The Condition of Minority Access and Participation in Arizona: 2005

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Background

This report is written as an addendum to The Condition of Minority Access and Participation in Arizona: 2004, to provide an overview of recent developments that affect the educational achievement of minority students in Arizona. The definition of minority found in the 2004 report remains appropriate. Characterized as “anyone other than non-Hispanic White native speakers of English,” minority here refers to all aspects of minority identity, including language minority, ethnic minority, racial minority, and recent immigrant.

Comparative research on educational achievement suggests that minority group membership, in and of itself, does not predict academic performance. Some minority groups do well in school even though they do not share the language and cultural backgrounds of the dominant group that are reflected in the curriculum, instructional style, and other practices of the schools. Yet, as noted in the 2004 report, in Arizona, “minority students are regularly overrepresented in negative measures of student outcome and regularly underrepresented in positive measures of student outcomes.” Since that report, a variety of initiatives have sought to address this imbalance and the effect on the educational outcomes of the state’s minority students. A comprehensive history of the legislative acts and court cases that set the stage for these initiatives can be found in The Condition of Minority Access and Participation in Arizona: 2004.
Recent Policy Developments

Throughout 2004 and early 2005, Arizona has continued to work toward compliance with a range of federal and state mandates, including the federal government’s No Child Left Behind (NCLB) legislation, the Flores Consent Order (2000), and the requirements of Proposition 203.

In response to NCLB legislation mandating proficiency standards for all English Language Learners (ELLs), the Arizona Department of Education’s (ADE’s) English Acquisition Services Unit developed ELL Proficiency standards in listening and speaking, reading, and writing that were approved by the Arizona State Board of Education in January 2004. A related NCLB mandate, the development of a uniform language proficiency assessment, was also addressed. ADE contracted with Harcourt Assessment to adopt the Stanford English Language Proficiency (SELP) Test as the English proficiency assessment tool to be used in schools across the state.

During 2004, the Board of Education also addressed a stipulation of the Flores Consent Order (2000) concerning the adoption of rules “addressing the training, background and qualifications for teachers of ELLs under Proposition 203” (codified as A.R.S. § 15-571 through 15-755) and House Bill 2010’s requirement to adopt a Structured English Immersion endorsement (see A.R.S. § 15-756(A)(5)). A plan, developed by an ADE task force and approved by the State Board of Education and the state’s Attorney General, requires all classroom teachers, supervisors, principals, and superintendents to obtain a Provisional Structured English Immersion (SEI) endorsement by August 31, 2006. After August 31, 2006, all classroom teachers, supervisors, principals, and superintendents will be required to obtain an SEI, English as a Second Language (ESL), or bilingual endorsement, consisting of 45 clock hours of professional development or three university credits.

A motion, filed with the District Court, contested the plan, arguing that the proposed endorsement did not comply with the stipulation, and requested an increase from 45 to 272 clock hours of required training. In February 2005, the court ruled in favor of the State Board of Education.
The *Flores Consent Order* also required that the state conduct two cost studies on the education of ELLs. The National Conference of State Legislatures (NCSL), which was contracted to complete the second study by no later than August 2004, presented a five-page summary to the state in August. The summary maintained that approximately $2,000 is required for each limited English speaker living in poverty to ensure both English proficiency and success in other subject areas. In January 2005, a federal judge ruled that “Arizona’s lawmakers are shortchanging” the state’s ELL students, and ordered the legislature to ensure adequate funding of English language programs by the end of its 2005 session. The NCSL cost study, released in mid-February 2005, five months after the original deadline, found the current state expenditure of $355 per student insufficient and proposed an increase to an average of $1,195 per student.

