



Multicultural Education, Training & Advocacy, Inc.*

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CHARTER SCHOOLS AND ENGLISH LANGUAGE LEARNERS IN MASSACHUSETTS: POLICY PUSH WITHOUT THE DATA

Introduction

In recent years Massachusetts has struggled, with limited success, to narrow the school success gap between English Language Learners (ELL) students and native English speakers. The latter place at or near the top of all students nationwide on the usual achievement measures. ELL students, however lag far behind.

Some policymakers have proposed that expansion of charter schools in Massachusetts will be the key to narrowing the ELL student achievement gap. This META bulletin addresses what is currently known about ELL students and charter schools in the Commonwealth. There is no empirical basis to support the notion that *charters are the cure. To the contrary we find:*

- English language learner students are conspicuously not represented in the enrollment of Massachusetts' charter schools;
- Massachusetts' charter schools enroll few if any recent immigrant students. Recent immigrant ELL students need the most help in learning English. These students are overwhelmingly enrolled in traditional public schools;
- Those ELL students who are enrolled in charter schools are far more likely to have been in public schools in the United States for 4-5 years or more than are ELL students in traditional public schools;
- Because of the low numbers of ELL students enrolled, only a very few charter schools have reported to the Massachusetts Department of Elementary and Secondary Education (DESE) assessment results on the state's two main assessments, MCAS and the Massachusetts English Proficiency Assessment (MEPA);
- The MCAS and MEPA test results for ELL students were reported for only a small fraction of charter schools and charter school students. They show that in a few instances, the local charter schools outperform the local school district, in other instances the local school

districts outperform the local charter schools and in other instances there is essentially no difference.

Other recent research reports that are generally positive about the success of charter schools in Massachusetts have acknowledged what could be called the charter schools' ELL deficit.

In sum, there is simply no data to support the claim that in the Commonwealth, more charter schools will be crucial to addressing the needs of ELL students.

Recommendations

- If for reasons unrelated to the needs of ELL students policymakers decide to significantly increase the number of charter school openings, it will be essential that the Commonwealth ensure that: Charter schools demonstrate in their program design that they have programs in place to address the language and cultural needs of all ELL students and not just those who are already at the edge of English proficiency;
- Charter schools demonstrate that their administrators and teachers are fully qualified to be teachers of ELL students including the teaching of English and content instruction to ELL students;
- Charter schools demonstrate that they have aggressive outreach programs that reach the parents of potential ELL students in their home language and that assist those parents who are interested in negotiating the charter school lottery process;
- Charter schools have programs and staffing designed to work with non-English speaking parents so that they can be full partners in their children's education.

I. Charter School Enrollment Does Not Reflect the ELL Student Population

Current state law requires that charter schools not discriminate in membership on the basis of English language proficiency Ch. 71§ 89(l). Regardless, for whatever reason, ELL students for the most part do not attend charter schools in numbers reflective of the school districts where the charter schools are located.

In Boston, for example, approximately 20% of all students are English language learners according to the MA DESE (18.90%). Yet in 2008-09 Boston Collegiate charter school reported 0% ELL students, as did Boston Day and Evening, Boston Preparatory, Health Careers Academy, Match Charter, and Smith Leadership Academy. At eight additional Boston based charter schools the ELL percentages ranged between 0.7% and 3.8%. Only one Boston charter school, Conservatory Lab charter, approached even half the district ELL percentage.

This phenomenon is not unique to Boston. The Worcester public schools are 24.3% ELL, the Abby Kelly Foster charter in Worcester is 3.6% ELL. The Holyoke public schools are 24.2% ELL whereas Holyoke Community charter school is 10.5% ELL. In Lynn, 25.8% of district students are ELL, at the KIPP charter

school in Lynn, 1.2% of students are reported as ELL. In Somerville, 16.8% of district students are ELL, at Prospect Hill Academy in Somerville, ELLs count for 1.7% of enrollment. Similar disparities in enrollment are found in charter schools in Framingham, New Bedford, Haverhill, Lowell, Springfield, Fitchburg, Everett, and Salem. There are a few exceptions where ELL enrollment approaches or even slightly exceeds district enrollment, notably in Lawrence and Chelsea.

