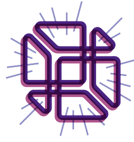

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Fifty Definitions of English Learner: A Proposed Solution to Inconsistent State-by-State Systems in the United States for Classifying Students Who Speak English as a Second Language

Rolf Straubhaar and Pedro R. Portes

Abstract: Although nearly one in 10 U.S. students is an English Learner (or EL), the definition of the term EL varies considerably from state to state, as does the means of assessing English language proficiency and the period of time for which the label is applied to individual students. As EL populations are growing throughout the U.S., both in school systems familiar with teaching ELs and in systems that do not have such experience, it is urgent that the methods by which this population is identified and by which its needs are met in acquiring English language proficiency are backed up by evidence and, ideally, standardized at the national level. In this article, after reviewing the current decentralized climate of EL identification, classification and reclassification, we propose a new definition of English Learner that both resolves inconsistencies in current state-level practices and would include many practicing ELs who are often excluded from current state-level definitions.
Key words: English learner, education policy, student assessment

According to the National Center for Education Statistics, students whose first language is not English, or those who are typically classified as English Language Learners (ELLs) or English Learners (ELs), represent 9.1 percent of the U.S. student population (National Center for Education Statistics, 2014). 77.2 percent of those ELLs are Spanish speakers, predominantly from Latin America (National Center on Immigrant Integration Policy, 2010).

However, despite the fact that nearly one in 10 U.S. students is an EL, how the term EL is defined, how ELs are assessed for English language proficiency, and how long the term EL applies to a particular student, is still open to considerable interpretation with definitions often varying state by state. Especially given the relatively new arrival of many immigrant EL populations to parts of the United States (Hamann et al., 2015), resulting in school systems serving large numbers of students whose needs they are unprepared to meet (Hooker et al., 2014; Straubhaar & Portes, 2017; Wainer, 2004), it is urgent that the methods by which this population is identified and by which its needs are met in acquiring English language proficiency are backed up by evidence and, ideally, standardized so that students who move from state to state encounter consistent standards and practices. This has been recognized by a number of entities, including the prominent federal Council of Chief State School Officers (Linquanti & Cook, 2013), which has called for a move towards a standardized and generally accepted definition of EL. Unfortunately, at this point no such definition currently exists.

In this article, we review the current decentralized climate of EL identification, classification, and reclassification and propose, on the basis of an on-going federally-funded randomized controlled trial, a new definition of English Learner that both resolves long-standing issues of inconsistent EL practices at the state level and more accurately captures the breadth and diversity of the EL student population.

How English Learner Status Has Been Defined Previously Governmental Efforts to Identify, Classify, and Reclassify ELs

Federal Efforts. The Elementary and Secondary Education Act (and its later iterations as the No Child Left Behind Act and Every Students Succeed Act) has not traditionally provided definitions for terms like English Language Learner, English Learner, or Limited English Proficient. However, it has provided legal stipulations that states must develop their own criteria and annually assess the English language proficiency of students identified as ELs/ELLs/ELP (ESSA, 2015; NCLB, 2002). Consequently, in recent years the U.S. Department of Education has incentivized the development of a "common definition of English learner," particularly by those states who have received one of several forms of federal education funding, including Race to the Top and Enhanced Assessment Grants (Linquanti & Cook, 2013). However, as of yet no such commonly accepted definition exists, prompting the type of discussion and analysis presented in this article.

State-Level Efforts. As Bailey and Kelly (2013) have explained, 46 of the 50 states currently identify students that might potentially be classifiable as ELs through some form of Home Language Survey, though each state's survey varies sufficiently in format and structure to have made the utility and validity of such assessments questionable. While the establishment of a standardized and externally validated Home Language Survey could be done at the federal level, no such step has been taken thus far.

While Home Language Surveys serve as a sorting mechanism to identify potential ELs, they cannot serve as a means of classifying students as ELs due to their lack of rigor. States vary widely in the assessment used for such classification, with only 27 states having chosen an assessment to use statewide (NRC, 2011). The WIDA Consortium (Cook et al., 2007) developed the two most popular such statewide tests: the W-APT and the MODEL, with either one being utilized by 18 states. Four other states have developed their own protocol, and a handful of states use other externally-developed assessments such as the LAS Links Placement Test, the LAB-R, and the Woodcock Muñoz Language Survey (Linquanti & Cook, 2013).

