CHAPTER 2

Integrating the Regulations and Principles

When Olivier moved from Cape Verde to Massachusetts, his mother enrolled him in a neighborhood school with the help of a relative who could speak English. The school's guidance counselor welcomed Olivier and his family and provided him with a class schedule. The schedule did not include anything to address his lack of English. Rather, it was the same one that his English-fluent peers received. It was felt that Olivier should be treated like everyone else. By the end of the first week, both Olivier and his teachers were very frustrated. The teachers weren't sure how to teach him because they couldn't communicate with him, and he was totally lost. What should or could the school have done?

Actually, it is required by federal law that schools identify their multilingual learners (MLs; U.S. Department of Justice & U.S. Department of Education, 2015). Additional regulations require that when MLs are identified, they must be placed in programming that is known to be sound, properly resourced, and proven to be effective and that adjustments must be made when it isn't (U.S. Department of Justice & U.S. Department of Education, 2015). The history behind these regulations provides important information for all educators to institute programming for MLs. In this chapter, we examine three important questions; these form an essential backdrop against which to answer the specific question about Olivier's school:

- What key historical events led to the laws and regulations governing the education of MLs?
- What are the key principles of second language acquisition?
- What are the various models for language assistance programming?

What key historical events led to the laws and regulations governing the education of MLs?

The regulations governing the education of MLs are an outcome of major historical events. Some of these involved judicial decisions made by the U.S. Supreme Court, and others were formed in the court of public opinion. The civil rights movement of the 1960s led to many actions involving the rights of MLs (Reese, 2005). Prior to the 1960s, the right to an equal education was interpreted to mean that all students, regardless of their proficiency in English, were treated equally when they attended the same classrooms as their peers, or classrooms like their peers', and when instruction was delivered using the same books and curriculum. This practice was challenged during the civil rights movement when the country began to look more carefully at some of its discriminatory practices, including the education of its MLs (Reese, 2005).

In 1964, the Civil Rights Act was enacted. It states that any institution that receives federal funding cannot deny access to anyone to any program or activity based on their race, color, or national origin (U.S. Department of Justice, Office of Civil Rights, n.d.). Then, in 1968, the Elementary and Secondary Education Act was amended to include the Bilingual Education Act. This was the first federal statute that addressed the learning needs of MLs (Baker, 2006; Osorio-O'Dea, 2001). Some believe that it was the result of a political movement intended to attract the Latino vote, while others claim that it was a genuine attempt to remedy the high failure rates among the nation's MLs (Crawford, 1996). Regardless, it marked the first time that the rights of MLs were brought into focus. Unfortunately, it did not lead to many changes as it failed to include specific regulations other than the general notion that schools could use innovative programming in the native language to teach English to the nation's students (Crawford, 1996; Reese, 2005). However, it did pave the way for schools to implement programming that allowed students to learn in their native language while they were learning English.

Many federal regulations about MLs are a result of lawsuits filed in local courts across the country and appealed all the way to the Supreme Court. Table 2.1 highlights six of the major Supreme Court cases. The ones that are shaded are the most seminal. In *Lau v. Nichols,* for example, the Supreme Court ruled that schools must provide programming to help students overcome barriers to learning English. The definition of such students includes those who are not able to perform ordinary classwork in English.

Each of the rulings in Table 2.1 should provide important safeguards for students so that they can receive a quality education. In sum, they require schools to identify MLs, provide research-based programming that is known to be sound, use adequate resources (including personnel and materials), evaluate the effectiveness of the programming, and make necessary changes using sound research-based models that are known to be effective to ensure that students learn English and content successfully.

Table 2.1 U.S. Supreme Court Cases Related to Multilingual Learners

YEAR	CASE NAME	DESCRIPTION	RULING
1973	*Keyes v. Denver School District*	The first de facto segregation case was heard in the United States; it argued that particular groups of students (Latinos and Blacks) were largely separated from their peers.	Districts must desegregate their students (Horn & Kurlaender, 2006).
1974	*Lau v. Nichols*	Lau argued that the district was not providing an adequate education to its MLs because they could not sufficiently comprehend English.	Districts must take the steps needed to provide MLs with an instructional program in which they can perform ordinary classwork in English. One year later (1975), the U.S. secretary of education issued the Lau Remedies, providing districts with guidelines for identifying and working with MLs (Crawford, 1996).
1974	*Serna v. Portales*	Latino plaintiffs claimed that their school district had ignored the English language and learning needs of their children. They believed that their children's rights to equal protection and equal educational opportunity were being denied.	Districts must do the following when there are a substantial number of MLs from the same language group: 1. expand bilingual bicultural instruction, 2. measure student achievement, and 3. recruit and employ bilingual personnel (Crawford, 1996).
1975	*Aspira v. Board of Education of the City of New York*	This case argued that students who spoke little English were forced to attend schools in which instruction was offered primarily in English and that the results of this practice were inadequate programming, higher rates of underachievement and dropping out, and a much lower rate of economic opportunity compared with English-fluent peers.	Districts must provide intensive instruction for students to learn English and can provide bilingual education in content areas when it is needed and reinforces students' use of their primary language. Students must not be isolated or separated from their peers.
1978	*Cintron v. Brentwood Union Free School District*	This case argued that children were being segregated and isolated from their English-fluent peers.	Districts must provide methods for identifying and assessing MLs and transferring them into general education English classrooms using a method that does not segregate students (Dunklee & Shoop, 2006; Mid-Atlantic Equity Consortium, 1995).
1978	*Castañeda v. Pickard*	The district was segregating children based on their race and ethnicity and had failed to implement a successful bilingual education program in which children would learn English.	Districts must establish a three-pronged test for ensuring that their educational program for MLs is consistent with a student's right to an education. It established that programming should be 1. based on sound educational research, 2. implemented with adequate commitment and resources, and 3. evaluated for its effectiveness, after a period of time, and that alternative research-based programming be sought if found not to be effective.

