Flexibility Principle 2:
State-Developed Differentiated Recognition,
Accountability, and Support

January 11, 2012

Introduction

Within the US Department of Education’s new flexibility initiative, there are three key and fundamental areas of focus, each referred to as a “principle.” The second of these is that SEAs must develop and implement differentiated recognition, accountability, and support to assure that all students are taught by effective teachers and receive an education that will allow them to be successful in college and/or careers. This document identifies resources that focus on state-developed differentiated recognition, accountability, and support for local schools as they pertain to English learner students (ELs).

There were four specific focus areas identified for inclusion within this principle:

- Differentiated accountability,
- School-level interventions,
- Instructional programs aligned with state academic content standards and ELP standards, and
- Building local and state capacity (includes achievement gap reduction).

This document identifies resources that address these four focus areas for all students, with a focus on ELs. It identifies resources produced by nationally-known organizations, federally-funded centers, research centers, and similar entities. Each of these resources reports on research, evaluations, best practices, and/or theory for this principle. Links to electronic versions of the documents are provided when available.

Disclaimer

The links for resources contained in this document are provided as examples of what may be useful resources to States, and are provided for the convenience of the reader. The U.S. Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of these resources, nor does the inclusion of links to these resources represent an endorsement of these resources or the organizations that made them available. Readers are invited to review these resources and consider their possible use as they determine appropriate. There may be other resources available that might also be useful.

Annotated Bibliography, by Area of Interest

This bibliography annotates the identified documents that focus on ELs. In them, ELs are specifically mentioned (using one of several terms) or are mentioned as a specific subgroup within Title I. Several of the citations are for websites; in these cases, there may be several subpages or documents identified on the website that are of interest – these "subdocuments" are all listed within the one website, and are not broken out as separate resources. All links were active as of January 2, 2012.
Differentiated accountability


Outlined in this document are the nine main principles and accompanying processes that should serve as the basis for developing next generation accountability systems. These principles serve as the framework for the design of new accountability systems and each state will build upon these principles to develop its own unique system that best fits its specific needs.


This Roadmap presents a vision for next-generation accountability systems to support college and career readiness for all students. It is written by and for states, building on leadership toward college and career readiness. This Roadmap has two purposes: (1) To serve as a statement of state leadership in developing more robust and meaningful educational accountability systems; and (2) To provide a guide for state action in developing and implementing next-generation accountability systems. States recognize accountability as a core strategy designed to achieve educational goals, particularly student achievement outcomes. As states implement college- and career-ready standards and complementary assessment systems through the Common Core State Standards and assessment consortia or otherwise, it is critical to consider the accountability implications of these policy shifts and to leverage state accountability systems to support the goal of college and career readiness for all students. Differentiated accountability is discussed, and disaggregation by various variables, including subgroups, status, and growth, is emphasized.


This page provides an overview of the Common Core State Standards, and has links to more specific information, including a page on ELs [http://cgcs.schoolwires.net/site/Default.aspx?PageID=144]. Included on the latter is a PowerPoint presentation by Lily Wong Fillmore, entitled *The Common Core Standards and student diversity – Making them work for everyone* [http://cgcs.schoolwires.net/cms/lib/DC00001581/Centricity/Domain/72/CGCS_Wed.pdf]. This PPT focuses on language issues that affect how ELs read materials and respond to items on assessments. Dr. Fillmore provides example text, discusses ways that might increase the understanding of ELs and other language minority students, but also points out that text that is easier to understand often does not have the information necessary to answer questions about the original text – questions that might be on assessments. She describes a curriculum that would meet the needs of all students, including ELs, and allow those students to meet the Common Core Standards.


Many of the nation’s Hispanic school-aged children face circumstances that challenge their potential to learn and school systems’ ability to provide a quality education to this growing population. The groundbreaking study focuses on the lives of Hispanic students in big-city schools from early childhood to adulthood, and analyzes distinctions between Hispanic and Latino ELs. Looking at demographic information, NAEP test results, school graduation and dropout rates, and college- and career-readiness, the report provides a great deal of information about how well Hispanics, and Hispanic ELs are doing in American schools.

