



Arizona Educational Equity Project: Overview

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21 senior scholars and advanced graduate students from four major research universities joined together, under the aegis of the Civil Rights Project at UCLA, to conduct nine empirical studies and synthesize existing studies of instructional models and assessment practices for English learners. This page provides a history of the project and abstracts of the nine papers that comprise the Arizona Educational Equity Project.

Summary

The class action suit of *Horne v. Flores* was initially brought against the state of Arizona in 1992 on behalf of English language learners (ELLs), arguing that the state was violating the Equal Educational Opportunity Act (EEOA), a federal law that requires that states take "appropriate action" to address the language barriers of their ELL students. It was argued that neither instructional policies nor funding was adequate to meet the students' needs. After defying court orders for many years, the federal district court began, in 2005, to fine the state \$500,000 per day for noncompliance. Tom Horne, Superintendent of Public Instruction for Arizona, ultimately appealed the case to the Supreme Court and on June 25, 2009 the Court ruled on *Horne v. Flores*, establishing new legal standards for the EEOA. The Court also sent the case back to the Federal District Court in Arizona to examine critical aspects of Arizona's instructional policies for ELLs and to make decisions on the application of the Court's principles to the reality of the state's schools. The issues that will be argued in the Arizona court have important implications for the educational rights of the tenth of American students classified as ELL and federal law that protects them and thus challenge the research community to provide the best possible information on how ELL students are faring under current Arizona educational policies. Generating such research on major issues of equality of educational opportunity is a central part of the mission of the *Civil Rights Project/Proyecto Derechos Civiles*.

For this initiative, researchers and graduate students from four of the nation's top research universities conducted new empirical studies and synthesized existing studies of instructional models and assessment practices for English learners. In addition to the 21 researchers and advanced graduate students engaged in this project, many of the country's foremost scholars on these issues also served *pro bono* as expert reviewers providing peer review to assess the rigor of the research. We have listed those reviewers, as well as some individuals who provided essential service to this project, by enabling access to state and school district data and by offering additional advice and research support. Taken together, these nine studies provide an overview of the practices and outcomes for ELL students and also offer recommendations for how these students' academic outcomes might be improved.

We wish to acknowledge the support of the Foundation for Child Development, which provided timely funding to allow for a convening of researchers and civil rights attorneys from across the country to come to UCLA in the summer of 2009, to explore the issues inherent in the Supreme Court's *Horne v. Flores* decision, and to consider what research needed to be undertaken in order to ensure the right to an equitable education for English learners in

Arizona and beyond. We also wish to acknowledge the support of the Sudikoff Foundation for its assistance in getting the word out about these important studies.

None of the authors of the Arizona Educational Equity Project had any financial link to the litigators in the case, nor did any Court-related attorneys have any role in the review of the reports. The reports represent the independent judgment of the researchers, all of whom donated their work to this important project. We are proud to have been part of this exemplary academic process and to have published these reports.

Arizona Educational Equity Project: Abstracts and Papers

1. Cecilia Rios Aguilar, Manuel González-Canche, Luis Moll

[A Study of Arizona's Teachers of English Language Learners](#)

Abstract: In this study a representative sample of 880 elementary and secondary teachers currently teaching in 33 schools across the state of Arizona were asked about their perceptions of how their ELL students were faring under current instructional policies for ELL students. Teachers were surveyed during the Spring of 2010. Overall findings show that most of these Arizona teachers have a great deal of faith in their ELL students' ability to achieve at grade level but that the 4 hour ELD block to which they are assigned is not helping them to catch up with their English speaking peers academically and there is deep and overwhelming concern about the segregation they are experiencing as a result of this instructional model; 85% believe this separation from English speaking peers is harmful to their learning. Most also believe that the majority of their ELL students are not meeting grade level standards, more than half of teachers note that their ELL students are stereotyped as slow learners by other students, and that the 4-hour block program is harmful to their self-esteem. The study ends with a series of recommendations including that alternative modes of instruction need to be implemented to help ELL students to succeed academically.

2. Cecilia Rios-Aguilar, Manuel González-Canche & Luis Moll

[Implementing Structured English Immersion \[SEI\] in Arizona: Benefits, Costs, Challenges, and Opportunities](#)

Abstract: This study conducted telephone interviews with 26 randomly selected English Language Coordinators from 26 Arizona school districts with enrollment patterns that were representative of the state as whole. Three primary questions were posed to the respondents:

- How is the 4-hour ELD block being implemented?
- What are the benefits of the 4-hour ELD block for students and for schools?
- What are the concerns about implementing the 4-hour ELD block?

