



## Research Report

# English Language Learners (ELL) State Categorical Funding Review

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Prepared for

THE HOUSE INTERIM COMMITTEE ON EDUCATION  
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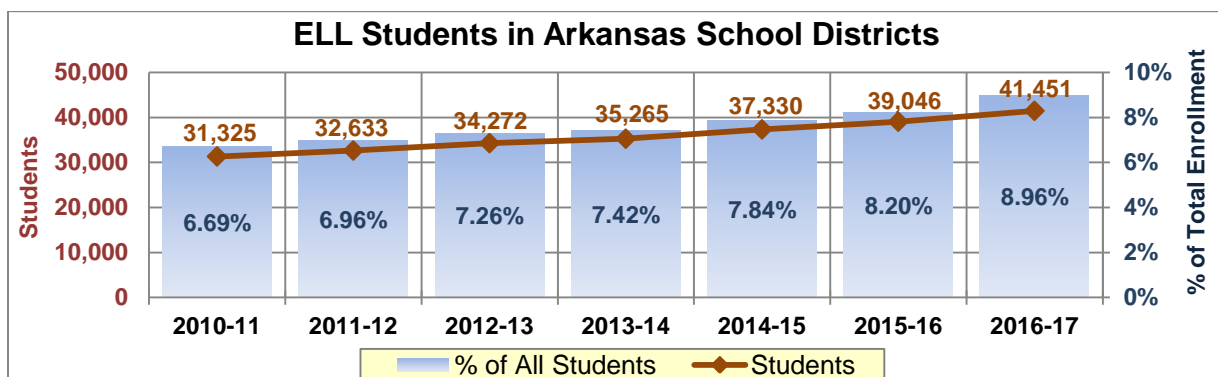


## INTRODUCTION

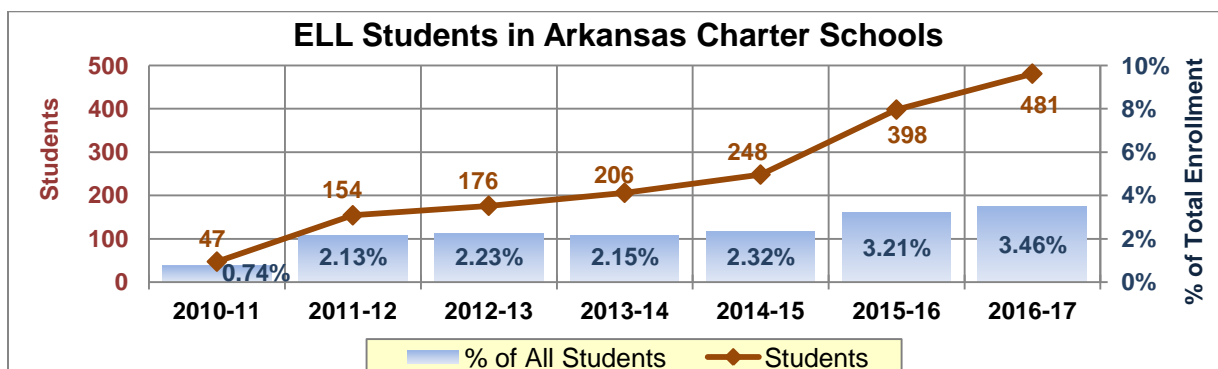
The state provides additional funding to school districts and charter schools to support students who are not proficient in the English language. This state categorical funding program is known as English Language Learner (ELL) funding and is distributed to districts and charter schools based on the number of ELL students they have enrolled. ELL students face the challenge of learning a new language in addition to mastering academic subject matter being taught in that language. There are several different terms used to refer to ELL students in Arkansas. English Learners (ELs), limited English proficient (LEP), and English Language Learners are interchangeable terms used for both federal and state funding and student placement purposes. ELL programs are also known as English as a Second Language or English for Speakers of Other Languages (ESL/ESOL).

## STUDENT COUNTS

In 2016-17, there were 41,451 ELL students in the state’s public school districts and another 481 ELL students in open enrollment public charter schools. Total ELL enrollment in districts and charter schools has increased by nearly 34 percent between 2011 and 2017. The percentage of the state’s students who are ELLs has also been increasing, but remains below the percentage of ELLs nationally. The national percentage has increased slightly in recent years from 9.1% in 2004 to 9.4% in 2015, the most recent year of data available.<sup>1</sup> The charts below reflect the growth of ELL students and the growth in the proportion of all students who are ELL.



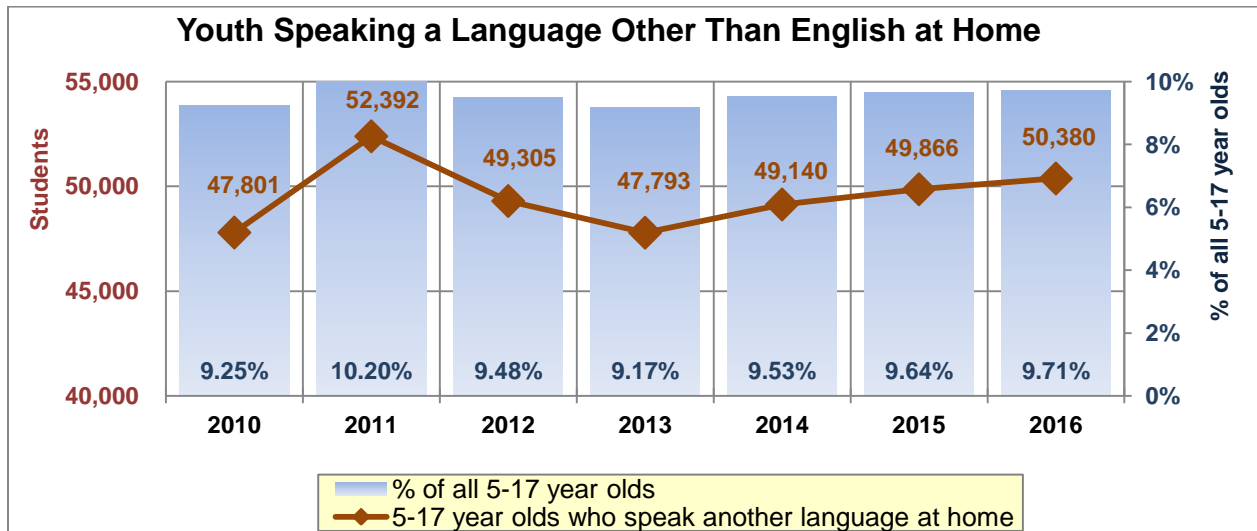
Source: ELL student counts come from State Aid Notices (2010-11 through 2016-17), Arkansas Department of Education. Total student enrollment numbers used in the calculations come from ADE’s Data Center.



<sup>1</sup> National Center for Education Statistics, Digest of Education Statistics, Table 204.20, [https://nces.ed.gov/programs/digest/d16/tables/dt16\\_204.20.asp?current=yes](https://nces.ed.gov/programs/digest/d16/tables/dt16_204.20.asp?current=yes) and The Condition of Education, English Language Learners in Public Schools, March 2017, [https://nces.ed.gov/programs/coe/indicator\\_cgf.asp](https://nces.ed.gov/programs/coe/indicator_cgf.asp).

