



NATIONAL
CHARTER SCHOOL
RESOURCE CENTER

English Learners in Charter Schools

A Learning Experience Focused on English Learner Instruction

2020

charterschoolcenter.ed.gov

About the NCSRC

The National Charter School Resource Center (NCSRC) provides technical assistance to federal grantees and resources supporting charter sector stakeholders. NCSRC is funded by the U.S. Department of Education (ED) and managed by Manhattan Strategy Group (MSG) in partnership with WestEd.



Overview of English Learner Instruction

Learning Module #1



Overview of Your Learning Experience



EL Instruction in Practice:



Learning Experience Audience



Charter School Leaders, Directors of Academic Programming, Charter School Authorizers

Learning Objective:

Provide an overview of English learner (EL) education and available resources to support EL education in charter schools



At the end of this learning module, you should understand:

- The legal context related to the education of ELs
- The core responsibilities of local education agencies (LEAs), schools, and teachers related to educating EL students
- Evidence-based best practices for educating EL students and where to find more information about each of these practices
- How charter schools can create programs that best support the academic achievement of EL students

A photograph of several young children sitting on the floor in a library, reading books. The children are of diverse ethnicities and are focused on their reading. Bookshelves filled with books are visible in the background. The image has a semi-transparent overlay with the title text.

English Learners in the United States

23%

of school-aged children spoke a language other than English at home in 2017.

Source:

<https://www.childstats.gov/americaschildren/family5.asp#:~:text=SOURCE%3A%20U.S.%20Census%20Bureau%2C%20Current,and%20had%20difficulty%20speaking%20English.>



3.2 Million

*estimated number of students who attended a charter school
in 2017-2018*

Source: <https://www.publiccharters.org/sites/default/files/documents/2018-03/FINAL%20Estimated%20Public%20Charter%20School%20Enrollment%2C%202017-18.pdf>



Nearly 1 in 10

students nationally are classified as an English Learner.

Source: https://nces.ed.gov/programs/coe/indicator_cgf.asp



Charter schools are uniquely positioned to serve EL students based on the **autonomy** in the charter promise and their ability to be **nimble** in response to **community and student needs**.



Serving English Language students goes
beyond ESEA (as amended by ESSA)...

*...even if ESEA is how we accomplish most of the aims of
other laws and rulings.*



First, some history.

Lau v. Nichols, 414 U.S. 563, 1974

Chinese-speaking students in San Francisco Unified School District (SFUSD).

The U.S. Supreme Court ruled that:

- SFUSD's failure to provide English language instruction denied the students "a meaningful opportunity to participate in the educational program"
- Such denial was in violation of Title VI's prohibition against discrimination based on race, color, or national origin
- The school district had to "take affirmative steps to rectify the language deficiency in order to open its instructional program to these students"

Source: <https://cdn.loc.gov/service/ll/usrep/usrep414/usrep414563/usrep414563.pdf>

Equal Educational Opportunities Act, 1974

“No State shall deny equal educational opportunity to an individual on account of his or her race, color, sex or national origin, by-(f) 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.”

Source: <https://www.govinfo.gov/content/pkg/STATUTE-88/pdf/STATUTE-88-Pg484.pdf>

Castañeda v. Pickard, 1981

The Fifth Circuit Court of Appeals established a three-part assessment to determine if a district's program for its ELs is adequate and meets its responsibilities under the Equal Educational Opportunities Act (EEOA):

1. Is the program based on sound educational theory?
2. Are the program and practices actually used by a school system reasonably calculated to implement effectively the educational theory adopted by the school?
3. Has the program been shown, after a sufficient period of time, to be effective in overcoming language barriers?

Source: <https://casetext.com/case/castaneda-v-pickard>

Plyler v. Doe, 1982

The U.S. Supreme Court held that the State law violated the Equal Protection Clause of the Fourteenth Amendment by denying a public education to children based on their immigration status. The Court noted that “directing the onus” for their parents’ actions on children “does not comport with fundamental conceptions of justice.”