17 states have taken no statewide stance, but have decentralized the power and deferred the responsibility of choosing an assessment to the district level (NRC, 2011). The remaining states either use the same assessment to identify ELs as they do to determine English Language Proficiency (ELP) among already-classified Els, or they allow districts to choose between a state-determined ELP test and a classificatory assessment of the type described in the previous paragraph (Linquanti & Cook, 2013).

While no assessments or weighting systems are prescribed at the national level, federal law does mandate that states annually assess EL progress towards ELP in four areas: reading, writing, listening, and speaking (ESSA, 2015; NCLB, 2002). One of the most common ELP assessments used in this evaluation is the Assessing Comprehension and Communication in English State-to-State for English Language Learners (ACCESS) test, also designed by the WiDA Consortium (Gottlieb et al., 2007). Over 40 of the 50 states use some combination of an ELP assessment like ACCESS and other criteria to regularly assess EL status, while seven states only use

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standardized test scores in various content areas, and a handful of remaining states allow districts or schools to determine their own criteria (Wolf et al., 2008).

Scholar-Led Definitions. Due to the wide latitude allowed for varying definitions of EL status, as well as the various mechanisms allowed by state and federal governments with regard to assessment of students' growing English Language Proficiency, scholars have also by necessity varied widely in how they have identified research participants as ELs.

Large-Scale Federally-Funded Studies. In research funded by the U.S. Department of Education and its various research offices (such as the Institute of Education Sciences, or IES), scholars have predominantly tended to operationalize whatever EL definition was put in place by the districts and states in which they conducted their research. For instance, in one quasi-experimental IES-funded study of EL achievement in a Connecticut district, Parker et al. (2014) identified ELs by the criteria of the district—namely, ELs were those students who had been administered a Home Language Survey and the LAS Links English Language Proficiency exam. Similarly, in an IES-funded exploration of EL achievement in Pennsylvania, O'Conner et al. (2012a) determined EL status using the same criteria as the state of Pennsylvania—namely, students were ELs if they had been administered the W-APT as new students to determine EL status and/or had been administered the ACCESS test in subsequent years to assess progress towards English language proficiency. Similar state-driven approaches were taken to IES-funded studies of EL performance in Arizona (Haas & Huang, 2010), the District of Columbia (O'Conner et al., 2012b), Delaware (O'Conner et al., 2012c) and Colorado (Tran, 2005).

Limitation of the Current Climate. While the current decentralized nature of EL identification, classification, and reclassification is understandable given the historically state-driven nature of education policy in the United States (Sunderman & Orfield, 2006), especially given the more recent turn towards strengthening the federal Department of Education post-No Child Left Behind (McGuinn, 2006) there are fewer and fewer excuses for a lack of consistency in this increasingly urgent area. We applaud the efforts of the Council of Chief State School Officers (Linquanti & Cook, 2013) to promote a standard definition. However, as no standard yet exists, we propose here our own, on the basis of rigorous, federally-funded work examining EL student achievement in the New South (Mohl, 2003; Portes & Salas, 2010, 2018).

A Broader Definition of EL

All of the government-driven definitions of EL listed previously carry an inherent implication: classification as EL is temporary. That is, status as an ELL or EL is used by districts and schools primarily as a marker of need for remedial instruction in English language reading, writing, speaking, and listening, so that students so designated can hopefully "catch up" to their monolingual peers and eventually test to be reclassified as no longer requiring EL services.