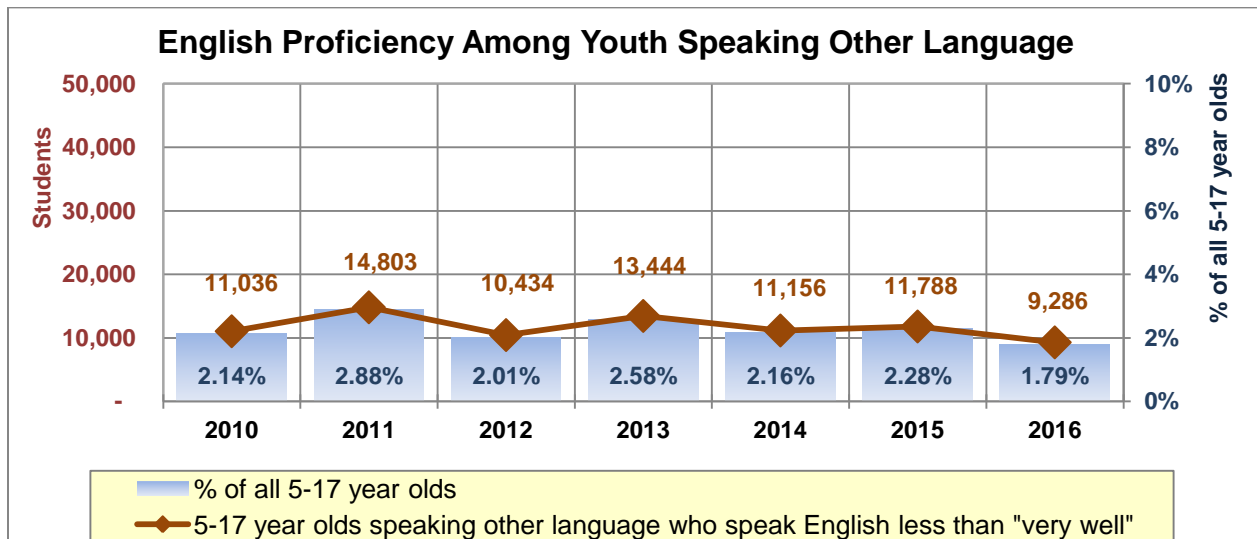
Source: ELL student counts come from State Aid Notices (2010-11 through 2016-17), Arkansas Department of Education. Total student enrollment numbers used in the calculations come from ADE's Data Center.

The increasing trend in the number of ELL students in Arkansas does not match the trend in total number of youth who speak a language other than English, according to the U.S. Census Bureau estimates. The number of children between the ages of 5 and 17 in Arkansas who speak a language other than English at home increased slightly in the last four years—about 5%—but the increase has been less steady than the increase among ELL students over the last six or seven years. That said, the Census data represents estimated figures based on sample data and are subject to margins of error.



Data Source: U.S. Census Bureau, American Community Survey, Sex by Age and Language Spoken at Home, 2010-2016, 1-Year Estimates, B01001 and S1601.

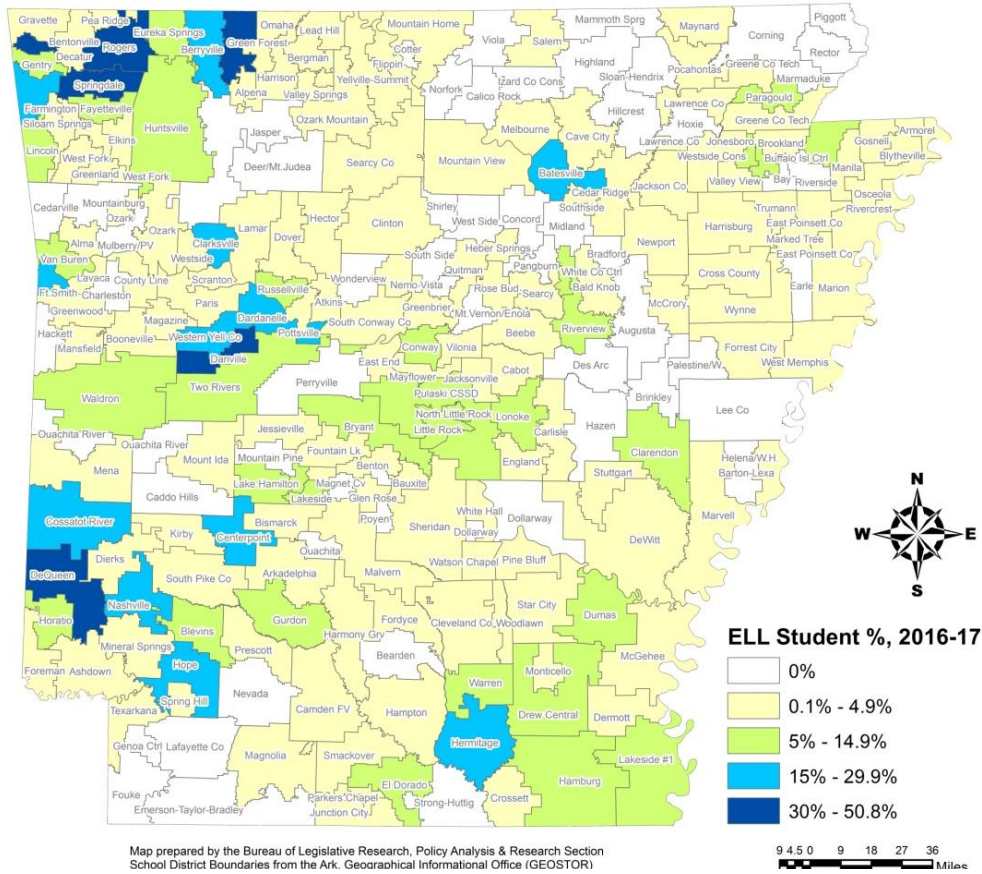
The percentage of youth who speak a language other than English at home is generally 9 or 10 percent of all youth, but the percentage who speak English less than “very well”—those who might be more likely to be categorized as ELL students—is typically less than 3 percent.



Data Source: U.S. Census Bureau, American Community Survey, Sex by Age and Language Spoken at Home, 2010-2016, 1-Year Estimates, B01001 and S1601.

**REGIONAL PATTERNS**

In 2016-17, 178 school districts and 14 charter schools had ELL students enrolled. The following map shows the percentage of each district's student population who are ELL students.



About 57% (23,920) of the 41,932 ELL students statewide during 2016-17 school year were served by five school districts:

1. Springdale: 10,296
2. Rogers: 5,414
3. Fort Smith: 4,068
4. Little Rock: 2,930
5. DeQueen: 1,212<sup>2</sup>

In most districts, ELL students made up only a small portion of the student body. The ELL student population density data are provided in the following tables:

Number of ELL Students FY 17		
# of ELL Students	# of Districts	# of Charter Schools
1,001 or more	5	0
501 – 1,000	12	0
101 – 500	29	1
1 - 100	132	13
0	57	10
<b>TOTAL</b>	<b>235</b>	<b>24</b>

<sup>2</sup> State Aid Notice (2016-17), Arkansas Department of Education.

Percentage of ELL Students FY 17		
ELL % of All Students	# of Districts	# of Charter Schools
20%+	13	3
10% - 19.9%	12	0
5% - 9.9%	27	2
.001% - 4.9%	126	9
0%	57	10
<b>TOTAL</b>	<b>235</b>	<b>24</b>

## PRIMARY LANGUAGES

In 2016-17, language minority students—those who speak a language other than English at home—collectively spoke a total of 91 languages as their primary language. (Language minority students are not considered English language learners if they speak English proficiently.) The home language of the vast majority of these students was Spanish.