Source: <https://cdn.loc.gov/service/ll/usrep/usrep457/usrep457202/usrep457202.pdf>

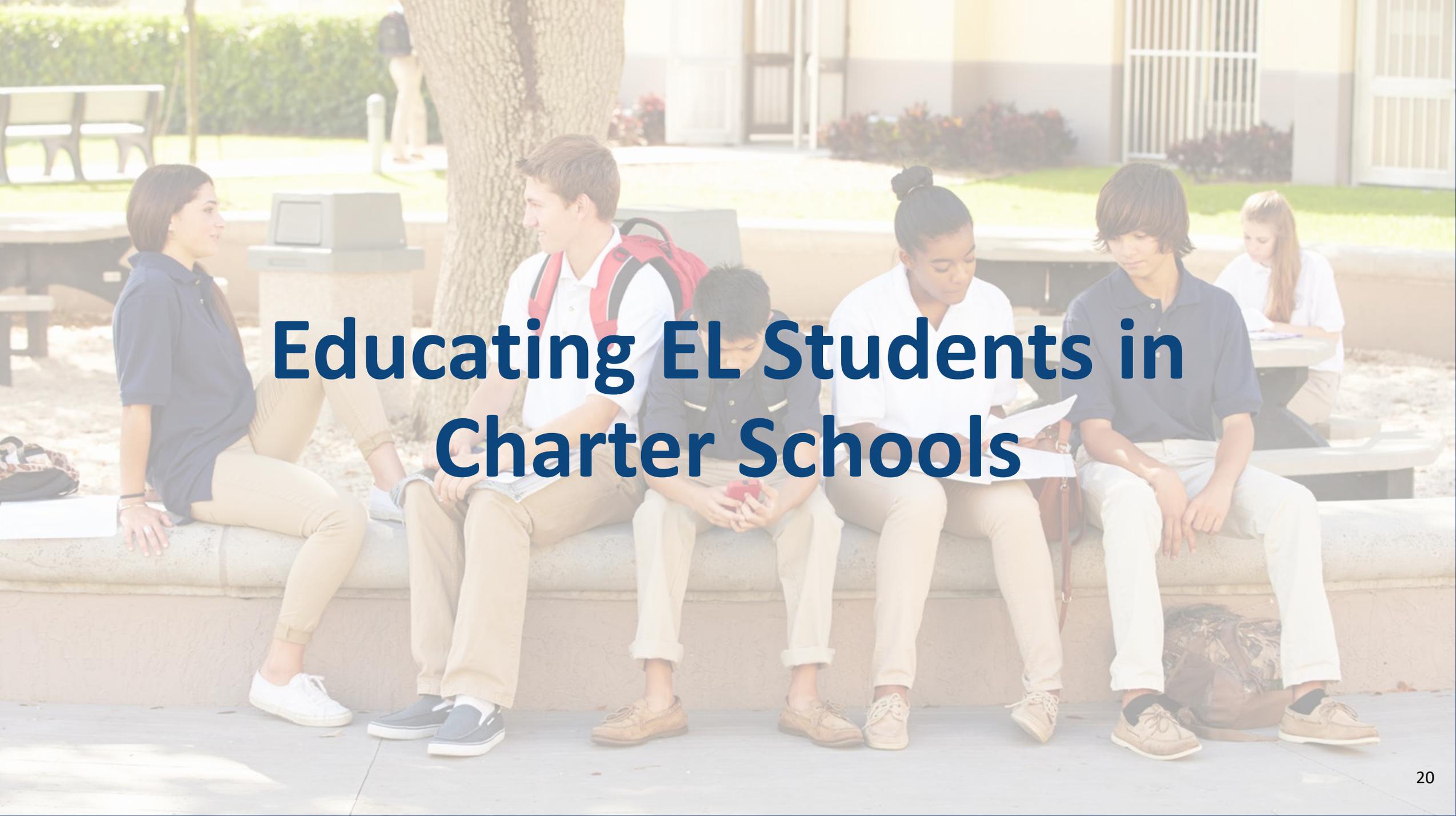
What Does This All Mean?

