

TESOL Advocacy Day 2008: ITBE Goes to Capitol Hill to Discuss NCLB

By Maja Teref

In light of its success in lobbying for changes to No Child Left Behind (NCLB) on Capitol Hill in 2007, ITBE, TESOL's ninth largest affiliate, was invited again by TESOL to participate in its third-year advocacy endeavor titled TESOL Advocacy Day 2008. This year again, the ITBE Board decided to send me as its representative to build upon my last year's visit to Congress and utilize my 12-year commitment to secondary education as a high school teacher at Roosevelt High School, Chicago. Thus, this year again, I joined thirteen other TESOL members representing 12 U.S.-based affiliates in Washington, DC for TESOL Advocacy Day 2008 on June 18, 2008. This event featured a day of issue briefings and workshops, capped by visits to Congressional offices on Capitol Hill. The goals of Advocacy Day were not only to lobby on key issues for TESOL, but also to provide an interactive learning experience for affiliate representatives on elements of advocacy. By the end of the day, TESOL members had visited the offices of more than 36 representatives and senators.

As with last year's event, TESOL Advocacy Day 2008 focused on the efforts to reauthorize the No Child Left Behind Act (NCLB). To maximize the impact of TESOL Advocacy Day, key members of Congress serving on the education committees in the U.S. Senate and House of Representatives were identified for meetings. In turn, affiliates representing the constituencies of those members of Congress were selected and invited to send a representative to Advocacy Day. Thus for Illinois, the key members selected by

TESOL were Senator Barack Obama (D-IL), Rep. Danny Davis (D-IL 7), and Rep. Phil Hare (D-IL 17).

To participate, each affiliate representative was required to do several preparatory activities. For example, we Advocacy Day participants were required to schedule our own individual meetings with Congressional representatives from our respective states. To assist with this, TESOL provided directions and guidance, for example, regarding the protocol necessary to contact our representatives and senators. In addition, we were also sent TESOL's talking points and background information on NCLB, so that we could begin to familiarize ourselves with the issues in advance. To make our Congressional meetings more effective, we were also encouraged to find examples from our own school programs to illustrate the talking points. In recalling my own experience from last year, I found it necessary to enhance my preparation by researching the English Language Learner (ELL) population and individual school test scores from Congressmen Davis' and Hare's respective districts since their ELL initiatives need to be supported by data pertaining to their own constituents' needs. Also, having met with Senator Obama's Congressional Staffer in charge of education, Dr. Steven Robinson, I prepared research-based sources on growth (testing) models, which are likely to replace NCLB's current, though ineffective, status (testing) model, as well as hard data regarding not only immigrant ELL's, but American born ELL's.

TESOL Advocacy Day commenced with a welcome from TESOL President Shelley Wong also joined by President-Elect Mark Algren and Past President Sandy Briggs. The morning workshop was led by John Segota, Advocacy and Professional Relations

Manager, and was comprised of three briefings. The first featured congressional staff consisted of both the House and the Senate, namely Roberto Rodriguez, Senior Education Adviser to Senator Edward M. Kennedy (D-MA), Lindsay A. L. Hunisicker, Senior Education Policy Advisor to Senator Mike Enzi (R-WY), and Moira Lenehan-Razzuri, Legislative Assistant to Representative Ruben Hinojosa (D-TX) who discussed the “View from the Hill” on NCLB reauthorization and the key issues under debate. This particular briefing was highly informative though, understandably, with some emotional overtones.

Lenehan-Razzuri began her presentation by pointing out that NCLB has expired and is now on a one-year extension. Meanwhile, smaller acts, such as Sen. Obama’s proposed Middle Act, have been emerging in an attempt to begin making changes to the expired law. “We’re hurrying up [to reauthorize NCLB], and now, we’re waiting for a new administration to work a little better with the new Congress,” expressed Lenehan-Razzuri in an intentional understatement. She also stated that NCLB is a tremendously complex bill which makes decision-making regarding handling government funding for it excruciating and time-consuming. Due to its complex nature and the length of time needed to reauthorize the act, the NCLB Recess Act has been proposed whereby “recess” would apply to accountability, not to funding, she stated to everyone’s relief. “If NCLB doesn’t get reauthorized, NCLB and Adequate Yearly Progress (AYP) will collapse on their own,” she warned. The Legislative Assistant to Rep. Ruben Hinojosa also expressed her boss’s concern with how to make the curriculum accessible to ELL’s in order to ensure that students are being taught by expert teachers who are equipped to service the Limited English Proficient (LEP) population, thus alluding to the painful fact that many regular education teachers do not possess second language acquisition

knowledge needed to teach the increasing ELL population in their mainstream classrooms. This enthusiastic staffer asked a poignant question, “How do we prepare teachers if we don’t have faculty to teach them how to serve the needs of ELL’s?” She also expressed support for the Early Education Bill which proposes identifying and teaching ELL’s in the Head Start program. On a different note, she expressed concern over the misuse of Title III money by many states, which was echoed later in greater detail by the Acting Director of OELA, Richard Smith and other congressional staffers.