Top 5 Languages Spoken in 2016-17			
	Language	Student Count	% of All Language Minority Students
1	Spanish	35,967	84.5%
2	Marshallese	2,907	6.8%
3	Vietnamese	541	1.3%
4	Arabic	433	1.0%
5	Laotian	395	0.9%

## PROGRAM OVERVIEW

While state law provides funding to districts for ELL students as well as guidance on how those funds can be used, ELL program requirements largely come from the federal level. Federal law (20 USC § 1703(f)) provides that, "[n]o state shall deny equal educational opportunity to an individual on account of his or her race, color, sex, or national origin by ... the failure by an educational agency to take appropriate action to overcome language barriers that impede equal participation by its students in its instructional programs". Additionally, Title VI of the Civil Rights Act of 1964 requires school districts to provide an equal educational opportunity to language minority students. The U.S. Supreme Court determined that an equal educational opportunity for these students does not mean simply providing the same instruction and materials other students receive. School districts must "take steps to help ELL students overcome language barriers and to ensure that they can participate meaningfully in the districts' educational programs."<sup>3</sup>

Additionally the Civil Rights Act requires school districts to:

- Identify and assess all potential ELL students in a timely, valid and reliable manner.
- Provide an educationally sound and effective language assistance program.
- Provide staff who are sufficiently prepared to support districts' selected program.
- Avoid unnecessary segregation of ELL students.
- Monitor and assess ELL students to ensure their progress toward English-language proficiency.
- Evaluate the effectiveness of districts' selected language assistance program.<sup>4</sup>

<sup>3</sup> U.S. Department of Education, Office of Civil Rights, Programs for English Language Learners, p. 3, [http://www.arkansased.gov/public/userfiles/Learning\\_Services/Curriculum%20and%20Instruction/Frameworks/ELP%202015/OCR\\_ELL\\_Guide.pdf](http://www.arkansased.gov/public/userfiles/Learning_Services/Curriculum%20and%20Instruction/Frameworks/ELP%202015/OCR_ELL_Guide.pdf)

<sup>4</sup> U.S. Department of Education, Non-Regulatory Guidance: English Learners and Title III of the Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA), September 23, 2016, p. 6, <https://www2.ed.gov/policy/elsec/leg/essa/essatitleiiiguideenglishlearners92016.pdf>



## ENTERING THE ELL PROGRAM

As defined in state statute § 6-20-2303 “English-language learners” means students identified by the State Board of Education as not proficient in the English language based on approved English-language proficiency assessments. Language proficiency assessments, administered as needed and when new students enroll, measure oral, reading, and writing proficiency. To identify ELLs, schools first administer a home language survey (HLS) when a new student registers with a school district at any grade, which is recommended by the U.S. Department of Education (USDOE). The parents and guardians of all enrolling students complete the survey specifying whether the student’s native language is something other than English or if the student comes from an environment in which a non-English language may have affected his or her English-language proficiency (ELP).

Once the home language surveys have been submitted, a district’s English for Speakers of Other Languages (ESOL) coordinator will review the responses to identify students who speak a language other than English at home. These students then take a placement test, known as a screener, to determine if they are not fully fluent in English. ADE has historically allowed school districts to choose a screener from several allowed by the state. However, Arkansas is adopting a common language proficiency screener for statewide use.<sup>5</sup> During the 2017-18 school year, districts may continue to use their choice of screener, such as LAS/LAS Links, MACII, or TELPA, but ADE will fully transition to the ELPA21 Language Proficiency Screener by the 2018-19 school year. If the screener indicates a student is not fully English proficient, he or she is then placed in the ELL program.

Each ELL student is then assigned a group of teachers and/or school staff who monitor the student’s progress towards English-language proficiency. This group of educators is referred to as the student’s Language Placement and Assessment Committee (LPAC). The LPAC works closely with students to evaluate classroom performance, language proficiency assessment results, and academic content testing results. Each student’s LPAC must review and document the student’s progress annually or more frequently as needed.

## ELL INSTRUCTIONAL PROGRAMS AND STAFFING

Neither state nor federal law specifies particular ESL curriculum or programs districts must use, but federal law requires districts to follow three principles in their program design:

1. The educational approach selected must be “based on a sound educational theory”.
2. Districts must provide adequate staffing and resources to support the selected program.
3. The district must periodically evaluate and revise its program.<sup>6</sup>

Districts often use a combination of instructional methods to serve their ELL population. Some districts use pull-out instruction, while others provide students with “sheltered instruction.” Sheltered instruction is a method in which students are assisted during content area classes by an ESL-trained instructor within a particular classroom. In schools with a critical-mass enrollment, a stand alone, self-contained ELL class may be provided, if resources justify. However, there is no consensus as to which ELL instructional programs or approaches are more effective than others because relatively little research has been conducted on this

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<sup>5</sup> Arkansas ESSA State Plan, p. 89, [http://www.arkansased.gov/public/userfiles/ESEA/Arkansas\\_ESSA\\_Plan\\_Final\\_September\\_15\\_2017.pdf](http://www.arkansased.gov/public/userfiles/ESEA/Arkansas_ESSA_Plan_Final_September_15_2017.pdf).

<sup>6</sup> U.S. Department of Education, Office of Civil Rights, Programs for English Language Learners, p. 4, [http://www.arkansased.gov/public/userfiles/Learning\\_Services/Curriculum%20and%20Instruction/Frameworks/ELP%202015/OCR\\_ELL\\_Guide.pdf](http://www.arkansased.gov/public/userfiles/Learning_Services/Curriculum%20and%20Instruction/Frameworks/ELP%202015/OCR_ELL_Guide.pdf)

question.<sup>7</sup> In school districts or schools with few ELL students, students still must receive language assistance services, but the ESL/ESOL program may be less formal.

ADE rules do not require specialized licensure for teachers teaching ESL. However, federal policies require districts to meet the staffing requirements of the ESL program they have selected. If the research on which a particular program is based calls for ESL-licensed staff, districts selecting that program must employ faculty licensed to teach ESL. ADE offers an ESL endorsement that can be added to the standard teaching license. The endorsement requires 12 hours of coursework and passage of the ESL Praxis. Using state funding provided by ADE, Arkansas Tech and the University of Arkansas have partnered to offer an intensive, 6-day summer workshop, with additional online modules and two weekend follow-up sessions, to help interested educators obtain ESL endorsement with minimal disruption during the school year.

As of April 2017, 4,027 licensed Arkansas teachers held an ESL endorsement, including teachers who may have retired or left the profession and teachers who are not currently teaching an ELL class.<sup>8</sup> However, in APSCN, districts reported employing only about 214 full-time equivalent certified staff to teach ESL in 2016-17, with an average salary of \$53,194. The reported number of ESL FTEs is likely lower than the actual number of certified staff teaching ESL. Some districts appear to serve their ELL population with teachers and staff coded in APSCN as “interventionists” or “facilitators.” Additionally, ADE notes that there is little consistency in districts’ coding of their ESL staff in APSCN, so effective tracking of staffing patterns is not yet possible. The agency has begun to examine this issue to develop future guidance.

#### ASSESSING ENGLISH-LANGUAGE PROFICIENCY

To determine ELL students’ progress in acquiring English-language proficiency and identify the ELL services needed for the next school year, school districts and charter schools assess ELL students every spring. The language-specific assessment currently used in Arkansas is the English Language Proficiency Assessment for the 21<sup>st</sup> Century (ELPA21), which replaced the English Language Development Assessment (ELDA) in 2015-16. The ELPA21 was developed by a consortium of seven states, including Arkansas, using new English-language proficiency standards developed by the Council of Chief State School Officers. (The other member states are Iowa, Nebraska, Ohio, Oregon, Washington, and West Virginia.) These standards are aligned with Arkansas’s Academic Standards for English language arts, mathematics, and science. While the ELPA21 does not assess prior academic knowledge, it does assess students’ proficiency in the grade-appropriate language of each academic subject.

