

# **New USED Report Describes Current Services for Limited English Proficient Students Suggesting Some Opportunities for Publishers**

*A Technology Monitoring and Information Service (TechMIS)  
SPECIAL REPORT*

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A new report prepared for USED entitled “Descriptive Study of Services to LEP Students,” characterizes the growth of programs for LEP students, including important trends which could have implications for education publishers and technology vendors.

Between 1991 and 2001, the number of LEP students enrolled in public schools increased from 2.3 million to 3.9 million and the number of public school teachers who teach at least one LEP student increased 3.5 fold to 1.2 million. Slightly over 6,000 school districts enroll at least one LEP student.

Districts with 5,000 or more LEP students represent only 2.6 percent of the districts but enroll over 53 percent of all LEP students in grades K-12. Almost 16 percent of students in kindergarten had limited English proficiency, yet only three percent of those in grades 12 were classified as LEP. About half of the 91,000 public schools in the U.S. had LEP students.

Students from Spanish language backgrounds made up over three-quarters of the LEP student population, representing a four percent increase since 1991. Slightly less than 13 percent of LEP students have “very little” or “no proficiency” in English, while over sixty percent had some difficulty in using English to function in the classroom. While almost a quarter of LEP students had limited oral proficiency skills in their native language, slightly over 17 percent had been in the US for less than one year in 2001; 46 percent of LEP students had been born in the US. In those schools enrolling LEP, almost 75 percent of LEP students receive free or reduced-price lunches and less than half of parents of LEP students have eight or more years of schooling. Approximately ten percent of LEP students in middle and high schools have missed more than two years of schooling since age six, and slightly over 70 percent of LEP students were older than most of the students enrolled in their grade level.

The study also addressed services provided for LEP students who also received special education services. Approximately nine percent of all LEP students or about 360,000 students could be classified also as special education LEP students. Districts with 500 or more special ed/LEP students represented only 3.4 percent of districts, yet enrolled 57 percent of SPED/LEP students. Over half of these students were classified as having specific learning disabilities and over 80 percent of the special ed/LEP student population were Hispanic.

Provisions in ESEA Title I and Title III (formerly Title VII Bilingual Education) are much more prescriptive than in prior legislation regarding the identification and assessment of LEP students and hold districts more accountable than in the past in fostering English language acquisition. The current study which collected data during the transition year of No Child Left Behind, found that oral proficiency tests in English were used in almost 90 percent of the cases, not only to identify LEP students but also to assign them to particular programs and to allow them to exit from these programs. Literacy tests were also used in slightly over 60 percent of the districts. Teacher judgment was also commonly used for assigning lessons to LEP students, while achievement tests in English and classroom grades were commonly used to determine whether an LEP student should exit from the program. Almost 60 percent of LEP coordinators stated that LEP student status was reviewed once each year. The new Law requires that LEP students' acquisition of English must be assessed and reported to parents annually and, after three years, all assessments must be made in English. Also, approximately two-thirds of districts with LEP enrollments followed performance of students who exited from the program with about half conducting such monitoring for two years. The single most used assessment measure was student grades.

One of the most important findings of the study was that, over the ten-year period, a significant decrease occurred in the number of LEP students receiving services that involved extensive use of their native language, dropping from 37 percent to 17 percent. At the same time, there has been an increase -- from 14.6 percent to 23.2 percent -- in programs providing "extensive LEP services, all of which are taught in English." There have also been small increases in "mainstream only" LEP services and "instructional support services." LEP students in elementary and middle schools are much more likely than in those high schools to receive some LEP services taught in English. LEP students in high schools are more likely to receive extensive LEP services in both English and their native language. Almost 40 percent of Spanish language LEP students receive services involving "some" or "significant" use of the native language compared to only 16 percent of other language students. Other language students were more likely to receive mainstream or support LEP services provided in English.

Approximately two-thirds of schools enrolling LEP students offered services which included some LEP support provided in English. However, schools that enrolled larger numbers of LEP students were more likely to provide service types that involve extensive LEP services. Over time an LEP student who would receive "extensive LEP services" initially, will gradually be shifted into a service providing "support" or "mainstream" instruction.

The study found that students remained in LEP status for an average of 3.5 years and that this tenure was slightly longer at the elementary level than at the middle and high school level.

In the past, we have estimated that approximately two-thirds of all limited-English-proficient students are enrolled in Title I schoolwide programs. The recent study estimates that almost 2 million of the nation's 3.9 million LEP students were in Title I programs with approximately two-thirds of the schools being elementary schools. On the other hand, ESEA Title VII/Bilingual Funds, supported about 25 percent of LEP services at the elementary, middle, and high school levels. While

Title I funds are the mainstay of Federal support for LEP services, about 2.6 million students received services supported in part by state LEP funding. However, as a result of recent legislation in some states and other state policies supporting “English only,” state LEP funding has been reduced significantly.