However, as seen in Chapter 1, many of the issues that led to these court cases have not been remedied. Some believe that persisting disparities are a result of continued prejudice and discrimination toward the nation's language-minority population (Cummins, 2000, 2018). Without question, politics has continued to strongly affect language policies. Four states (California, Arizona, Colorado, and Massachusetts) ran ballot initiatives to restrict or eliminate bilingual education. Proponents of these initiatives argued that bilingual education was a failure and a reflection of the wrong language policies (Mendoza & Ayala, 1999; Montero & Chavez, 2001; Tamayo et al., 2001; Unz & Tuchman, 1997). They also claimed that it was too expensive and promoted an English-only ideology coupled with an unfounded belief that English could be learned in a year (Crawford, 1996; R. D. Gonzalez, 2000). Arizona, California, and Massachusetts voted for ballot initiatives to repeal bilingual education entirely. Years after the resulting policies went into effect, research was conducted to assess their outcome. Were students doing any better? The results did not show the significant improvements that the proponents had promised, and the achievement gap between MLs and their English-fluent peers continued (American Institutes for Research & WestEd, 2002; Burdick-Will & Gomez, 2006; Uriarte & Karp, 2009). Later, these laws were repealed as a direct result of these outcomes (National Academies of Sciences, Engineering, and Medicine, 2017). As we saw in Chapter 1, MLs across the nation—whether the states they live in have or have not passed or repealed bilingual education laws—continue to perform much more poorly than their English-fluent peers.

In 2001, while these anti-bilingual education initiatives were occurring, President George W. Bush signed the No Child Left Behind Act (NCLB) into law with the intent of improving student achievement (U.S. Department of Education, 2002). The new law replaced the Elementary and Secondary Education Act, including the Bilingual Education Act; set new standards for the ways in which schools used federal funds; and set achievement standards for schools and students. It included four principles:

1. stronger accountability for results;
2. greater flexibility among the nation's states, school districts, and schools in the use of federal funds;
3. more choices for parents from disadvantaged backgrounds; and
4. an emphasis on teaching methods that have been proven to work (U.S. Department of Education, 2002).

New standards were also set to improve the achievement gaps between MLs and fluent speakers of English because "a congressionally mandated study found that these students (i.e., MLs) receive lower grades, are judged by their teachers to have lower academic abilities, and score below their classmates on standardized tests of reading and math" (U.S. Department of Education, 2002, p. 91). Under NCLB, federally funded schools with MLs were to focus on using what had been found to be successful practices for teaching MLs.

To do this, it required

- teachers to be certified as English language proficient and proficient in the languages in which a program model is taught,
- using curriculum that is scientifically based and proven to be effective,
- states to have flexibility in choosing the teaching method for teaching MLs, and
- that 95% of the Title III funds used at the local level be used to teach MLs.

NCLB also placed a heavy emphasis on student performance:

- It established annual achievement objectives for MLs based on a set of standards and benchmarks for raising the English proficiency levels of MLs.
- It required annual assessments of students in English language arts and reading.
- It required states to ensure that their districts and schools were making measurable annual achievement objectives.

Additionally, NCLB required school districts to inform parents about the programming that was specifically targeted for teaching their children English, and it gave parents the right to choose among different program models, if more than one was available, as well as the right to remove their children from a program.

A little over a decade after NCLB was passed, two initiatives were launched at the beginning and end of 2015 (see Figure 2.1). The first was directly intended to remedy longstanding inequities for MLs and the second added new accountability standards.

Figure 2.1 Dates of the Dear Colleague letter and Every Student Succeeds Act

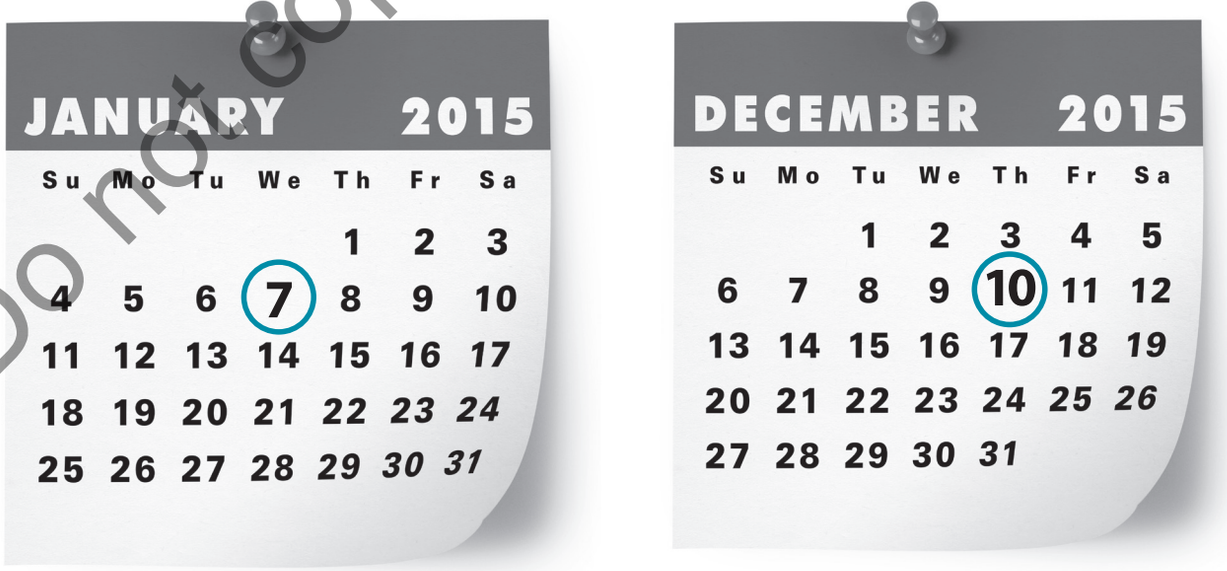

Image source: iStock.com/ineskoleva

1. January 7, 2015: The U.S. Department of Justice and the U.S. Department of Education jointly wrote a letter, known as the *Dear Colleague* letter, to all state education agencies, districts, and schools about educating the nation's MLs.
2. December 10, 2015: The Every Student Succeeds Act was signed into law.

Dear Colleague Letter From the U.S. Department of Justice and U.S. Department of Education

On January 7, 2015, the U.S. Department of Justice's Civil Rights Division and U.S. Department of Education's Office for Civil Rights sent a letter to every state education agency (SEA) and public and public charter school district in the nation (U.S. Department of Justice & U.S. Department of Education, 2015). This *Dear Colleague* letter (U.S. Department of Justice & U.S. Department of Education, 2015) reinforced the laws and regulations that had been implemented as part of the *Lau v. Nichols* U.S. Supreme Court case and the Elementary and Secondary Education Act to ensure that schools were "meeting the legal obligations" that ensured that all MLs "can participate meaningfully and equally in education programs and services" (p. 2) and that their parents are meaningfully informed about their child's education.

What was the impetus for this letter? Investigations by the Departments of Justice and Education found that many districts nationwide were out of compliance and not following the laws. The letter, a first of its kind, provided guidance about the steps that SEAs and districts must take to adhere to the laws and regulations

1. governing the identification and education of MLs, and
2. ensuring that all families of MLs are given
    a. equal and meaningful access to the same school-related information as their English-fluent peers and
    b. information about their child's specific language education programming to support them in becoming proficient in English.