1 Districts must help ELs learn English.

2 Providing instruction only in English to students who are not proficient in the language amounts to exclusion based on language and is prohibited.

3 Districts must make a good faith effort to implement programs to support ELs, including evaluating regularly if said programs are working as intended.

4 Districts can't deny students an education based on their immigration status.

A group of diverse students sitting on a concrete ledge outdoors. From left to right: a young woman in a blue polo shirt and tan pants is talking to a young man in a white polo shirt and tan pants who has a red backpack. Next to him is a young man in a dark blue polo shirt and tan pants looking at a red phone. Then a young woman in a white polo shirt and tan pants is reading a book. To her right is a young man in a dark blue polo shirt and white pants looking at a book. In the background, another young woman in a white polo shirt is sitting at a table. The scene is set outdoors with a tree, a trash can, and a building in the background.

Educating EL Students in Charter Schools

Core Responsibilities Under ESEA/ESSA

- Valid and non-discriminatory identification
- Annual Assessment of English Language Proficiency (ELP) to evaluate progress towards goals
- Provision of services to support:
 - The acquisition of English
 - Access to the same educational opportunities as all students

The Goal of EL Instruction

EL status should be temporary.



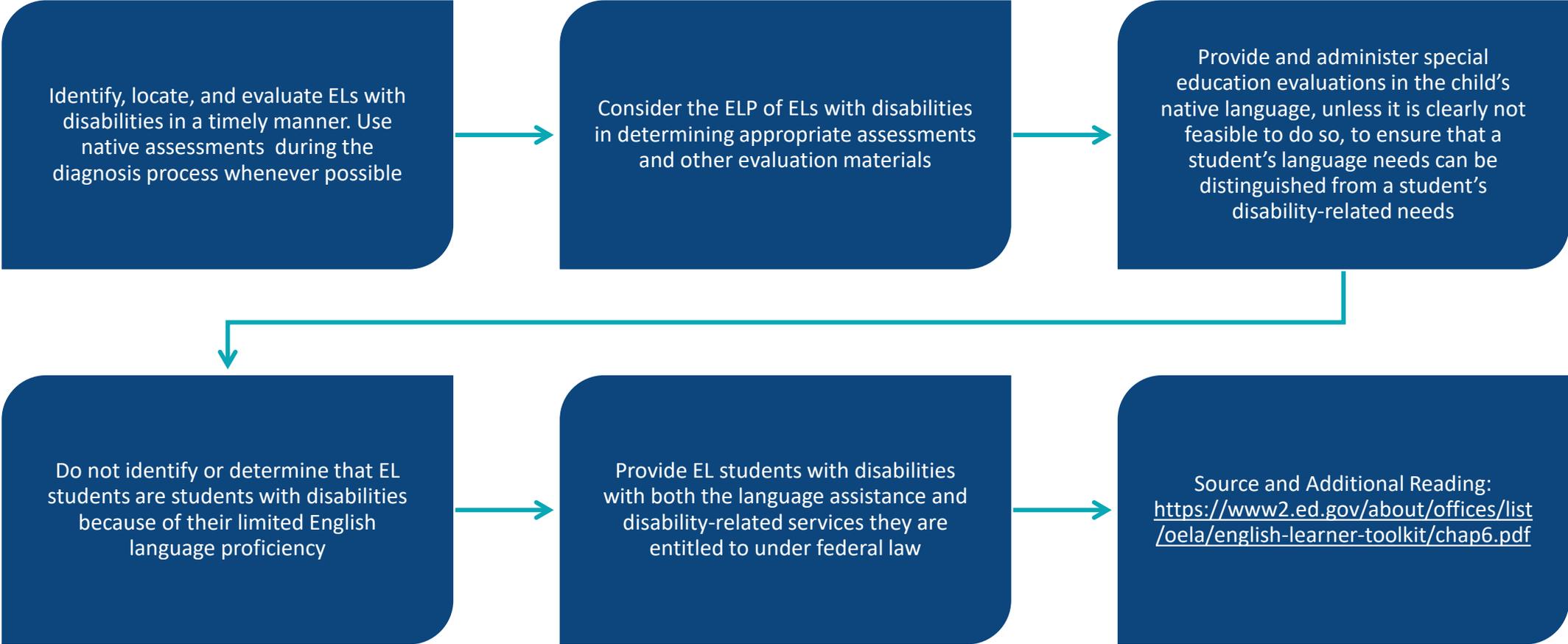
Eventually, as a result of a LEA's provision of high-quality and inclusive supports, ELs master the English skills they need and no longer need the support with English language acquisition and academic content knowledge.