According to ADE, the state transitioned to the ELPA21 for two reasons:

- The state updated its academic standards, and the ELPA21 more closely aligns with the updated standards.
- The ELDA is a paper-pencil test, while the ELPA21 is administered online, allowing for less time spent administering and scoring the test.

The ELPA21 covers the same four domains used in the ELDA (listening, speaking, reading, and writing). The ELPA21 assigns each student a proficiency level based on his or her composite score. Students at levels 4 and 5 in each of the domains are considered to have attained English-language proficiency. (For results on the ELPA21, compared with the ELDA results, see page 8.)

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<sup>7</sup> Goldenberg, Claude. “Unlocking the Research on English Learners: What We Know—and Don’t Know Yet—about Effective Instruction.” *American Educator* (Summer 2013).

<sup>8</sup> Kerr, T., Arkansas Department of Education, June 9, 2017 email.

## EXITING THE ELL PROGRAM

Following a review of the spring ELPA21 test results, the student's LPAC will make a recommendation as to whether a student continues to receive services in the program or exits the program. In order to exit the program, a student currently must score proficient in all sections of the ELPA21, maintain a "C" average or higher in each core subject area, score "ready" or "exceeding" on state standardized achievement scores,<sup>9</sup> and receive a recommendation to exit by two current teachers.

ADE does not track the number of students retained in ELL programs despite testing English-language proficient. However, the department does have data showing that of the roughly 8,000 ELL students who scored proficient on the ELPA21 in 2016 and also took the ACT Aspire, only about 51% scored at the "ready" or "exceeding" levels on the ACT Aspire in both math and English language arts (ELA). That means at least 49% of the students who tested proficient on the ELPA21 were unable to exit the ELL program due to their ACT Aspire scores alone. (For comparison, 51% of non-ELL students—native English speakers and others fully English proficient—scored below "ready" in ELA in 2016, and 56% of non-ELL students scored below "ready" in math.

ADE is hoping to replace much of the current ELL program exit criteria with a Professional Judgment Rubric beginning in the 2018-19 school year. Students still will be required to demonstrate English-language proficiency on the ELPA21 and receive teacher recommendations to exit the ELL program, but the Professional Judgment Rubric will replace the ACT Aspire and letter grade requirements. The rubric will continue to require evidence of students' reading and writing proficiency in academic content areas, but districts will have more flexibility in how they measure it.

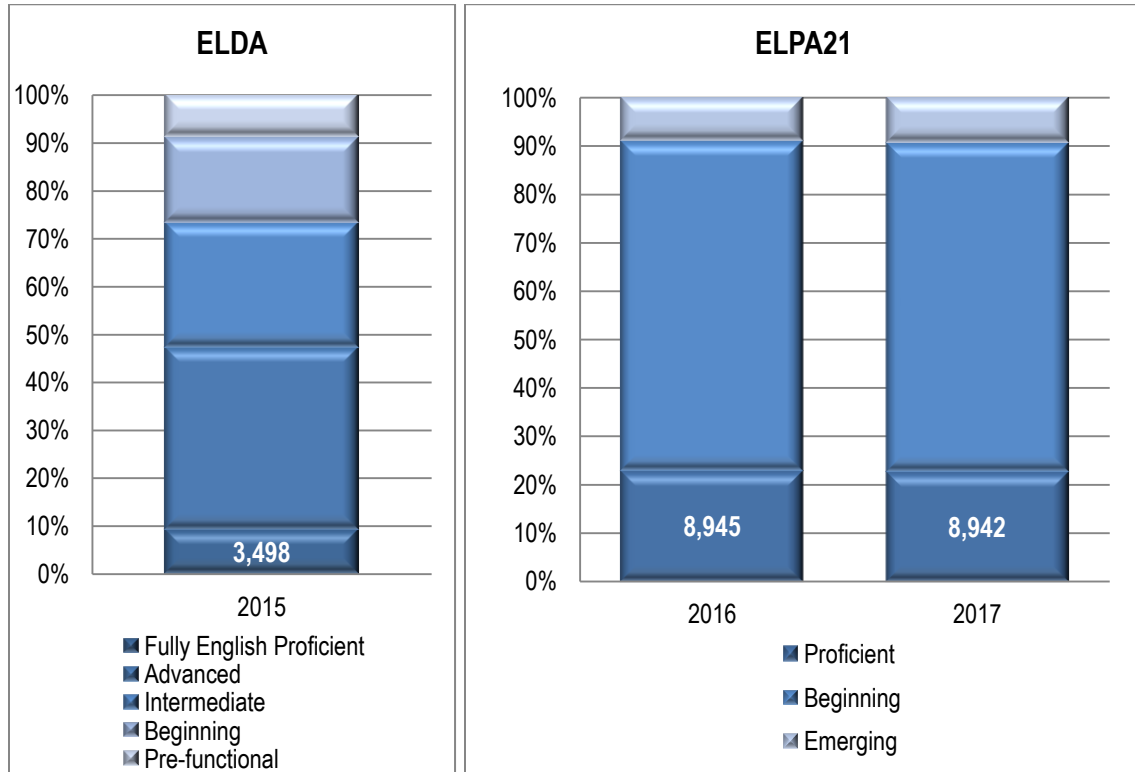
While the switch to a Professional Judgment Rubric may bring changes to the number of students exiting the ELL program in future years, other changes are already having an impact. The change from the ELDA to the ELPA21 has resulted in more students exiting the ELL program. Under ELDA, ELL students had to obtain a score of 5 in all domains to exit the ELL program. Under ELPA21, however, students can achieve proficiency with a score of 4 or 5 in the four domains. The following table shows the classifications based on students' scores on the two English-language proficiency assessments:

	ELDA	ELPA21
<b>Eligible for ELL services</b>	Levels 1-4 (Pre-functional, Beginning, Intermediate, Advanced) on any of the four domains	<b>Emerging:</b> Levels 1 or 2 in all four domains. <b>Progressing:</b> One or more domain scores above Level 2 but student does not meet the Proficient requirements.
<b>Eligible to exit ELL program</b>	Level 5 (Fully English Proficient) on all four domains	<b>Proficient:</b> Level 4 or 5 in all four domains.

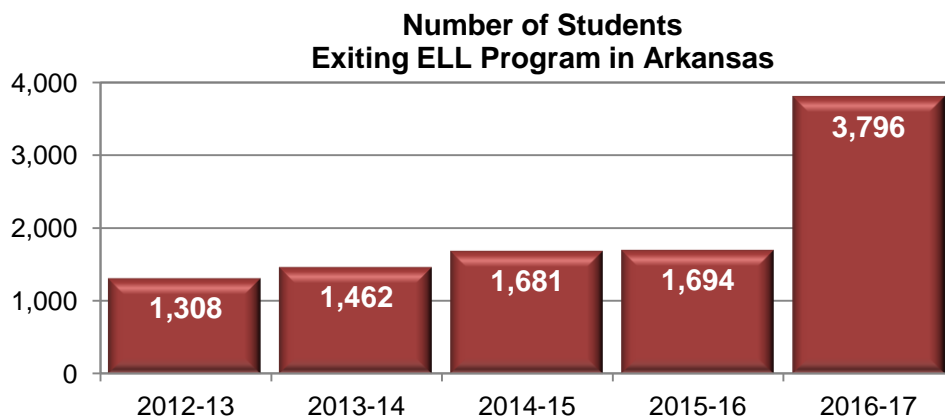
Source: ADE, <http://www.arkansased.gov/divisions/learning-services/assessment/english-language-development-assessment-elda> and *ELPA21 Score Reporting Specifications*, (School Year 2015-2016).