The document also provided specific guidance about families who decline language assistance programming for their children (also known as *opt out*). It did so because the two agencies found that a significant number of educators were "steering families away from language programs or providing incorrect or inadequate information to parents about the EL [English learner] program, particular services within the program, or their child's EL status" letter (U.S. Department of Justice & U.S. Department of Education, 2015, p. 30)

Ayanna Cooper (2021), author and former U.S. Department of State advocate for culturally and linguistically diverse learners, shared some of the common reasons that families decline services, which affirm the findings of the *Dear Colleague* letter:

- A staff member or another parent provides inaccurate information about the program models

- Scheduling conflicts with other classes
- Concern about the amount of quality work being assigned or missed if their child(ren) were to be pulled out for a segment of English language support
- A staff member explains to parents that certain classes (e.g., bilingual education) are full, encouraging opting out
- Concerns about programs offered are not fully explained or addressed
- Confusion between English language support and special education services
- Low confidence in the quality of the program models offered
- Disagreement with school officials that their child(ren) needs language support
- Disagreement with the philosophy of the program model being offered
- A decision to opt out for one school year is not revisited, and parents/guardians are not offered a chance to change their decision in subsequent school years
- Belief that once they decline services, they cannot request participation in the future (pp. 47–48)

The *Dear Colleague* letter clarifies what is required under federal law. Most notably, when parents decline language education programming or specific services for their children, schools and districts are obligated to support the English language and other academic needs of their opt-out EL students under the civil rights laws. The *Dear Colleague* letter also specifies that such students' progress must be monitored and that language education program services must be offered and reoffered when needed:

> To ensure these needs of opt-out EL students are being met, school districts must periodically monitor the progress of students who have opted out of EL programs or certain EL services. If an EL student who opted out of the school district's EL programs or services does not demonstrate appropriate growth in English proficiency, or struggles in one or more subjects due to language barriers, the school district's affirmative steps include informing the EL student's parents of his or her lack of progress and offering the parents further opportunities to enroll the student in the EL program or at least certain EL services at any time. (U.S. Department of Justice & U.S. Department of Education, 2015, p. 31)

The *Dear Colleague* letter is a foundational document for the nation's educators to use. It is the blueprint of what to do to build effective programming for MLs by following the federal laws, and key elements of the letter are referenced throughout this book.

Every Student Succeeds Act

On December 10, 2015, President Barak Obama signed into law the Every Student Succeeds Act (ESSA), reinforcing the nation's "longstanding commitment to equal

opportunity for all students" and the accountability standards for all the nation's students to "ensure success for students and schools" (U.S. Department of Education, n.d.). ESSA requires SEAs to "monitor LEAs [local education agencies] to ensure that they are providing ELs meaningful access to grade level core content instruction and remedying any academic deficits in a timely manner" (U.S. Department of Education, 2016, p. 1). It also requires every school and district to engage in the following accountability standards:

- Monitor the progress of all ELs in achieving English language proficiency (ELP) and in acquiring content knowledge.
- Establish rigorous monitoring systems that include benchmarks for expected growth and take appropriate steps to assist students who are not adequately progressing toward those goals.
- Document that an EL has demonstrated English proficiency using a valid and reliable ELP assessment that tests all four language domains.
- Students exiting from EL status must be monitored for at least two years, to ensure that (1) they have not been prematurely exited; (2) any academic deficits incurred as a result of participating in the EL program have been remedied; and (3) they are meaningfully participating in the standard program of instruction comparable to their never-EL peers.
- Report on the number and percentage of former ELs meeting state academic standards for four years. (U.S. Department of Education, 2016, pp. 1–2)

The *Dear Colleague* letter (January 2015) and ESSA (December 2015) reinforce what we must do to ensure that MLs do not face obstacles and barriers to learning. Public schools can face lawsuits; tremendous expenses, including the termination of financial assistance; and arduous scrutiny for successive years for denying MLs equal access to an education and/or denying their parents equal and meaningful access to the same information that other parents receive and specific information about their child's language programming (U.S. Department of Education Office of Civil Rights, n.d.; U.S. Department of Justice & U.S. Department of Education, 2015). An example of a lawsuit related to equal access to an education can be found in Jo Napolitano's (2021) book *The School I Deserve: Six Young Refugees and Their Fight for Equality in America.*

Educators involved in designing, enacting, and supervising language assistance programming need to know and steadfastly follow the federal laws regarding the education of MLs. Whether we are in Alaska or Florida or any state in the nation, these provide us with a broad set of guidelines for creating and maintaining effective programming. Returning to the example presented in the opening of this chapter, had Olivier's school principal adhered to these guidelines, he would have taken steps to provide Olivier with sound programming and the needed resources. He would also have instituted a process by which the program could be examined to ensure that it was working or change it as needed.

Another important step for understanding how to put the regulations into practice is to understand some of the key principles of second language acquisition, including the major research studies that have focused on MLs. They provide important information about the various program models for leading, transforming, and strengthening schools with MLs.

What are the key principles of second language acquisition?

Jim Cummins has contributed greatly to what we understand the principles of second language acquisition to be. To communicate effectively in social situations, Cummins and Swain (1986) state that we must have the *basic interpersonal communication skills* (BICS) to interact with others. He claims that this takes a much shorter time (1 to 3 years to attain native-speaker proficiency) than it does to learn the language we use to express the higher-order thinking skills that we need for academic learning. A very common example of the impact of academic versus social language is a student who can speak in English easily with peers on the school bus but cannot perform grade-level academic tasks in English in the classroom. Teachers, administrators, and other educators and specialists may well wonder whether such a student is lazy in class or has some learning disability when in reality that student is merely working their way through a very predictable process and timetable of second language learning.

Using language socially is different than using it for academic purposes.

Using language with peers on the playground, at lunch, on the school bus, or in play after school is quite different than using language in academic contexts. One reason is that social situations are often supported by a context, physical cues such as facial gestures and body movements, and the environment in which they are taking place. Consider an ML playing jump rope at recess. She can participate actively in the event by observing and imitating her peers. Because her friends' language use is so contextual, the words they use during this play event are clear and relatively simple, and their sentence structures are probably simple as well. The event facilitates the student's ability to communicate while playing and to quickly take ownership of some of the language.