The bottom line is that in 32 of 40 charter schools located in districts with ELL student populations, the charter school ELL percentage enrolled does not exceed half of the district ELL enrollment percentage.ⁱ

II. The English Language Learner Enrollment of Charter Schools is Not Reflective of the General ELL Student Population

The Massachusetts English Proficiency Assessment (MEPA) is administered to all ELL students and measures annual growth in acquiring proficiency in English. In Spring 2008, the MA DESE reported that 32,469 ELL students participated in the MEPA statewide-**31% of the ELL students had been in school in the United States for 1 or 2 years.**ⁱⁱ MEPA reports results by four levels of English language proficiency-Beginner, Early Intermediate, Intermediate and Transitioning. It is not surprising that ELLs who have been in this country for the least amount of time are most likely to be classified as Beginners or Early Intermediates in their English skills. For ELLs who have been in U.S. schools for 1 year, approximately 60% were assessed at the lowest two levels of English proficiency (64% in grades 3-4, 65% in grades 5-6, 66% in grades 7-8 and 58% in grades 9-12). ELLs who had been in U.S. schools for 2 years had greater English proficiency than more recent immigrant students but significant percentages, between 34% in grades 3-4 up to 47% in grades 7-8 of second year ELLs were Beginners and Early Intermediates.ⁱⁱⁱ

In contrast only **13% of ELLs in charter schools were reported as having been in U.S. schools for 1 or 2 years.** (The 13% figure is skewed by two of the 34 charter schools reporting ELLs, Lowell Community Charter and the Barnstable Horace Mann School. Only 8% of charter school ELLs in the remaining 32 charter schools have been in U.S. schools for 1 or 2 years.). Consistent with the low percentages of charter school ELLs who have been in U.S. schools for 1 or 2 years, only 4% of ELLs in charter schools scored as Beginners on the MEPA compared with 12% of all ELLs assessed statewide. Most **(56%) of ELLs in charter schools have been in U.S. schools for 5 or more years** compared with 36% of ELLs statewide.

These differences can be particularly striking when looked at on a district basis. For example, at Lawrence Family Day charter school there were 94 reported ELL students in grades 3-8. Of these, 77% have been in U.S. schools for 5 or more years, 20% have been in U.S. schools for 4 years and 3% (two students) for 3 years. **No students were reported as having been in U.S. schools for 1 or 2 years and no students were reported as Beginners in their English proficiency.**

In the Lawrence public schools at the same grades 42% of ELLs had been in U.S. schools for 1 or 2 years and only 18% for 5 or more years. Clearly the charter school and the local system in Lawrence are serving different ELL student populations. What is true in Lawrence is true in other school districts with large ELL student populations.^{iv}

III. There is No Obvious Indication that English Language Learner Students in Massachusetts Charter Schools are Outperforming ELL Students in Local School Districts

Because most ELL students in charter schools tend to have been in the United States for 5 or more years it would be predicted that their English language skills would result in substantially higher academic achievement and English language proficiency assessment results than their local school district counterparts. The fragmentary evidence does not bear out that prediction, at least not in any systemic sense.

There are two sources of data reported by the Massachusetts Department of Elementary & Secondary Education, MCAS scores and scores on the Massachusetts English Proficiency Assessment (MEPA). We do not contend that scores on these two assessments yield a complete picture of how well ELL students are being educated in either local district or charter schools. That said, the scores are available for comparison and “they are what they are”.

In 2008 four charter schools enrolled sufficient numbers of ELL students to report MCAS scores in at least some grades: Holyoke Community Charter School, Lawrence Community Day Charter School, Lawrence Family Development Charter School and Lowell Community Charter. These results were as follows:^v

- English language learner students in the Holyoke public school district outperformed ELLs in the charter school in Reading in Grade 3 and ELL students in the charter school outperformed their local district counterparts in Grade 3 Math.
- English language learner students at Lawrence Community Day Charter outperformed their counterparts in the Lawrence public schools in both Grade 5 Reading/ELA and Grade 5 Math.
- English language learner students at Lawrence Family Development Charter outperformed their counterparts in the Lawrence public schools in Grades 3, 5, 6 and 7 (both Reading/ELA and Math). ELL students in the Lawrence Public Schools outperformed their charter school counterparts in Grade 4 in both subjects.
- English language learner students at Lowell Community Charter did not perform as well as ELL students in the Lowell Public Schools in Grades 3, 4, 6 or 7 in either Reading or Math and at grade 5 in ELA. ELLs at the charter school outperformed their local district counterparts in Grade 5 Math.

