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When Is a Student an English Learner?

An Ethnographic Account of When Students
and Educators Invoke the Institutional
Identity “English Language Learner”

Leena Neng Her

Abstract

This article complicates the articulation of the achievement gap between native English speakers and English learners (ELs) as a problem rooted in English language proficiency. I challenge the institutional and popular imagination that 5.1 million ELs in the United States are “limited in English proficiency” and whose performance in school can be attributed to limited English proficiency. This argument is drawn from eighteen months of ethnographic fieldwork in a northern California High School where students identified as ELs were not a homogeneous-ability group with similar language needs. Yet there were occasions when educators echoed the concerns of education reformers and policy analysts by glossing the diversity of their EL population. In “explain failure events” the limited English proficiency of ELs was invoked to explain the academic failure of students and the school’s status as an underperforming school. I argue that the continued invocation and gloss of the diversity of ELs participates in the perpetuation of an ideology that ELs are a homogenous student population with similar educational needs. At best, the explanations offered by educators are partial descriptions of the situation of academic failure. I offer alternative explanations of academic failure by exploring the policy and cultural-ideological context of schooling.

Introduction

Historically and presently, school reform conversations articulate the presence of English learners (ELs) as a pressing educational issue (Gandara and Baca, 2008; Wright, 2005). The growing

population of ELs in US schools is a concern for educators and educational researchers when test scores are aggregated into English only and EL categories of identification find a significant gap in school achievement (Gandara et al., 2003; Kindler, 2002; Ruiz-de-Valesco and Fix, 2000). The achievement gap is typically framed, in part, as a “linguistic gap” resulting from the “limited English proficiency” of linguistic minority students.

In the following study, I critique this analysis as problematic and challenge our institutional and popular imagination that 5.1 million ELs in the United States and their various academic achievement outcomes can be explained primarily by *their* limited English proficiency. My argument is based on eighteen months of ethnographic fieldwork in a northern California high school. There I found that students who were institutionally identified as ELs did not comprise a homogeneous group with either similar language needs or abilities. Although more than 40 percent of the student population was identified as ELs, more than two-thirds of the population did not fit this institutional definition. Despite working closely with ELs of varying levels of English proficiency, educators echoed the assumptions of dominant education reformers and policy analysts during specific moments of the school day, while ignoring the actual diversity of their own EL student population.

I focus my analysis on a particular category of moments when English proficiency was invoked to explain the academic failure of students and/or the school’s status as an underperforming school. During these occasions, school staff glossed over their failure by referencing the number of linguistic minorities they educated—thereby implicating the students’ proficiency in English as the source of the failure. These glosses, I argue, can be explained by the institutional constraints educators encountered under No Child Left Behind (NCLB) policies and, beyond this, by the cultural ideological conditions of schooling in the United States. Under these circumstances, the significant number of English language learners and their “limited English ability” served as a neutral and publicly acceptable explanation to rationalize the academic underperformance of the school.

To explicate my analysis and arguments, I begin with an introduction of the high school and a description of the research methodology, present a description of how ELs were locally categorized by educators and students at the high school, and pres-

ent several occasions when ELs were treated as a homogenous population by school staff and discuss the consequences of this practice. I conclude by discussing the implications of explaining academic failure by referencing language ability of students, and I offer modest alternative possibilities for policy makers, researchers, and practitioners.

Conducting Research at Fulton High School

Fulton High School is one of fifty-five public high schools in Riverbank, a large metropolitan city flanked by several suburbs in northern California.¹ An article in a national newsmagazine identified Riverbank as one of the most diverse cities in the nation. The city is expansive; it is constituted of several neighborhoods where buildings have become a symbol of economic status. A drive through the city finds gated communities that are home to Riverbank's professional basketball players, inner-city neighborhoods where new immigrants and refugee families drape clothes on patio banisters to dry in the sun, and historic neighborhoods where families take evening walks in the idyllic neighborhood park. Fulton High School is situated in one of the lower working-class neighborhoods of Riverbank. The neighborhood is composed of a disparate mix of well-maintained single-family homes, dilapidated and abandoned houses, apartment buildings, warehouses, and business complexes.