In contrast, the language used in an academic setting is more implicit and abstract, more complex, and less reliant on context and interpersonal cues. For example, let's say that the kids playing jump rope have returned to class from recess and are engaged in a science lesson about mammals. While there are some pictures, there is a lot of reading as well as lists of attributes. Language use quickly moves from the social event at recess to a context in which there are far fewer contextual cues. Students are required to use complex and specialized language and language structures to listen, speak, read, write, and learn. Certain background knowledge about mammals is also needed.

Cummins refers to academic language development as *cognitive academic language proficiency* (CALP; Cummins & Swain, 1986). Academic success requires the development of communicative skills (listening, speaking, reading, and writing) in the content area (e.g., math, science, social studies) along with the much-needed "content knowledge, use of higher-order thinking skills, and mastery of basic academic skills" (Goldenberg & Coleman, 2010, p. 83). Research shows that building these CALP skills takes time-intensive instruction, and it is a developmental process (August & Shanahan, 2006, 2008; Collier & Thomas, 1989, 2002; Cummins, 1981; Goldenberg & Coleman, 2010; National Academies of Science, Engineering, and Medicine, 2017). While the terms *BICS* and *CALP* have been replaced with "informal less demanding conversational language and the more formal generally more demanding academic language necessary for school success" (Goldenberg & Coleman, 2010, p. 62), the two are not mutually exclusive, nor is it really one versus the other. Both are critical.

Using Strengths-Based Principles

Our ever-changing MLs bring many strengths and assets to our schools including, to say the least, their linguistic and cultural understandings and ways of being and acting. One of the biggest tasks for every school leader, teacher, specialist, and others involved in education is to do our very best to integrate MLs' many assets into our schools and classrooms so that they experience four essential conditions: safety, a sense of belonging, acknowledgment, and competence. Research points to the urgent need for us to move away from a deficit-based view of MLs toward a fully integrated assets- or strengths-based approach. Let's look more closely at the principles of a strengths-based pedagogy.

All too often we or our colleagues worry that our multilingual multicultural students don't know English, have been in the language assistance program in our schools forever, or have not been to school. We also lament that their families are too poor or too busy to help, don't speak English and can't help, or that their life is too chaotic to help us. Does this sound familiar to you? These deficit-based perceptions often lead us to feel that our students cannot possibly be successful, and our professional situations sometimes feel so impossible that they lead to burnout. This was especially true during the COVID-19 pandemic when we made the gigantic shift from in-person to remote schooling or were doing a hybrid of both and as we worried about our own health, the health of our families, and more.

Rather than feel like Sisyphus trying to roll that impossibly huge rock up a hill, we have great reasons to think anew. For years, the fields of psychology, psychiatry, and social work looked at what was wrong, like the pieces of broken glass depicted in Figure 2.2.

Figure 2.2 Broken Glass Metaphor

Source: Annie Wilkinson

We then took these perceived pieces of broken glass to treat the problem by trying to find remedies for it. The field of education drew heavily from this framework. Focusing on what was wrong, like educators lamenting that a child doesn't speak English, their families are working so much that they cannot help, or their families are too poor to help, led to us having a deficit-based view of culturally and linguistically diverse students and to negative outcomes (Zacarian et al., 2017, 2021).

Chapter 1 began with the following example:

> Manuel moved to the United States from El Salvador when he was 13 years old. In El Salvador, he had worked on his uncle's bus as the ticket taker and money exchanger. He is a very sweet, polite Spanish speaker who came to the United States without any formal schooling or prior exposure to English.

Take a moment to consider Manuel and the deficit-based lens we are discussing. What might you share with someone about him? Here are some typical responses that educators share:

> He doesn't speak English.
>
> He's never been to school.

That type of deficit-based dialogue leads to more dialogue about what Manuel can't do instead of what he can do. Imagine what many educators might share to continue this deficit-based dialogue, knowing that they too have a student with no prior formal schooling before coming to the United States as an adolescent.

However, when we shift our patterns of thinking to what is right, what is strong, and what is a strength, we can successfully support MLs in seeing their many assets and competencies by integrating these into our instructional practice so that students have a much better chance to be successful in school and in their lives. The same holds true for us working together. When we see our strengths and assets, we have a much better chance of being successful in our work and more.

A helpful way to consider this is to picture a mosaic (such as the one in Figure 2.3) being assembled and view each piece as one strength that a person possesses.

Figure 2.3 Mosaic Metaphor

Source: Annie Wilkinson

Research points to the urgent need for us to focus on students' strengths as this approach has been shown to have the best outcomes (Seligman et al., 2006). To do this means that we must look for students' existing strengths, acknowledge these, help students see these in themselves, and build school- and classroom-wide practices and connections that integrate these into what we do.

So let's go back to Manuel. Consider the following list of strengths that he already possesses:

- He speaks Spanish.
- He has depth of cultural experience.
- He has lived in more than one place and experienced some differences to share.
- He has depth of math experience as a money exchanger.
- He is polite.

Now, let's say he comes to your mathematics class and you see that he is trying to make himself understood. We might also add to the list by sharing how brave he is to attempt to engage in the mathematics lesson and use a new language.

One of the key principles of multilingualism is looking at human behavior through the lens of the assets and qualities that empower people. Psychologist Abraham Maslow (1987, 1999), a pioneer in the field of positive psychology, used the term *self-actualization* to describe what is possible when we look at human behavior through the lens of strengths, capacities, and qualities. One of the most exciting and even inspiring aspects of being an educator is seeing students as capable and competent learners. N. Gonzalez et al. (2005), renowned for their seminal research about the knowledge and assets that all families possess, coined the term *funds of knowledge* to highlight their research on populations living in the regions along the U.S.-Mexico border. While many of these families had limited prior schooling, the researchers found that they possessed incredible skills, talents, and attributes in child-rearing, farming, and more and that these greatly supported their children's development. They also found that when educators value and honor the strengths of all families, it can have a positive outcome for students.

Renowned research scholar Dweck (2006) greatly supports the principles put forth by Maslow et al. (1987, 1999). Her research findings demonstrate the positives that can be achieved when we focus on the many strengths of individuals and communities and support students in seeing these in themselves and others. She points to the differences between having fixed perceptions of ourselves and others versus ones that are flexible and capable of growing and expanding. Known for using the terms *fixed mindset* versus *growth mindset* to describe the distinctions between the two perceptions, her research affirms a strengths-based approach. Additionally, Dweck et al. (2014) contributed greatly to our understanding of students, particularly MLs, who have experienced one or more adverse childhood experiences and live in communities with few resources. Can these students experience success? Resoundingly, yes!