In sum, ELL students for the most part did better at the charter schools in Lawrence and worse at the charter school in Lowell than their local school district counterparts. In Holyoke the picture was mixed.

This 'mixed bag' picture is consistent with the results reported in a study commissioned earlier by the Department of Education. That study, the *Charter School Achievement Comparison Study: MCAS 2001-2005* was limited to six charter schools. The comparisons reported showed that:

- In Boston, English language learner students at the Boston Renaissance charter school did not score as well in English Language Arts (ELA) as their district counterparts but did outperform the latter in Math. In one year, 2005, ELL students at the Uphams Corner charter outperformed district ELL students in Math.
- In Lowell, the local school district ELL students outperformed ELL students at Lowell Community charter in two of three years reported in Math and in three of four years reported in ELA.
- In Worcester, ELL students in the local school district outperformed ELLs at Seven Hills charter school in Math and ELLs at the charter outperformed their district counterparts in ELA.
- ELL students at both Lawrence charter schools outperformed their counterparts in the Lawrence public schools.
- In one year, 2005, ELL students at the Banneker charter school in Cambridge outperformed ELLs in Boston and Cambridge in Math.

In sum, English language learner students in charter schools performed better than district ELL students in Lawrence and worse than district ELL students in Lowell and results were mixed in Boston and Worcester.

These results are not presented as clear proof one way or the other. No sophisticated statistical tests were performed of levels of educational significance. The point, however, is that what we have presented here constitutes the public record, available at the MA DESE website. What the results do show is that there is very little data available to demonstrate how well or poorly charter schools in the Commonwealth are doing to educate ELL students. And what data is available presents a decidedly mixed picture. ***That there is a glaring gap in achievement between ELL students and their non-ELL is undeniable. But if more charter schools is the answer, then based on this data, the question must be something other than "what can the Commonwealth do to close the ELL achievement gap?"***

IV. Four Criteria for Charters to Ensure Meaningful Access Including Appropriate Programs for English Language Learner Students

If charter schools are to become more than a marginal and theoretical educational option for ELL students they must in the future:

- 1) Demonstrate that in their program design the charter schools have programs in place to address the language and cultural needs of all ELL students and not just those ELL students who are already at the edge of English proficiency;

- 2) Demonstrate that the charter schools' administrators and teachers are fully qualified to be teachers of ELL students, this means that teachers of ELL students in charter schools include both ESL teachers and content teachers who meet state standards for ELL teaching;
- 3) Demonstrate that charter schools have an aggressive and relevant outreach program that reaches the parents of potential ELL students in their home language and that assists those parents who are interested in negotiating the charter school lottery process;
- 4) Demonstrate that charter schools have programs and staffing designed to work with non-English speaking parents so that they can be full partners in their children's education.

V. Current Charter School Policy Proposals, Legislative Bills, and Ballot Initiatives, and Language Learner Students in Massachusetts

We look briefly at three prominent proposals to see whether they meet these four criteria. The proposals are: "An Act Relative to Charter Schools in Underperforming Districts" (the Governor's proposal); An act to increase quality and parental choice in public education by expanding enrollment in high-quality public charter schools" (09-12) and "An act to improve public education by expanding enrollment in high-quality public charter schools" (09-13)(ballot initiatives); An Act to Reform Education In Public Schools Through the Creation Of In-District Charter Schools With Pay-For-Performance (Boston Mayor Thomas Menino's bill).

The Governor's proposal makes an attempt to address the needs of ELL students in several ways. Such students are among the categories of students whose success is to be considered in evaluating charter school applications. Moreover, applicants must propose a detailed recruitment plan setting forth specific strategies the school would use to attract and enroll a student population that has a student population comparable to the same area of the district in which the charter school is to be located. Charter schools must also file a report with the board of elementary and secondary education detailing progress in meeting enrollment and retention goals and the report must include an accounting of how many students were designated as ELL upon enrollment and how many were subsequently no longer so designated. Finally, the bill provides that there will be a mailing to the parents of all students in the most prevalent languages of the district informing parents about the charter school process.