The study found that all districts included in the study were implementing the 4-hour ELD block mandated for ELL students, but that there was considerable variation in some aspects of implementation. Although some districts recognized that their ELL students required additional support outside the 4-hour block, such as after school or summer programs (particularly for secondary students who were unable to take the courses they needed for graduation) and provided these services, two-thirds either chose not to or could not provide these services. With respect to benefits, the vast majority of ELCs focused on ELL students' English language development and additional teacher training that was provided. ELCs appreciated that the English instruction was less fragmented than in the past. Although most respondents did not feel teacher training was of better quality than they had received in the past, they were pleased that there was more of it. Regarding the costs/concerns of the program, ELCs mentioned that the implementation of the 4-hour ELD block has: (1) neglected core areas of academic content that are critical for ELL students' academic success and graduation, (2) contributed to ELL students' isolation, (3) limited ELL students opportunities for on-time high school graduation – potentially increasing drop out – and for college readiness, and

(4) assumed that English language learning can be accomplished for all ELL students within an unrealistic timeframe and under a set of unrealistic conditions.

3. Patricia Gándara & Gary Orfield

[A Return to the "Mexican Room": The Segregation of Arizona's English Learners](#)

Abstract: This paper reviews the research on the impact of segregation on Latino and English learner students, including new empirical research conducted in Arizona. It also reviews court decisions regarding students' rights to be integrated with their mainstream peers and provides data on the increasing segregation of Arizona's Latino and English learner students. Given that the great majority (over 80%) of Arizona's English language learners are Spanish speakers, there is considerable overlap between ELL and Latino students. The paper also reviews the extant literature on the impact of segregation at both the school and classroom levels and pays special attention to the particularly deleterious effects of linguistic isolation for English learners. The paper concludes that the excessive segregation of Arizona's Latino and EL students is most probably harmful to these students' achievement and social and emotional development and that there are alternative strategies that the state could use to ameliorate these harms and provide a more effective education for these students.

4. Ida Rose Florez

[Do the AZELLA Cut Scores Meet the Standards? A Validation Review of the Arizona English Language Learner Assessment](#)

Abstract: The Arizona English Language Learners Assessment (AZELLA) is used by the Arizona Department of Education to determine which children should receive English support services. AZELLA results are used to determine if children are either proficient in English or have English language skills in one of four pre-proficient categories (pre-emergent, emergent, basic, intermediate). Children who test at or above the proficient cut score in English are placed in mainstream classes without English language support. Children who obtain scores below the proficient cut scores receive English language support services in state-mandated Structured English Immersion classes. Whenever tests are used to make high-stakes decisions, especially about vulnerable populations (e.g., children), it is the test developers' responsibility to ensure the instrument yields fair and valid results. When cut scores are used as the primary interpretation of the test, they are key to establishing the test's validity. This validation study found that cut scores for the AZELLA are of questionable validity. The procedure used to set the cut scores is criticized by national measurement experts as ineffective and obsolete. Further, the test developers do not adequately establish the expertise of the judges used to set the cut scores. Evidence from the cut-score-setting process indicates judges did not come to consensus at the kindergarten level. Analysis of empirical evidence suggests cut scores over-identify kindergarten children and under-identify older children. Finally, the test developers rejected 85% of the cut scores recommended by the standard-setting judges, setting cut scores higher than recommended for kindergarten and lower than recommended for older children, without describing their process or rationale.

5. Karen E. Lillie, Amy Markos, Alexandria Estrella, Tracy Nguyen, Karisa Peer, Karla Perez, Anthony Trifiro, M. Beatriz Arias, & Terrence G. Wiley

[Policy in Practice: The Implementation of Structured English Immersion in Arizona](#)

Abstract: This study examines the implementation and organization of the state mandated curriculum in the 4-hour SEI block in 18 K-12 classrooms in 5 different districts. We focus on the effects of grouping by language proficiency, the delivery of the structure-based ESL curriculum, the provision of resources and limiting of access to grade-level curriculum, and problems of promotion and graduation for ELLs. In each of these areas, the implementation of the SEI 4-hour block raises concerns with regard to equal educational opportunity and access to English. Key among the

findings of this study are: ELLs are physically, socially, and educationally isolated from their non-ELL peers; they are not exiting the program in one year, raising serious questions about the time these students must remain in these segregated settings; reclassification rates are a poor indicator of success in mainstream classrooms; and the four-hour model places ELLs at a severe disadvantage for high school graduation. The only means for these students to graduate with their peers appears to be through after school and summer school programs that either did not exist or had been cut.