EL students who master such skills are reclassified out of EL status.

Reclassification is not a service/legal requirement, but rather an important piece of evidence that students are receiving the services noted.

Providing Special Education Services to ELs



More about Assessment

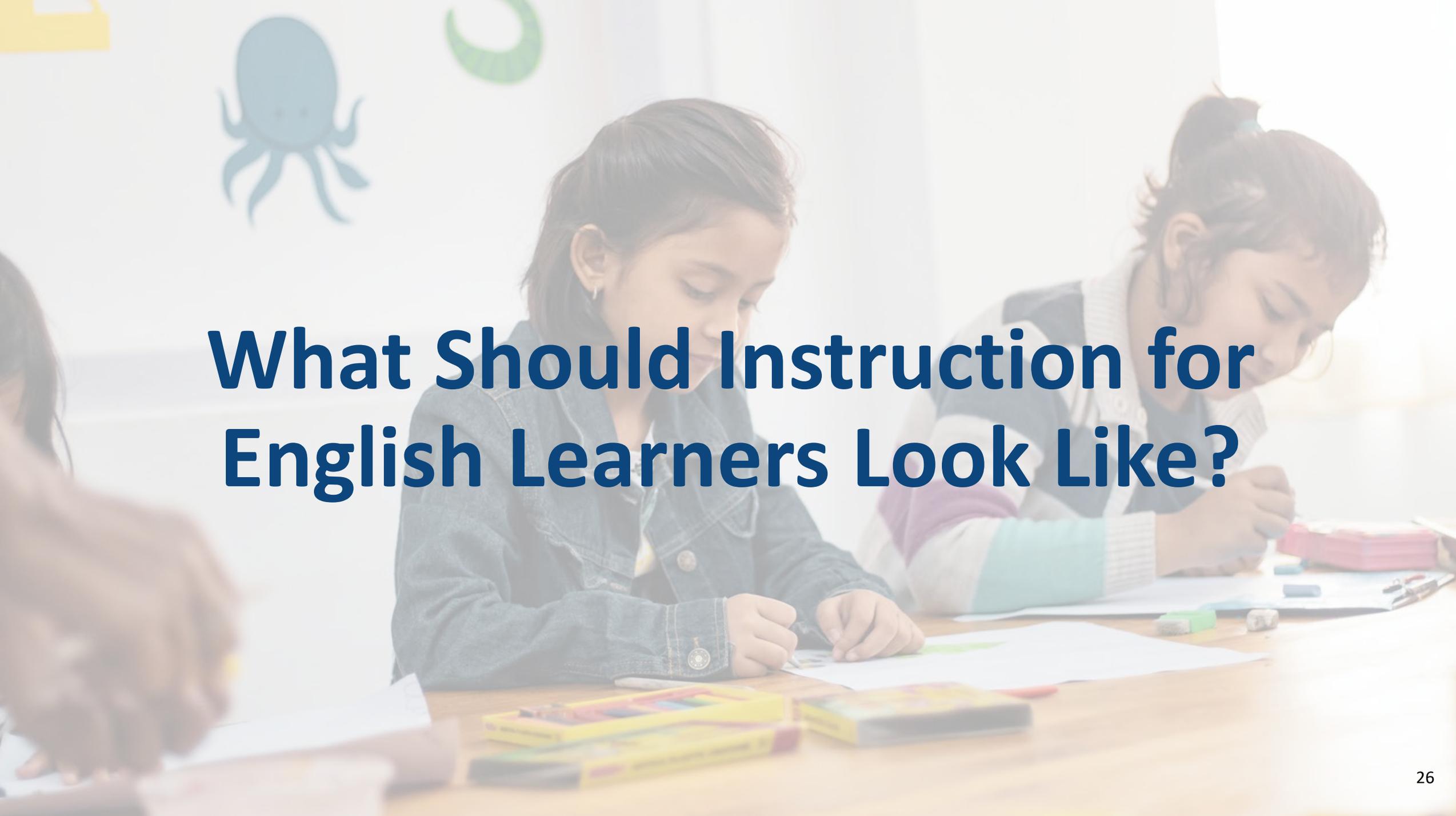
- Under ESSA, each State must annually measure five indicators of student performance for each subgroup, which includes ELs.
- The indicators of student performance are as follows:
 - Academic achievement
 - Academic progress
 - Graduation rate
 - Progress in achieving English Learning Program (ELP)
 - School quality of student success