Fulton carried a reputation of being an "unsafe school." Local media participated in the projection of this image by their constant glare on the school and its students. The high school served a racially, ethnically, and linguistically diverse student population composed of Asian Americans (26%), Latinos (25%), whites (22%), African Americans (20%), American Indians (2%), and Pacific Islanders (1%). Fulton's student population included more transient families and significantly more special education students than its neighboring schools. Eighty percent of the students at Fulton came from low-income families and more than 40 percent of Fulton students were institutionally identified as ELs.

At the time of this study, Fulton had undergone several cycles of school redesign. Beginning in 1999, after accepting a grant from the state of California, Fulton began the initial stages of drafting a school reform plan. That year, Fulton's school district, Riverbank Unified School District, initiated a district-wide reform effort by

collaborating with Education for the 21st Century. The reform initiative provided Riverbank Unified School District with an eight million dollar grant from the Carnegie Foundation to restructure its six comprehensive high schools into high schools with themed learning communities. By the 2003 through 2004 school year, Fulton became a fully operating high school with nine discrete learning communities.

By standard measures used to indicate academic performance, Fulton was a low performing school. The annual School Accountability Report Card measures school performance with a numeric indicator known as the Academic Performance Index (API).² Since the implementation of the API indicator, Fulton has consistently fallen within the range of 1–5 on the statewide API ranking system (refer to Table 1 for a list of API test scores from 1998–2005). Based on API scores, from 2001 up until the time of this study, Fulton was identified as a low performing school and was placed in the High Priority Schools Grant Program. Subsequently, Fulton contracted with a School Assistance and Intervention Team (SAIT) to improve its academic status.³ Under the recommendations of the SAIT team, several remediation programs were instituted, including a program of remedial classes instituted for the lowest performing students held before and after school each day along with a benchmark testing system developed by the math and English departments.

Fulton’s status as an underperforming school was public knowledge in the community of Riverbank. Fulton often served as the representative underperforming high school site whenever local media outlets covered national or state education news stories. For example, during the final days of *Valenzuela v. O’Connell*, as both parties continued to debate the California High School Exit Exam (CAHSEE) as a graduation requirement, local media outlets presented stories illustrated with captured footage of Fulton teachers and students. One article featured a snapshot of a Fulton High School teacher in front of her whiteboard pointing to algebra equations. The caption read: “Lily Yen guides Fulton High

Table 1: Fulton Academic Performance Index (API) scores from 1998–2005

School Year	1998–9	1999–2000	2000–1	2001–2	2002–3	2003–4	2004–5
API Score	442	568	580	574	526	551	585

students through a math lesson aimed at helping them pass the California High School Exit Exam.” A local televised news show presented a similar story illustrated by a captured video of seniors at Fulton attempting to pass the CAHSEE on their third and final try. Fulton’s academic performance status was also published in the May 2006 issue of the glossy *Best of Riverbank* magazine—a monthly periodical that regularly highlighted its selections of the best local restaurants, companies to work for, neighborhoods to live, and so forth. The May 2006 issue ranked the best public and private high schools in Riverbank and its satellite suburbs. Based on the criteria of students’ Scholastic Achievement Test (SAT) scores, California Standardized Test, and API scores, Fulton High School ranked fifty-fifth—dead last—among the total of fifty-five local high schools considered.

I moved to Riverbank in 2005 with the intention to learn more about the causes of the achievement gap, particularly the persistent failure of linguistic minority students. I selected Fulton High School because it served a diverse cross section of Southeast Asian students and had a long history of being one of the lowest performing schools in Riverbank. I set out initially to learn more about ELs. Who were they? What were their language needs? Was the school’s overall achievement gap related in any ways to the unmet learning needs of the large population of ELs?⁴

For eighteen months I conducted ethnographic fieldwork as a participant researcher. Although the research was sustained and located specifically inside classrooms, I also talked to individuals from a cross section of the wider school community. I traveled from classroom to district office, to local school administrator office, to resource centers, to afterschool club meetings and fundraisers. My interest in ELs also took me to the school site Multilingual Department and the Riverbank District Multilingual Department. I regularly attended English Learner Advisory Committee meetings and at times served as a Hmong translator for parents. Regular visits were also made to the offices of the English Language Development resource teacher and the school improvement facilitator. I also expanded the boundaries of my fieldwork site beyond the school and into the Riverbank community by participating as a member of a nonprofit organization on youth and educational advocacy.