The major issue, according to Rep. Hinojosa’s staffer, likewise expressed by the Congressional Hispanic Caucus, concerns “how immigrants around the U.S. are being handled by our government; many of them are being handcuffed, deported in front of their children who are now in the already overloaded foster care system. As a result, high rates of absenteeism are being reported by schools.” Lenehan-Razzuri continued, “[Immigrants] are afraid, and with cause. Home raids at 4 AM, flashlights in their faces...” The visibly shaken staffer emphasized, “This is a moral crisis.” TESOL President Shelley Wong, recalling the raids in Prince William County, Virginia, inquired about how TESOL could provide support in this particular case. Lenehan-Razzuri replied, “There is a great dehumanization of immigrants in this country, and we need to put a human face to immigrants. This affects our communities. We talk about accountability, and yet we’re removing children and families.” Then she concluded, “During these raids, it is like a natural disaster with people screaming...”

Next up, Sen. Kennedy’s Senior Education Advisor, Roberto Rodriguez, echoed the pervading sentiment regarding the current state of NCLB, “Prospects of completing a

reauthorization are dwindling by every passing day,” he said somewhat facetiously in the opening remarks of his presentation. “Issues are going to be the same regardless of the administration in charge. What we must emphasize is differentiation of instruction and the quality of teaching. Now that we have an accountability system, what then?” he said rhetorically. “As many as 10,000 schools are in need of improvement.” Rodriguez then stressed two directions in tackling the problem. “We can suspend some of accountability with the NCLB Recess Act,” which Sen. Kennedy, as one of the champions of this bipartisan effort in 2001 does not prefer. “Or we can recognize you can’t use only one label for all schools. We need a more differentiated approach toward a more sound timeline,” he stated alluding to the current 2014 deadline stipulated by NCLB, still persistently maintained by Secretary of Education Margaret Spellings, by which time the gap between low-performing and high-performing students is to be closed. Rodriguez continued with a list of necessary changes to NCLB which included improving assessments and accountability, advancing better accommodations for ELL’s by working with ELL organizations such as TESOL, developing tools consistent with second language research, and advancing the support to regular education teachers to serve ELL’s. “We have a long time to go in terms of implementing a sound system for Title III,” he stated, emphasizing that NCLB Title III funds are designed for only instructional support, i.e. to *supplement* vs. *supplant*. “Title III is not Title I,” he stressed again, “Title III is designed to look at research-based instruction, and we need better monitoring of state and local levels to maintain the integrity of Title III,” Senior Advisor continued, addressing the key issue regarding many states using Title III money as a source of funding instead of as a supplementary source for their Title III programs. “This issue

takes primacy over accountability,” he added, “ and Title III should include professional development (PD), but without teacher qualifications becoming any more complicated,” Sen. Kennedy’s Advisor concluded.

Lindsay A.L. Hunisicker, Senior Education Policy Advisor for Senator Mike Enzi (R-WY) told us that only a few weeks are left out of the legislative 2008 year, which makes it hard to make any major changes to NCLB. However, legislators, she aptly put, need to be aware of the vastly different ELL populations: refugees, immigrants with different educational backgrounds, etc. She reiterated some of the same points mentioned by the previous speakers, such as the major concern regarding Title III which is intended to *supplement* and not *supplant* State and local educational funds, the importance of differentiated instruction needed to serve the vastly diverse needs of the ELL population, and the necessity for moving away from the one-size-fits-all state of NCLB, “but without further complicating the act,” she concluded.

The second briefing featured the education staffer from Sen. Barrack Obama’s office, Dr. Steven Robinson, discussing a bill on middle school reform Sen. Obama has proposed titled Success in the Middle Act. “My boss’s goal,” Robinson told us, “is to ensure that middle school (grades 5-8) students have access to a rigorous academic curriculum.” Robinson then recalled his own experience of having taught public school in Oregon, “I had a sheltered science class, but it seemed to me the students were being sheltered from science.” Obama’s staffer added cynically, “Illinois reported an 80% graduation rate, which can’t be true. States can report anything.” To further explicate the urgency and the importance of the Act, he stated that ninth grade is simply too late in the life of a student