<sup>9</sup> A student must score proficient or advanced on the literacy and mathematics criterion-referenced test or score at or above the 40<sup>th</sup> percentile on the norm-referenced test.

The transition in assessments has resulted in an increase in ELL students testing proficient in English and becoming eligible to exit the program. In 2015, just under 3,500 students scored “Fully English Proficient” under ELDA, the score necessary for exit eligibility, compared with nearly 9,000 students scoring “Proficient” on the ELPA21. ADE believes the ELPA21 proficiency scores provide a more accurate measure of a student’s true English-language proficiency than the ELDA.<sup>10</sup>



With more students testing proficient, more students are exiting the ELL program. According to data districts reported through APSCN, 1,694 students (4%) exited the ELL program in the 2015-16 school year, compared with 3,796 (8%) in the 2016-17 school year, which represents a 124% increase in the number of students exiting the ELL program over those two years. Whether the increase in exiting students is a one-time occurrence or the beginning of a trend won’t be clear until additional years of ELPA21 test data are available.



<sup>10</sup> Kerr, T., Arkansas Department of Education, Aug. 2, 2017.

The increase in students exiting ELL programs may ultimately affect the number of students for whom districts are receiving ELL state categorical funding. Because the number of students who qualified for ELL services and funding in 2016-17 was still based on 2015 ELDA scores, the financial impact of the increase in exiting students won't be known until ELL student counts are finalized for 2017-18. That said, the number of ELL students identified in the first district reporting cycle of 2017-18 shows a decrease of 2,134 ELL students from the number of ELL students in 2016-17. Based on the ELL funding of \$338 per student the state provides to districts and charter schools, this decrease in ELL students could result in districts and charters collectively receiving a decrease of more than \$720,000 in 2017-18.

### MONITORING EXITED STUDENTS

The recently enacted federal Every Student Succeeds Act (ESSA) requires districts and charters to monitor former ELL students for at least four years.<sup>11</sup> This expanded the previous monitoring requirement by two years. According to ADE, monitoring former ELL students requires LPACs to review students' academic progress and standardized assessment scores at least once per year to ensure students' continued success. There is no funding specifically provided to school districts and charters for monitoring exited students.<sup>12</sup>

### ENGLISH LANGUAGE LEARNERS UNDER ESSA

In addition to extending the time former ELL students must be monitored, ESSA introduced several changes in the way ELL students are included in the state's accountability system. Previously, ELL students' progress toward English-language proficiency was included in the state's reporting system for federal Title III funding, separate from the publicly reported student achievement ratings for schools. ESSA, however, shifted some of requirements to Title I, with the rest of the school accountability system. ESSA now requires ELL students' progress toward English-language proficiency to be included in the 1.) annual achievement indicators calculated for each school and 2.) in the long-term achievement goals ADE will set for the state. To align with the ESSA accountability provisions, the Arkansas General Assembly passed Act 744 of 2017 which calls for ELL students' progress toward proficiency to be included as part of the state's school rating system.<sup>13</sup>

### MEASURING ELL STUDENT PROGRESS ON ENGLISH-LANGUAGE PROFICIENCY

#### ANNUAL SCHOOL-LEVEL INDICATORS FOR ENGLISH-LANGUAGE PROFICIENCY

In the ESSA state plan ADE submitted to the USDOE in September, the department included a weighted English-language proficiency growth indicator as part of its ESSA School Index. The School Index is a composite measure of the performance of each school that takes into account a variety of ESSA-required measures. The School Index measures a school's total performance standardized academic content assessments (ACT Aspire), individual students' growth on academic content assessments, ELL students' progress toward English-language proficiency, graduation rates and a variety of other variables.

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<sup>11</sup> ESSA § 3121(a)(5)

<sup>12</sup> Kerr, T., Arkansas Department of Education, Dec. 8, 2017 phone conversation

<sup>13</sup> Act 744 of 2017

School Index Component	What is measured?	Weight in Overall Index
Weighted Student Achievement	A school's students' performance on the ACT Aspire assessment; indicates the proportion of students scoring "needs support", "close", "ready", and "exceeding".	35%
Growth Indicator <ul style="list-style-type: none"> <li>Academic Growth</li> <li><b>Progress in English-language proficiency</b></li> </ul>	Students' actual performance compared with expected performance based on their individual past test scores. <ul style="list-style-type: none"> <li>Academic growth measures all students' performance on the ACT Aspire</li> <li><b>Progress in ELP measures ELL students' performance on the ELPA21</b></li> </ul>	50% for grades K-8/35% for high schools
Graduation Rate Indicator	The percentage of students who graduate from high school within four and five years	15% for high schools
School Quality and Student Success Indicator	This indicator measures a variety of items, including chronic absenteeism, performance on the ACT Aspire assessment in science, ACT score, grade point average, and computer science course credits earned.	15%

For the English-language proficiency component of the School Index, ADE has proposed calculating an individual growth score for each ELL student, using the student's prior performance on the ELDA/ELPA21. The student's actual score will be compared against the student's expected score (based on prior assessment performance) to determine whether the student met, exceeded or failed to meet his or her expected performance. ADE will combine the English-learner progress indicator with each school's academic growth indicator (as measured by math and English language arts scores of all students on the ACT Aspire) to create a single growth indicator in the total School Index calculation. The school-level growth score will be calculated with the English learner proficiency progress indicator weighted relative to each school's ELL population.

#### STATE'S LONG-TERM GOALS FOR ENGLISH-LANGUAGE PROFICIENCY

ESSA also requires states to develop long-term goals and interim measurements for increasing the percentage of ELL students making progress in achieving English-language proficiency<sup>14</sup>. ADE is currently in the process of defining those long-term goals. According to the Arkansas's ESSA state plan, the state plans to establish a different methodology for the long-term goals than it is using for the ESSA School Index. For the long-term goals, ADE has developed an expected time to English-language proficiency based on a student's initial proficiency level on the ELPA21 and his or her grade level (e.g., 1<sup>st</sup> grade). The timeframes will be based on the typical time to proficiency as determined by past performance of all ELL students on the ELDA and ELPA21. For example, a student entering in kindergarten, 1<sup>st</sup> or 2<sup>nd</sup> grade at the lowest level of proficiency would be expected to be English proficient after six years, while a 6<sup>th</sup> grader entering at the same proficiency level would be expected to be proficient within eight years. While the ELP growth indicator in the ESSA School Index measures students' performance against their individual expected growth based on their own past scores, the long-term goals will measure students' progress toward proficiency against a set standard based on historical progress of all ELL students.

With a mix of ELDA data and just two years of ELPA21 data, ADE has been limited in its ability to definitively determine proficiency timeframes. ADE has established timeframes in the ESSA State Plan, but the department plans to review the timeframes after additional years of data are

<sup>14</sup> ESSA §1111(c)(4)(A)(ii)

available. According to the plan, ADE indicated that its long-term goal is to raise the performance of the schools currently performing in the 25<sup>th</sup> percentile to match the current performance of the schools at the 75<sup>th</sup> percentile, that is moving from 32% of students on track to proficiency to 52% by 2029.<sup>15</sup>

#### MEASURING ELL STUDENT PROGRESS ON ACADEMIC CONTENT ASSESSMENTS AND OTHER AREAS

States are also required to identify schools with any “consistently underperforming” student subgroups, including English language learners. These are schools with student subgroups that have significant achievement gaps between subgroups for at least two years. The state will use the ESSA School Index to identify schools with consistently underperforming subgroups. According to ADE’s ESSA State Plan, the state will calculate the ESSA School Index for each student subgroup for each school and identify gaps. A School Index will not be calculated for subgroups with fewer than 15 students in a school.