Though the diverse personal, social, linguistic, cultural, schooling, and life experiences of MLs represent an eclectic mix, each possesses great assets. These include MLs who

- are newcomers and came to the United States during the past 6 months,
- have had limited or interrupted formal education,
- have been learning English for 7 years or more and are known as *long-term MLs,*
- have learning differences or disabilities,
- are in the process of learning English,
- are fully bilingual,
- have experienced one or more adverse childhood experiences.

The point in presenting the critical urgency of using an assets-based approach to create, implement, and sustain programming is twofold: It acknowledges the varied literacy learning journeys of each of these distinct groups, and it pays attention to identifying the personal, social, cultural, linguistic, academic, and life experience assets that each ML brings so that we may support them, ourselves, and others in having a growth mindset.

Joel Ristuccia is the lead clinical faculty for the Lesley University Institute for Trauma Sensitivity, in Cambridge, Massachusetts, which focuses on supporting children impacted by traumatic experiences. He discusses the importance of community/belonging:

> Research shows that the prevalence of adverse experience among our students is almost universal (studies show upwards of 80%; Philadelphia ACE Project, 2021).[1] Our ML students have the added experience of leaving their home countries and coming to live in a foreign place with a different culture and language, whether under duress or by choice. One of the most significant resiliency factors we can provide for anyone with adverse experience is belonging/meaningful connection to community, and for school-aged children, school is one of their most important communities. How can we support our students' sense of belonging to our school/classroom communities?
>
> An assets or strengths-based approach is central to our students' (including MLs) sense of belonging to their school/classroom communities. Leveraging students' islands of competence to contribute to the classroom/school community combined with efforts to help the students feel valued and important in the school community are two complementary areas of support that can enhance our students' sense of connection and belonging. Various strategies that schools have used to achieve this include the following:
>
> 1. Student interest survey: new students complete a survey of their interests and strengths on their first day in school. This supports developing connections with others in the school who share the interests, as well as identifying the student's islands of competence (see sample Resource 3.4 in Chapter 3).
> 2. Bi-multilingual student ambassadors to welcome and mentor new students from their first day in school.
> 3. School supplies backpacks, with books, materials, and other important items for school success.
> 4. Identification of linguistically/culturally competent resources in the community to support the school, family, and student as needed. (Ristuccia, personal communication, April 21, 2022)

[1]The research was initially presented by Felitti et al. (1998).

How long does it take to learn a second language?

All educators must have a good understanding of the time and the conditions that are needed to learn a second language well enough to be able to perform ordinary classwork in that language. All MLs must be given sufficient time to develop the social-emotional as well as academic language and literacy skills that are needed to

be successful in school. Programming for MLs must be created, delivered, and maintained with this purpose in mind.

Two major government-funded reviews of research (August & Shanahan, 2006; Genesee et al., 2006) provide comprehensive findings about the education of language-minority students (Goldenberg & Coleman, 2010). These reviews found that it takes 1 to 3 years to become conversationally fluent and 4 to 6 years or more to achieve a level 4 on a five-point scale of proficiency in English. Further, such progress may not be directly related to how fluent a student is in social conversational situations (Goldenberg & Coleman, 2010). For example, a student's capacity to engage in a social conversation about the previous night's school basketball game is not an indicator of their capacity to engage successfully in an academic context. Developing academic proficiency in English is a long process; no stage is the same in terms of the length of time that it takes to move from one to another. Indeed, Goldenberg and Coleman (2010) found that "progress was slower between level 3 and advanced levels 4 and 5" (p. 69). One of the most important factors regarding the length of time that it takes is students' prior consistent and routine exposure to academic language and literacy.

Collier and Thomas (1989) have examined the length of time that it takes for MLs to become "proficient in English," a phrase that, under federal law, means that they are able to perform ordinary classwork in English. They conducted a longitudinal 10-year study of 2,000 students in a large urban school district whose families were fairly affluent, literate, and oriented to supporting literacy practices at home. The researchers' goal was to find out how long it took for beginning learners of English from this community to reach native-like performance in English at the 50th percentile on norm-referenced tests (i.e., the ability to perform ordinary classwork in English).

For their study, Collier and Thomas (1989) selected MLs whose academic achievement scores in their native language were at or above grade level. These high-achieving groups of students were selected as the researchers believed that they would learn English the fastest and that the results would provide key information about learners at the high end of the spectrum. They also selected students who had the same program model for learning English: instruction in English as a second language (ESL) on a pull-out basis. No support in the native language was provided, and students did not receive content support in ESL.

The students were first given 2 years to learn English. At the end of the second year, norm-referenced tests were administered, and these tests were subsequently readministered yearly in English language arts, reading, mathematics, science, and social studies. Collier and Thomas (1989) found that the group that achieved proficiency the fastest were those who had entered school between ages 8 and 11. This age group reached the 50th percentile in reading within 5 to 7 years. They also found that this group achieved the 50th percentile in mathematics in 2 to 3 years and reading in 5 or more years. Students who arrived when they were younger than

8 or older than 11 took as long as 7 to 10 years to achieve proficiency in English. Collier and Thomas also looked at other studies, particularly those conducted with students who continued to learn in their primary language while they were learning English. In these studies, students in bilingual programs achieved academic proficiency in English more quickly, in 4 to 7 years. It is important to note that this study included only students from fairly affluent high-literacy homes and no others, such as students with limited or interrupted prior schooling. More recent research, including Hart and Risley (1995), August and Shanahan (2006, 2008), and Genesee et al. (2006), points to the importance of time as well as the type of instruction that must be provided for students, especially those with limited or interrupted prior schooling. However, one of the most important factors to consider is the first language(s) students use to communicate. After all, it is one of the greatest assets!

Does first language learning affect second language learning?

Collier and Thomas's (1989) findings, as well as those of August and Shanahan (2006), Genesee et al. (2006), and a report from the National Academies of Science, Engineering, and Medicine (2017) summarizing research on promoting the educational success of MLs, tell us a lot about second language learning, at least from the perspective of students with strong first language and literacy backgrounds. First, students who have developed grade-level or above-grade-level abilities in language arts, reading, science, social studies, and mathematics in their native language appear to learn English more quickly than do younger learners, those under the age of 8, who have not yet developed literacy skills in their primary language. Second, older MLs (over the age of 11) usually need much longer to learn English than their time in public schools may allow. Third, continuing to teach students content and language arts in their native language while they are learning English appears to be a much more effective and faster way for students of all ages to learn English for academic purposes.

However, many students do not possess school-matched, age-appropriate language skills in their strongest language. They often present a dilemma for educators in determining whether these students should be taught in their home language or English. As we will see in the succeeding chapters about academic content and language learning, these students must receive an educational program that, besides addressing language proficiency per se, is wholly focused on the following:

- instruction that strongly integrates the whole of students' backgrounds and experiences
- systematic development of social-emotional and academic language skills

Many program models fail because they are not focused on these two critical elements.

