Summary Report on:
“Immigration and English Language Learners in Public Schools”

A HEPC Forum co-sponsored by the William S. Richardson School of Law, the Myron B. Thompson School of Social Work, and the UH Manoa College of Education in January, 2014.

I. Summary & Background  According to the 2000 U.S. Census survey, 26.6 percent of persons in Hawaii speak a language other than English. Nationally, only 17.9 percent of the population speaks a language other than English. Additionally, the 2000 Census reports that the majority of persons immigrating to Hawaii come from Asia and the Pacific Islands. Of the population that (at home) speaks a language from Asia or from the Pacific Islands, 20.2 percent do not speak English well or at all.

Did You Know?
- Of the state’s 1.2 million residents, more than 296,000 speak a language other than English at home. More than 134,000 additional residents speak English “less than very well.”
- Languages in Hawaii with 1,000 speakers or more are Ilokano (27,077), Tagalog (26,418), Japanese (21,710), Mandarin/Cantonese (15,751), Korean (11,397), Spanish (7,384), Vietnamese (5,060), Chuukese/Marshallese (6,458), Samoan (3,334), Cebuano/Bisaya (2,137) and Hawaiian (1,292).

A recent Hawaii Department of Education report indicated there were 17,441 ELL students enrolled in public schools, representing approximately ten percent. However, certain complex areas (a high school and its feeder elementary and middle schools) are recording much higher percentages:
- Farrington Complex – 28%
- Kaimuki Complex – 24%
- McKinley Complex – 26%
- Waipahu Complex – 22%
- Kau Complex – 23%

One elementary school in Honolulu has a total enrollment of @ 600 students. Of that number, one-third are ELL students, or approximately thirty percent.

II. Legal Issues & Federal Obligations


The Civil Rights Act of 1964 (Pub.L. 88–352, 78 Stat. 241, enacted July 2, 1964) is a landmark piece of civil rights legislation in the United States[1] that outlawed major forms of discrimination against racial, ethnic, national and religious minorities, and women.[2] It ended unequal application of voter registration requirements and racial segregation in schools, at the workplace and by facilities that served the general public (known as "public accommodations").

The Civil Rights Act and the Equal Opportunities Act define rights and obligations that every public school district must take seriously, especially one such as Hawaii with so many immigrants and ELL students in the public schools. In many cases, settlements require the allocation of more funds, personnel, and structural changes at the school level.

The case relied on Section 601 of the Civil Rights Act of 1964 and not the 14th amendment.
What does Title VI of the Civil Rights Act of 1964 require for English-language learner students?
Federal law interpreted through several court decisions, requires programs that educate children with limited English proficiency to be:
• 1. based on a sound educational theory;
• 2. adequately supported, with adequate and effective staff and resources, so that the program has a realistic chance of success; and
• 3. periodically evaluated and, if necessary, revised.

Results of the Conference;

What are three challenges or opportunities created by the large population of ELLs in Hawai‘i schools?
• Lack of teacher training/ opportunity to create ELL teacher license
• Multicultural Perspectives/realities, challenge of understanding cultural differences.
• Opportunity to grow knowledge diversification
• Practical models in Hawai‘i, to separate or integrate with English speakers?
• Lack of resources for family and parents

III. Educational Issues
The HIDOE Mission Statement is as follows:

*English Language Learners (ELLs) will meet state standards and develop English language proficiency in an environment where language and cultural assets are recognized as valuable resources to learning.*

The HIDOE goals of the ELL Program for all schools are to ensure that students will:

1. Acquire a level of English proficiency that will provide them with equal opportunities to succeed in the general education program.
2. Achieve the HIDOE content standards and English language proficiency standards at levels to be able to exit the program.
3. Possess the language, knowledge and skills to graduate and pursue post-secondary education and/or careers.
4. Develop an understanding of and appreciation for diverse cultures.

HIDOE Implementation of these goals include:

- Screener/Placement Test: W-APT™ given upon referral or arrival (World-Class Instructional Design and Assessment (WIDA)- ACCESS Placement Test) w/in 14 calendar days and entered into database.
- Annual Assessment for ALL ELLs in February: ACCESS for ELLs® (Assessing Comprehension and Communication in English State-to-State for English Language Learners).

HIDOE States that its first priority is English language skill development. The second priority is to prepare the students for the regular English-medium classroom. Language educators teach ELL classes. Students practice academic skills common to mainstream classes.

**Education Issues that can use more research;**

1. Lack of Resources/Teacher training.

   - Resources are often cited as a main concern for teachers and parents. Students are often from the lower socioeconomic groups and parents have few resources available.

