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Policy Brief: English Language Learners in Nevada

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Brookings Public Policy Minor

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The Need for Policy

While leading the rest of the country in population growth, immigration, and increasing ethnic and linguistic diversity, Nevada's mostly Latin American population experiences high poverty, low educational attainment, and high employment. As a result, Nevada has increasingly high numbers of English Language Learner students (ELLs) – students who speak a language other than English at home – and show low educational attainment compared to their English speaking counterparts.¹

According to a 2013 report² from the Lincy Institute of the University of Nevada, Las Vegas, if the state wants to reverse its populations' dismal educational attainment and poor national rankings in education; extra funding, resources, and educational supports are needed for Nevada's ELL students. Selected findings³ from the report paint the dire picture of ELLs in Nevada:

- From 1998 to 2008, the number of ELLs in Nevada increased over 200 percent (Mokhtar, 2012).
- Nevada is home to the highest density of children (31 percent) who do not speak English as their first language (Migration Policy Institute, 2010).
- In 2010, one-third of Nevada's children ages five to seventeen years spoke a language other than English at home – a 43 percent increase from the year 2000 (Mokhtar, 2012).
- In February 2013, Clark County School District (CCSD) identified 94, 771 ELL students, with 53, 073 actively enrolled in services (CCD ELL Fast Facts, 2013).
- Eighty percent of CCSD's ELL students are from the U.S. (CCSD ELL Fast Facts, 2013).
- Nevada does not have English Language Development (ELD) standards in place, requiring ELL students meet English Language Learners Arts (ELA) standards despite limited proficiency in English (CCSD, ELL Programs, n.d.).
- ELLs are struggling academically (particularly in reading) at the elementary, middle, and high school levels.

¹ Sonya Horsford, Christina Mokhtar, and Carrie Sampson, *Nevada's English Language Learner Population: A Review of Enrollment, Outcomes, and Opportunities*, report (Lincy Institute, University of Nevada, Las Vegas, 2013), 2, accessed April 15, 2014.

² Ibid.

³ Ibid., 19.

- In 2011, less than half (42 percent) of third-grade ELLs in CCSD met the standard in reading; only 10 percent of eighth-grade ELLs met the standard in reading (Mokhtar, 2012).
- Despite having the highest density of ELLs in the country (Migration Policy Institute, 2010), Nevada remains one of the only eight states that do not fund ELL education (AIR, 2012).
- The only monies Nevada schools receive to support ELL students are Title III federal funds, which are significantly less than what most states provide districts for ELL education (AIR, 2012).
- In CCSD, ELLs receive only \$119 in additional district level support per pupil compared to \$4,837 in Broward County Public Schools, FL, \$4,677 in Miami-Dade County Public, FL, and \$2,588 in Houston Independent School District, TX.
- States that have adopted weighted funding levels have weighted ELLs at anywhere from 1.10 in Texas to 1.99 in Maryland, with an overall average of 1.39.
- Although analyses of public school funding in Nevada have examined adequacy (2006) and equity (2012), the state has not conducted a costing out study focused specifically on how to meet the education resource needs of its ELL population.

In other words, as UNLV Law Professor and bilingual education expert Sylvia Lazos said in an interview in 2013, “english-language learner students in Nevada are being left behind.”⁴ However, the implications of low ELL education attainment have wide ranging impacts. Because of the large percentage of ELLs in Nevada’s public education, general educational achievement rates, particularly in the largest school district in the state – Clark County, are adversely affected.

In 2008, Nevada ranked 50th nationally in the number of high school graduates who enroll in college.⁵ According to Education Week’s 2014 Quality Counts report, the Silver State’s graduation rate – 63 percent - ranked 48th nationally. Additionally, Nevada scored in the bottom 10 states in fourth-grade reading and math and in eighth-grade math.⁶

⁴ Paul Takahashi, "Nevada Continues to Shortchange English-language Learner Programs, Advocate Maintains," LasVegasSun.com, March 6, 2013, accessed May 08, 2014, <http://www.lasvegassun.com/news/2013/mar/06/nevada-continues-short-change-english-language-lea/>.

