LEP students, 27.3 percent are ESL or bilingual education certified, while 10 percent are pursuing certification. Tutors and paraprofessionals attend in-service trainings at least twice a year and are often encouraged to pursue teaching certification.

Contact: Norma E. Hernandez, Bilingual Education/ESOL program,  
225/342-1189.

## Maryland



### **Population and Identification**

Maryland had approximately 17,000 students categorized as LEP in the 1997/98 school year (out of a total student population of 830,744), speaking 127 languages and dialects, predominantly Spanish (50 percent), Russian, Korean, Chinese, Tagalog and Vietnamese. This population has grown from about 13,000 in 1994.

### **Funding**

LEP students are categorized as an “at-risk” population for state funding, making schools systems eligible for an additional \$1,350 per student, which school systems may spend in any manner consistent with their required comprehensive plans for all students. This means that the funds can be directly applied to programs to serve this population or toward other, indirect assistance. Much of this money is used to offset ESOL teachers’ and staff salaries and wages, for curriculum support, and extended school sessions and summer school programs. Prior to the 1997/98 school year, LEP students were only eligible for supplemental funding for two years, although districts are required to provide service to students until they have achieved English proficiency.

### **Programs**

LEP students are served primarily through ESOL inclusion and pullout and ESOL class periods, with content area instruction. A handful of schools in Montgomery and Prince Georges Counties offer two-way bilingual programs in Spanish and English.

### **Student Assessment**

All LEP students are exempted (based on their level of ESOL services) from statewide assessments once. Data are collected at the county level on the aggregate number of LEP students who take the Maryland Functional Test (the functionals are reading, writing, math and citizenship).

### **Teacher Training and Certification**

The state has almost 700 professional staff members working in ESOL programs, about half of whom have ESOL/Bilingual education certification. The state reports a shortfall of about 50 ESOL teachers for the 1998/99 school year, which is not a remarkable number for the size of the population. Maryland’s success in providing trained staff is attributed to having had four state-approved teacher colleges producing adequate numbers of ESOL graduates every year for several years.

Contact: Trudy Collier, Maryland State Department of Education,  
410/767-0336



### **Population and Identification**

Mississippi had about 3,224 LEP students in the 1997/1998 school year, including 1,594 in public, 1,420 in tribal and 210 in private schools (out of a total student population of 551,792), speaking about 100 languages and dialects. The state reported 2,753 LEP students in 1992/93. The state has no guidelines or mandates for schools in identification and assessment, although the state does have guidelines for progress assessment for LEP populations.

### **Funding**

The state has no categorical funding for LEP students.

### **Programs**

Most LEP students are served in ESL pullout programs and through structured immersion. A few tutors in areas of high LEP density, especially along the Gulf Coast and in the casino region of the Mississippi River, visit schools to work with students during the week, although not necessarily on a daily basis. In many cases, schools are encountering their first LEP children now, especially in the northwestern and central parts of the state, where agricultural processing facilities reliant on immigrant labor from Mexico have recently entered these traditionally rural areas. For these districts, trained staff may be limited.

### **Student Assessment**

Mississippi Code requires all public school students, including LEP students, to participate in the Mississippi Assessment System. However, some exemptions from participation in the testing program are allowed and certain accommodations may be provided. Any student receiving a regular high school diploma must pass the state's Functional Literacy Exam (FLE).

LEP students may be exempted from components of the Mississippi Assessment System except for the FLE, based on the professional judgment of the school principal and the district's test coordinator following confirmation with the student's teacher(s). An exemption from participation should occur for no more than two consecutive years and must be based on a language assessment designed for LEP students. The results of the language assessment must be documented and maintained on file in the district.

The state also allows for appropriate test accommodations and modifications for eligible students. Test accommodations are considered changes in testing procedures that provide LEP students an equal opportunity

to participate in test situations and to demonstrate their knowledge and abilities. Accommodations can change the method that test items are presented to a student and the method of the student's response to test items. The intent of test accommodations is to minimize the effects of the student's limited English proficiency to the extent possible. To this end, accommodations must function only to allow the test to measure what it purports to measure, must be narrowly tailored to address a specific need, and must not affect the validity of the test. Use of accommodations that do not meet the stated requirements or exceed those allowed for a specific test disqualifies the results from inclusion in district summaries. Furthermore, the scores of LEP students who are eligible for exemption but elect to participate in the exam, and those of students for whom accommodations are insufficient or inappropriate to meet the student's needs, also are excluded from district summaries. Decisions regarding assessment participation must be documented with the school district.