EL Assessment with COVID-19

The U.S. Department of Education has provided guidance for states regarding the assessment of EL students in the wake of COVID-19 school disruptions.

<https://www.isbe.net/Documents/20-0113-COVID-19-EL-Factsheet.pdf>



A photograph of three children sitting at a wooden table in a classroom, focused on drawing. The child in the center is a girl with dark hair, wearing a denim jacket, looking down at her drawing. To her right, another girl with dark hair in a ponytail, wearing a striped sweater, is also drawing. In the foreground, the back of a third child's head and shoulders is visible. The table is covered with drawing supplies like markers and paper. The background is a bright, slightly blurred classroom setting with a blue octopus sticker and a green crescent moon sticker on the wall.

What Should Instruction for English Learners Look Like?

Recommendations to help ELs achieve academic success:

1

Teach a set of academic vocabulary words intensively across several days using a variety of instructional activities

2

Integrate oral and written English language instruction into content-area teaching

3

Provide regular, structured opportunities to develop written language skills

4

Provide small-group instructional intervention to students struggling in areas of literacy and English language development

Sources: https://ies.ed.gov/ncee/wwc/Docs/practiceguide/english_learners_pg_040114.pdf; <https://ies.ed.gov/ncee/pdf/20074011.pdf>

Recommendations to help ELs achieve academic success: (continued)

5

Conduct formative assessments with ELs using English language measures of phonological processing, letter knowledge, and word and text reading

6

Ensure that the development of formal or academic English is a key instructional goal for ELs, beginning in the primary grades

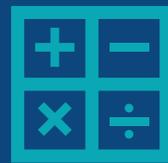
7

Ensure that teachers of ELs devote approximately 90 minutes a week to instructional activities in which pairs of students at different ability levels or different English language proficiencies work together on academic tasks in a structured fashion