Arizona voters enacted Proposition 200 (the “Arizona Taxpayer and Citizen Protection Act”) in the November 2, 2004 election by a 56 to 44 percent margin. The act requires “all public agencies within this state to cooperate with federal immigration authorities to discourage illegal immigration” by requiring proof of U.S. citizenship for voter registration and the receipt of “certain” public benefits, and compelling government employees to report “immigration law violations by applicants for public benefits.” Although federal law exempts kindergarten to 12th grade education from its provisions, passage of Proposition 200 appears to have affected minority participation nonetheless. A few public schools posted dramatic decreases in school attendance immediately after the Fall election, reporting that undocumented workers feared public schools would report their children to immigration authorities. Questions have also been raised concerning whether the definition of “public benefits” includes school nurse visits and free or reduced-price lunches.

School safety is also relevant for minority participation. Two programs, The Safe and Drug Free Schools Program (Title IV of NCLB) and the state-funded School Safety Program, both housed in the ADE School Safety and Prevention Unit, address school safety. School Safety Program funds are primarily used to pay salaries and benefits of school resource officers and/or juvenile probation officers. Safe and Drug Free Schools (Title IV) funds are provided to districts to develop, implement, and evaluate comprehensive programs and activities that foster a safe and drug free environment that
supports academic achievement. In 2004-2005, 112 districts, representing 302 school sites, received School Safety Program funds and 360 districts received Title IV money. During the same period, the School Safety Program revised its *School Safety Program Guidance Manual* and subsidized the Arizona Foundation for Legal Services & Education’s Law Related Education (LRE) Academy for School Safety Officers.

An additional local attempt to maintain safe schools also involved school resource officers. Six school districts in the state have granted permission for school resource officers to be armed with Tasers; most recently, Tempe’s nine school resource officers acquired the stun guns. Taser use is dictated by individual law enforcement agencies who issue them to officers.\(^{16}\)

**Findings**

The 2004 report drew on Census 2000 data to underscore the significant presence of minorities in Arizona’s schools; data generated by the Arizona Department of Education (ADE) for the fiscal year 2002-2003 corroborate this presence. While over the one-year period from 2002 to 2003, the number of Limited English Proficient (LEP) students increased only 0.5 percent in all programs across the state’s 163 districts, it is important to note that minority students continue to represent almost half of all students in Arizona.\(^{17}\)

How does this significant minority population fare in the state’s schools? This report will first address this question by examining two commonly recognized indicators of student access and participation: graduation and drop-out rates. Compelled by No Child Left Behind (NCLB) accountability mandates and state accountability legislation, ADE collects data on these performance measures in order to rigorously assess school performance. ADE’s most recent report (2004) measures the longitudinal graduation and drop-out rates of the 62,045 members of the cohort class of 2003.\(^{18}\) Figure 1 illustrates the ethnic make-up of the 2003 cohort.
The report reveals significant differences in the graduation rates of students in the cohort’s five ethnic groups. As illustrated in Table 1, whether comparing graduation rates over five years, four years, or graduation with a GED, the discrepancy among ethnic group outcomes remains constant. While 91.1 percent of Asian students and 84.3 percent of White students graduated within a five-year period, only 65.9 percent of Native American and 68.8 percent of Hispanic students graduated within the same five-year period.\textsuperscript{19}

Table 1: Statewide Graduation Rates by Race/Ethnicity: Cohort Class 2003

<table>
<thead>
<tr>
<th></th>
<th>Class Membership</th>
<th>4-year graduation rates</th>
<th>5-year graduation rates</th>
<th>GED</th>
</tr>
</thead>
<tbody>
<tr>
<td>White</td>
<td>34,514</td>
<td>81.9%</td>
<td>84.3%</td>
<td>1.7%</td>
</tr>
<tr>
<td>Hispanic</td>
<td>18,694</td>
<td>63.1%</td>
<td>68.8%</td>
<td>1.2%</td>
</tr>
<tr>
<td>Native American</td>
<td>4,362</td>
<td>58.5%</td>
<td>65.9%</td>
<td>0.8%</td>
</tr>
<tr>
<td>African American</td>
<td>3,003</td>
<td>66.4%</td>
<td>71.2%</td>
<td>1.0%</td>
</tr>
<tr>
<td>Asian</td>
<td>1,472</td>
<td>88.7%</td>
<td>91.1%</td>
<td>*</td>
</tr>
</tbody>
</table>

Source: Graduation Rate Report, Arizona Department of Education.

