



MALDEF

Mexican American Legal Defense and Educational Fund

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**MALDEF's Statement of Policy re: English Language Learners,
Academic Accountability, and the No Child Left Behind Act**

English Language Learners (ELLs) in U.S. public schools, 80% of whom are Spanish-speaking Latinos, must be subject to high educational expectations and high academic achievement standards. U.S. public schools and school districts must be held accountable for the academic achievement and English language acquisition of ELL students.

MALDEF does not support the exclusion of all ELL students from No Child Left Behind Act (NCLB) accountability systems because this would encourage schools and school districts to ignore the educational needs of the ELL student population and focus solely upon groups for which they will be held accountable under NCLB.

For assessment-based accountability systems to be effective, the assessments used for ELL students must be valid and reliable for this student population. Native language content assessments are generally more likely than other assessment instruments to generate meaningful academic achievement data for the ELL student population.

Research clearly shows that native language instruction and linguistic accommodations are necessary to ensure academic success for ELL students as they transition to English-language academic instruction. MALDEF will not support any local, state, or federal education policy that would inhibit the implementation of native language instructional practices and/or native language academic assessments for ELL students.

The assessment-based accountability systems currently in place for all students under NCLB have the potential to ensure that ELL students are subject to high educational expectations and benefit from high quality, research-based instructional practices.

While MALDEF does not support the exclusion of ELL students other than recently-arrived immigrants from current NCLB assessment and accountability systems, MALDEF may support alternate methods of ensuring school and school district accountability. Such methods must be based in high academic expectations and lead to effective, research-based instruction for ELL students.

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