In this way ESSA requires schools to assess not only ELL students’ progress toward English-language proficiency, but also their performance and progress on academic content assessments (ACT Aspire scores), their graduation rates and other measures included in the School Quality and Student Success component of the ESSA School Index.

ESSA allows states to include the scores of *former* ELL students in the academic content assessment scores for the English learner subgroup. Former ELL students can be included in the English learner subgroup for up to four years after exiting the program. Arkansas has opted to include those students in its subgroup.<sup>16</sup> Data included in Arkansas’s ESSA State Plan show the inclusion of former ELL students in the ELL subgroup raises the percentage of ELL students who score “ready” or “exceeding” on the ACT Aspire by three percentage points in math and by five percentage points in English language arts.<sup>17</sup>

Additionally, ESSA allows states to exclude the test scores of ELL students who are new to the United States from a school’s index calculation. States can exclude these students’ scores on academic content assessments (ACT Aspire in Arkansas) and on English-language proficiency assessments (ELPA21 in Arkansas) for the first year they are enrolled in a U.S. school. In 2017, the General Assembly passed legislation that excludes the scores of students enrolled in a U.S. school less than a year from the calculation of a school’s or district’s overall accountability ratings in growth or achievement.<sup>18</sup> The Arkansas ESSA State Plan calls for newcomer ELLs to be tested on ACT Aspire for baseline purposes only, but their scores will not be counted in a school’s overall growth or achievement score during the students’ first year. In their second year, these students’ content assessment scores from their first year will be used in conjunction with their assessment scores for the second year to measure growth for school accountability purposes.<sup>19</sup>

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<sup>15</sup> Arkansas ESSA State Plan, p. 114

<sup>16</sup> Arkansas Department of Education, Every Student Succeeds Act Arkansas State Plan, p. 18

<sup>17</sup> Arkansas Department of Education, Every Student Succeeds Act Arkansas State Plan, p. 19

<sup>18</sup> Act 991 (91<sup>st</sup> General Assembly, Regular Session, 2017), ACA §6-10-130(a)(1-2).

<sup>19</sup> Airola, D., University of Arkansas, Office of Innovation for Education, Aug. 21, 2017 email.

## ELL STATE CATEGORICAL FUNDING

Arkansas provides additional funding to school districts and charter schools to support students who are not proficient in the English language. This state categorical funding program is known as English Language Learner (ELL) funding and is distributed to districts and charter schools based on the number of ELL students they have enrolled.

### ELL FUNDING BACKGROUND

In 2003, the General Assembly hired education consultants Picus and Associates to help revise the state's education finance system in the wake of the *Lake View* lawsuit. The consultants recommended that the state provide additional funding to school districts to support the equivalent of 40% of a full-time teacher (.4 FTE) for every 100 students who are both English language learners and eligible for free or reduced price lunch, or about \$195 per qualifying student. The General Assembly adopted this recommendation, providing the new funding for the first time in 2004-05. This funding was designed to supplement the state funding provided to school districts based on the number of low-income students (National School Lunch state categorical funding).

In 2006, still under pressure by the courts, the General Assembly rehired Picus and Associates to again review the state's education finance system and recommend further adjustments. The consultants recommended increasing ELL funding to support one full FTE teacher, rather than the equivalent of .4 FTE funded by the state at the time. The Adequacy Study Oversight Subcommittee opted to instead adopt a 50% increase for the ELL per-student funding rate. The decision to increase the funding was based on the fact that districts were spending more money on ELL programs than they were provided in ELL funding. However, the increase was limited to 50% because financial data showed districts had significant balances of NSL funding, money that was meant to supplement ELL funding.

Since then, the per student ELL funding rate has increased 2% per year in most years, although in some years there's been no rate increase for this categorical funding.

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Per-student ELL funding	\$195	\$293	\$293	\$293	\$293	\$299	\$305	\$311	\$317	\$324	\$331	\$338	\$338
% change from previous year		50%	0%	0%	0%	2%	2%	2%	2%	2%	2%	2%	0%

While other types of state categorical funding (NSL, Professional Development, and Alternative Learning Environment) are provided based on previous year student enrollment numbers, ELL funding is based on the number of ELL students in the current school year. Districts must submit to ADE documentation on students identified as ELL no later than November 1.

In 2017, 178 districts and 14 open enrollment charter schools received \$331 per ELL student, or about \$13.9 million total. This per-student funding amount is established in § 16-20-2305. Additionally, districts can transfer funding into ELL funds from the three other state categorical programs if they need more funding for ELL programs than they received. In 2016-17, districts and charters transferred about \$4.4 million from other categorical funds to be used as ELL funds. The majority of that funding, about \$4.2 million, was transferred from NSL funds.

FY	Per-Student ELL Funding	Total ELL Categorical Funding	Funding Transferred to ELL From Other Categorical Funds	Total
2012-13	\$305	\$10,560,320	\$4,093,403	\$14,653,723
2013-14	\$311	\$11,031,481	\$3,994,300	\$15,025,781
2014-15	\$317	\$11,912,226	\$3,877,532	\$15,789,758
2015-16	\$324	\$12,779,856	\$4,083,284	\$16,863,140
2016-17	\$331	\$13,879,492	\$4,376,452	\$18,255,944



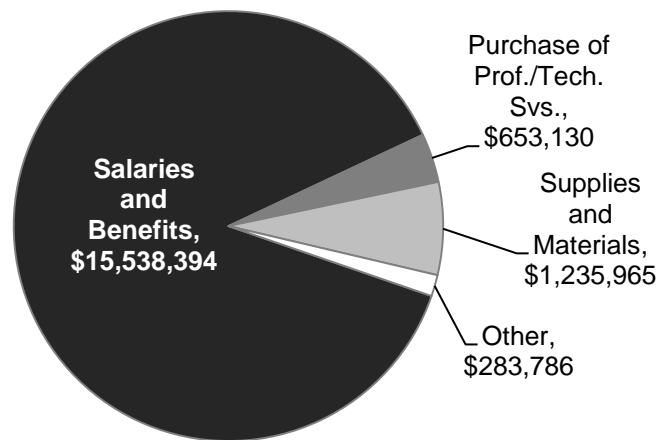
ELL funding, like other categorical funding programs, is considered restricted, meaning districts can spend the money only for specific purposes. The following activities are listed as eligible uses of ELL funding:

- Salaries for ELL instruction
- Professional development activities, to include released time for ELL curriculum development, workshops, and trainings
- Instructional and supplemental materials including computer-assisted technology and library materials
- Counseling services, community liaison staff with language and cultural skills appropriate to the ELL population
- Assessment activities
- Implementation of supplemental instructional services

The vast majority of districts' and charters' expenditures of ELL categorical funds are spent on salaries and benefits, as the graph shows.

District and open-enrollment charter school expenditures of ELL categorical funds for FY2016-17, including expenditures of other categorical funds transferred to ELL, totaled about \$17.7 million or \$421 per student. Thus, on average, districts spent about 127 percent of the ELL categorical funding they originally received for that purpose. The transfers to ELL from other types of categorical funds allow districts to spend more than the ELL funding they receive in a given year.