### **Teacher Training and Certification**

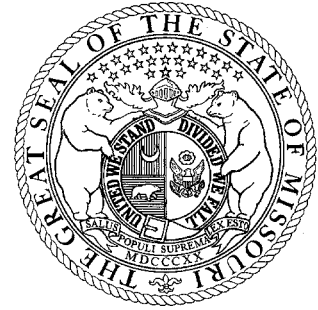
The University of Southern Mississippi (USM) in Hattiesburg offers an ESL endorsement and certification program. Furthermore, a two-week summer program conducted out of USM provides teachers with ESL techniques and strategies. Over the past few years, the state has provided full tuition for about 50 teachers to attend the course, mostly from the Gulf Coast area where LEP populations have historically been concentrated, although teachers from throughout the state are now eligible for this benefit.

Contact:       Ada H. Belton, Ph.D., Bilingual Project Director, Mississippi  
                  Department of Education, 601/359-5507

*Missouri*

## **Population and Identification**

Missouri reported 6,891 LEP students in the 1997/98 school year (out of a total student population of 996,800) representing roughly 85 languages and dialects, up from around 2,000 LEP students in 1992/93. Schools identify all language minority students through home language surveys, who must then be assessed by the school using a tool of its choosing. The state has no guidelines or requirements for what assessment mechanism to use.



About one third of Missouri's schools reported having LEP students, although in many districts the population may be very small. The greatest concentration of students is in the state's two metropolitan areas, with growth also being experienced in the Southeast and Southwest corners of the state as immigrants and migrants move in to work on farms and in meat packing plants.

## **Funding**

The state currently has no categorical funding for LEP students, but does provide for the development of programs to serve at-risk students, including bilingual and ESL programs for LEP students. Senate Bill 583, passed in the 89<sup>th</sup> general assembly last year, calls for state funding to be allocated to schools for "ESL services." A funding request will be voted on during the 90<sup>th</sup> general assembly.

## **Programs**

Most students are served in ESL programs, with school districts responsible for the design and implementation of such programs.

## **Student Assessment**

Missouri allows districts to make decisions regarding exemptions for LEP students. The state's guidelines indicate that the statewide assessment test should be administered to speakers of other languages if doing so will provide instructionally useful information. Speakers of other languages who receive a modified administration should be identified as such on their test answer sheet. This designation will result in the exclusion of these students' scores from school or district averages. Educators may choose to modify the administration on the assessment for students whose first language is not English if doing so will improve the quality of the instructional information obtained. Educators may decide not to administer the Missouri Assessment Program Tests at all to some students whose first language is not English if doing so would result in undue frustration for these students or useless, invalid scores, for a period of one year from enrollment. Documentation for decisions regarding testing procedures should be included in the students' permanent

files. No data on LEP students exempted from state assessments are collected.

### **Teacher Training and Certification**

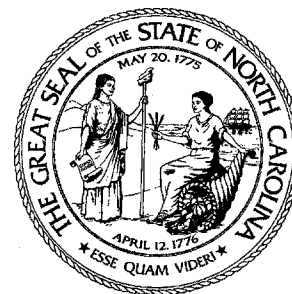
The state offers an ESL endorsement for teachers and has about 120 ESL specialists in the schools. In general, the delivery of services is perceived as fair to good by the state department of education, but there is a growing shortage of experienced classroom teachers and an increasing need for training for this group.

Contact: Dr. Joel Judd, Missouri Department of Education,  
573/751-8281

*North Carolina*

## **Population and Identification**

North Carolina reported 28,535 LEP students in the 1997/98 school year (out of a total student population of 1,210,108), up from 8,900 in 1992/93. While 170 minority languages were reported for the 1997/98 school year, the greatest number of language minority students spoke Spanish (25,470), followed by Lao-Hmong (3,342), Vietnamese (1,840), Chinese (1,478), and Korean (990).



All students are given a home language survey when they register for school. Any student indicating a non-English home or primary language is given an English language assessment. There is no one test recommended by the state, however information on a variety of tests and a new ESL Resource Guide Addendum are available to schools through an ESL resource guide produced by the state. Schools try to use an ESL assessment tool which has been normed on a population similar to the students being tested. Schools also are encouraged to use multiple measures for assessment, such as a standardized test and oral interviews or parent/teacher recommendations, when making program entry and exit decisions.