(http://www.cgcs.org/cms/lib/DC00001581/Centricity/Doma

The CGCS has prepared this tenth edition of *Beating the Odds* to give the nation an in-depth look at how big city schools are performing on the academic goals and standards set by the states. This analysis examines student achievement in mathematics and reading from spring 2007 through spring 2010. It also measures achievement gaps between cities and states, Blacks and Whites, Hispanics and Whites, Hispanics and Hispanic ELs, and between other student groups. Finally, the report examines district progress. It asks two critical questions: “Are urban schools improving academically?” and “Are urban schools closing achievement gaps?” The report also presents important demographic data. Included are enrollment data by race, poverty, English language proficiency, and disability status. Statistics are also presented on student/teacher ratios and average school size. Finally, changes in these variables between 2005-2006 and 2008-2009 (the most recent year on which federally collected data are available) are shown. Data are presented for each city and state.

**School-level intervention for ELs**


This document was written with regard to EL students who are struggling in the classroom and more particularly with regard to the group of ELs who are adolescent newcomers. This group of ELs has a relatively short period of time in which to simultaneously develop academic language skills and master grade-level content. This document provides evidence-based recommendations for policymakers, administrators, and teachers in middle and high schools who seek to make informed decisions about effectively serving adolescent newcomers.


This document provides evidence-based recommendations for policymakers, administrators, and teachers in K-12 settings who seek to make informed decisions about instruction and academic interventions for ELs. The domains of focus include reading and mathematics, and the recommendations apply to both a class-wide instructional format and individualized, targeted interventions, depending on the population and the goals of the instruction.


This publication offers educators and policy-makers guidance on research-based strategies that have been effective in instructing ELs. Regardless of the model that school districts select, teachers--especially those who have not been trained to work with ELs--need help to determine the most effective strategies to accelerate student learning and maximize instructional time. This document outlines key contextual factors that decision-makers should take into account when making instructional choices for ELs, provides a brief overview of bilingual and English-only instructional models, and considers the influence of the language of instruction on academic outcomes for ELs.

AIR and WestEd have completed a 5-year evaluation of the educational environment for ELs in California under contract to the California Department of Education. The study results identify an array of factors that make a positive difference for EL achievement, not only in California but potentially across the country. The evaluation consisted of a mixed-methods approach—including case studies, phone and written surveys, statistical analyses of extant student performance data (statewide and from the Los Angeles Unified School District), stakeholder interviews, and document reviews—to address the research questions posed by the study. The study found that there is no single path to ensuring high EL achievement. However, the following practices appear to be more important contributors to success with ELs than using a specific instructional model: (1) Implementing a well-defined, rigorously structured plan of instruction for ELs; (2) Ensuring that teachers are skilled in addressing the needs of ELs; (3) Systematically using data to assess teaching and learning; and (4) Regularly adjusting instructional planning based on student performance.


This publication (executive summary available in Spanish) presents survey data collected from 40 California school districts in 2009-10 and is informed further by existing research literature and inquiries conducted in California secondary schools. These sources provide an emerging picture of “students left behind, parents uninformed, educators unaware, and districts largely stumped about what to do” (p 1). It contains sections that describe the long-term EL, how they typically are served within the schools, and provides systems issues and state policy recommendations. It includes specific suggestions on what works for long-term secondary ELs (pages 31-40).


This document addresses questions about how best to assist students who face the significant dual challenge of acquiring the content knowledge necessary for academic success and simultaneously developing their English language competency. Looking at key practices in schools with high populations of non-native speakers of English that have achieved exemplary academic success in their second, acquired language, this document details findings from 49 school principals on nine factors, including school and student characteristics, instructional supports and strategies for ELs, and barriers to effective instruction for ELs.


This report presents information about assessment, instructional interventions, and professional development with a particular focus on EL students who have been identified with a language and/or learning disability or who are at risk for reading difficulties. The focus of the intervention section is on those that have demonstrated success at remediating reading for ELs who have either identified language impairment, reading and/or learning disabilities, or those who are performing significantly below their peers in reading achievement. The report also offers recommendations followed by discussion and empirical evidence for the types of instructional interventions that best serve ELs who are at risk for reading difficulties who may or may not have an identified language and/or learning disability.

This professional development module provides background knowledge on language development, language assessment of ELs, academic language instruction, and vocabulary K-12. It is designed as a four-hour train-the-trainer session. Other options include using the materials in the Facilitator’s Guide as a study group tool with other EL professionals or using the information and completing the activities as a self-study guide.