⁵ Mary Ann Zehr, "ENGLISH-LANGUAGE LEARNERS," *Education Week*, 2008, 28th ed., accessed April 19, 2014, Academic Search Premiere.

⁶ *Nevada State Highlights, 2014 Quality Counts*, report, vol. 18 (Education Week), accessed April 25, 2014, <http://www.edweek.org/media/ew/qc/2014/shr/16shr.nv.h33.pdf>.

During the 2011-2012 school year, CCSD enrolled 70 percent of the state's overall public school population and served 54,100 of the state's 69,800 ELL students or 77 percent of the state's ELL.⁷ Over 17 percent of Clark County's students were classified as English-language learners, the third highest population of ELL students in the nation as a percentage of enrollments.⁸ One in six students is an ELL learner; in K-3, it is one in four students. Half of elementary schools are high-ELL schools, where 40 percent or more of the children in the classrooms are ELLs.⁹

In February 2013, while over 94,771 students in CCSD identified as ELLs, only 53,073 ELL students were actively enrolled in its ELL program. Based on 2012-2013 enrollment numbers, this figure represented over 30 percent of CCSD total enrollment.¹⁰

In addition to adverse impacts on statewide education attainment, low ELL academic performance translates into future drains on social services and missed opportunity gains for Nevada's economy. Poorly educated citizens earn less money over their lifetime, generating less state and local taxes, while requiring more public services. Those without a high school education have higher incidences of joblessness, poverty, food insecurity and incarceration. They also tend to be uninsured, straining both the public and private health systems. This reality is more evident in Nevada where there are low graduation rates and high rates of uneducated

⁷ Sonya Horsford, Christina Mokhtar, and Carrie Sampson, *Nevada's English Language Learner Population*, 1.

⁸ Takahashi, "Nevada Continues to Shortchange English-language Learner Programs, Advocate Maintains,".

⁹ Sylvia Lazos, "Next Superintendent Must Have Plan to Help English Language Learners," *Las Vegas Review-Journal* (Las Vegas), May 19, 2013, accessed May 09, 2014, <http://www.reviewjournal.com/opinion/next-superintendent-must-have-plan-help-english-language-learners>.

¹⁰ Ibid.

workforce. Each high school dropout is estimated to cost the state over \$60,000, over 7.9 billion in current Nevada K-12 graduation trends.¹¹

Furthermore, ELLs provide an opportunity to improve the disturbing trends and generate significant returns. A 2012 Applied Analysis shows that Nevada's return on investing \$1 on ELL education is between \$1.15 and \$2. For those students going on to graduate school that return doubles to \$2.37 to \$4.20 per dollar invested.¹² As UNLV Political Science Professor David Damore said the taxpayer either "pays early in the life-cycle" and gets a better return of investment, or "will continue to pay much more in the future".¹³

What's being done?

Until recently, Nevada was one of only 8 states¹⁴ that did not allocate state dollars to ELL education.¹⁵ In June 2013, Nevada Senate Bill 504¹⁶ allocated over \$50 million in funding for the creation of "Zoom Schools", schools with a high percentage of ELL and a high potential for improvement, in the two largest school districts in the state – Clark County and Washoe. Additionally, it sets up an English Mastery Council (EML) for English Language Learner instruction.

"Zoom" schools offer comprehensive support for ELL students including free pre-school programs, full day kindergarten at a 21:1 ratio, reading skills centers, and free summer or

¹¹ Applied Analysis, *By The Numbers: A Review and Analysis of Nevada's Educational System*, report, 2012, accessed May 10, 2014, http://nsea-nv.org/assets/document/NV/By_the_Numbers_NSEA_Impact_Analysis.pdf.

¹² Ibid.

¹³ David Damore, e-mail interview by Robin Gonzales, March 25, 2014.