## **Funding**

The state has historically had no categorical funding for LEP students, although the budget for 1998/99 provides for \$5 million in non-recurring funds for LEP students. These funds have been allotted to school districts with at least 20 LEP students to pay for classroom teachers, textbooks, classroom materials/instructional supplies and equipment for students with LEP as well as staff development. Funds are distributed to schools according to a complex formula. Students are exited from the program when they have exhibited English proficiency and are monitored for six months after leaving the program to ensure continued satisfactory performance. No time limits are set for students to exit the program, and schools have provisions for resuming services to students who may begin experiencing difficulty after they have been formally exited from the ESL program.

## **Programs**

School systems may choose the type of program or programs they wish, including various forms of bilingual instruction, sheltered English, ESL pullout, and ESL inclusion programs. Almost all of the programs found in North Carolina are ESL, as opposed to bilingual. Often, school systems provide a variety of programs depending on the age and language proficiency of the student.

## **Student Assessment**

A student whose documented English language proficiency has been assessed as novice/low to intermediate/low may be exempted from statewide



standardized testing by the same school system for up to two years from the time of initial enrollment. Limited English proficient students may be exempted from one subject test and be tested on the others. For example, a student may be exempted from the writing essay test. All completed tests must be scored and included with the other tests at the appropriate grade level.

Limited English proficient students may access six testing modifications (accommodations) if these modifications are routinely used during the instructional day and during classroom testing. Students may receive multiple modifications. Modifications used during classroom instruction and state-mandated testing should be documented. The following modifications are allowed: testing in a separate room; scheduled extended time; multiple test sessions; test administrator reads the test aloud in English (not to be used with tests of reading); student marks directly in test book; and English/Native language dictionary or electronic translator. Special arrangements or modifications must never be used for score enhancement.

North Carolina also has graduation test requirements — the North Carolina Minimum Competency Tests in reading, mathematics and writing (objective section) for students who entered ninth grade prior to 1994/95 and the North Carolina Competency Tests of Reading and Mathematics for students who entered the ninth grade during or after the 1994/95 school year. All students must pass these and the North Carolina Tests of Computer Skills to receive a diploma, but may use accommodations as outlined above.

### **Teacher Training and Certification**

North Carolina has an add-on ESL licensure for teachers already certified in another subject area. For years, North Carolina has offered a competency-based ESL add-on licensure program (allowing classroom teachers to apply experience toward licensure) which will be phased out at the end of this year due to the increased number of programs being offered at the state's colleges and universities. Regular classroom teachers who work with ESL students are encouraged to attend workshops to learn about such topics as instruction techniques and strategies, aspects of language acquisition and cultural information. The North Carolina Department of Public Instruction offers satellite-delivered programming on identification, assessment, program planning, legal issues and instructional strategies for students at various age levels. Additional staff development is offered through the Comprehensive Technical Assistance Center and the Southeastern Desegregation Assistance Center, among others.

Contacts: Jane Cowan, English as a Second Language Consultant, North Carolina Department of Public Instruction, 919/715-1796

Jerry Toussant, English as a Second Language Consultant,  
North Carolina Department of Public Instruction, 919/715-1803



### **Population and Identification**

Oklahoma reported about 32,121 LEP students in the 1997/98 school year, including 15,427 Hispanic students and a large Native American population (out of a total student population of 623,681). Vietnamese and Lao-Hmong also are represented by significant numbers among LEP students in Oklahoma. This population has grown from 19,368 in 1992/93. Each school district is responsible for determining its policy for identifying LEP students who have not developed the English language skills necessary for learning.

### **Funding**

The state provides an additional 25 percent of per pupil state funding to districts for LEP students, although the state does not require it be spent directly on services for this population. Students can be categorized as LEP for as long as they require services.

### **Programs**

School districts have great latitude in designing programs to serve LEP students. Most prevalent in the state are ESL pullout, sheltered English, and ESL inclusion programs. Some bilingual programs, including a new two-way bilingual program in Oklahoma City, are offered as well. Many ESL students are mainstreamed, which poses challenges for classroom teachers, many of whom have no training in working with LEP students.