We learn language through receiving input that is meaningful, and we become literate through the same process (Krashen, 1985). By the time young children enter school,

they have already had 3 to 5 years of language learning experiences. While they have the cultural, linguistic, and cognitive skills that enable them to be meaningful participants in their home communities, students come with a range of preliteracy exposure and experiences. To provide effective programming, we must account for all MLs, and really all students from diverse literacy backgrounds.

Perhaps we think that an English-only model is the best way to go. Not so! Collier and Thomas (2020) provide the strongest research base about the efficacy of learning through two languages and closing the opportunity gaps that have persisted. They reported on 20 years of research they "conducted in 23 large and small school districts from 15 different states, representing all regions of the U.S. in urban, suburban, and rural contexts" (Collier & Thomas, 2004, p. 1). They found that all students, including MLs and English-fluent learners from a broad swath of socioeconomic, linguistic, and cultural backgrounds, did "astoundingly" well when they were instructed in a two-way model that supported them to learn in their home language and a target language. Indeed, all benefited tremendously from dual-language programming, and the opportunity gaps closed at a much faster rate and more comprehensively than for students exposed to only one language of instruction. Because many parents want their child to be fluent in more than one language, dual-language programs, also referred to as bilingual education, bilingual programming, and two-way, are taking hold across the country. Let's look at all the models of instruction, beginning with bilingual programming.

What are the various models for language assistance programming?

In the United States, there are program models (1) that promote bilingualism and biliteracy, (2) that promote a gradual reduction of bilingualism as a means for learning English with monolingualism as its goal, and (3) in which the language of instruction is entirely in English. In most of these models, English language development (often referred to as ESL) is a component of the model. In some models, ESL classes are considered the sole means by which students learn English. In some, students are offered bilingual programming. How do we select the model that makes the most sense for our district? Research about which models have been found to be the most successful can help guide us in this process.

Collier and Thomas (2002) conducted a study between 1996 and 2001 in which they looked at the standardized test outcomes of over 200,000 students. The students were from the northeastern, northwestern, southeastern, and south-central United States and were enrolled in eight different program types. For the purpose of understanding the various models, the following are provided:

- a short case example of a beginning learner of English
- a description of the program model in which the student enrolled
- Collier and Thomas's findings about the model type

Programs That Promote Bilingualism and Biliteracy

When Ying was 5 years old, she moved from Beijing to Ocean City, on the west coast of the United States. She was given some language assessments that indicated that she was a beginning-level ML. The school principal told Ying and her family that she would have the opportunity to continue learning her native Mandarin while she learned English and that the school's goal was for her to become bilingual and biliterate in English and Mandarin. The dual-language program would include an ESL class and classes in Mandarin in language arts, mathematics, science, and social studies. The principal explained that about 90% of Ying's school day would include learning in Mandarin, and the remaining 10% would be in English. He stated that this would shift to 50% in each language by the time Ying reached third grade. He also explained that fluent English speakers were enrolled in the dual-language program as well. They spent 90% of their day learning in English and 10% learning in Mandarin, and the program model had the same goal of moving them to the 50/50 Mandarin/English model by third grade. Ying's family was excited that their daughter would continue to develop her skills in Mandarin while she learned English.

Several models are based on the belief that bilingualism and biliteracy are important and preferred goals. In some of these models, MLs maintain and continue to develop their primary languages while learning English (Collier & Thomas, 2002, 2004; Soltero, 2004). These are generally referred to as *bilingual maintenance* programs. In others, such as the program that Ying enrolled in, MLs and fluent speakers of English maintain and continue to develop their primary languages while learning a second language. These are generally referred to as *bilingual immersion* programs to reflect the participation of both English-fluent and EL populations. Bilingual immersion models draw on the belief that students learn best when they interact socially and academically in both languages and that language learning should be provided to participating students for at least 4 to 6 years. These models require a long-term commitment from parents, students, school personnel, and other stakeholders as well as a stable population of students to ensure the models' capacity to work (Howard & Christian, 2002).

In bilingual maintenance and immersion models, beginning learners of a target or second language spend most of their school day learning in their primary language and small amounts learning in the second language. As students increase their capacity to learn in the second language, classes are increased in this language. Often, these programs begin by introducing language arts classes in the second language, with content classes introduced as students develop increased skills in this language. A 90/10 model is an example of this: Students initially spend 90% of the school day learning in their primary language and 10% learning in the second language.

Bilingual immersion programs may begin for students in all grades. The idea is that students will continue to develop in their primary language and academically while learning a target language. Some bilingual immersion models are introduced for children in prekindergarten through second grade as a 90/10 model and then gradually move to a 50/50 model, some begin and continue as a 50/50 model, and some districts use different percentage increments for each language. As a result, there is wide variation among bilingual immersion programs (Goldenberg & Coleman, 2010;

Soltero, 2004). Optimal bilingual immersion programs have a solid balance of MLs and fluent speakers of English. The Center for Applied Linguistics (n.d.) and the Center for Research on Education, Diversity and Excellence (Howard & Christian, 2002) recommend that the total population of MLs be equal to the total population of English-fluent students, or at least represent one-third to two-thirds. Ensuring that these proportions are consistent throughout the grades is critical for bilingual immersion programming.

Generally, in bilingual maintenance and immersion models, language arts are continuously taught in the primary and target languages. Table 2.2 lists the various names for these bilingual biliterate models, and Table 2.3 shows more detail on a sample model.

Table 2.2 Programs That Promote Bilingualism and Biliteracy

PROGRAM TYPE	ALSO KNOWN AS	GOAL	CHARACTERISTICS
Maintenance bilingual education	Developmental Enrichment Heritage language	To develop bilingualism and biliteracy	All participants are MLs.
Bilingual immersion	Dual language Two way Double immersion Two-way immersion	To develop bilingualism and biliteracy	Participants consist of both MLs and fluent English speakers.

Table 2.3 Sample of a Bilingual Biliterate Program Model

YEAR 1	YEAR 2	YEAR 3	YEAR 4
Language arts in primary language	Language arts in primary language	Language arts in primary language	Language arts in primary language
Math in primary language	Math in target language	Math in target language	Math in target language
Science in primary language	Science in primary language	Science in target language	Science in target language
Technology in primary language	Technology in primary language	Technology in primary language	Technology in primary language
Social studies in primary language	Social studies in primary language	Social studies in primary language	Social studies in primary language
Language arts in target language	Language arts in target language	Language arts in target language	Language arts in target language

Shaded cells show the transition from primary to target language.