While 50 years ago there were an abundance of manufacturing and other well-paying jobs for those with low levels of literacy that allowed them to maintain a middle-class lifestyle, the American economy has seen the flight of these low-skilled and well-paying jobs to other countries, with a simultaneous growth of service sector jobs requiring high levels of literacy from employees. These jobs typically require employees to integrate new information with the old, critique opinions, understand context, and synthesize new ideas—all high-order thinking skills facilitated by being fully literate. According to the statistics in this fact sheet, the American high school is failing large proportions of its students, leaving them ill-equipped to compete in this new economy. Concerns for ELs are addressed on page 3.

**Instructional programs aligned with state academic content standards and ELP standards**


This document provides criteria for developing, implementing, and evaluating high-quality English language proficiency (ELP) standards and assessments that support ELs’ attainment of ELP and achievement of academic content. Intended for state departments of education and their partners, the Framework presents criteria and a structure that builds on the best available research and practice from a number of relevant disciplines. Although not specifically written as a guide for implementing differentiated accountability, the Framework facilitates necessary cross-disciplinary collaboration as states either engage in an evaluation of their existing ELP standards and assessments or work to ensure effective development and implementation of their ELP standards and assessments.


The draft Framework for Developing High Quality ELP Standards and Assessments was developed in response to requests from states to the U.S. Department of Education for assistance on how to evaluate the technical quality of their ELP standards and assessments.


This policy brief outlines how the No Child Left Behind Act (NCLB) relates to high schools: (1) States must set adequate yearly progress (AYP) objectives (steadily increasing test scores and graduation rates) to ensure 100 percent of high school students achieve at proficient levels by spring 2014; (2) States must include high school graduation rates in the AYP objectives for high schools; (3) States must comply with the understanding of graduation rates, defined as the percentage of students who graduate from high school with a regular diploma in the standard number of years. As a result, states may no longer include recipients of general educational development (GED) certificates or alternative diplomas in their graduation rates; (4) All high school teachers who teach core subjects should have met the state’s “highly qualified” requirement by the end of the 2005-2006 school year; and (5) Annually test (in the subjects of reading, math, and, eventually, science
(by 2007-2008)) all high school students in at least one grade, including limited English-proficient students and students with disabilities, providing appropriate accommodations when necessary. A good overview of accountability, though not specific to Differentiated Accountability.


These guidelines are designed to assist developers and consumers of assessments for ELs in particular and special student populations in general. They are intended to help evaluate the technical adequacy (i.e., validity, reliability, freedom from bias) of assessments used to meet relevant Title I and Title III requirements under ESEA as reauthorized, but not specifically to Differentiated Accountability.


This evaluation update extends the work presented in *Technical Adequacy of Assessments for Alternate Student Populations* (Rabinowitz & Sato, 2005). This project is ongoing and is intended to inform developers and consumers of assessments for special student populations (ELs and students with disabilities - SWDs). The evaluation focuses on the technical adequacy of evidence related to assessments used to meet relevant Title I and Title III requirements, but does not refer specifically to Differentiated Accountability. In addition to the report, which includes a description of the process and the technical criteria used, summaries of technical evidence related to specific assessments are available. Summaries for additional assessments will be added as they are completed.


The Guidelines provide research-based information on key issues relevant to the technical quality of assessments for ELs and SWDs. These guidelines do not specifically refer to Differentiated Accountability, but do reflect both syntheses of research and best/promising practices and include recommendations of resources for additional information on the technical quality of assessments for ELs and SWDs. This is an evolving document, and will be updated periodically to incorporate new information and research.


The webpage reports on efforts by the Southwest Comprehensive Center to offer states the opportunity to hear from experts and expand state work underway on the implementation of Common Core State Standards. This invitational meeting targeted cross-functional state teams made up of individuals responsible for success in this area. The purpose of the meeting was to provide timely information and opportunities to hear and discuss emergent research, promising practices and strategies related to successful implementation of Common Core State Standards, paying special attention to the implications for ELs. Southwestern states understand that working successfully with their EL population is critical for overall success. For that reason, Common Core State Standards collaborative work was kicked off by combining with EL work already underway in the region. The page links to the presentations provided at the meeting.
Building local and state capacity (including ways to decrease the achievement gap)


This publication provides an in-depth look at the New Jersey Cultural Competency and EL Summer Institute and Mentoring Program, a model program to transform the thinking and practices of early childhood teachers working with diverse children learning English as a second language. The program infuses content, theory, practice, and simulations coupled with mentoring and coaching. The focus of teachers is not only the children in the classrooms, but the children and their families.

