



September 2018

The Language Opportunity Coalition/MABE provides additional recommendations to the proposed regulations LOOK Act, SECTION 65 Section 11 that establishes how the department will define the benchmarks for attaining English proficiency for English learners (ELs), particularly for ELs placed in Dual Language Education (DLE) and Transitional Bilingual Education (TBE) programs.

We ask the Board of Education to amend the regulation in the current form. The proposed regulations do not consider essential elements of English Language Education (ELE) programs, specifically DLE and TBE.

1. DLE and TBE are approved programs with the LOOK ACT.
2. English Learners placed in DLE and TBE programs have different trajectories in acquiring English as compared to ELs in Sheltered English Immersion (SEI).
3. DLE and TBE programs must address the trajectories in acquiring English and the partner language, based on the goals of the program model.
4. Unlike SEI, DLE teachers and leaders must have a deep understanding of students' profiles, language repertoires, and stages of language acquisition in both languages. They must be prepared to address students needs on the continuum of developing biliteracy.
5. DLE and TBE programs hold themselves accountable for measuring and defining goals toward student progress toward success. Adhering to the specific percentage of instructional time allocated in English and the partner language is a critical factor in the implementation of program models such as "80/20" and

"50/50". Within each program model, students' trajectories vary, impacting the rate and pace of language acquisition in both languages.

The benchmarks are developed from a deficit orientation, in which EL students' lack of English development is positioned as a liability and cause for immediate concern. DLE and TBE programs, on the other hand, use an asset orientation, in which EL students' home languages are seen as valuable resources upon which to build bilingual and biliteracy skills. This is particularly true when DLE programs are implemented over the course of a 10-year school career, through unique and rigorous instructional approaches including immersion in non-English partner languages.

These benchmarks, while possibly appropriate for ELs in English-only instructional settings, fail to take into account the unique needs and goals of DLE programs. These benchmarks will negatively affect DLE students, teachers, and administrators as they scramble to provide English-medium interventions that may directly contradict the language allocation and instructional approaches of the DLE program and the bilingualism and biliteracy needs of DL students.

The proposed regulations require school districts to adopt procedures to identify English learners who do not meet English proficiency benchmarks and establish a process for the district. We offer further explanation of the additive approach DLE programs consider for each of the four steps outlined in the proposed process.

There are three areas of diversity and variation which these Benchmarks do not take into account:

- *Program model*: DLE and TBE programs have different goals and expected rates of language acquisition than SEI programs.
- *Language allocation*: Within DLE programs, the extent to which English instruction is used can vary from 10%-50% of learning time.
- *Student background*: Regardless of program placement, EL students may be simultaneous<sup>1</sup> or sequential<sup>2</sup> bilingual learners. Students also vary along dimensions of personality, socioeconomic background, and social-emotional factors.

All three of these areas of variation can have significant effects on the pace and rate of English acquisition, and are evidence that a one-size-fits-all benchmark system is ineffective.

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<sup>1</sup> Simultaneous bilingualism refers to children who are exposed to and given opportunities to learn two languages from birth.

<sup>2</sup> Sequential bilingualism refers to the addition of a second language after the initial establishment of the first language.

### **Step (i) identify areas in which identified English learners needs improvement and establish personalized goals for the identified English learners to attain English proficiency**

DLE is a long-term program that requires time and careful attention to bilingual language acquisition in order to be most effective. Research has shown that strong academic outcomes (as measured by English Language Arts test scores, reclassification rates, and English proficiency levels in English) for ELs in DLE programs may not be seen until 7th-12th grade (Valentino & Reardon, 2015<sup>3</sup>; Umansky & Reardon, 2014<sup>4</sup>). Becoming bilingual and biliterate takes time, and as such DLE students must not be held to the same benchmarks as those in English-only programs.

Although there are some overlaps between SEI and DLE educators, DLE teachers and leaders must have a deep understanding of students' profiles, language repertoires, stages of language acquisition in both languages, and be prepared to address students needs on the continuum of developing biliteracy. Approaches for identifying areas of improvement for attaining English proficiency will differ and will require different levels of support, interventions and resources throughout the process. For example, what may appear as a deficit for a group of EL students based on English language assessments, may be developmentally appropriate for an EL student in a DLE program. More specifically, In an 80/20 program model, where 80% of instruction is delivered in the partner language, there is time built into lessons and units of study for vocabulary development and word study. Although it is understood that there is transfer of language skills during instruction, English language vocabulary acquisition may be delayed in favor of the partner language vocabulary, which constitutes 80% of the instruction.