### **Student Assessment**

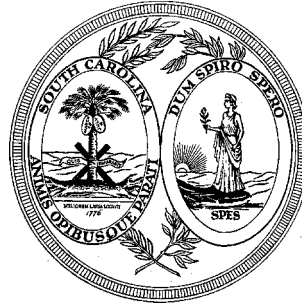
LEP students may be exempted from state assessments for a period of three years, at the discretion of the local school district, provided certain procedures are followed and the local district has on file: verification that the student is receiving special instruction designed to improve the student's English proficiency; record of notifying the student's parent or guardian of the Oklahoma School Testing Program and giving them the option of requesting their child be exempted from participating; permission for the exemption from the parent or legal guardian; and that the total number of exempted students does not exceed the number of LEP students the district reported for that school year. Data on LEP students are not reported as a separate category. For LEP students exempted from these assessments, no data are collected.

### **Teacher Training and Certification**

Oklahoma does offer an ESL endorsement for certified teachers at some of the state's universities. Because the proscribed course is 24-semester hours, it generally is completed as a master's degree.

Contact: Dr. Van Anderson, Oklahoma Department of Education, 405/521-3301

## South Carolina



### **Population and Identification**

South Carolina reported 3,373 LEP students in the 1997/98 school year (out of a total student population of 708,751), up from 1,574 in 1992/93 and an increase of more than 1,000 students from the 1996/97 school year. These students speak more than 55 languages, with Spanish being the most common native language (55 percent), followed by Chinese (8 percent), Vietnamese (4 percent), Japanese (4 percent), Korean (3 percent) and German (2 percent) also significantly represented.

The state is in the process of formalizing guidelines for identification and assessment which will rely on home language surveys to determine language minority pupils, who will then be assessed using a tool of the district's choosing. The state has established guidelines for identification and assessment of LEP students, however, these may not be conducted consistently across the state. The state recommends the Idea Proficiency Test and the Language Assessment Scales (LAS) as tools for assessing students, and has for the past eight years provided training to schools on the LAS.

### **Funding**

The state has no categorical funding for LEP students, although they can be categorized as at-risk for dropping out, which makes them eligible for state discretionary funds. Furthermore, in 1998, the state mandated that any student in grades 3-8 who scored below grade level on statewide assessments must have an academic plan approved by the parent, teacher, and child which can trigger supplemental funds for a variety of programs, including after school and tutoring programs which could serve LEP students. Many districts are recipients of federal Title I funds which can support ESL programs in these districts. The state does have two ESL Master Teachers who provide both onetime and ongoing technical support to schools, can assist with program development, resource identification and help with language assessment.

### **Programs**

As a practical matter, the state has no bilingual programs, although it does not prohibit the use of a language other than English for instruction. Some schools have bilingual support for Spanish- or Vietnamese-speaking students, but most schools find they cannot meet the diversity of languages to provide that kind of assistance for all students. Most ESL programs in the state rely on itinerant ESL instructors who move from school to school and class to class, working with small numbers of students.

## **Student Assessment**

Rules for exemptions and accommodations have been proposed for adoption by the state. The proposal provides for a three-year exemption for LEP students enrolled in U.S. schools with English as the language of instruction for less than three years, scores below fluent on a language assessment test and is receiving special instruction designed to improve the student's English proficiency. The decision to exclude a student is made with the student's academic team and with the written permission of the student's parent or guardian. During the period of exemption, the school district is responsible for charting through informal and formal means the student's academic progress.

LEP students not exempted from statewide assessments may be allowed the use of a bilingual dictionary; clarification of instructions in any format or language necessary, including repeating in English or translation into another language; additional time for administration, administration of the exam in individual or small group settings; writing directly in the test book,;and oral administration of the exam.

## **Teacher Training and Certification**

Beginning in 2004, the state will require ESL programs to be conducted by a teacher with an ESL endorsement. Institutes of higher education will offer 21-hour add-on ESL endorsements for classroom teachers. Many teachers have completed much of this course work through graduate courses which the department of education has offered over the past several years. There are currently about 150 to 200 professional teachers and paraprofessional tutors working with LEP students across South Carolina, about half of whom have had some formal training.

Contact: Jacqui Asbury, South Carolina Department of Education,  
803/734-8219



## Population and Identification

Tennessee reported a little over 8,484 LEP students in the 1997/98 school year (out of a total student population of 890,805), an increase from 3,450 in 1993/94. While the most common language spoken by these students is Spanish, Tennessee is a preferred destination for many refugee resettlement programs, which has brought Kurdish, Bosnian, Nigerian and other refugee families to the state. This diversity is most evident in the Memphis and Nashville metropolitan areas, but is beginning to appear in rural areas and in areas where LEP students are a rarity. In the 1996/97 school year, 68 percent of school systems in Tennessee reported LEP students.