**Expenditures of ELL Categorical Funds, 2016-17**



Additionally, districts spent other types of non-federal funding—beyond state categorical funds—on ESL staff, materials and other services. The table below shows the total ELL categorical funds spent and the additional ESL expenditures districts made from other non-federal funding sources. (Federal funding is described in the next section.) It is important to note that districts and charter schools may not be consistently coding their ESL expenditures, so these figures may underestimate the total amount spent. ADE indicates that the agency has not provided guidance to districts on coding ESL expenditures and staffing, but is considering taking steps in the future.<sup>20</sup>

FY	Total ELL Expenditures from ELL Categorical Funds	Total ELL Expenditures From Other Non Federal Sources	Total Non Federal ESL Program Expenditures
2012-13	\$14,847,413	\$3,275,469	\$18,122,882
2013-14	\$14,895,274	\$3,363,231	\$18,258,505
2014-15	\$15,997,816	\$3,374,591	\$19,372,407
2015-16	\$16,831,293	\$4,744,389	\$21,575,682
2016-17	\$17,663,135	\$4,337,581	\$22,000,716

Note: ELL Categorical expenditures include transfers of ELL funding to other categorical funds, but does not include funding transferred from Pulaski County Special School District to Jacksonville North Pulaski. Transfers of categorical funds are based on funds districts coded as transfers. In some cases, small transactions may have been miscoded and therefore do not represent the funding amount truly transferred.

<sup>20</sup> Kerr, T., Arkansas Department of Education, Dec. 8, 2017 phone call.

The table below compares the per-student ELL state funding levels each year, compared with districts' and open enrollment charter schools' per-student expenditures for ESL services.

FY	Per Student ELL Funding	Total Per-Student ELL Expenditures (Non-Federal)
2012-13	\$305	\$526
2013-14	\$311	\$515
2014-15	\$317	\$516
2015-16	\$324	\$547
2016-17	\$331	\$525

Unspent ELL categorical funding may be carried forward from one year to the next as a fund balance. In 2017, ELL fund balances, across all districts and open enrollment charter schools, totaled about \$2.1 million. This brings the district average fund balance to \$51 per ELL student, or about 15 percent of the \$331 per student funding.

FY	Total ELL Categorical Fund Balance	Per Student ELL Fund Balance
2012-13	\$1,652,829	\$48
2013-14	\$1,818,933	\$51
2014-15	\$1,620,183	\$43
2015-16	\$1,526,243	\$39
2016-17	\$2,123,052	\$51

## OTHER STATES' FUNDING FOR ELL STUDENTS

Like Arkansas, most states provide additional funding to school districts to help them provide language assistance programs for ELL students. According to the Education Commission of the States, 46 states, including Arkansas provide additional funding for this purpose.<sup>21</sup> A total of 26 states provide the funding as a weight on the regular per-student foundation funding provided to districts for ELL students. For example, a weight of .25 would result in districts receiving 125% of the per-student foundation funding for each ELL student. As of 2015, the weights used by states ranged from .096 (Kentucky) to .99 (Maryland). Arkansas's ELL funding calculated as a weight equals .05.

Other states provide funding in terms of the cost of a teacher for districts with ELL students. The funding in these states range from covering one teacher for every seven ELL students to one teacher for every 100 ELL students. In comparison, Arkansas's ELL funding covers 1 FTE teacher for every 194 ELL students (using the cost of a teacher salary and benefits in the foundation funding matrix).

Twelve other states provide ELL funding to districts either as a budget line outside the regular school district funding formula or as a reimbursement program for which districts must submit ELL costs.

## FEDERAL FUNDING

An important funding source for ELL programs is federal Title III funding. Part A of Title III is a federal education grant program known as the English Language Acquisition, Language Enhancement, and Academic Achievement Act. It provides funds to ELL programs in qualifying districts. Districts must use the funding to provide language instruction educational programs and professional development for ESL staff. In addition to these activities, ESSA created a

<sup>21</sup> Education Commission of the States, ELL Funding, Trends in State Laws, January 2015, <http://www.ecs.org/clearinghouse/01/16/94/11694.pdf>

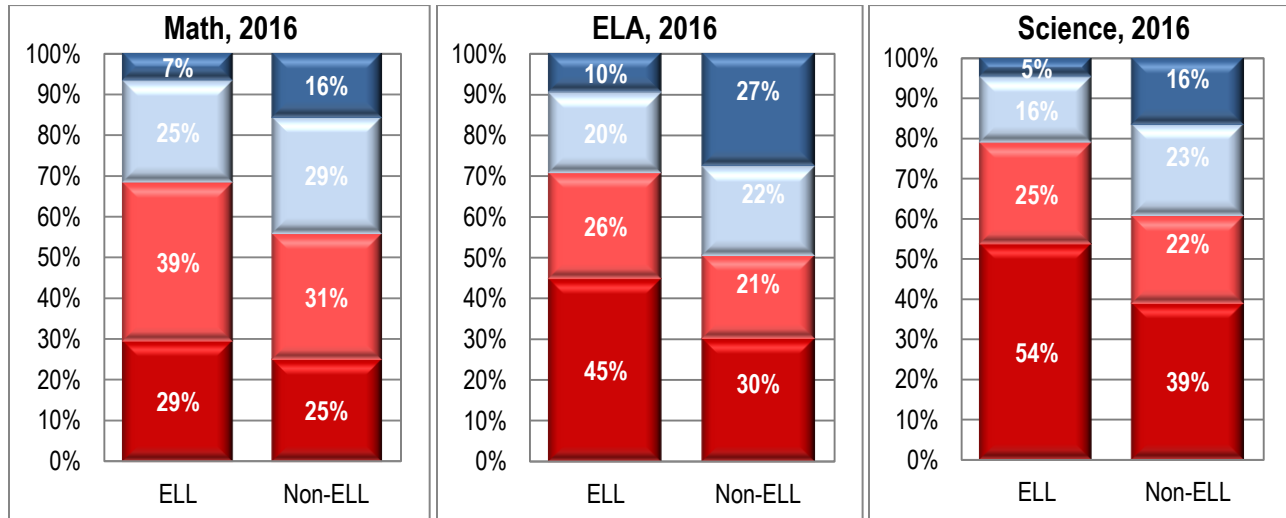
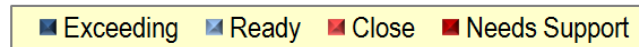
third activity on which districts must spend Title III funds: conducting supplementary activities for ELL students. These supplementary activities must include parent, family and community engagement, and districts are permitted to include activities to coordinate and align programs.<sup>22</sup> Title III funding can be used only to supplement the ELL services districts are legally required to provide.

Each year, the federal government provides Title III, Part A grants to the state, which then provides funding to eligible school districts. A per-student amount for each school district is calculated based on the total funding available, divided by its prior year ELL student count. Only school districts whose subgrant would equal \$10,000 or more are eligible to receive Title III funding. In 2016-17, \$3,109,894 in Title III money was provided to 41 school districts in Arkansas, or about 23% of the districts that had any ELL students that year. No open enrollment charter schools received Title III funding. The districts that received Title III funding collectively spent \$3,103,552, or about \$87 per ELL student.

## ACHIEVEMENT

### ACT ASPIRE

During the 2015-16 school year, all students in grades 3-10, including ELL students, participated in the ACT Aspire examinations. ACT Aspire tests students' content knowledge acquisition only and is not a test of English-language proficiency. ACT Aspire was first used in 2015-16, replacing the PARCC. ACT Aspire results report four levels of proficiency: (1) "in need of support", (2) "close", (3) "ready", and (4) "exceeding". In Arkansas, the assessment is administered only in English. As the graphs show, the percentages of ELL students scoring "ready" or "exceeding" were lower than those for non-ELL students in math (32%, compared with 45%), English language arts (30%, compared with 49%), and science (21%, compared with 39%).