Collier and Thomas (2002) found that students who participated in a bilingual biliterate model had the best outcome among all the program models that they studied (see Table 2.4).

Table 2.4 English Achievement Findings From Standardized Tests of Reading for Students in Bilingual Biliterate Programs

PROGRAM TYPE	FINDINGS
90/10 two-way bilingual immersion: primary language is provided 90% of the time in Grades PreK–2 and gradually reduced to 50%	Students performed above grade level by Grade 5 and outperformed comparison groups.
50/50 two-way bilingual immersion	58% of students met or exceeded state standards in English reading by the end of Grades 3 and 5.
50/50 one-way developmental bilingual education: one group is being educated in two languages	Students reached the 72nd percentile after 4 years of bilingual schooling and continued to be above grade level in Grade 7.
90/10 one-way developmental bilingual education: primary language is provided 90% of the time and gradually decreases to 50% by Grade 5 and continues in secondary school	Students reached the 34th percentile by the end of Grade 5.

Source: Collier and Thomas (2002).

Programs That Promote Transitional Bilingual Education

When Juan was 5 years old, he moved from Puerto Rico to a city on the east coast of the United States. His new school provided MLs with a program for gradually transitioning from Spanish to English. Juan would spend his kindergarten year receiving ESL instruction in lieu of English language arts, and his math, science, and social studies instruction would be in Spanish. Art, music, and physical education instruction would occur in English with his grade-level English-fluent classmates. In first grade, he would transition from receiving math in Spanish to receiving it in English in the general first-grade classroom. In second grade, the same transition would occur with science and social studies. In third grade, he would move fully out of the transitional bilingual education program to the general education classroom, where he would be taught solely in English.

Transitional bilingual education models like this promote a gradual reduction of the primary language as students learn English. The major goal is for students to build their capacity to learn solely in English. Typically, students begin by learning most subjects in their primary language and receiving ESL instruction. Initially, transitional programs may look like maintenance programs. However, over time students are gradually transitioned to an all-English environment.

There are two types of transitional models (see Table 2.5). In an *early-exit* program, students move from learning in the primary language to learning in English when

they have demonstrated the capacity to do ordinary classwork in English. In a *late-exit* program, students continue to learn in the primary language for a few more years after they have demonstrated proficiency in English. Most programs in the United States are early-exit programs (Soltero, 2004) and do not yield the same successes as late-exit programs. Table 2.6 shows more detail on a sample transitional program.

Table 2.5 Programs That Promote Transitional Bilingual Education

PROGRAM TYPE	GOAL	CHARACTERISTICS
Early exit	To develop the ability to learn solely in English in general education classrooms conducted entirely in English	MLs receive instruction in their primary language and English. Students transition from learning in the primary language as their ability to learn in English increases.
Late exit	To develop the ability to learn solely in English in general education classrooms that are conducted entirely in English with a continuation of the native language for a few years after English proficiency is demonstrated	MLs receive instruction in their primary language and English. Students transition from learning in their primary language a few years after they demonstrate proficiency in English.

Table 2.6 Sample of a Transitional Bilingual Education Program Model

YEAR 1	YEAR 2	YEAR 3	YEAR 4
Language arts in primary language	Language arts in primary language	Language arts in primary language	Language arts taught in general English-instructed classroom
Math in primary language	Math taught in general English-instructed classroom	Math taught in general English-instructed classroom	Math taught in general English-instructed classroom
Science/ technology in primary language	Science/ technology in primary language	Science/ technology taught in general English-instructed classroom	Science/ technology taught in general English-instructed classroom
Social studies in primary language	Social studies in primary language	Social studies in primary language	Social studies taught in general English-instructed classroom
English as a second language	English as a second language	English as a second language	English language arts taught in general English-instructed classroom

Shaded cells show the transition from primary to target language.

Collier and Thomas's (2002) study also included outcomes for students who participated in transitional bilingual educational programming. Table 2.7 describes their finding that students who participated in late-exit programs had better outcomes than students in early-exit programs.

Table 2.7 English Achievement Findings From Standardized Tests of Reading for Students in Transitional Bilingual Education Programs

PROGRAM TYPE	FINDINGS
90/10 transitional bilingual education: 90% of instruction in Grades PreK–2 is in primary language, and this decreases until Grade 5, when all instruction is in English in the general education classroom	Students reached the 32nd percentile by the end of Grade 5.
50/50 transitional bilingual education: instruction is 50% in both primary and target languages for 3–4 years, followed by English immersion in the general education classroom	Students achieved the 47th percentile by Grade 11.

Source: Collier and Thomas (2002).

Programs That Use English to Teach English

Example 1

When Lily was 5 years old, she moved from Poland to a small town in the midwestern United States. She had never been exposed to English, and language testing found her to be a beginning learner. In her new school, she left her kindergarten classroom to meet with her ESL teacher, who gave her instruction for 90 minutes a day. The rest of the day, Lily remained with her English-fluent classmates in the classroom. Her kindergarten teacher had never worked with an EL and received no specialized help to do so.

Example 2

When Fernanda moved from Cape Verde to Massachusetts at the age of 5, she had never been taught in English. She was placed in a kindergarten classroom with a teacher who had been trained to teach English and content to MLs. Twice a week, Fernanda left class for 30 minutes to work with an ESL teacher.

Example 3

When Petro moved from Ukraine to New York at the age of 5, he too had never been exposed to English. He was placed in a kindergarten classroom with a teacher who had been trained to teach MLs. He also was provided with a bilingual Ukrainian/English-speaking aide who helped him understand his classes and become acquainted

with his new school and classmates. Every day for an hour, Petro's ESL teacher came into his class and provided him and the other MLs with instruction in English.

Generally, programs that use only English with MLs include ESL classes. They can also, but do not always, include content classes that are specifically designed and delivered for students to learn English as they learn content. This is commonly called *sheltered English immersion* and/or *content-based ESL* (Echevarria et al., 2017; Soltero, 2004). These programs also can, but do not always, include bilingual support or clarification in the native language, whereby instruction is delivered in English and explained in the primary language as needed. This model is often used when there are speakers of many different languages and not enough of any one language to implement bilingual programming. Table 2.8 lists the various names for this model, and Tables 2.9 and 2.10 show more detail on sample models.

Table 2.8 Programs That Use English to Teach English

PROGRAM TYPE	ALSO KNOWN AS	GOAL	CHARACTERISTICS
Structured English immersion	Pull out Push in Content-based ESL ESL pull out ESL	To develop the ability to learn solely in English in general education classrooms conducted entirely in English	MLs are taught entirely in English with little to no support in their native language.