¹⁴ Colorado, Delaware, Mississippi, Montana, Nevada, Pennsylvania, South Carolina, and South Dakota

¹⁵ Sonya Horsford, Christina Mokhtar, and Carrie Sampson, *Nevada's English Language Learner Population.*, 18.

¹⁶S.B. 504, Sess. of 2013 (Nev. 2013), <http://www.leg.state.nv.us/Session/77th2013/Reports/history.cfm?billname=SB504>.

intercession programs.¹⁷ In addition, reading skills development centers operated in partnership with the University of Nevada, Las Vegas.¹⁸ In 2013, 14 Clark County schools received over \$39.4 million: Cambeiro, Cortez, Craig, Detwiler, Diaz, Herron, Lunt, Martinez, Paradise, Petersen, Ronzone, Tate, Warren and Williams elementary schools.¹⁹ Additionally, 6 zoom schools were identified in Washoe County.²⁰

These schools were chosen based on areas that had the highest percentage of students struggling to speak English and the lowest academic achievement rates. Around 92 percent of the allocation will be used to pay teacher salaries and benefits, not only extending the school year but adding teachers to reduce class sizes and offering intensive tutoring at reading development centers.²¹ The “Zoom” Schools will be monitored closely, with required transparent reporting to the Nevada Department of Education, to determine the results of these concentrated efforts.²²

An English Mastery Council, a committee of education experts, was also set up to review and examine the state’s ELL policies and training and support for teachers to provide high quality ELL education.²³ The EMC, which will terminate on June 30, 1990, was tasked to:²⁴

- Make recommendations to the State Board concerning the criteria for the development of policies required of school districts for the instruction to teach English to pupils who are limited English proficient;
- Review the policies annually and making recommendations to the State Board and the school districts for improvement;

¹⁷ *2013 Legislative Report: Education Related Legislation*, report (July: Clark County School District, 2013), accessed May 09, 2014, <http://ccsd.net/resources/government-affairs/2013-full-legislative-report.pdf>.

¹⁸ Trevon Milliard, "14 Zoom Schools to Target English Language Learners," *Las Vegas Review-Journal*, July 18, 2013, accessed May 07, 2014, <http://www.reviewjournal.com/news/education/14-zoom-schools-target-english-language-learners>.

¹⁹ *Ibid.*

²⁰ Sonya Horsford, Christina Mokhtar, and Carrie Sampson, *Nevada's English Language Learner Population*.

²¹ *Ibid.*

²² Sylvia Lazos, "ELL Challenges Can Be Met through Coordination, Debate, Cooperation," *Las Vegas Review-Journal*, July 15, 2013, accessed April 29, 2014, <http://www.reviewjournal.com/opinion/ell-challenges-can-be-met-through-coordination-debate-cooperation>.

²³ *Ibid.*

²⁴ *Ibid.*

- Make recommendations for the adoption of regulations for an endorsement to teach English as a second language;
- Develop standards for curriculum for pupils who are limited English proficient for review by the State Board; and
- Review any courses of study offered by the Nevada System of Higher Education to teach English as a second language and make recommendations to the Board of Regents of the University of Nevada for improvement.

Is it enough?

A 2006 costing out study found that ELL students in Nevada were underfunded and recommended investing from \$132 up to \$206 million dollars annually for adequate ELL education based on 2003-04 figures.²⁵ Current funding is still severely inadequate. Gandara & Rumberger recommended that at the very least, adequate ELL education provided resources to meet state standards that moves ELL students to Fluent English Proficiency status and continue providing resources until all linguistic minority students become proficient in other academic content.²⁶

However, adequate funding is not enough. According to Professor Lazos, “to change a school from struggling to quality requires an integrated approach that addresses teacher instruction quality, principal leadership and parental engagement.”²⁷

Quality teachers are essential because high-quality teachers make the biggest differences in student outcomes.²⁸ Teacher training will be essential in providing high quality of instruction that will be tailored to ELLs, especially in Clark County. A 2012 WestEd study found that only one out of 70 classrooms observed in the district had "high-quality ELL instruction."²⁹ It also

²⁵Sonya Horsford, Christina Mokhtar, and Carrie Sampson, *Nevada's English Language Learner Population.*, 16.