School funding for students is based on a weighted student formula (WSF), with ELL students (and other similar students) are given extra weighting.

Weights are over and above the basic per student allocation; in SY 04–05 this basic allocation was $3835 per student. The dollar amount is determined by taking the total funds put into the WSF, subtracting the dollar amounts of all school adjustments and student weights, and dividing the difference by the total number of students in DOE public schools (excluding charter schools and six special/unusual schools identified later in this article). e.g. ESSL—A weight of 0.26 will be given to English as a Second Language Learners. This weight was based on dividing the $12.5 million state appropriation for ESSL ($10 million plus fringes) by the number of ESSL students (12,377 in SY 03-04). The value of this weight is about $1000 per ESSL student

   - Teacher Training in Public Institutions; The College of Education at UHM has made headway into ELL teacher training and as of last year began to have an ELL division of the teacher training program, still growing.
2. Diversity amongst students

There are over 53 languages spoken by students in HI DOE schools, with the most common foreign language being Ilokano. With the mission of the DOE being to use cultural assets and to appreciate the cultural heritage of all students, within one classroom, there may be many heritages for teachers to try and incorporate!

3. Assessment and WIDA

Hawaii DOE uses the World-Class Instructional Design and Assessment (WIDA), which uses provides placement test and an assessment (ACCESS for ELLs). Example of the standards of the test and levels defined in WIDA.

IV. Policy Analysis and Considerations

1. Improvements and additional funding for ELL and Immigrant support programs is not yet a significant priority for educational policy makers. There is general support for existing efforts, but no sense that more may be needed both for compliance with federal laws or effective strategies at the school or classroom levels.
2. Hawaii’s Department of Education has established reasonable internal ELL goals, but the State Board of Education has not yet adopted formal policies. The Board’s Strategic Plan does not identify as this as a priority, nor do recent initiatives (such as loading digital curricula on laptops or tablets) reflect opportunities to incorporate multi-language delivery systems.
3. There are questions as to the ability of Hawaii’s public education institutions to address the needs of recent increases in non-English speaking immigrants from different cultural backgrounds. This is particularly true for recent Pacific Island immigrants. It is estimated that 25% of all Hawaii residents speak a non-English language at home.
4. Educational researchers and leaders in ELL have developed a wide range of nuanced and comprehensive goals and criteria that can form the basis of a revitalized strategic plan to address the needs of ELL students and immigrants.
5. HIDOE has incorporated the goal of reducing achievement gaps among ELL students (along with SPED and the financial needy) as one criterion for its HI STRIVE assessment program.
6. It is not clear whether student achievement metrics will go beyond high stake testing in limited subjects, or how assessments under the Common Core will impact ELL and immigrant student assistance programs.
7. There are significant differences between ELL programs in an elementary school environment and ELL program supports in middle and high school environments.
8. HIDOE system level coordination and support is energetic, committed, but possibly underfunded.
9. Data is often not easily publically accessible, nor well distributed and used among interested stakeholders.
10. Coordination of the various layers, silos, programs, interests and stakeholder agencies is underdeveloped. Previous multiagency efforts at coordination have lost momentum. Direct planning or implementation connections between SPED programs, early education programs and ELL programs are spotty at best.
11. There is disagreement within the legal community as to whether Hawaii is in full compliance with federal laws and court decisions, as well as the role of aggressive legal action in improving the existing programs.
12. There is a programmatic and philosophical tension between the Civil Rights lens requiring efforts to promote competency in English vs. the multicultural lens of respect and support for cultures and students who bring with them the positive asset of literacy in another language.

Next Steps
Under discussion among Hawaii ELL leaders is a revival of the Hawaii Council on Language Planning and Policy, which was premised on recognition of language rights and development of language resources; seeks to promote inclusiveness, diversity, multiculturalism, and multilingualism. Council, created in the 1990s was based on the identification of State language needs and goals. It advocated that any language plan and policy developed by the Council would provide for:

- **Recognition and promotion** of Hawaiian as the official language with equal dignity to English
- **Support for Hawaiians** in their efforts to revitalize their language and culture
- **Maintenance and development of the local language**, Hawaii Creole English (Pidgin) and all other community languages (e.g., Japanese, Chinese, Ilokano, Tagalog, Spanish, Korean, Samoan and all Pacific Island languages).
- **Access to services** for limited and non-English speakers, through the institution of comprehensive language services programs, including translation, interpretation, and multilingual print and media.
- **Development of certification and training** for interpreters and translators
- **English as a Second Language** (ESL) education, bilingual/multilingual education, and development of academic English/other languages for all.
- **Literacy** for children and adults
- **Non-discrimination** in education, employment, and services