* Data reflecting fewer than ten students have been replaced with an asterisk (*) to protect student privacy.
Drop-out rates of cohort members, as displayed in Table 2, illustrate similar patterns. Considerably fewer Asian (4.5 percent) and White high school students (6.1 percent) drop out of school than their Hispanic (13.3 percent), Native American (15.5 percent), and African American (11.9 percent) counterparts.

Table 2: Statewide Dropout Rate by Race/Ethnicity: Cohort Class of 2003

<table>
<thead>
<tr>
<th>Class Membership</th>
<th>Four Year Dropout</th>
<th>Four Year Status Unknown</th>
</tr>
</thead>
<tbody>
<tr>
<td>White</td>
<td>4.6%</td>
<td>6.1%</td>
</tr>
<tr>
<td>Hispanic</td>
<td>8.6%</td>
<td>13.3%</td>
</tr>
<tr>
<td>Native American</td>
<td>13.3%</td>
<td>15.5%</td>
</tr>
<tr>
<td>African American</td>
<td>7.7%</td>
<td>11.9%</td>
</tr>
<tr>
<td>Asian</td>
<td>2.8%</td>
<td>4.5%</td>
</tr>
</tbody>
</table>

Source: Graduation Rate Report, Arizona Department of Education.

Results of the state’s AIMS test provide yet another way of examining the educational access and participation of Arizona’s minority population in the state’s schools. In reporting the test results, the state divides students into two categories. Category One comprises students who take the test without non-standard accommodations (including those who are proficient in English or who have been in an English language program for four years or more); Category Two contains all English Language Learners (ELLs), regardless of the time they have been classified as ELL.

Tables 3 through 5 compare the math, reading, and writing test results of students in Categories 1 and 2 when grouped by ethnicity.
Table 3: AIMS Spring 2004 – High School Writing

<table>
<thead>
<tr>
<th>Category</th>
<th>Number Tested</th>
<th>Falls Far Below Standard</th>
<th>Approaches Standard</th>
<th>Meets Standard</th>
<th>Exceeds Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Asian</td>
<td></td>
<td>2,175</td>
<td>314</td>
<td>29%</td>
<td>48%</td>
</tr>
<tr>
<td>African American</td>
<td></td>
<td>4,741</td>
<td>148</td>
<td>64%</td>
<td>84%</td>
</tr>
<tr>
<td>Hispanic</td>
<td></td>
<td>36,989</td>
<td>9,829</td>
<td>68%</td>
<td>78%</td>
</tr>
<tr>
<td>Native American</td>
<td></td>
<td>7,588</td>
<td>2,268</td>
<td>69%</td>
<td>78%</td>
</tr>
<tr>
<td>White</td>
<td></td>
<td>46,215</td>
<td>355</td>
<td>35%</td>
<td>63%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>98,208</strong></td>
<td><strong>12,934</strong></td>
<td>52%</td>
<td>77%</td>
</tr>
</tbody>
</table>

Source: Arizona Department of Education.
*a:* This total includes 500 students who did not indicate their ethnicity.
*b:* The total includes 20 students who did not indicate their ethnicity.