The Achievement Gap and English Language Learners

My concerns were based on data and policy reports about ELs and the achievement gap. According to the National Clearing House for English Language Acquisition, there were 5.1 million ELs served by educational institutions from 2005 to 2006. Data from the Office of English Language Acquisition shows that the growth of EL population has increased 65 percent since 1993, in comparison to a 9 percent increase in the general student population (Department of Education, 2004). Between 1996 and 2006 the K–12 EL population rose by more than 60 percent (Batalova, Fix, and Murry, 2006). This population is projected to continue increasing. According to demographers, in twenty years one in four students could be an EL (Goldenberg, 2006). The population increase can be attributed to the fact that ELs do not only include recent immigrants to the United States but also second- and third-generation US-born children of immigrants. At the elementary level, only 24 percent of ELs were foreign-born. At the secondary level, more than half of ELs were US born (Capps et al., 2005).

English learners are heavily concentrated in particular school districts and geographic locations due to immigration patterns, such as residential and school segregation by race, ethnicity, and income (Gandara et al., 2003). California is home to the largest EL population where one out of every four student is identified as an EL (Capps et al., 2005). Although students of Spanish-speaking backgrounds constitute the largest linguistically defined population of ELs in the state, Vietnamese and Hmong students make up the second- and third-largest population of ELs (California Department of Education, 2009). Due to the heavy concentration of ELs in certain school district, ELs often attend schools that are linguistically segregated. Van Hook and Fix finds that more than half of ELs attend schools where more than 30 percent of their peers are also ELs (2000). The changing demographic makeup of the United States has also affected the teaching and education of ELs. Although California and other gateway states have historically been primary resettlement sites for immigrant families and EL students, states such as South and North Carolina, Tennessee, Georgia, and Indiana have seen 400 percent increases in their EL populations (Goldenberg, 2006).

The growing population of underserved ELs nationally and regionally represents a serious concern for educators and educa-

tional researchers who find a significant gap in school achievement when test scores are analyzed based on English-only and EL categories of identification (Gandara et al., 2003; Kindler, 2002; Ruiz-de-Velasco and Fix, 2000). For example, research indicates that the high school drop out rates for non-native speakers of English are twice as high (10.2) as students whose native language was English (5.8) (Rumberger, 2006). Thus, warned Gandara and Baca “given that they represent such a large, and growing, percentage of the student population and that they so persistently score at the lowest levels, California will not see a significant increase in state-wide student achievement until the needs of ELs are addressed” (2008, 203).

Federal NCLB legislation has sought to bridge this gap by requiring schools nationally to increase the English language proficiency and core academic content knowledge of ELs. In an effort to close the performance gap between linguistic minority students, No Child Left Behind Act intends:

To help ensure that children who are limited English proficient, including immigrant children and youth, attain English proficiency, develop high levels of academic attainment in English, and meet the same challenging State academic content and student academic achievement standards as all children are expected to meet. (Sec. 3102, Title III, NCLB)

A number of researchers have identified this academic performance gap between linguistic minorities and native English speakers as a problem of limited English proficiency (August and Hakuta, 2005; Butler and Castellon-Wellington, 2000; MacSwan and Rolstad, 2003). Others who study the sociopolitical conditions of English language learning have suggested that social, economic, and institutional conditions impede the acquisition of English (Crawford, 2000; Layzer, 2000; Auerbach, 1995; Lambert and Taylor, 1987; Larmouth, 1987). Others have argued that issues such as poor institutional programming (Padilla, 1990), cultural and linguistic mismatch between teachers and students (Layzer, 2000), political power struggles within and outside of the classroom (Lambert and Taylor, 1987; Larmouth, 1987), institutional devaluation of bilingualism (Guerrero, 2004), and social and economic reproductive forces (Crawford, 2000) make it difficult and counterintuitive, particularly for older students in urban settings, to acquire academically relevant English quickly enough to succeed in school.