California Department of Education [CDE], CDE P-16 Council, and WestEd (no date). Closing the Achievement Gap – Achieving success for ALL students webpage. (http://www.closingtheachievementgap.org/cs/ctag/print/htdocs/home.htm)

This CDE website is part of the statewide initiative to close the achievement gap. Aimed at supporting the work of policymakers, educators, and interested community members, it is the electronic hub for helpful information, research, and success stories about efforts to close the gap in California. Of particular importance to the current effort are three documents. (1) Gándara, P. & Rumberger, R. (2007, October). Resource needs for California’s English learners. Policy Brief for Getting From Facts to Policy: An Education Policy Convening. (http://www.edsource.org/assets/files/convening/GandaraRumberger_brief.pdf) This policy brief documents two days of discussion by providing a series of recommendations for closing the achievement gap. Recommendations include improving teacher education and development, curriculum, access to the curriculum, and other research-based ideas. (2) California’s P-16 Council (2008, January). Closing the Achievement Gap: Report of Superintendent Jack O’Connell’s California P-16 Council. (http://www.closingtheachievementgap.org/cs/ctag/download/resources/44/P-16_Council_Recs.pdf?x-r=pcfile_d) This report provides 14 recommendations for closing the achievement gap. These recommendations cross the areas of access, culture and climate, expectations, and strategies. Needs of ELs are prominent in the report. (3) Success stories for several schools are highlighted (http://www.closingtheachievementgap.org/cs/ctag/print/htdocs/success.htm) These schools have demonstrated success in meeting AYP for some/all subgroups, success has been maintained, and/or the success is within schools where it would not be anticipated.


This references the lead article in a section on coaching and mentoring teachers of EL students to improve their teaching skills when working with EL students. The entire section (pages 15-34) is composed of articles that report on projects that showcase different models that "move" the learning of how to teach ELs closer to the actual practice of classroom instruction. Whether through coaching, mentoring, or observations, each of these projects provides examples of effective collaboration within and across educational institutions. Each professional development model has strong, ongoing, job-embedded opportunities for educators to learn, practice, and reflect on their teaching. These models can be used to create sustained and focused professional development that is effective for preparing and supporting teachers of ELs, and for closing the current gap between qualified and untrained public school teachers of ELs.


Districts across the country are struggling to find enough teachers who are qualified to teach ELs. This is a complicated challenge because teachers of ELs must meet not only the highly qualified requirements for all teachers under ESEA as reauthorized, but also the requirement for additional training specific to the needs of ELs. Moreover, that training depends on the program model that is used in the district. In order to meet this significant challenge, districts must broaden their current recruitment efforts and cast a wider net in or-
order to recruit a larger pool of highly qualified teachers for ELs. This paper describes six recruitment strategies as well as two actual programs (the Project 29 Pathways Program of Chicago and the Texas-Teacher Excellence for All Students program). The strategies are: (1) recruit teachers who are familiar with the language and culture of ELs; (2) train general education teachers to work with ELs; (3) recruit paraeducators into training programs to become certified teachers of ELs; (4) develop alternative certification programs; (5) recruit educators globally; and (6) target financial incentives. Following each strategy description are summaries of research resources pertaining to that strategy.


This biennial report documents the growing recognition among state policymakers of their leadership responsibility to incentivize, support, and monitor local educator quality reforms and their capacity to address these issues more aggressively, and provides examples of innovative policies and practices that have emerged during the last few years. ELs are included in chapters 2 and 3, discussing teacher preparation, support, and ongoing development as well as the equitable distribution of teachers, respectively.


The Center, with support from the Council for Exceptional Children and several national experts, surveyed more than 1,100 state and district directors of special education and interviewed numerous administrators throughout the nation to: (1) define the specific challenges in evaluating special education teachers; (2) determine the current status of state and district policy and practice; and (3) identify promising evaluation practices and instruments. In addition, an analysis of state and district policy for evaluating EL specialists was conducted primarily through an examination of relevant literature and current practice. The study found that few state and district respondents cited the use of student achievement data measured by standardized tests or curriculum-based measures in teacher evaluation. As an alternative, other student achievement measures, such as student learning objectives or IEP goals, have been factored into teacher evaluation. However, current teacher evaluation policy and practice is rapidly changing, potentially leading to increased use of these measures. This brief presents special considerations, particularly in the case of co-teaching, for reliably using student achievement data to evaluate special education and EL teachers.