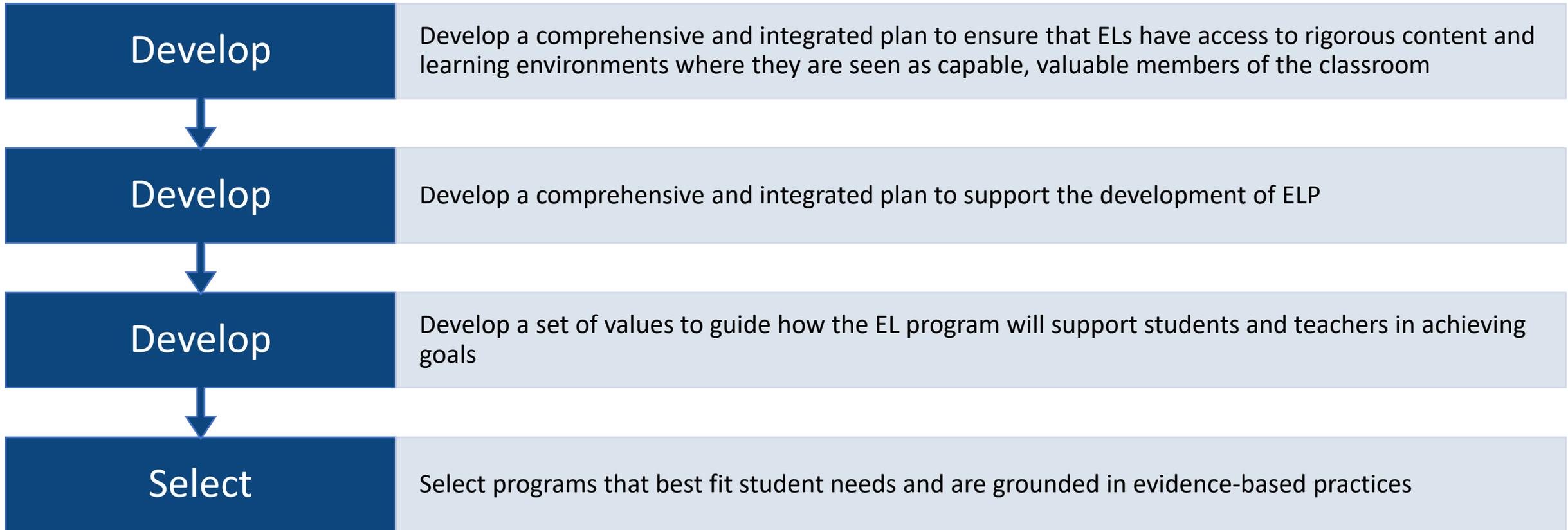
Sources: https://ies.ed.gov/ncee/wwc/Docs/practiceguide/english_learners_pg_040114.pdf; <https://ies.ed.gov/ncee/pdf/20074011.pdf>

EL Instruction is More than Just Language Development

It's making sure EL students are learning science, math, social studies, English language arts, art, music, and whatever else other kids are learning, too.



What can charter school leaders do to ensure EL students are learning both language and content?



Source: <https://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html>

Charter schools will be most successful educating EL students when leaders...

Infuse

Infuse EL considerations and needs into every aspect of how they educate students

Create

Create a system of shared responsibilities for considering the needs of EL students

Ensure

Ensure that EL students feel supported, included, and valued

Empower

Empower teachers to leverage effective best practices

Source: <https://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html>

Evidence-based Systemic or Leadership Practices for ELs

- California Department of Education's [English Learner Roadmap](#)
- [California English Learner Roadmap Resource Guide](#)
- Californians Together's [English Learner Roadmap Teacher Toolkit](#)
- [English Learner Roadmap Resource Hub](#)
- Designing, Delivering, and Evaluating Services for English Learners
- http://www.cde.state.co.us/cde_english/eldguidebook2020chapter5

Additional Recommended Reading

Farmington Municipal Schools' journey: Implementing an English Language Development Program

<https://ies.ed.gov/ncee/edlabs/regions/southwest/blogs/re/sw-blog-eld-farmington.aspx>

Preparing English Learners for College and Career: Lessons from Successful High Schools

<https://www.wested.org/resources/preparing-english-learners-for-college-and-career/#>

What Does Research Say about Effective Practices for English Learners?

<https://www.sewanhaskaschools.org/cms/lib/NY01001491/Centricity/Domain/2473/KDP%20article%20series%20on%20ELLs.pdf>

Reflection Questions



What is one thing you learned about the policy context for ELs? How does this new information relate to your charter's policies or philosophy?



What is one instructional practice for ELs that was new to you in this presentation?



How might you gather information on whether this practice is used regularly by educators in your charter school/network?

Next Learning Module...

Different approaches to providing ELs with content and language instruction

