



NJTESOL/NJBE, Inc.
NJ Teachers of English to Speakers of Other Languages/
NJ Bilingual Educators



TO: Members of the New Jersey State Board of Education
FROM: NJ Teachers of English to Speakers of Other Languages/ NJ Bilingual Educators
(NJTESOL/NJBE)
RE: A Voice at the Table: Equity Concerns for English Learners
RE: September 4, 2019

On behalf of NJTESOL/NJBE, I am here to testify about equity and the growing population of Emerging Bilinguals or English learners as they are better known.

Equity and ELs

Kudos to the NJ Department of Education for adopting the theme of EQUITY to encompass and be reflected in all of their efforts, practices and policies. It is truly an ambitious endeavor. NJTESOL/NJBE would like to share our ideas for how the NJDOE can be more equitable in those practices and policies regarding ELs.

Title VI Civil Rights

Forty years ago, the Supreme Court determined that in order for public schools to comply with their legal obligations under Title VI of the Civil Rights Act, ELs must have equal access to the **full range** of district programs, to include: special education, Title I, gifted and talented, Seal of Biliteracy achievement, County academy enrollment, and nonacademic and extracurricular activities. (Dear Colleague letter, 2015). It is unbelievable that in 2019, we continue to hear that districts will not evaluate ELs for any of the above programs until x number of years in the school. Furthermore, many of the County academies and vocational programs do not offer accommodations to the admission testing process.

These practices constitute a violation of English Learners' Civil Rights. We urge the NJDOE to create clear guidance on these issues and articulate that guidance for all schools. We are particularly concerned for the newcomers who may experience a backlash from the current political environment. Superintendents and Boards of Education need explicit information about the rights of immigrant students and their families; e.g. registration process (Plyler v. Doe), development of plans for cases where parents may be detained, and what does the school as a "sensitive location" mean.

Representation at the NJDOE

Tong (in 2013) noted that "The role of the ELL leaders in most states and districts is marginalized rather than elevated and is focused on compliance rather than asset and capacity building."

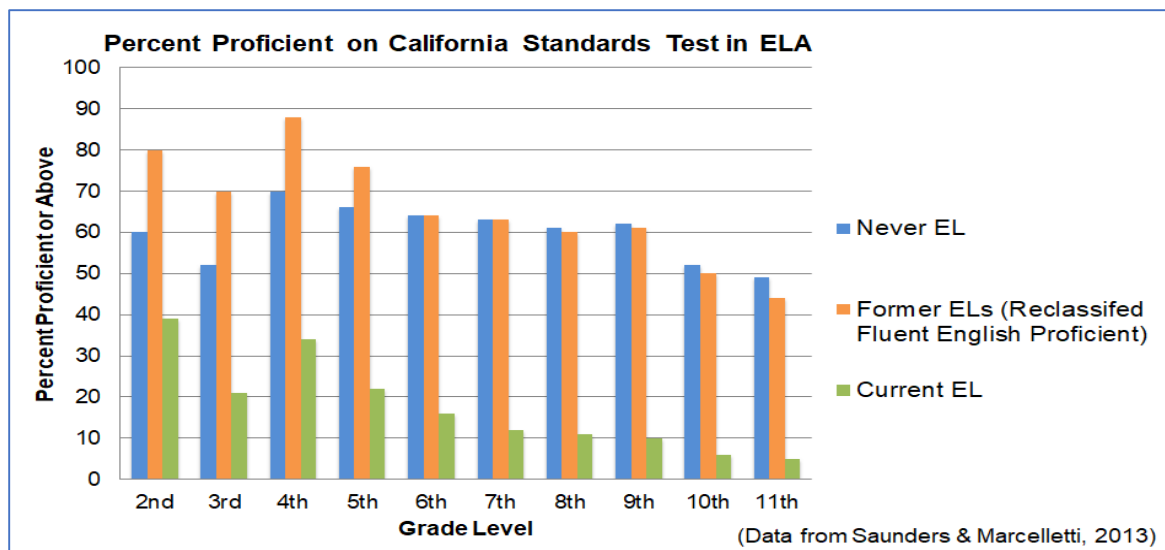
First and foremost, then, the NJDOE needs to elevate EL leaders and have them integrated throughout the Divisions of the Department. In this way, advocates and experts can promote an asset-based view of these children and build capacity within districts. In developing the ESSA plan, representatives from NJTESOL/NJBE were stakeholders, which made a difference in the final guidance. Unfortunately, in all of the Department, there are only three individuals with this expertise buried in the Office of Supplemental Services. Too often decisions are made which are detrimental or oblivious to the needs of these children since there is little or no input from bilingual and second language acquisition experts. Having a voice at the table will begin to rectify these imbalances.

Valid and Fair Assessment

Currently, testing is a major factor in education, therefore, having an expert in second language acquisition in the Performance Division would ensure a more fair and accurate assessment for ELs. Administering tests in English raises the question of what is being measured: English proficiency or the content standards. Since these assessments are used to inform instruction, they often provide an incomplete picture of the students' true strengths and needs. In the spring of 2019, members of the NJTESOL/NJBE executive board met with leaders of the DOE to address this issue. Two requests were made: offer native language Spanish assessment in the Language Arts portion of standardized tests and consider creating assessments with reduced linguistic complexity for the non-Spanish speaking EL population. Spanish LA assessments were available under NJASK, but removed when the state transitioned to PARCC. These changes would constitute more equitable practices.

Equitable Practices and Accountability

Connected to assessment is accountability. Presently, the subgroup of ELs consists of both current and former ELs (students who have exited within the last four years). The assumption is that the former ELs have more of an opportunity to demonstrate proficiency and thus will "improve" the performance of the subgroup. Of course, that depends on the overall number of former ELs compared to current ELs. It is a known fact that current ELs have little chance of demonstrating proficiency since they are still in the process of acquiring academic English skills. In California, the state disaggregated the former ELs' data from the current ELs and English speakers. The graph (Mavrogordato, 2019) speaks volumes. As you can see, former ELs actually outperformed English speakers in grades 2 -6. This information demonstrates an asset-based view rather than a deficit-based comparison. We suggest that the NJDOE disaggregate the data in the same way in order to determine the "achievement" gap and to identify schools in need of support. Schools should not be penalized only because the enrollment of current ELs is high.



High Quality Instruction and Resources

Many content teachers have not had training in working with ELs, so ELs either are not challenged enough or they struggle to grasp content.

Solutions to these problems include:

- Require that pre-service teacher candidates receive coursework on how to effectively work with ELs
- Provide support and guidance from the Bilingual specialists and the County Education Specialists on best practices for ELs. However, with the exception of the Mercer County Superintendent of Schools, there are no bilingual specialists at the County level.
- Hold districts accountable for implementing programs according to code requirements and best practices
- Articulate the ELL scaffolds for the Instructional units presented this morning. The NJDOE created ELL scaffolds in the original Model Curriculum. These ELL scaffolds should be visible and available to all teachers.

Many of these issues can be addressed by our first recommendation: place experts from this field in all Divisions of the Department. If we are truly about equity, we cannot ignore ELs or continue to keep them invisible or bury them in bureaucracy. Representatives from NJTESOL/NJBE are interested and available in being a resource for the NJDOE in these matters.

Thank you for allowing me the opportunity to be a “voice” at this table.