## Funding

The state has no categorical funding for LEP students, and this may result in a lower reporting of the LEP population, as there is no incentive for reporting these students, and a disincentive, in the form of mandated services, when they are reported. Thus, students whose English proficiency is marginal may not be counted. The state does have guidelines for identification which includes a home language survey and a choice of one of five proficiency tests with a statewide criteria for passage. In areas where the LEP population is dense, these tools are familiar and relatively consistently applied. In areas where LEP densities are lower, or where LEP students are a recent phenomenon, these tools may not be as well-applied.

## Programs

The state has a library and resource guides for teachers and school districts, as well as assessment tests and support. The state will provide a curriculum framework for ESL programs, and has a list of state-approved ESL textbooks which may be purchased with state textbook money. Additionally, the department of education has a full-time staff person providing support to ESL and migrant education programs, and conducts workshops and conferences to enhance classroom teachers' abilities to teach LEP students.

School districts are responsible for meeting the three-pronged test of program design, support, and effectiveness. Programs are to be taught by ESL specialists, although schools can apply for a waiver if a qualified teacher is not available. While some native-language instruction takes place, most programs take an ESL approach. These are mostly ESL pullout programs, although the new curriculum and recently trained teachers encourage a sheltered English approach.

## **Student Assessment**

LEP students may be exempted from state assessments required of other students. In the first year of a student's enrollment in Tennessee schools, an LEP pupil must take only the math computation subtest of the state achievement test in grades 3-8. By the second year, the student must take the reading/language arts section and by the third year, they must take all sections. Every LEP student should be considered for testing in the mandated program. Teacher discretion and student desire are factors in determining if the student should take a mandated test. In addition, if it is determined by the local assessment staff that the LEP student would not be able to score at or above the 20<sup>th</sup> percentile on any subtests, the student may be exempted.

The state also has a proficiency test for graduation. Although LEP students may be exempted from an individual testing opportunity, they must pass this test to receive a Tennessee high school diploma. No data are collected for LEP students exempted from the state assessments.

## **Teacher Training and Certification**

Tennessee offers ESL as a primary certification for instructors. The state also offers an add-on endorsement in ESL for classroom teachers as well as an initial certification in the subject. The number of teachers with endorsements has more than doubled in the past five years in response to this growing population.

Contact: Julie P. McCargar, Tennessee Department of Education,  
615/532-6245



## Population and Identification

Texas reported 519,921 LEP students, 13.3 percent of the 3,900,486 total student population, in the 1997/98 school year, by far the largest population in the South, and second nationally only to California. This figure has grown from 398,222, or 11.2 percent of the population, in the 1992/93 school year. The majority of language minority students in Texas — 631,000 — spoke Spanish as a native language. (Texas, like many states, tracks native languages by the total number of language minority pupils, not only those enrolled in LEP programs.) The state also registered significant numbers of students speaking Vietnamese (16,664), Chinese (5,729), Korean (3,247), and Laotian (1,821) among the more than 100 home languages reported to the state.

A home language survey must be administered within four weeks of a student enrolling in a state school, with any language minority students being assessed using an oral proficiency test in K-2 and both oral proficiency and English achievement test in grades 2-12. Students who do not score above the 40<sup>th</sup> percentile on both the reading and language arts sections are considered LEP, which means that 40 percent of non-language minority students would not pass this test if administered). Once identified, the school informs the pupil's parent and asks permission to enroll the student in a bilingual program, if one is available. If the parent refuses permission, permission is sought for enrollment in an ESL program, which they also may refuse.

Student progress is assessed throughout their ESL or bilingual program with the same tools used to determine entry. Additionally, students can meet exit criteria through their performance on the Texas Assessment of Academic Skills (TAAS), the state's annual end-of course tests. Students may be exited from the program once they score above the cut-off or indicate through the TAAS adequate English proficiency, although students cannot be exited from a program in kindergarten or first grade.

## Funding

The state provides school districts an additional 10 percent of the basic allotment for LEP students on a per pupil basis, which the districts may use to provide services, pay staff, purchase materials, and otherwise enhance the English language education of LEP students. For the 1997/98 school year, the state outlay for LEP students was \$110.3 million.