²⁶*Ibid.*, 17.

²⁷Lazos, "ELL Challenges Can Be Met through Coordination, Debate, Cooperation,".

²⁸*Ibid.*

²⁹Takahashi, "Nevada Continues to Shortchange English-language Learner Programs, Advocate Maintains,".

found that "low expectations and perceptions of English-language learner students as deficient are pervasive," and that "there is little evidence that teachers design instruction to challenge and support ELL."³⁰

According to a 2014 Guinn Center brief, studies have shown the quality of instruction is more important than the language of instruction for ELL education.³¹ In addition, professional development resources: such as peer coaching, certification and training programs, are needed to train high quality teachers in ELL. Additional public investment will be needed to ensure teachers have high quality professional development.³²

Schools can also take on the leadership of driving high expectations and high performance. The development of English speaking skills for ELLs should be an urgent priority to be able to maximize the students' full educational potential. Instructional performance can be supported by linguistic development lesson plans. Speaking another language should not be viewed as a weakness, but rather a strength that can be used to build upon better ELL educational attainment.³³ The adoption of standardized early literacy policies across the state, with monitoring and assessment of students' progress, can help implement this priority.³⁴

Parents also play a crucial role in supporting ELL education. In high ELL schools, where poverty is pervasive, students have a home life that is troubled and many students are chronically absent. Parental engagement should also be a priority to reap the full benefits of the SB504. Helping parents understand the need for students to attend extended instructional time and the

³⁰ Ibid.

³¹ *Literary Challenges in Nevada Schools*, policy brief (Kenny C. Guinn Center for Policy Priorities, 2014), 8.

³² Ibid.

³³ Lazos, "ELL Challenges Can Be Met through Coordination, Debate, Cooperation,".

³⁴ *Literary Challenges in Nevada Schools*, policy brief, 10.

role that parental engagement plays in providing a stable support for education should be key priorities for school administrators and officials.³⁵

Community engagement and ownership can also play an important role. Southern Nevada must have better awareness for the “Zoom School” experiment and the progress that it is making. Citizen participation in critical debates on ELL funding reforms will also be important to ensure that proper ELL reforms take place. Likewise, volunteering individual talents in these struggling schools will help as well.³⁶

An integrated effort is crucial to the success of any initiative geared towards ELLs. However, these elements cannot be integrated overnight. Realistically, significant improvement in the academic performance of Clark County ELLs will take time, certainly more than two years. The district’s strategy needs to involve adequate time, evidence-based programs and practices, and a permanent solution that will not be tied to the legislative process.³⁷

How could it play out?

“Scarcely any political question that arises in the United States”, Alexis de Tocqueville observed, “that is not resolved, sooner or later, into a judicial question”. Despite a federal law³⁸ requiring states to provide adequate resources to ensure an equal education for ELL students and

³⁵ibid.

³⁶ibid.

³⁷ Christina Mokhtar, "An Increase in ELL Funding for Nevada's Clark County Positions District as State and National Model," Annenberg Institute for School Reform |, November 19, 2014, The Challenge of Time, accessed May 13, 2014, <http://annenberginstitute.org/commentary/2013/11/increase-ell-funding-nevadas-clark-county-positions-district-state-and-national-m>.

³⁸Civil Rights Act of 1964 and Equal Opportunity Act of 1974 required states to provide equal education to ELL students by providing them adequate resources

having the highest density of ELLs than any other state in the country, Nevada only recently started to allocate state funding for to these students. Even so, the amount of funding that has been allocated is, as many would agree, still below funding needed for adequacy levels.