### **Step (ii) assess and track the progress of English learners in the identified areas of improvement**

For DLE and TBE programs to be successful, they must hold themselves accountable for measuring student progress in two languages. In DLE, students' trajectories vary and impact the rate and pace of language acquisition in both languages based on the program's language allocation.

While DLE programs use the ACCESS assessment to track and monitor progress of ELs learning English, DLE programs are also required to track progress and address

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<sup>3</sup> Valentino, R.A. & Reardon, S.F. (2015). Effectiveness of four instructional programs designed to serve English Learners: Variation by ethnicity and initial English proficiency. *Educational Evaluation and Policy Analysis*, 37(4), 612-637.

<sup>4</sup> Umansky, I. & Reardon, S. (2014). Reclassification patterns among Latino English learner students in bilingual, dual immersion, and English immersion classrooms. *American Educational Research Journal*, 51(5), 879-912.

the varied trajectories in acquiring the partner language. As such, there needs to be other relevant and appropriate assessment data in a DLE program that is considered and respected by the district and the state to track progress in the partner language. The Department would demonstrate its commitment to DLE and TBE programs by identifying other relevant and appropriate assessment data to track progress in the partner language.

DLE programs understand the trajectory of simultaneous versus sequential bilingual learners who are placed in the DLE program beginning at PK/K is different for acquiring English. For example, sequential bilingual learners developing Spanish literacy will follow a predictable trajectory in which the student is on target for Spanish literacy benchmarks, but will take longer to reach English language benchmarks. To underscore, it would be understood in this program that this student is progressing as expected according to the DLE research base (see above).

### **Step (iii) review resources and services available to identified English learners that may assist said learners in the identified areas of improvement**

If an EL does not meet the target for English language acquisition, then the state requires the school to provide additional English supports.

In view of the fact that DLE programs teach for biliteracy, then the supports and interventions need to be provided in two languages and in accordance with the language allocation model used by the DLE program. While these benchmarks do not preclude DLE programs from providing supports in other languages, the Department should be aware of the reality that DESE Guidelines always influence district practice. Given these benchmarks, DLE programs will inevitably feel increased pressure from their districts to provide an increasing number of supports and interventions in English. This will interfere with DLE programs' ability to implement their programs with fidelity. Consequently, it would be beneficial for DLE programs to have flexibility to determine, based on the program model, how much support in English and/or the partner language should be given to individual students to support them in meeting the goals of the program. The support systems need to mirror the program needs, i.e., provision of teachers, coaches, curriculum specialists who are bilingual and biliterate.

Additionally, the types of interventions needed are different in DLE programs. For example, a successful DLE intervention is Bridging, an instructional practice unique to DL programs explicitly for developing metalinguistic awareness. The "Bridge" is an instructional element for organizing the strategic separation of languages. A well-implemented Bridge is pre-planned by the teacher and is designed to support the transfer of learned concepts from the language of instruction to the partner language. It

focuses on the metalinguistic analysis of language and involves the students as active participants. The Bridge is an effective instructional strategy for meeting the unique goal of the DL program, which is [teaching for biliteracy](#).

**Step (iv) incorporate input from the parents or legal guardian of the identified English learner**

In order for parents to fully participate in developing a Student Success Plan in a DLE or TBE setting, they must understand the variation in the rate and pace of English acquisition that their child/ren may experience. Presenting a Student Success Plan to a parent of an EL who does not understand the complexities of DLE may cause the parent to focus disproportionate attention on their child's English acquisition. Parents need additional supports as they learn to navigate this process and advocate for their bilingual child/ren.

The Language Opportunity Coalition/MABE is ready to assist the Department with its commitment to DLE and TBE programs by identifying other relevant and appropriate assessment data to track progress in the partner language, by addressing the trajectories in acquiring English and the partner language based on the goals of the DLE program and ultimately, help schools be prepared to address ELs' needs on the continuum of developing two languages.



**Multistate Association for  
Bilingual Education  
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