## Programs

The state requires elementary schools to establish bilingual programs when they have 20 or more LEP students with the same home language in the same grade. At the middle and secondary school levels, both bilingual and

ESL programs must be offered under these conditions. Below the 20-student threshold, only ESL programs are required. Beyond this basic requirement, school districts have tremendous latitude in meeting the needs of LEP students and almost every manner of program can be found in Texas.

### **Student Assessment**

LEP students are exempted from state assessments required of other students. A student can be exempted from participation only upon the formal determination of the student's LEP status. All students of limited English proficiency must participate in English, Spanish or alternative assessments. Spanish versions of the criterion-referenced tests are available for most elementary grades. Once Spanish versions of assessments are available, a student in a bilingual program whose native language is Spanish may receive no more than one exemption from the assessment process. An LEP student whose native language is other than Spanish or a student served in an ESL program may be exempted from the criterion-referenced instrument form no more than three consecutive years. Alternative assessments are required for LEP students exempted from state assessment. Data on exempted students are collected from standardized tests approved by the state board of education for this purpose and are reported to the state.

Based on criteria developed by the Texas Education Agency, local language proficiency assessment committees may recommend alternative and formative assessment strategies in the primary language and/or English for each LEP student exempted from the required state assessment in English. Alternative assessments are reported to the state for integration into the state accountability system. No student may be exempted from an exit level examination based on limited English proficiency, nor from a state-mandated end-of-course examination. Allowable modifications available to nonexempt students in the administration of criterion-referenced tests are specified for that test.

### **Teacher Training and Certification**

Teachers in bilingual or ESL classrooms are required to be certified specialists, although schools can apply for waivers where such teachers are unavailable. The state offers both bilingual certification, which includes training in ESL, and ESL certification and endorsement. A chronic shortage of ESL and bilingual specialists, especially in rural areas, can be anticipated from the state's substantial LEP population.

Contact: Maria Seidner, Director, Curriculum and Professional Development, Texas Education Agency, 512/475-3555





## Population and Identification

Virginia reported 24,876 LEP students in the 1997/98 school year (out of a total student population of 1,110,815), up from 17,766 in 1992/93. This represents students speaking 110 languages and dialects, including Spanish (52.6 percent), Vietnamese (6.6 percent), Korean (5.4 percent), Urdu (3.8 percent), Chinese (3.7 percent) and Arabic (3 percent). After Arabic, no language group represents more than 1.8 percent. The majority of LEP students are found in the Northern Virginia and Richmond metropolitan areas.

Procedures for identification of LEP students are determined at the school district level following guidelines laid out by the OCR for identification, assessment and placement. Virginia has no singular assessment tool. The state does provide a handbook with information on guidelines for compliance with state and federal law, suggestions on assessment tools, ESL materials, Internet resources and best practices for acculturation, a revised version of which will be available in early 1999.

## Funding

The state provides block grants to school districts every biennium on the basis of LEP students reported by schools. This supplemental funding must be used to provide ESL services and activities. In the 1998/2000 biennium, the General Assembly appropriated \$6.4 million for programs to serve LEP students. Students are eligible for state funding so long as they are categorized as LEP. Exit assessments are conducted by locality.

## Programs

While the state does not mandate English as the language of instruction, English is the official language of the commonwealth and under state code schools have no obligation to teach standard courses in a language other than English. Mostly, schools rely on ESL pullout programs with larger school systems with high numbers of LEP students offering centers for half-day pullout instruction with integration in other subjects. Smaller school systems and those with fewer LEP students may rely more heavily on traveling or multi-grade level LEP specialists to provide ESL services

## Student Assessment

State assessments are administered in grades 3, 5, and 8, and in selected high school courses in English, mathematics, science and history and the social sciences. Participation of students identified as LEP shall be determined by a committee convened to make such determinations. LEP

students may be exempted from the state Standards of Learning (SOL) tests for one grade level only in grades 3, 5, and 8. Each student at grades 3, 5, and 8 must take and be expected to achieve a passing score on the SOL tests for the student's respective grade. Schools are to use the SOL test results as part of a multiple set of criteria for determining advancing or retaining students in grades 3, 5, and 8.

Each student in middle and secondary schools must take all applicable end-of-course SOL tests following course instruction. Students who achieve a passing score on an end-of-course SOL test shall be awarded a verified unit of credit in that course. Beginning with the graduating class of 2003/04, for a standard diploma, students shall earn 22 standard units of credit, and, of the standard units of credit earned, students must earn the following number of verified units of credit: English - 2; mathematics - 1; science - 1; history/social science - 1; and one additional verified unit of credit of the student's own choosing.