Since the first federal acknowledgment of the educational rights of nonnative English speakers, many reform efforts have been directed toward implementing pedagogical and programmatic intervention strategies (Wright, 2005). Programs have been implemented to foster positive teacher attitudes toward second language learning and to improve the effectiveness of curriculum interventions including bilingual classes, sheltered English programs, and English as a second language (ESL) pullout services. Much research has also focused on challenging dominant language ideologies in schools, in part by showing that instruction and continued development of students' primary or first language (L1) can serve as a bridge to their acquisition of a new or second language (L2) such as English.

One analysis of the persisting achievement gap is premised on the idea that even though linguistic minorities may become proficient in social registers of English within a year or two, they typically require five or more years of language support to become proficient in the academic registers of English needed to function competently with the classroom and perform well on standardized tests of academic content knowledge (August and Shanahan, 2006; August and Hakuta, 2005; Hakuta et al., 2000; Collier, 1987). The science education literature has been especially rich in addressing some of the underlining assumptions about academic English acquisition. This is due to the fact that science language, a nominalized and lexically dense language, is not only challenging for ELs to acquire but also for all students (Halliday and Martin, 1993). Researchers in the field of science literacy, for example, emphasize the importance of engagement in "meaning-rich discursive practices" within learning communities (Bruna et al., 2007). They suggest that science literacy is developed through the process of *doing* science more than just *talking* science (Lemke, 1990). Furthermore, they find that students identified as ELs, due to their institutional designation, often have fewer opportunities to learn academic content in learning communities that discursively practice and use academic language (Lemke, 1990). The emphasis on learning as a social process through engagement in activity is central to an understanding of how to improve education for ELs. As Roth argues, "We become competent speakers of a language when we participate in using it for some purpose rather than when we learn it for its own sake" (2005, 52).

Thus, the success and failure of linguistic minority students may have more to do with their access to educational opportunities for developing academic English across all subject areas within their classrooms and school communities than simply their status and identity as defined by their classification under the EL institutional category. By using Fulton High School as a case study, then, I argue that the language abilities of ELs offer only a partial explanation for the school's achievement gap and low performance.⁵

English Learners: Contradictory Identities as "Special Needs" and "Best Students"

At Fulton High School, the institutional identity, EL, was associated with a complex set of institutional and bureaucratic practices. Educating ELs and learning about their lives in school required learning a sophisticated lexicon of acronyms and specialized vocabulary that drew from educational policy and the research literature related to EL instruction and assessment. For example, there was a variety of "ability"-level English classes offered at Fulton, including specially designed academic instruction in English (SDAIE) classes and Basic and Intermediate English Language Development classes.⁶ School staff working with ELs used the lexicon daily in their conversations with each other. As a new member to this school community, I had to quickly learn the complex vocabulary denoting standardized tests, instructional strategies, and multiple methods of identifying ELs.

Interestingly, there was no conclusive agreement among the different school documents as to how many ELs there were at Fulton. Internal documents reported a total of 707 (from Internal Evaluation Report Year 2), 740 (Title III Accountability Report to the California Department of Education), 763 (personal contact, April 14, 2005), a little less than 900 (2004–2005 Self Study Report) to 1,053 (from a printout collected from the school site Multilingual Office from 2004–5) students institutionally identified as ELs.

Although the exact number of ELs could not be ascertained, I found that students who had been identified and labeled as ELs were not a monolithic population with the same educational needs. Over time, I observed and documented that many members of the Fulton community also recognized that students institutionally identified as ELs were a heterogeneous group with varying levels of English proficiency. Students with the EL classification

included “newcomer” students who had recently arrived to the United States with little or “zero English” (Valdes, 1998), SDAIE students who were born in the United States and able to communicate in English but needed extra English support according to their language assessments, and mainstreamed students whose identities as ELs were unknown to them and pragmatically irrelevant for their learning interactions with native English-speaking peers and their teachers. In the following section, I present each group of students and provide ethnographic accounts to illustrate their institutional identities and aspects of their educational lives, including the distinct learning environments and discursive communities with which they were able to engage.