6. Mary Martinez-Wenzl, Karla Pérez & Patricia Gándara

[Is Arizona's Approach to Educating its ELs Superior to Other Forms of Instruction?](#)

Abstract: In the *Horne v Flores* Supreme Court decision of June 25, 2009, the Court wrote that one basis for finding Arizona in compliance with federal law regarding the education of its English learners was that the state had adopted a "significantly more effective" instructional model for EL students, that being Structured English Immersion (SEI). This paper reviews the extant research on SEI, its definitions, origins, strategies. The paper concludes that there is no research basis for the court's conclusion, and that, at best, SEI is no better or no worse than other instructional strategies when they are both well implemented and the goal is English acquisition. However, SEI as implemented in Arizona carries serious negative consequences for EL students stemming from the excessive amount of time dedicated to it, the de-emphasis on grade level academic curriculum, the discrete skills approach it employs, and the segregation of EL students from mainstream peers. Moreover, the paper argues that there are, in fact, strategies that can ameliorate these problems as well as provide an additive, rather than a subtractive, educational experience for English learner and mainstream students alike.

7. Claude Goldenberg & Sara Rutherford-Quach

[The Arizona Home Language Survey and the Identification of Students for ELL Services](#)

Abstract: Assuring that English language learners (ELLs) receive the services to which they have a right requires accurately identifying those students. Virtually all states identify ELLs in a two-step process: First, parents fill out a home language survey; second, students in whose homes a language other than English is spoken and who therefore might be less than fully proficient in English, are tested for English language proficiency. The home language survey thus plays a gatekeeping role. If it fails to identify potential ELLs, there is a greatly reduced chance these students will be identified and receive services to which they are entitled. The two studies reported in this paper are not about what services ELLs need or receive but only about the process whereby potential ELLs are identified so that they might be tested then receive services if they qualify. More specifically, it addresses the question of whether Arizona's sharp reduction in the home language survey questions can lead to failure to identify students who, by the state's own criterion (i.e., performance on the AZELLA), are entitled to those services. Analyses of data from two Arizona school districts clearly show that use of a single home language survey question will under-identify students. Based on data from these two districts, as many as 11 to 18% of students who are eligible for ELL designation could be denied services to which they are entitled if a single home language survey question is used to identify potential ELLs. Further, it is highly unlikely that a fail-safe mechanism established by the state, whereby teachers can nominate potential ELLs for language testing, will in fact successfully identify most students the new procedure fails to identify.

8. Eugene Garcia, Kerry Lawton & Eduardo H. Diniz de Figueiredo

[The Education of English Language Learners in Arizona: A Legacy of Persisting Achievement Gaps in a Restrictive Language Policy Climate](#)

Abstract: This report reviews achievement gaps in both reading and math between ELL and non-ELL students in

Arizona over the post-Proposition 203 period 2005-2009 and during the first year of implementation of the 4 hour ELD block, 2008-09. The study finds that Arizona has made little to no progress in closing the achievement gap between ELL and non-ELL students during this period. It also compares achievement gaps in reading and math over the same period between Arizona and Utah and Washington DC, two educational entities with vastly different spending policies. Here, the study argues that, notwithstanding changes in tests and proficiency thresholds in the states over this period of time, the relative position of Arizona vis-a-vis these comparison entities remains very similar, with Arizona continuing to lag behind in percent of ELL students achieving proficiency in both reading and math. The study concludes that Arizona is on the wrong path for closing achievement gaps for its ELL students and that this is due, at least in part, to its highly restrictive language instruction policies.

9. Eugene Garcia, Kerry Lawton & Eduardo H. Diniz de Figueiredo

[Assessment of Young English Language Learners in Arizona: Questioning the Validity of the State Measure of English Proficiency](#)

Abstract: This study analyzes the Arizona policy of utilizing a single assessment of English proficiency to determine if students should be exited from the ELL program, which is ostensibly designed to make it possible for them to succeed in the mainstream classroom without any further language support. The study examines the predictive validity of this assessment instrument on ELL performance on state required academic achievement tests at three grade levels. It finds that at subsequent grade levels after redesignation, the "one-test" AZELLA becomes less predictive of academic achievement. That is, the test over predicts student achievement, suggesting that many students may be under-served due to their scores the test. This finding calls into question Arizona's "one-test" procedure for redesignating ELLs to a non-service category. Given the large and increasing size of the ELL student population in Arizona, the current focus on testing and accountability, and the documented problems in current assessment practices, improvement in instruments and procedures is critical. These improvements are necessary at all phases of the assessment process, but as this study indicates, the present policy is likely denying services these student need and violating the rights of these students to an equal educational opportunity.

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