to help with the graduation rate. “John Hopkins’ research, based on its 6th grade studies, suggests that if students flunk math and English, they have only 10% chance to graduate from high school. However, this doesn’t mean that there shouldn’t be any focus on high schools,” said Dr. Robinson, explaining that middle school students have been somehow left out of accountability. He expressed that while there is focus on grades 1-4 and 9-12, middle school has taken the back seat in the process. “My boss proposes that a billion dollars be assigned to the states,” Robinson continued, “but he wants to make sure the states provide a specific, research-based plan with developed systems to identify students who need help. Otherwise, the states can give us anything to get the funding. We need to do more research to use what works and drop what doesn’t.” The representative from MA TESOL, Robyn Grant, having worked in Massachusetts Department of Education, confirmed that there is surprisingly little expertise on the state level. TESOL President then offered for TESOL to partner with Sen. Obama in order to provide the much needed expertise and to ensure quality PD takes place for mainstream teachers. When asked what is needed for the Middle Act to pass, Robinson stressed, “We need more supporters. Some people think we can reduce the dropout rate by focusing on high school reform. Title I focuses on early grades, but we need to focus on middle school as well. This bill will be comprehensive and will be addressing everybody, including ELL’s,” concluded Robinson.

The final briefing featured the acting director of the Office of English Language Acquisition (OELA), Richard Smith, who addressed his office’s proposal to allow States to determine Annual Measurable Achievement Objective (AMAO) targets and reiterated the concern that federal grant money for funding NCLB programs is intended to

supplement and not *supplant* State and local educational funds. He stressed the importance of including all ELL's into accountability by being tested in all domains, not just speaking and listening because these two skills may mask low-level proficiency in reading and writing. To ensure scientifically-based research, OELA paid two million dollars to renew its partnership with second language acquisition (SLA) experts in order to identify best practices and push those practices to the state level.

Following these briefings, an interactive workshop was held on how to have an effective meeting with one's congressional representative. This workshop was led by Ellen Fern and Krista Heckler of Washington Partners, LLC, TESOL's legislative consultants.

Participants were provided with key information on how to prepare for their meetings and were given the opportunity to role play. The purpose of the briefings and the workshop was to help the participants practice and prepare for their meetings on Capitol Hill later that afternoon. For example, we were told that we should focus on up to three talking points which best describe the concerns of our respective states because the average length of a meeting is about 15 minutes. In addition, the possibility of meeting in the hallway while standing was mentioned since congressional staffers frequently have appointments every 15-20 minutes whose topics may range from agriculture and transportation to education. Last year, for example, during my very first meeting on the Hill, I personally met with Dr. Robinson in the hallway in front of Sen. Obama's office because the conference room and the waiting room were busy with constituents meeting with other Obama staffers.

My first appointment, not unlike the year before, was with Dr. Steven Robinson, Sen. Obama's Legislative Assistant in the Hart Senate Office Building. With a doctorate in science, Dr. Robinson was asked to work on Obama's congressional staff while on an Einstein Fellowship. Owing to his expertise in science and work experience as a former public school science teacher, he was hired as a legislative assistant for education issues on the Hill. This year, however, I earned my spot in the conference room. During our 45-minute meeting, I was able to cross-reference our last year's meeting during which he expressed concern regarding ELL's who were born in the U.S. but are not fully literate in English. This year, I provided him with research regarding this particular ELL population, also known as "Generation 1.5" or "dual nonnative speakers." Amongst other sources, I presented him with research garnered during the much acclaimed workshop presentation given by Julie Ashley, Director of Learning Center and Disability Services, Saint Xavier University, at the ITBE Convention in 2006 (Ashley).

Dr. Robinson expressed an acute interest in both the different types of ELL students, such as refugees and immigrants with both strong and weak academic backgrounds, and the length of time such diverse populations would need, as supported by research, to acquire English to be on par with educated native speakers of English. We agreed that reading and writing were key literacy indicators whose deficiencies may be hidden by strong oral proficiency. Thus, he inquired about ways to implement writing expertise across all content areas while ensuring that, as Sen. Kennedy's Advisor Roberto Rodriguez indicated, teacher qualifications do not become any more complicated than they are. I gave an example of my school, Roosevelt H.S., whereby teachers have PD at least twice

a month during which literacy concerns, especially those pertaining to “Generation 1.5” and ELL’s, are taken into consideration, bearing in mind that the school’s 89% student body identifies itself as bilingual. Dr. Robinson further inquired about Roosevelt H.S.’s diverse student population, comprised of as many as 60 different nationalities, which piqued his interest regarding the specific nationalities that my school serves. He then stressed the importance of teaching writing and suggested the idea of the National Writing Project (NWP), a professional development organization which provides PD in writing to teachers at all grade levels and in all subjects (<http://www.nwp.org/>). Furthermore, Robinson expressed support for replacing the current NCLB testing model, the status model, with the growth testing model.