Table 4: AIMS Spring 2004 – High School Reading

<table>
<thead>
<tr>
<th>Category</th>
<th>Number Tested</th>
<th>Falls Far Below Standard</th>
<th>Approaches Standard</th>
<th>Meets Standard</th>
<th>Exceeds Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Asian</td>
<td></td>
<td>2,230</td>
<td>344</td>
<td>15%</td>
<td>47%</td>
</tr>
<tr>
<td>African American</td>
<td></td>
<td>4,816</td>
<td>144</td>
<td>29%</td>
<td>70%</td>
</tr>
<tr>
<td>Hispanic</td>
<td></td>
<td>36,928</td>
<td>10,189</td>
<td>37%</td>
<td>58%</td>
</tr>
<tr>
<td>Native American</td>
<td></td>
<td>7,665</td>
<td>2,352</td>
<td>34%</td>
<td>41%</td>
</tr>
<tr>
<td>White</td>
<td></td>
<td>45,440</td>
<td>376</td>
<td>12%</td>
<td>44%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>97,646</strong></td>
<td><strong>13,442</strong></td>
<td>24%</td>
<td>55%</td>
</tr>
</tbody>
</table>

Source: Arizona Department of Education.
*a:* The total includes 587 students who did not indicate their ethnicity.
*b:* The total includes 37 students who did not indicate their ethnicity.
Table 5: AIMS Spring 2004 – High School Writing

<table>
<thead>
<tr>
<th>Category</th>
<th>Number Tested</th>
<th>Falls Far Below Standard</th>
<th>Approaches Standard</th>
<th>Meets Standard</th>
<th>Exceeds Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Asian</td>
<td>2,218</td>
<td>332</td>
<td>15%</td>
<td>44%</td>
<td>12%</td>
</tr>
<tr>
<td>African American</td>
<td>4,524</td>
<td>132</td>
<td>30%</td>
<td>61%</td>
<td>19%</td>
</tr>
<tr>
<td>Hispanic</td>
<td>34,759</td>
<td>9,573</td>
<td>39%</td>
<td>61%</td>
<td>20%</td>
</tr>
<tr>
<td>Native American</td>
<td>7,174</td>
<td>2,167</td>
<td>38%</td>
<td>43%</td>
<td>22%</td>
</tr>
<tr>
<td>White</td>
<td>44,822</td>
<td>357</td>
<td>17%</td>
<td>47%</td>
<td>15%</td>
</tr>
<tr>
<td>Total</td>
<td>94,052</td>
<td>12,591</td>
<td>28%</td>
<td>57%</td>
<td>18%</td>
</tr>
</tbody>
</table>

Source: Arizona Department of Education.

a: The total includes 555 students who did not indicate their ethnicity.
b: The total includes 30 students who did not indicate their ethnicity.

A similar order of achievement, Asian, White, African American, Hispanic, and Native American, is reflected in the scores of each of the three AIMS tests. In other words, a greater percentage of Asian and White students “meet” the standards than do African American, Hispanic, and Native American students. Meanwhile, the percentage of African American (30 percent), Hispanic (39 percent), and Native American (38 percent) students who “fall far below” the standards is roughly twice as large, or more, of the percentage of Asian (15 percent) and Whites (17 percent). In addition, English proficient students in Category 1 outscored ELLs in Category 2 across all AIMS tests and ethnic groups. Separating scores by gender does not alter these achievement differences; both English proficient boys and girls in Category 1 outscored English proficient boys and girls in Category 2 by rates ranging from 1.39 percent to 5.3 percent.\(^{22}\)

An ADE report released in August 2004 addresses a related question concerning minority access and participation.\(^{23}\) The report investigated which program, Structured English Immersion (SEI) or bilingual education, is more advantageous for ELLs. The state’s data, based on the Stanford-9 achievement test scores of the state’s approximately
70,000 ELLs, compared students enrolled in bilingual programs with those enrolled in SEI programs. According to the ADE report, students in SEI programs consistently outscored bilingual-program students, with the achievement gap widening after grade six. Critics of the report, however, argue that the study did not account for the effects of initial English proficiency, length of time in the U.S., or poverty. The study discusses possible causes—financial incentives, manipulation of standardized test results by district officials, and the intentional segregation of minority children—for this pattern of placement. Three potential remedies are offered: changing the state’s special education formula, instituting a universal screening for the identification process, and creating a parental choice program for parents of children with disabilities.