Concerns about “equity”, which have been the subject of numerous lawsuits across 44 states, the majority of which was won by the plaintiffs, complicate policy discussions. Recent cost saving mechanisms impacting ELL students have opened up Clark County to potential lawsuits by Latino Activists.³⁹ There has also been growing movement to challenge the state legislature’s funding and maintenance schemes for the school system as inadequate under the state constitution’s requirement for levels of adequate education.⁴⁰

While the recent passage of SB504 and the ongoing attempts to reform ELL education in the state has temporarily taken away some steam from the movement to bring the issue to the courts, the state’s outdated K-12 funding formula generates additional controversy and avenues for future legal challenges, if not properly reformed.

Known as the “Nevada Plan”, the K-12 funding formula has also long been criticized for an unfair distribution of revenue away from Clark County, which generates the larger share of tax revenues but receives the least in per pupil funding. The current formula counts the number of students in a district and divides the funding based on economies of scale costs associated with obtaining an education.⁴¹ Criticisms of this formula stem from the unfair distribution of education funding which also exacerbates the disadvantages of at risk students, particularly in

³⁹ Sonya Horsford, Christina Mokhtar, and Carrie Sampson, *Nevada's English Language Learner Population.*, 17.

⁴⁰ K. Nicholas Portz, "Education Reform Litigation in Nevada: Is The Nevada Legislature Neglecting Its Constitutional Duties?," *Nevada Law Journal* 11 (2011): 876, accessed May 10, 2014, <http://scholars.law.unlv.edu/cgi/viewcontent.cgi?article=1180&context=nlj>.

⁴¹ Paul Takahashi, "As Scrutiny of School Funding Formula Grows, a Discussion of What's Fair," *LasVegasSun.com*, March 07, 2014, accessed May 13, 2014, <http://www.lasvegassun.com/news/2014/mar/07/scrutiny-school-funding-formula-grows-discussion-w/>.

Clark County where the share of ELLs as a percentage of total enrollments is among the largest in the nation.⁴²

Nevada State Senator Mo Denis, who is chairing an interim task force⁴³ that will be recommending changes to the funding formula, characterized the issue as one of fairness than of equity. “From the perspective of equity, (the Nevada Plan) is probably one of the most equitable funding formulas in the country because it just looks at the number of students and adds a few factors,” Denis said during an interview in March 2014. “But is that really fair? Personally, I don’t believe it is.”⁴⁴

Meanwhile, education advocates look for alternative funding methods that do not rely solely on legislative discretion. The Nevada State Education Association is leading a charge for an Education Initiative⁴⁵, a proposed measure that will levy a 2% margin tax on Nevada businesses to generate over \$800 for public school funding. The measure is up for a vote on the November 4, 2014 ballot. It is unclear if the measure will pass or what its impacts will be if it does.

Conclusions

Dismal ELLs educational attainment has far reaching consequences and long term implications for education and the economy in Nevada. SB504 begins to address some of the long neglected problems in ELL education by allocating state financing for ELLs programs. The creation of “Zoom Schools”, high ELLs population and low educational attainment schools which receive additional funding and resources, and the creation of an English Mastery Council,

⁴² Ibid.

⁴³ Nevada Legislature, "Task Force on K-12 Funding," Task Force on K-12 Funding, accessed May 13, 2014, <http://www.leg.state.nv.us/Interim/77th2013/Committee/Studies/K12Funding/?ID=67>.

⁴⁴ Paul Takahashi, "As Scrutiny of School Funding Formula Grows, a Discussion of What's Fair,".

⁴⁵ "The Education Initiative," The Education Initiative, accessed May 11, 2014, <http://www.theeducationinitiative.com/>.

to evaluate and recommend ELLs policy changes, among other things, puts in place reforms to try and raise the low ELLs educational attainment in the state. However, these reforms are just preliminary steps in a much needed comprehensive reform of Nevada's ELLs education, and public education in general, if it wants to raise state-wide educational attainment levels and improve its abysmal national rankings in education. While the Nevada Legislature is looking into reforming public education and outdated funding formulas in the state, the threats of lawsuits loom large if current efforts fail.

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