The study also gathered data on the marginal cost of educating LEP students compared to non-LEP students. Based on the limited data that were provided, the median annual cost reported per student in responding districts was \$6,151 for all students and \$6,831 for LEP students -- a difference of approximately \$680 each student per year of marginal additional costs to educate an LEP student. While some of this additional cost can be attributed to the extensive use of teacher aides (almost 200,000), a large portion can be attributed to purchases of appropriate instruction materials and technology and other formats used to provide accommodations in both instruction and assessment. One surprising finding related to LEP participation in “academically challenging curriculum” is 8.6 percent of LEP high school students were enrolled in honors courses and 8.1 percent were enrolled in advanced placement programs. Overall, approximately 4.1 percent of LEP students participated in “gifted and talented” services.

While assessment and directly related activities have likely changed since 2001 as a result of NCLB, some of the study findings suggest programs for LEP students need substantial improvements to comply with NCLB, which may provide opportunities for certain firms. For example, the study found that instructional programs for LEP students are not aligned with state content or performance standards to the same extent as are instructional programs for English proficient students. In only about half of the cases was training and curriculum provided to teachers designed for use with LEP students. While approximately 80 percent of LEP students participated in most recent statewide assessments, about one in four are provided some type of accommodation. About 10 percent of LEP students took alternative tests in English; a slightly lower percentage received such testing in math.

The study findings suggest additional opportunities may exist for firms that can provide certain types of staff development. Approximately 60 percent of teachers who work with at least three LEP students reported they had in-service training specifically related to teaching of LEP students during the last five years. About 45 percent received up to 50 hours of training with the content, including effective practices for instructing LEP students, cultural differences and implications, language acquisition, and teaching English to LEP students.

The estimated number of instructional aides working with LEP students increased from approximately 67,000 in 1991 to more than 200,000 in 2001. Approximately 160,000 aides worked with at least one LEP student who was also enrolled in special education. While three-quarters of the aides have a Bachelors or Associate degree, slightly over 20 percent were high school graduates or had a GED certificate. About 40 percent of the aides who work with LEP students received in-service or other training related to LEP students within the previous two years. About 60 percent of the aides who worked with at least three LEP students reported they spoke a non-English language that was the native language of their students.

More so than its predecessor, NCLB places a higher priority on parental choice options for students

enrolled in schools “identified” for improvement under Title I and requires increased communications with parents. Districts are required to notify parents of LEP students about the program options which are available, report on progress being made by their LEP students in learning English, and other notifications and reports totaling among 40 provisions imbedded in Title I and Title III. In 2001, “English language newsletters” and “informational meetings with interpreters present” were the most common means schools used for communications with parents of LEP students. Parent/Teacher conferences were relied upon “a lot” (56.8 percent) or to “some extent” (40.6 percent). As a mechanism for parent participation in schools, approximately 60 percent of districts relied “to some extent” on regular telephone contacts with parents and association meetings or school “open houses.”

Without question, No Child Left Behind provisions have increased demand for certain types of technology applications that can assist in assessment, administration, and reporting, including parent notification and communication related to English language acquisition.

For a copy of the report go to

[www.ncela.gwu.edu/library/descriptivestudyfiles/voll\\_research\\_fulltxt.pdf](http://www.ncela.gwu.edu/library/descriptivestudyfiles/voll_research_fulltxt.pdf).

# **Alternative Ways of Getting Your Share of “Supplemental Education Services” Title I Funding for Purchasing Products and Services**

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Although groups such as the Education Leaders Council have estimated that districts spent only \$40 million for “supplemental education services” (SES) during the 2002-2003 school year, such expenditures will increase significantly this year and even more next year as more and more districts are likely to have schools that have failed to achieve AYP for three consecutive years. For these districts, the USED August NRG on Supplemental Education Services mandates that up to 20 percent of the total Title I budget be earmarked to cover potential costs of supplemental education services and/or transportation, depending upon what choices parents exercise. A number of TechMIS subscribers have been approved by relevant states as SES providers and are actually providing tutoring, remediation, and related services in selected districts for students whose parents have chosen them as a provider. As widely reported in the press (e.g., Wall Street Journal, December 26), many approved SES providers, last year, experienced lower than expected sales for a variety of reasons ranging from districts failing to inform parents of their choices to creation of “unlevel playing fields.” Use of SES providers was much less than USED had predicted and desired.

As we have advised clients, there are other ways to get their share of SES purchases, a topic addressed in a recent conference on supplemental education services sponsored by USED. Below we highlight some of the pros and cons of these alternatives, citing some of the rationale and justifications much of which were addressed during the USED conference.

One general approach is to “partner” with a school district that provides supplemental services to “failing” schools, using appropriate products and services provided by the firm. As Title I Reports (December 2003) noted, the recent USED conference encouraged districts to use afterschool programs -- such as those operating under 21<sup>st</sup> Century Community Learning Centers -- as SES providers. Julie Miller, Editor, cautioned, “But when schools view these organizations as competitors for Title I dollars, rather than partners in serving students’ needs, the districts are proving to be difficult to compete with.” The key to success is to “position” the partnership in such a way that more Title I funds remain in the district than through other alternatives where the maximum per-eligible-Title I-student allocation “follows the child” to an independent contractor..