At an October 1998 meeting of the state board of education, it was decided that results of all LEP students from the 1998 and 1999 administration of the SOL tests would not be included in the school pass averages, although they would be reported. Future inclusion of LEP scores in school summaries will be studied and decided upon by the 2000 administration of the SOL tests.

### **Teacher Training and Certification**

Virginia has ESL endorsement for teachers. The program requires 24-semester hours, including three hours each in reading, ESL methods, linguistics, cross-cultural education; six hours in a modern foreign language and electives in secondary language acquisition, applied linguistics psycho/sociolinguistics, ESL assessment, or ESL curriculum development.

Contact: Linda Wallinger, Ph.D., Foreign Language and ESL Specialist,  
Virginia Department of Education, 804/225-2593



### **Population and Identification**

Because of the historically small LEP population in West Virginia, the state has not collected statistical information on LEP students. The population is perceived as increasing, however, and data are to be collected in the coming years. Beginning with the 1998/99 school year, schools were required to administer a home language survey and then use a formal assessment tool of their own choosing.

### **Funding**

The state provides no funds to schools for ESL services but does appropriate \$100,000 for technical services at the state level.

### **Programs**

The state has no data on programs available in the schools. Until very recently, the state did not collect any LEP data because it did not participate in Title VII or other federal LEP support programs.

### **Student Assessment**

Decisions about how an LEP student will be tested on the state's norm-referenced tests which comprise the Stanford Achievement Test 9<sup>th</sup> edition (SAT-9) is made for each individual subtest (the SAT-9 consists of reading, mathematics and language subtests and has local options for social science and science subtests). The state recommends that a committee be formed which includes the school or county's LEP coordinator, the student's content teacher(s), and an administrator or designee, along with the student's parent or guardian, if possible. This committee must decide whether the student should be exempted from testing or tested with or without accommodations or modifications.

In determining how the student is to be tested on each of the subtests, the committee is expected to ask three questions: Has the student been in an English-speaking school for more than three years; is the student's level of proficiency in English sufficient for the student to attempt the subtest; and does the student typically receive accommodations during instruction or during classroom assessments in the content covered by the subtest? If a student has been in an English-speaking school for less than three years, the committee may decide that participating in the test is inappropriate, even with accommodations. In this situation, the student's limited English proficiency level should be documented through standard language assessment data and the decision must be documented in writing and filed with the student's scholastic record, including the reason for allowing an exemption.

The student's committee may decide, upon consideration of the questions listed above, to approve accommodations for the test. The purpose of accommodations is to ensure, insofar as possible, that LEP students receive accommodations on the tests which allow them equal opportunity to demonstrate their achievement; however, students should not be provided with unnecessary or inappropriate accommodations. The committee may opt to allow accommodations which maintain standard conditions, which yield the most valid scores and provide for their inclusion in school and county summaries. These accommodations can take the form of timing/scheduling changes (including longer breaks between subtests and students taking only one or two tests a day), setting changes (including preferential seating and individual/small group testing), and presentation changes (including simplifying oral instructions and the use of masks or markers to maintain place). The committee may also opt to allow modifications which do not maintain standard conditions, and provide results for the student but not for school or county summaries. These include extended testing time, the use of bilingual dictionaries, breaks during a subtest, and reading of the test items on subtests other than reading in English. As with decisions about exemptions, all decisions about accommodations or modifications should be documented in the student's scholastic record.

### **Teacher Training and Certification**

West Virginia has an ESL endorsement, but no state college or university has had a program for this, so only teachers from other states with an ESL specialty would be so endorsed. Beginning in 1999, ESL programs will be available from state colleges.

Contact: Amelia Davis, West Virginia Department of Education,  
304/558-2691

## **CONCLUSION**

There are no easy answers to the questions of how to best educate LEP students. Beyond a state's constitutional obligation to provide an adequate education to every child, states which benefit economically from a diverse workforce find they need to provide services for this workforce or face difficulties in recruitment and retention. This is as true in attracting all kinds of industry, from poultry processing plants in Northwest Arkansas reliant on immigrant labor, to automobile manufacturing operations in Kentucky and South Carolina, where foreign managers desire language services for their children. The great variety in languages found in the South makes bilingual education impractical for the great majority of schools in fast growing urban areas, and a lack of trained instructors makes these programs difficult for rural districts to implement.