We have a number of reasons for questioning this current practice. First, the inherently uneven and inconsistent way in which this status is assessed state by state, with no guarantee that the measures used in Home Language Surveys and English Language Proficiency exams are externally validated or of sufficient quality to ensure their accuracy. This means that studies assessing the achievement of ELs, and the effect of various interventions on EL achievement, are

inherently put into question as we have no way of knowing whether the ELs in one state or district are truly comparable to those we find in others. Unless researchers restrict their inquiry to states which have adopted similar measures (for example, those states which utilize the ACCESS test), there is no way of ensuring true “apples-to-apples” comparisons. However, such methodologically-driven restrictions would have significant social justice implications, because in so doing, scholars would leave ELs who happen to live in the states with singular or inconsistent EL identification practices out of the very federally-funded studies that are meant to ensure they are receiving a quality education. Given that many of the states with the loosest EL classification systems (Linquanti & Cook, 2013) are also those with the most underdeveloped systems for serving the needs of ELs (Hamann et al., 2015), students who are most likely to be underserved and in need of additional support would be left out of educational research.

Second, making EL status a temporary marker from which students can “test out” gives it an inherently negative connotation. Like the creation of an Individualized Education Plan that requires special education services, it unfortunately carries a weight of remediality at the school level—that is, students designated as ELs who receive EL services are further behind and more in need of support than their peers, simply because they came into schools primarily speaking a language other than English. Many scholars, building upon the work of Angela Valenzuela (2010) and others, as a result have moved away from terms such as English Language Learner and English Learner, which emphasize what students lack, and moved towards terms like (in the case of Latino ELs) “Spanish dominant,” which positively emphasize those linguistic resources which students *do* have (Cheung & Slavin, 2012).

Third, the temporary “test-out” nature of current EL status means that even though “graduated” ELs may still require some support to complete their coursework, that support is no longer available to them, despite a lengthy research base that shows such students still require a great deal of academic support (Kim & Garcia, 2014; Menken et al., 2012). While current ESOL services themselves are often not sufficient to meet EL students’ needs (Mellom et al., 2018; Portes & Salas, 2010; Straubhaar, 2013), they are indeed arguably better than nothing, which is what graduated ELs typically receive for the remainder of the educational trajectory. The lack of classification or support for such students is also an area in which current EL classification is significantly lacking.

In response to these three broad criticisms, we suggest here a definition of EL that can be easily and consistently implemented throughout the United States. By removing the temporality of the label and emphasizing in our definition the linguistic skills students do possess, both potentially bypass the negative associations currently ascribed to EL status and allow researchers to more effectively follow the longitudinal growth of ELs across the K-12 pipeline. Our definition is relatively simple: replace the EL category by classifying all students who speak a language other than English at home with a new label that focuses on strengths rather than deficits, such as *emergent bilinguals* (Portes et al., 2018).

First, if such a classification were applied broadly throughout the United States, it would simplify much of the confusion that now exists among K-12 educators regarding how one identifies and classifies a student as an “English Learner.” Second, by basing the definition in a student’s linguistic ability and family and cultural history, for a language other than English,

such a definition can avoid the deficit associations unfortunately and commonly ascribed to EL students (Shapiro, 2014). This is especially applicable when coupled with a recognition of the language spoken at home (e.g. referring to a recent immigrant student from Mexico as a "Spanish Dominant Emergent Bilingual" [Portes et al., 2018]). Lastly, such a classification would allow students who demonstrate a basic proficiency in English language (as measured by tests such as ACCESS) to continue to receive needed academic supports in English.

Of course, such a classification does not relieve schools from the responsibility of measuring and accounting for EL students' acquisition of English Language Proficiency, as measured by tests such as ACCESS. We recommend that the U.S. Department of Education adopts and promotes the use of a single, validated measure (such as ACCESS) across states, so that students who move from state to state (as is relatively common among immigrant EL students [Hamann & Zúñiga, 2011]) can have their English Language Proficiency measured accurately in each setting with some confidence of an "apples to apples" comparison.

Conclusion

It is an unfortunate reality that, in addition to all of the other inconsistencies and difficulties encountered by EL students upon entering a new school or school system, the very system that classifies them as EL in one state may be completely incompatible with another they find upon moving elsewhere. This has significant implications for student learning in terms of social justice, the development of student identity and sense of self, and researchers' ability to accurately capture the EL student experience. We have proposed here an incisive and developmental solution that can address these difficulties; and in so doing, we hope to ameliorate some of the anxiety and difficulty already inherent in the school lives of ELs.

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