One approach suggested by Secretary Paige in his September 24 webcast (see [Washington Update](#), October 2003), is to partner with one or more high-performing schools in the district to provide the firms' online services or products in afterschool programs conducted at the site of the school failing AYP for the first time; as a "preventive measure," this approach could reduce the probability the school would be "identified for improvement" for failing AYP next year and be required to provide parents' choice transportation options. As we noted in our analysis of the August NRG (September TechMIS Special Report), the high-performing schools would not have to be approved by the state as a supplemental service provider and, to the extent services were provided to the Title I-eligible students, the up-to-20 percent funds set aside for transportation and supplemental services could be used to pay for such services for these students. Firms with products and/or services which are particularly effective in increasing scores of special education or limited-English-proficient students should be well-positioned to take advantage of these "preventive measure" opportunities. A small number of districts have most of the 26,000 schools failing to make AYP last school year, largely because of low scores or test participation rates among these two subgroups.

Using a similar approach, a firm could propose to provide products and services to high-performing schools that have been approved as supplemental education service providers by the state for schools failing to meet AYP for three consecutive years. As of September 2003, slightly more than 400 school districts received state SES approval; the number is likely to increase this year, as districts seek to reduce the amount the Title I funding leaving the district for outside groups under other SES alternatives. According to [Title I Reports](#), Steven Rush, who oversees implementation of SES services from the New York Department of Education, stated, "Because of the logistics if an LEA as a provider, we are seeing an overwhelming choice in favor of schools" noting that parents of more than 75 percent of New York City students receiving SES chose the school district as the provider. A similar trend was observed in Los Angeles Unified School District last school year.

If the school which is approved to provide SES has as an afterschool program that can be implemented at the failing school site, additional advantages might be realized, especially if the firm's products are used in that afterschool program. Most afterschool programs also have a recreational or "fun" component (which has often proven to be more effective than academic programs only, as noted in the last [Washington Update](#)) in which case, parents are likely to feel that their student will not be stigmatized and there may be greater motivation to attend school on test days. Low test-taking participation rates were among the highest causes of many schools failing to meet AYP last school year.

In general, all of the above "partnership" approaches minimize administrative headaches for districts by providing SES services internally within the district rather than through an outside group. The bottom line is that partnering with a high-performing district/school reduces a firm's marketing cost and cost of sales while minimizing its "exposure" because the district bears most of the responsibility of increasing student performance and meeting many other contractual obligations.

Additional opportunities could be gleaned by working with third-party independent groups operating afterschool programs and other entities that are approved SES providers by the state. One is to work with an independent afterschool operator in a school which failed to meet AYP for three consecutive

years. While a firm would have to position its products and services as being different from those used generally in the “failing school,” the afterschool operator, if approved as an SES, could point to significant success. This could be an important consideration for parents in their selection of an SES provider. One could also approach the independent operator with the notion that, if it doesn’t become an SES provider and hence have an opportunity to receive additional funding, many of its students may be transferred to other schools or to other outside providers, thereby reducing the amount of funding it will receive in its future afterschool programs. And, if the operator of the afterschool program receives funds under 21<sup>st</sup> Century Community Learning Centers, it is likely that it generally has a better working relationship with the district and/or individual schools than other outside groups. As several participants in the USED SES conference noted, many of the small independent operators do not have necessary funding to cover upfront costs of purchasing additional products nor do they have marketing entities to encourage parents to select their program. Firms with flexible pricing arrangements and marketing expertise could provide a real service to such groups.

While selling products directly to an independent for-profit SES provider is always a possibility, there are other groups that could provide SES services, thereby providing additional opportunities. One is the “intermediate education units,” such as the Education Service Centers in Texas, BOCES in New York and Pennsylvania, and other quasi-government agencies in more than 30 states. Many of these units were created to provide technical assistance and other services especially to rural or small districts. In its December 2002 regulations and August 2003 NRG on Supplemental Education Services, USED specifically identified these “education service agencies” as being eligible to provide supplemental services. USED also encouraged consideration of online and other forms of distance learning to deliver SES services. Because of the lack of tutoring groups available as choices in “close proximity” (as called for in the Law) to rural schools, the only option for remediation, as well as for professional development in some cases, is distance learning.

Another similar option might be parochial schools that are approved as SES providers. In some archdioceses, parochial schools are providing online tutoring and related services, partnering with firms that provide such services and related staff development, as well as other support, on a discount basis. Or, a high-performing Catholic school could create an afterschool program in a failing school. The parochial school could assign teachers -- who do not have to meet the new NCLB requirements for being “highly-qualified” -- to operate the afterschool program. It is not clear whether the district could use Title I funds to pay for such SES services provided by the parochial school because of “church/state” separation issues. However, the firm could suggest that the parochial school ask the district to use its fee to purchase additional products from the firm to be used in the parochial school.