**Policy Implications**

Prompted by No Child Left Behind (NCLB) mandates, the Arizona Department of Education (ADE) has begun to collect data on a wider range of achievement indicators. However, reports are not easily accessible to the lay consumer, and explanations of data displays are often omitted, therefore the information is not particularly useful to practitioners and policy makers. Equally important, available data are limited to test results and participation rates which are detached from the complex workings of school systems. Numbers and percentages of graduates and drop-outs are reported, for example, but they reveal neither motive nor rationale for the students’ actions. The data serve summative rather than formative purposes; minority access and participation can be assessed, but they can be neither explained nor resolved.

Minority group categories are composed of students with varied linguistic and socio-economic backgrounds. State and district-level reporting, however, treats these
English Language Learners (ELLs) as though they are a homogeneous group. The information collected does not indicate what works best with which students, or how students’ first languages, countries of origin, length of time in the U.S., or social and cultural environments correlate with their achievement in school.

**Recommendations**

Despite these limitations, the data nonetheless paint a portrait of minority achievement and participation that remains problematic. Children with limited English, African American children, and Native American children continue to trail their White and Asian American counterparts on all available achievement indicators. The individual and social cost of these gaps in achievement is considerable. Lower incomes and decreased civic participation of poorly achieving students and drop-outs, for example, result in nearly $48 million dollars lost in annual tax revenue.\(^{26}\)

The state’s delay in providing sufficient funds for the education of ELLs only serves to further exacerbate gaps in achievement. ELLs are expected to perform on par with their counterparts on the state’s AIMS assessment, even though the tests are designed for native English speakers and must be taken in English. To borrow from a previous document on No Child Left Behind (NCLB) and language minority students, “To identify a group of students who, by definition cannot meet the standards, treat that group as static, and then require that group to attain 100 percent proficiency in those standards” without adequate program funding, is not reasonable.\(^{27}\)

Given that the state’s minority students continue to lag behind their counterparts on all achievement measures, the Arizona Department of Education (ADE) would be better served by moving beyond its current policy of simply highlighting deficiencies through standardized high-stakes testing. Fostering university/school partnerships, identifying school characteristics that contribute to student achievement or dropping out of school, focusing resources on underachieving schools, and employing a combination of “well researched and cutting edge strategies … as part of a comprehensive, long term plan that improves student achievement” would be far more productive in improving minority access and participation.\(^{28}\)
It is recommended that:

1. The Arizona Department of Education (ADE) identify, document, and when appropriate, replicate conditions that contribute to student achievement and discourage students from dropping out of school.

2. Universities and schools foster, and the state support, partnerships based on best practices.

3. The state focus resources on underachieving schools.

4. ADE employ a combination of well-researched and cutting-edge strategies as part of a comprehensive, long-term plan that improves student achievement.
Notes and References


4 The re-authorization of the federal Elementary and Secondary Education Act (known as the No Child Left Behind Act of 2001 [NCLB]) and the adoption of Arizona LEARNS (Arizona Revised Statute 15-241), the state plan for participating in NCLB, requires that states establish accountability systems and schools meet Adequate Yearly Progress (AYP) in order to continue receiving federal funds. Title I of the Act (Improving the Academic Achievement of the Disadvantaged) requires schools test at least 95 percent of their students, including low-income students, students from major racial and ethnic groups, and students with limited English proficiency in order to make adequate yearly progress. See:


5 NCLB, Sec. 1111(b)(7) requires states to develop English language proficiency standards and assessments to measure students’ progress in attaining those standards. Both standards and assessments are to be based on the “four domains of speaking, reading, listening, and writing.” Arizona English Language Proficiency Standards can be found at:


See also:


SELP became the state’s English proficiency assessment in August 2004. In addition to procurement of SELP, a K-12 paper-and-pencil group administered test scored by Harcourt’s Central Scoring, the state’s contract with Harcourt includes pre-test regional training workshops and access to Harcourt’s Stanford English Language Proficiency Rapid Reports, a web based tool that generates Individual Student Reports, Classroom Proficiency Reports, and Group Reports. Retrieved February 1, 2005, from: http://www.ade.az.gov/asd/lep/

The Flores Consent Order is the outcome of Flores v. State of Arizona, which was filed in the U.S. District Court in 1992. The order requires the state to develop new reassessment procedures of English Limited Language (ELLs) speakers, increase monitoring of district compliance with EEOA and other pertinent federal and state laws, and conduct two cost studies on the education of ELLs.

See also:

Teachers, supervisors, principals, and superintendents certified before August 31, 2006, must attend one semester hour or fifteen clock hours of professional development in Structured English Immersion methods of teaching ELL students. The coursework is to focus on four content areas: ELL proficiency standards, assessment, foundations of SEI, and SEI strategies in a training program that meets the requirements of A.R.S. §15-756(A)(5). Teachers, supervisors, principals and superintendents certified on or after August 31, 2006, will require three semester hours or forty-five clock hours in six content areas: ELL proficiency standards, data analysis and application, formal and informal assessment, SEI foundations, learning experiences/SEI strategies, and parent/home/school scaffolding.

See also:


Directly after the fall election, Head Starts in Phoenix reported dramatic declines in attendance; Spanish teachers and staff members in Maricopa Head Start Centers telephoned the parents of 2,700 students to ensure them that their children were safe in school.


15 “The Safe and Drug Free Schools Program (Title IV of NCLB) is the federal government’s effort to reduce violence and the use of drugs, alcohol, and tobacco through education and prevention activities in schools. Title IV supports initiatives which promote school environments that are free from drugs and violence and the unauthorized presence of firearms and alcohol, and offer a disciplined environment conducive to learning. The programs must be research-based and proven to be effective or show promise of being effective.” The state-funded School Safety Program, established in 1994 by ARS §15-154, placed School Resource Officers (SRO) and Probation Officers (PO) on school grounds to “deliver Law Related Education (LRE) in the classroom as well as develop positive interactions and relationships with the students, the staff, and the community that they serve.” Law-Related Education is “the teaching of rules, laws and the legal system that actively involves students to prepare them for responsible citizenship.”

See also:


The Arizona Department of Education does not collect data on number of schools that allow tasers.


18 The cohort class of 2003 includes students who entered grade 9 in fall 1999 and graduated from grade 12 by the end of the 2003-2004 school year. A four-year graduation rate is the percentage of the class that received a diploma by their fourth year spring commencement in 2003. A five-year graduation rate reflects the proportion of the class that received a high school diploma by the fifth year spring commencement in 2004. The report also includes students who obtained a General Educational Development Certificate (GED) within five years.

See also:

19 The cohort class of 2003 includes students who entered grade 9 in fall 1999 and graduated from grade 12 by the end of the 2003-2004 school year. A four-year graduation rate is the percentage of the class that received a diploma by their fourth year spring commencement in 2003. A five-year graduation rate reflects the proportion of the class that received a high school diploma by the fifth year spring commencement in 2004. The report also includes students who obtained a General Educational Development Certificate (GED) within five years.

See also:

20 Ibid.
The report also measures the four year dropout rate, the percentage of the class that left within the first four years of high school and did not return, transfer, obtain a GED, or die, and the status unknown rate, the percentage of the class that left within the first four years of high school and did not return, transfer, obtain a GED, or die, and whose status and location are unknown to the schools from which the students left.

Category 1 and 2 are not mutually exclusive, since all English Language Learners are included in Category 2. See Accountability Division, Research and Evaluation Section. Arizona’s Instrument to Measure (AIMS) Results. Retrieved February 22, 2005, from: http://www.ade.az.gov/profile/publicview/Download.asp

21 Ibid.


22 Ibid.


26 Ibid.

27 Ibid.