

Invited Column
Indiana's Reading Retention Bill: A Flawed Approach for English Learners

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Senate Bill 1, dubbed the "Every Child Learns to Read" legislation, has been signed into law in Indiana's latest effort to improve literacy rates across the state (Indiana General Assembly, 2024). The bill mandates summer school courses for students not meeting reading proficiency standards and retains third-graders who fail to pass the statewide IREAD reading exam. While aiming to address a critical educational issue, this one-size-fits-all policy has sparked widespread concerns about its detrimental impact on Indiana's growing population of English learners (ELs).

Proponents of the reading bill as it relates specifically to retention have argued that such measures are necessary to address Indiana's literacy crisis. They cite the concerning statistic that one in five third-graders in the state failed to pass the IREAD exam last year (Indiana General Assembly, 2024). They contend that allowing students to advance to fourth grade without essential literacy skills will perpetuate academic struggles and hinder long-term prospects for success. However, these arguments fail to consider the disproportionate and potentially discriminatory impact on EL students. As a new immigration gateway state, Indiana's support system for EL students are inadequate. This includes underfunding of districts with higher EL population concentrations (Richard M. Fairbanks Foundation, 2020), a lack of qualified EL teachers, and insufficient implementation of research-based instructional programs (Chesnut & Dimitrieska, 2018; Li, et al., 2023; Morita-Mullaney, et al., 2020; Renn, et al., 2023). This systemic pattern of neglect, coupled with inequitable resource allocation, ill-equips Indiana schools to meet EL students' diverse linguistic, academic, and socioemotional needs. Consequently, the reading retention bill risks worsening existing disparities and further marginalizing this vulnerable population.

The third-grade retention policy, which relies solely on English reading test performance, risks overlooking the unique needs and challenges faced by EL students. This approach reveals a misunderstanding of the intricate and protracted process of second language acquisition (Appleton, 2024). The retention policy within the reading bill allows just language support services of less than three years ignoring extensive research on language acquisition timelines. Research consistently demonstrates that gaining proficiency in a new language is a multi-year, gradual process (Le Menestrel & Takanishi, 2017). ELs typically require 5-7 years to achieve academic English proficiency, as supported by earlier (e.g., Cummins, 1981; Hakuta et al., 2000; Thomas & Collier, 2002) and current (e.g., Rhinehart et al., 2022) research. Additionally, the WIDA Consortium (2020), responsible for developing widely used English proficiency standards and English proficiency assessments, highlights significant individual variations in acquisition rates influenced by factors such as age, educational background, and native language. The challenges faced by long-term ELs are likely due to inadequate, coherent, appropriate, and long-term instructional support from schools (Le Menestrel & Takanishi, 2017). Extensive research indicates that ELs consistently outperform native English speakers by fourth or fifth grade when provided with appropriate language

acquisition support and accommodations (Appleton, 2024; Morita-Mullaney et al., 2020). Retention in third grade disrupts this positive trajectory, placing pressure on prioritizing high-stakes testing over robust language services and targeted interventions furnished by qualified specialists who can distinguish between literacy and language development: two fully different processes

Moreover, the bill raises pressing concerns about potential violations of ELs' civil rights (Morita-Mullaney, cited in Appleton, 2024, February 23). It appears to directly contradict and violate guidelines outlined in the Every Student Succeeds Act (2015). As the federal education law, ESSA prohibits evaluating ELs solely on English proficiency before providing adequate time and fluency support. ESSA also guarantees ELs access to grade-level academic content, a principle third-grade retention policies undermine by holding students back confounding their English proficiency with their literacy development. Literacy experts and advocacy groups caution implementing such a policy risks significant consequences (Appleton, 2024). These include needing more third-grade classrooms and EL-qualified teachers, already a scarce Indiana resource. Valid critiques highlight the bill's lack of additional funding for summer programs and staffing requirements. Addressing these concerns ensures successful, equitable implementation for all students, regardless of linguistic background.

To create a truly equitable and inclusive educational system that values linguistic diversity, Indiana must explore alternative approaches for raising all students' literacy outcomes while preserving civil rights and adhering to evidence-based EL instruction practices. Advocacy groups and experts recommend linking EL exemptions from retention policies to language proficiency assessments rather than English reading tests designed for native speakers (Appleton, 2024), a flawed and invalid measure because language and literacy emerge from different sources and experiences. This approach better accounts for EL students' unique linguistic needs and developmental trajectories. Additionally, the state should prioritize robust, research-based language acquisition support programs and targeted interventions over retention policies. Sufficient time must be allowed for ELs to gain literacy proficiency per established timelines, instead of holding them to arbitrary, unrealistic expectations. Ultimately, the path forward requires an integrated approach that maintains accountability for academic progress while respecting and upholding ELs' linguistic rights and implementing instructional methods and policies that provide them with the time, resources, and support needed to develop literacy in accordance with well-established language acquisition research (e.g., Lightbown & Spada, 2021; Wright, 2019). By prioritizing equity, evidence-based practices, and a genuine understanding of the challenges faced by EL students, Indiana can create a system that truly serves the needs of all learners and responsive to those with language backgrounds other than English.

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