While the thrust of these proposals might result in more ELL students attending charter schools than at present, the Governor's proposal undercuts that thrust in several ways.

- First, a charter school recruitment plan would have to target no more than 2 of several sub-categories: low-income, special education, limited English proficient, all students scoring less than proficient on the MCAS and at-risk students. In other words, a charter school, even one situated in a heavily immigrant neighborhood, could be approved without recruiting a single English language learner student provided that other low-income students who scored as Needs Improvement on the MCAS were taken.
- Second, while "limited English proficient" is among the possible categories to be recruited, there is nothing to focus recruitment and retention efforts on those limited English proficient students with the most limited English. Limited English proficient/ELL students who have been in U.S. schools for five or more years and who are already at the

Transitioning or highest level of English proficiency, could continue to account for all or most of a charter school's ELL student population.

- Third, by making the focus of a charter school's reporting how many ELL students were no longer designated as needing English language services, such schools would have a heavy incentive to limit ELL recruitment to those already at high levels of English proficiency, i.e. those closest to being exited from the ELL designation.
- Fourth, nothing in the Governor's proposal requires that charter schools have programs and staff in place to specifically address the needs of ELL students. Charter schools that have trained staff, specially designed programs and the means to involve non-English speaking parents in the educational program will be much more likely to attract those parents than those that do not demonstrate their interest in serving the ELL student population through such concrete measures.

There are two other proposals. House Bill No. 4166, An Act to Reform Education In Public Schools Through the Creation Of In-District Charter Schools With Pay-For-Performance was filed on July 7. The bill mentions English language learners in one provision, their annual "progress" is among fourteen areas to be looked at as part of a "performance contract" to be entered into with "eligible applicants". There is no further description. Existing federal and state law already require that the annual progress of ELL students be measured and reported and the reference in H. 4166 would seem to add nothing to those existing provisions.

Finally, two ballot questions have been filed with the office of the attorney general. Depending upon whether they are certified by the attorney general and further whether sufficient valid signatures are gathered by their proponents, one or both of these measures may come before the legislature (and ultimately the voters). The measures are entitled: "An act to increase quality and parental choice in public education by expanding enrollment in high-quality public charter schools" (09-12) and "An act to improve public education by expanding enrollment in high-quality public charter schools" (09-13). Each proposals states that applicants for a charter will have to demonstrate academic success in serving significant numbers of students from 1 or more of 7 categories. Students with limited English proficiency are enumerated as one of the seven categories. There is no definition of "significant numbers of students" and no definition of what level of English proficient student the applicant had ever served. There is also no requirement that any English language learner student actually be enrolled in the charter school since they are only one (1) category among seven (7). None of the other program, staffing or parental access criteria is addressed in these proposals.

**** Multicultural Education, Training & Advocacy (META, Inc.) founded in 1983 is a tax-exempt non-profit, national advocacy organization specializing in education issues affecting low-income, language minority, and immigrant youth.***

ⁱ See, http://profiles.doe.mass.edu/state_report/selectedpopulations.aspx

ⁱⁱ <http://www.doe.mass.edu/mcas/mepa/results.html>, Table 1. See generally the school and district MEPA results found at <http://www.doe.mass.edu/mcas/mepa/results.html> for data reported in this section.

ⁱⁱⁱ At previous endnote, Tables 3-6.

^{iv} In a recent study of Charters and Pilot schools in Boston prepared for the Boston Foundation, an introductory caveat states that "English learners may know no English at all or have some proficiency. It is possible that Pilot and Charter Schools serve different proportions of these subgroups." Abdulkadiroglu, Angrist, Dynarski, Fullerton,

Kane and Pathak, *Informing the Debate* (2009). The authors noted that because of limitations in the data set with which they were working, they were unable to analyze those language proficiency differences in their study.

^v The Department does not report scores unless there are at least 10 students in a subgroup at a given grade level. The MA DESE study states that: “there were few charter schools with ...a Limited English Proficient subgroup...large enough to support comparisons” at p. 10.