Clearly, this shift is not only apparent in Obama’s case, but is Congress-wide. Growth models have been the hot topic for over a year now. Moreover, Secretary of Education Spellings has already approved this new model to be used in several states, so it is likely to become a new national testing model. Namely, the status model, currently used as the NCLB measuring tool, merely determines whether students meet or do not meet proficiency standards, irrespective of whether they just barely met them or are extremely close to meeting them. Moreover, this narrow view of accountability, which evidently does not offer a comprehensive view of the learning process but relies chiefly on one single indicator, that of whether a school meets state proficiency standards, while not allowing for other variables, such as students’ language and educational background, socioeconomic status, and other factors key to every student’s education to be taken into consideration. As a result, this punitive testing tool is the precise reason for thousands of

U.S. schools being placed on the academic warning list. On the contrary, growth models, promoted by TESOL and other research-based education organizations, broaden accountability by measuring not only the end goal of whether proficiency state standards are met, but the very process of learning as a way to value the progress of learning. In other words, this positive and empowering model, which requires developing technology systems, databases, and specialized software to store and track student data, would benefit schools in that it would acknowledge progress in the types of learning currently not recognized on NCLB's 'radar screen.'

In addition, Dr. Robinson questioned the ability of growth models to determine if students, though demonstrating progress in learning, are still being on track to meeting proficiency standards. I assured him, however, that growth models, such as Growth to Standards, Growth to Proficiency/on Track would also provide such data (Center for Public Education: Measuring Student Growth: A Guide for Informed Decision Making). My visit to Sen. Obama's office was very productive, and Dr. Robinson expressed an interest in being further provided with research from TESOL.

The next appointment took place in the Rayburn House Office Building with Congressman Davis and his legislative assistant Charles Brown, both of whom I met with last year for the same occasion. Mr. Brown expressed that Congressman Davis is very much engaged on working on behalf of ELL's with Rep. Hinojosa (D TX-15). The congressman himself wanted to familiarize himself with my teaching background and my high school, and Mr. Brown, just like Dr. Robinson previously, requested research-based

information on the length of time needed for ELL's with various educational backgrounds to acquire English.

In light of removal of the IMAGE test which was used for NCLB accountability for ELL's, we discussed the current NCLB modifications for ELL's such as extended testing time, the use of bilingual dictionaries, and providing testing directions in students' first language. In fact, Mr. Brown was astonished to learn that the modifications proved to be not particularly helpful, a fact that did not come as a surprise to us teachers. To be more specific, I offered an example from this year's PSAE testing at Roosevelt H.S. whereby many of our Arabic ELL's had requested the above NCLB modifications. However, our Arabic teacher reported that despite ample access to the Arabic language through translation and bilingual dictionaries, the students still did not understand most questions from the test because they had never been exposed to the tested concepts in their first language.

My last appointment was with Kemi Jemilohun, Rep. Hare's Congressional Staffer, who was interested in ELL statistics in Congressman Hare's district. According to the data I showed her, the 17th district has a considerable Hispanic population in Moline, Galesburg, Kewanee, and Rock Island. Jemilohan expressed concern at the lack of ELL trained teachers in Rep. Hare's district because "the ELL phenomenon usually gets associated with large urban areas, whereas it is clear that this population is moving into rural areas." Jemilohun was surprised to learn that, for example, according to the Report of the National Association of States Boards of Education (NASBE) Study Group on

Language and Learning, “Contrary to popular belief, most school-age ELL's are not immigrants. The 2005 Census Bureau survey found that 65 percent of children described as speaking English with difficulty were in fact U.S. born citizens legally entitled to every opportunity the nation offers. Indeed, about one out of every six (16 percent) of all school-age children who are U.S.-born citizens speak a language other than English at home” (NASBE 9, 11). Rep. Hare’s staffer found this piece of information particularly valuable because, as she put it, rather matter-of-factly, “Most people think that ELL’s are illegal Mexicans.” Evidently, the fact that many ELL’s are American citizens may allow for more sympathy for all ELL’s on the part of many legislators.

My visit to Capitol Hill this year was productive and successful. This can be explained by many factors such as my familiarity with the process and already established relationships with the Congressional staffers. I particularly consider my appointment with Sen. Obama’s Staffer, Dr. Robinson, a breakthrough, in that I was able to supply him with the information that he needed and thus pave the way for a partnership between TESOL and Sen. Obama’s office. At this point, I think I can safely say that TESOL has indeed made an impact in its three years of advocacy. Namely, all three staffers demonstrated a great deal of knowledge pertaining to second language research as well as the desire to further their interest in it. In talking to them this year, rather than feeling that I had to start all over explaining the rudiments of ESL, I was actually able to build upon the information I shared with them from the year before. This continuity of information has allowed TESOL to expand its role so that NCLB becomes reauthorized in an informed manner, consistent with second language research.

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Additional information about TESOL Advocacy Day, including photographs and video of the interactive workshop, is available on the TESOL web site at <http://www.tesol.org>. If you are interested in learning more about your Congressional representatives, and the legislative issues TESOL is tracking, go the TESOL U.S. Advocacy Action Center at <http://capwiz.com/tesol>.

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