Perhaps most significantly, research from California and elsewhere indicates that programs which favor one instructional model over any other disregards the heterogeneous nature of the student population that is the target audience and the disparate situations in which schools and school districts find themselves. One conclusion which does emerge from much of the discussion around this issue is that a program has a far better chance at meeting its goals if it is well-implemented (Seder, p. 14).

If any priorities emerge from the survey conducted for this report, it is a need for trained staff in the classrooms, and an increased level of training for classroom teachers who are the "front line troops" for providing educational services to LEP students. This echoes the findings of the 1997 National Center for Educational Statistics (NCES) report on ESL which found that only 30 percent of teachers with LEP students in their classes had any specific training for this population (NCES, p. 16). Many states have attempted to fill this gap in training with summer programs and itinerant in-service training sessions during the school year, with some success. Still other states have worked with teacher training colleges to retool pre-service training for both ESL specialists and for classroom teachers, expanding the offerings available on language acquisition and teaching LEP students.

Just over half of the states in the SLC region provide some categorical funding to districts for LEP students, with appropriations ranging from \$100 to \$1,350 per pupil. Schools are all required to provide specialized services for LEP students and bear the primary burden of paying for them. Costs for these programs are difficult to assess, but can be quite high for some schools, particularly small schools with relatively high populations of LEP students. The concentration of LEP students in low-wealth schools further complicates this equation. Resources for training and instruction at the school or district level, as well as the costs of specialized staff and additional administration and assessments, place unwelcome strains on schools that often are struggling to

provide for their mainstream students. Many states have recognized this and have responded with appropriations for these services, many for the first time. Other states operate under the assumption that the cost of serving LEP students should be built into the costs of serving all students, especially where all students, regardless of native language, are expected to meet the same academic standards. As the LEP population grows, there is increasing pressure for states to provide ear-marked funding in some form for English language services.

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The issue of student assessment raises several difficult issues which require careful consideration. Adequately assessing LEP students' academic progress is seen as an essential part of a school's accountability effort. But not all students are immediately ready to take an assessment in English, and administering such high stakes tests to language learners with very limited English will not yield meaningful information about their academic achievement and could lead to tremendous frustration for student, parent, and instructor. At the same time, states want some assessment method which includes and tracks LEP students to ensure they are meeting the program goals and to determine how the program could be improved. And, for those LEP students included in assessments, states have a need to identify appropriate accommodations, if any, they may have in taking the state assessments and how that will affect the quality of the data collected.

States strike a fine balance between their need for accountability and the desire to protect students and schools from overly aggressive or meaningless testing protocols, often by allowing exemptions from testing as well as accommodations during tests. Most states allow only those accommodations which the student uses in class and during class assessments, and which will not change the conditions of the test to such an extent as to exclude the results from being averaged with the general population.

The demographics of the South are changing, and the schools are reflecting that change. From 1990 to 1997, according to a report from MDC, a North Carolina-based research group, 1.6 million adults from other nations moved to the South. These new arrivals came with their skills, their labor, and their families, greatly swelling the ranks of students in Southern schools who speak English with difficulty or not at all. Many states are taking steps to

address the growing wave of students whose native language is not English, but there are numerous opportunities to improve identification, assessment, service delivery and program implementation. In an increasingly global economy, the increasing diversity of Southern schools can be seen as a boon to the region. Providing services for these students, while a challenge, is an investment that has the potential for strong returns as the South becomes more connected to economies and cultures around the world.

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## LIST OF ACRONYMS

CCSSO	Council of Chief State School Officers
DBE	Developmental bilingual education
ESL/ESOL	English as a second language/English for speakers of other languages
IPT	IDEA Proficiency Test, a norm-referenced assessment of English proficiency
LAB	Language Assessment Battery
LAS	Language Assessment Scales, a norm-referenced assessment of English proficiency
LEP	Limited English proficient; Language enhanced pupil (in Florida)
LEA	Local education agency
NAEP	National Assessment of Educational Progress
NOM	National origin minority
OCR	Office for Civil Rights, U.S. Department of Health, Education and Welfare, later U.S. Department of Education
SLC	Southern Legislative Conference
SEA	State education agency
SOL	Standards of learning (Virginia)
TBE	Transitional bilingual education