This references the lead article in a section on professional development for teachers of EL students. The entire section (pages 35-51) of four articles, plus the lead article, focus on the need for teachers to help EL students to (1) access the core content in English in ways that make the content more accessible and understandable, and (2) learn English as a language in its own right that has its own vocabulary, pronunciation, grammar, structure, and conventions. The articles in this section provide a thoughtful set of ideas and approaches addressing the first need that can benefit teachers, particularly those new to the profession, or whose training encompasses teaching in the content areas. The projects described respond well to a priority for ensuring that mainstream teachers of ELs receive opportunities to enhance their teaching in ways that are responsive to the needs of ELs.


No matter what level of English proficiency, amount of prior schooling, or status as foreign or U.S. born,
ELs face structural and instructional barriers to developing academic literacy in discipline specific courses. Instead of accelerating the linguistic and academic achievement of secondary ELs, high schools track ELs into remedial literacy and mathematics courses and lower-level core academic courses, despite the body of research findings that attest to the deleterious effects of such stratification. Latino ELs, who comprise the largest group of ELs, have the lowest graduation rate of all students. EL students have a better chance to achieve at high levels when academic barriers to college preparation and accelerated courses are removed. College preparatory courses can be accompanied by enrollment in academic support classes when necessary. This document provides a brief literature review that supports these statements, and offers policies, strategies, and interventions that can be used at the state and local level to improve the educational outcomes of ELs.


State educational agency efforts to promote linguistic and academic achievement for ELs are critical to improving educational outcomes, such as high school achievement, graduation rates, and postsecondary opportunities. This brief begins with a national snapshot of the achievement and educational outcomes of ELs and efforts to improve the assessment and reporting of these outcomes. It then focuses on the efforts of Florida, California, Texas, and New York to use their state-level accountability systems and the NCLB mandate to implement and refine policies designed to support ELs at the high school level. This brief also examines how state departments of education and Regional Comprehensive Centers in the selected states collaborate to promote positive changes to help strengthen the education of ELs at the secondary level. The profiles of these states are intended (a) to provide a nuanced picture of how states with large populations of ELs are using the NCLB mandate to improve educational outcomes for ELs at the high school level and (b) to chart the considerable ground left to cover to see concrete gains in the support of EL students.


This Issue Paper presents a review of the policy environment for ELL instruction. It also provides a review of the staffing problem in schools with ELL populations and notes the need for effective preparation of mainstream teachers to address the needs of such students. It discusses the key characteristics of effective instructional practices for ensuring EL students’ learning of academic content is supported by experiential evidence. In addition, it provides an Innovation Configuration for the preparation of mainstream teachers.


The Center has released a collection of resources focusing on policy and practice relating to the preparation and certification of EL teachers. This policy database provides an overview of state-level policies related to EL teacher certification and licensure currently in place across the country.


This TQ Research & Policy Update highlights these challenges and considerations for regional and state education stakeholders by reviewing an upcoming brief on this topic. Also highlighted in this special edition of the TQ Research & Policy Update is a new online searchable database describing more than 75 different teacher evaluation tools (not all of the links in the document were active when tested for the current document), as well as recent technical assistance efforts conducted in collaboration with Regional Comprehensive Centers—all focused on teacher evaluation.
Differentiated accountability

http://www2.ed.gov/nclb/accountability/differentiated/factsheet.html

School-level intervention for ELs


Instructional programs aligned with state academic content standards and ELP standards


**Building local and state capacity (including ways to decrease the achievement gap)**


National Governors Association Center for Best Practices (various dates). *Policy primers on emerging education policy issues for states.* Current topics include achievement gap, improving teacher quality, and early intervention and college preparation. [http://www.subnet.nga.org/educlear/](http://www.subnet.nga.org/educlear/)


**REFERENCE LIST FOR ON-TOPIC RESOURCES THAT DO NOT INCLUDE ELs, BY AREA OF INTEREST**

These documents did not reference ELs, but are included here because they did provide good information with regard to the overall area of interest.

**School-level intervention for ELs**


Instructional programs aligned with state academic content standards and ELP standards


Building local and state capacity (including ways to decrease the achievement gap)
(http://www.ccsso.org/Resources/Publications/Does_Teacher_Professional_Development_Have_Effects_on_Teaching_and_Learning_Analysis_of_Evaluation_Findings_from_Programs_for_Mathematics_and_Science_Teachers_in_14_States.html)