Table 2.9 Sample of a Structured English Immersion Model That Includes Content Classes

YEAR 1	YEAR 2	YEAR 3	YEAR 4
English as a second language	English as a second language	English as a second language	English language arts in general classroom
Math taught using structured format	Math taught using structured format	Math taught in general classroom	Math taught in general classroom
Science/ technology taught using structured format	Science/ technology taught using structured format	Science/ technology taught in general classroom	Science/ technology taught in general classroom
Social studies taught using structured format	Social studies taught using structured format	Social studies taught using structured format	Social studies taught in general classroom

Shaded cells show the transition from primary to target language.

Table 2.10 Sample of a Structured English Immersion/ESL Pull-Out Model

YEAR 1	YEAR 2	YEAR 3	YEAR 4
English as a second language	English as a second language	English as a second language	English taught in general classroom
Math taught in English in general classroom	Math taught in English in general classroom	Math taught in English in general classroom	Math taught in English in general classroom
Science/ technology taught in English in general classroom	Science/ technology taught in English in general classroom	Science/ technology taught in English in general classroom	Science/ technology taught in English in general classroom
Social studies taught in English in general classroom	Social studies taught in English in general classroom	Social studies taught in English in general classroom	Social studies taught in English in general classroom

Shaded cells show the transition from primary to target language.

In Table 2.11, you can see the results of Collier and Thomas's (2002) study regarding MLs who participated in program models that used English to teach English. Generally, students did not fare well in this model.

Table 2.11 English Achievement Findings From Standardized Tests of Reading for Students in Programs That Use English to Teach English

PROGRAM TYPE	FINDINGS
ESL content classes provided for 2–3 years, followed by immersion in general education classes	Average score on tests was at the 23rd percentile by high school.

Source: Collier and Thomas (2002).

Researchers from the Center for Applied Linguistics and the Center for Research on Education, Diversity and Excellence worked closely with teachers to secure a better-articulated model of sheltering instruction. Through years of research and collaboration with teachers, they developed the Sheltered Instruction Observation Protocol (SIOP; Echevarria et al., 2017), which includes eight elements for planning and delivering instruction and providing clarification in the native language. While the SIOP model is not intended for beginning learners of English, when it has been employed by teachers who are trained to use it, student performance has been found to increase dramatically. The researchers claim that the model works well with students from a variety of prior schooling experiences and in a variety of classroom situations, including those composed solely of MLs as well as those with MLs and fluent speakers of English. Because of this work, it may be that the conclusions we draw about the efficacy of various program models from Collier and Thomas's (2002) study need to be refined.

What happens when students are provided with no support to learn English?

When Alberto moved to New York from Colombia, his parents refused to let him participate in the bilingual program in his new school. They believed that he would be better off in the general kindergarten classroom with his English-fluent peers.

As Figure 2.12 shows, Collier and Thomas's (2002) study also looked at the educational outcomes of students like Alberto, whose parents refused to have their children participate in any programming for MLs. Sadly, this group did the poorest among all the groups.

Table 2.12 English Achievement Findings From Standardized Tests of Reading for Students With No Specialized Language Programming

PROGRAM TYPE	FINDINGS
No specialized language programming for MLs	Students performed significantly less well in math by Grade 5 than peers in bilingual programs and had the highest dropout rate among all groups. Those remaining in school scored at the 25th percentile on standardized reading tests during their high school years.

Source: Collier and Thomas (2002).

Programs That Are Targeted for Students With Limited Prior Schooling

As mentioned earlier in this chapter, some MLs have not had consistent education. It is essential that these students' learning needs be intentionally addressed as they learn English. Students with limited or interrupted formal education have experienced significant educational disruptions in their home country due to war, civil crisis, natural disaster, or severe economic deprivation. Many schools have implemented programming specifically designed for MLs with interrupted or limited formal education. In addition, several resources are available to support educators in meeting the needs of this population (Calderón & Minaya-Rowe, 2010; Calderón & Montenegro, 2021; Custudio & O'Loughlin, 2017; Decapua et al., 2020). Table 2.13 describes this type of programming, and Table 2.14 shows more detail on a sample model. The following characteristics are commonly found in programs that are targeted for these students (Calderón & Montenegro, 2021; Echevarria et al., 2017; Freeman & Freeman, 2002; Short & Boyson, 2003; Soltero, 2004, 2016):

- is separate from what is offered to the general student population
- specifically addresses the particular gaps and social-emotional, language, and learning needs of students

- includes courses in English language, literacy development, and U.S. cultural practices
- uses curriculum materials targeted to students' English proficiency levels
- adapts instruction often using theme-based units of study
- allocates the appropriate number of personnel resources needed to address students' needs
- contains an outreach component to families to build connections between the school, family, and student
- is taught in English or the primary language of students

Table 2.13 Programs for Students With Limited Prior Schooling

PROGRAM TYPE	ALSO KNOWN AS	GOAL	CHARACTERISTICS
Programs for students with limited prior schooling	Newcomer programs	To learn English and catch up with peers in order to be able to handle grade-level content	Instruction may be in the primary language or English, and the population typically includes secondary school–age students. Programming is separate from the general education classroom. Personnel resources are allocated to provide instruction in English and content.

Table 2.14 Sample of Programs for Students With Limited Prior Schooling

YEAR 1	YEAR 2	YEAR 3
English as a second language	English as a second language	English as a second language
Math taught at student's academic level*	Math taught at student's academic level*	Math taught at student's academic level*
Science/technology taught at student's academic level*	Science/technology taught at student's academic level*	Science/technology taught at student's academic level*
Social studies taught at student's academic level*	Social studies taught at student's academic level*	Social studies taught at student's academic level*

*May be taught in English, the primary language, and/or English with clarification support in the primary language.

What does the research tell us?

Whether students are enrolled in bilingual maintenance or sheltered English models, these models are more effective when they incorporate students' native language (Collier & Thomas, 2020; Francis et al., 2006; Goldenberg & Coleman, 2010; Slavin & Cheung, 2005). At the same time, selecting a program model depends on a number of variables. It is important to consider the following when designing a program for MLs:

- its context within a specific school and/or district
- the needs of the students and the resources available for implementation
- the number of students involved
- the languages and grades that students represent
- students that have had limited or interrupted formal education
- students' prior school experiences

Regardless of which program is chosen, there can be no doubt that the quality and overall effectiveness of programming depends on the structures that leaders, teachers, specialists, and others create to support implementation. In the next chapter, we will discuss the steps for selecting the program model(s) for your school.

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