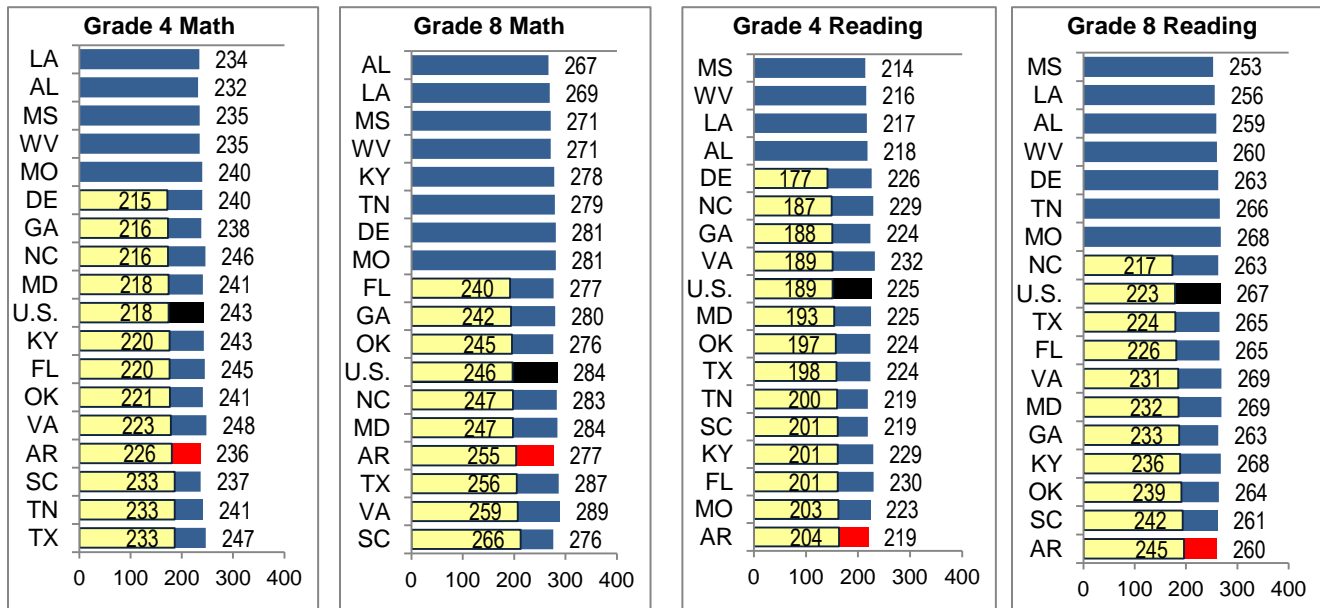
<sup>22</sup> U.S. Department of Education, Non-Regulatory Guidance: English Learners and Title III of the Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA), September 23, 2016, p. 13, <https://www2.ed.gov/policy/elsec/leg/essa/essatitleiiienglishlearners92016.pdf>

**NATIONAL ASSESSMENT OF EDUCATIONAL PROGRESS (NAEP)**

NAEP scores are also important to consider when looking at the progress of Arkansas’s ELL students. These tests are given to all students at grades 4 and 8 and score students on proficiency in both math and reading on a scale of 0 (the lowest score) to 500 (the highest score). The NAEP test is given to students across the United States and allows for comparison among states on a common assessment. The following tables provide information on the achievement of ELL versus non-ELL students on the NAEP in 2015 (the most recent scores available) in states surrounding Arkansas and SREB states. For some states, the data for ELL students’ scores do not meet NAEP’s reporting standards and are therefore unavailable. Compared to the national average for public schools and the scores of other SREB states, Arkansas ELLs ranked 1<sup>st</sup> on the 2015 NAEP for 4<sup>th</sup> and 8<sup>th</sup> grade reading, while the state ranked 4<sup>th</sup> for 4<sup>th</sup> and 8<sup>th</sup> grade math.

**2015 NAEP**

■ Non ELL    ■ ELL



Source: nces.ed.gov/datatools/

**CONCLUSION**

English Language Learners are students identified as not proficient in the English language. During the 2016-17 school year, there were nearly 42,000 students categorized as ELLs across 178 Arkansas school districts and 14 Arkansas charter schools. Using the home language survey at the time of school enrollment, students are identified as potential ELLs and given a screener test to assess the child’s level of English proficiency. If identified as an ELL, the student is then placed in an ELL program and is monitored by an LPAC (Language Placement Committee), which meets periodically to ensure the student’s progress. If the student shows that he or she is English proficient through ELPA21 test scores and performance in core content classes, he or she may be released from the ELL program.

In 2015-16, ADE adopted ELPA21 as its English-language proficiency assessment, replacing the ELDA. The assessment assigns each student a proficiency level based on his or her composite score. Students at levels 4 and 5 are considered to have attained English-language proficiency. The results of the ELPA21 assessment help schools determine what type of English language instruction is most appropriate for each ELL student or whether the student should be released from the ELL program.

The change in assessment to the ELPA21 appears to have led to a significant increase in the number of students exiting the ELL program in 2016-17. Under the ELDA, students needed to obtain a score of 5 in all four domains of the test to be eligible to exit the ELL program, but ELPA21 considers students English proficient if they score a 4 or 5 in each of the domains. As a result, 3,796 students (8%) exited the ELL program in the 2016-17 school year compared with 1,694 students (4%) who exited in 2015-16, a 124% increase. ADE considers the ELPA21 to be a more accurate measure of English proficiency than the ELDA.

In 2017, the General Assembly passed Act 744 to include ELL students' progress toward proficiency as part of the state school rating system. In order to comply with state accountability provisions under ESSA, ADE also intends to include the scores of former ELLs on state assessments in the ELL subgroup calculations used for school accountability. In its current ESSA State Plan, ADE combined the English-learner progress indicator and the academic growth indicator (as measured by ACT Aspire) to create a single growth indicator. The school-level growth score is calculated to reflect a proportional representation of ELLs in the school.

ELL instruction and support is primarily funded through state funding, which is based on the number of ELL students in the current school year. In 2016-17, ELL categorical funding totaled nearly \$14 million or \$331 per ELL. Districts and charters transferred another \$4.4 million from other categorical funds to the ELL fund to be spent for that purpose. Expenditures from ELL funds in 2017 totaled \$17.7 million. Districts and charters also spent another \$4.3 million on ESL staffing and services using other non-federal funding sources, for a total non-federal funding cost of about \$22 million. This means districts and charter schools were provided ELL funding at the rate of \$331 per student, but they spent about \$525 per student on ELL programs and services.

Title III federal funding is also available to districts with a significant ELL student population (typically districts with a minimum of between 100-120 ELL students). Title III funding is intended to provide additional funding for districts; it can be used only to supplement the ELL services districts are legally obligated to provide. In 2017, 41 Arkansas school districts received a total of about \$3.1 million in Title III funding, or about \$83 per student.

In terms of achievement, ELL students overall performed below the level of their non-ELL peers, according to statewide results from the ACT Aspire in 2015-16. In English language arts, 30% of ELLs scored "ready" or "exceeding" on the ACT Aspire, compared with 49% of non-ELLs. In math, 32% of ELLs scored "ready" or "exceeding", compared with 45% of non-ELLs. On the NAEP assessment, Arkansas ELLs ranked 1<sup>st</sup> among surrounding states and SREB states on the 2015 NAEP for 4<sup>th</sup> and 8<sup>th</sup> grade reading, while the state ranked 4<sup>th</sup> for 4<sup>th</sup> and 8<sup>th</sup> grade math.