Newcomers

Fulton is located in a working-class neighborhood and serves a large number of recent immigrant youth and families, many of whom live in low-income housing nearby. Teachers and school administrators identified the recently arrived immigrant students categorically as newcomers, despite their diverse educational backgrounds with some having minimal formal education (due to war or refugee flight, e.g.) while others already had the equivalent of a high school diploma from their home countries.⁷

When Fulton was restructured from a comprehensive high school to a school with nine distinct learning communities, one specific learning community was created to house a subset of the EL population. Approximately two hundred ELs, comprised largely of newcomers, were placed in the EL learning community. Placement was determined by performance on the California English Language Development Test (CELDT), an annual test implemented by the California Department of Education to measure the English proficiency and annual language development of ELs. On the CELDT, English proficiency is divided into the following ranges: beginning, early intermediate, intermediate, early advanced, or advanced. Students who scored within the beginning to intermediate range were placed in sheltered classes of the EL learning community while students who scored within the early advanced to advanced ranges were mainstreamed into regular English classrooms.

Students in the EL learning community benefited from the instructional programs and services provided by the teachers. Teachers employed pedagogical practices designed to facilitate their acquisi-

tion of English language and core academic content. They spoke precisely and used vivid language to illustrate concepts. Students worked in heterogeneous linguistic groups to encourage their use of new English vocabulary. They also learned how to structure written paragraphs and gained knowledge about US cultural practices.

My observation and participation in classrooms of this learning community introduced me to students like Yang and Gee. In 2005, Yang and Gee arrived from Wat Tham Krabok, a refugee camp in Thailand. Yang's and Gee's course schedules were heavily focused on acquiring English proficiency. They were enrolled in four hours of English each day along with peers from India, Taiwan, Mexico, the Ukraine, El Salvador, and Vietnam. When they first arrived, they had very little English vocabulary, but were able to use Thai as a bridge to help them acquire English.

SDAIE Students

The second category of ELs included students who scored early advanced on the CELDT and were mainstreamed for their math and science courses but required to enroll in SDAIE English classes. These students were identified and at times self-identified as SDAIE, even though SDAIE was not an institutional category but rather a pedagogy designed for students who had social proficiency in English but were still developing their academic English proficiency.

The students in SDAIE-sheltered English classes were aware of their marginal status as ELs and at times referred to themselves as "SDAIE students." This is illustrated in an event I observed in Mr. Harrison's English 12 SDAIE class. On this particular day, Mr. Harrison was teaching students about citation methods that they were required to use in their senior projects. As he discussed each point from the handout, he highlighted particular words. Michelle, a student who sat in the front followed along, emulating his moves. After going through the handout, Mr. Harrison then quizzed the students about the minimum number of references they had to have in their research paper.

"Five," several students said in unison.

"Why?" Mr. Harrison asked.

"Because we're SDAIE!" Khara explained.

"Because, we so call, 'don't know how to speak English!'"

Kou expounded sarcastically.

“Let me tell you what, because I like you, I’ll give you six,” Mr. Harrison responded.

In this exchange, Khara invoked her identity as an SDAIE student in a sarcastic tone, framed with a bit of contempt. During class, I watched as she talked to Kou, responded to Mr. Harrison’s questions, and, in between these exchanges, inhaled and exhaled little breaths of frustration and boredom while Mr. Harrison presented the contents of his handout. Immediately after she said: “Because we’re SDAIE!” Kou joined her by saying, “Because, we so call, ‘don’t know how to speak English.’” Kou’s use of *so call* frames the utterance as belonging to institutional others at the school. Furthermore, the statement pointedly noted that the school had lower expectations of SDAIE students.

A few teachers were conscious of and reflexive about the lowered expectations teachers and other students had of SDAIE students. One day I ran into Mr. Rogers, who taught a sheltered government class. I introduced myself to him and said that I was interested in talking with teachers about their concerns regarding the education of ELs. Mr. Rogers responded by stating that he believed teachers might be limiting opportunities for some students because they were identified as SDAIE students. Two years earlier, when he was the faculty advisor of the Fulton academic decathlon team, he allowed one of his SDAIE students to compete in the speech competition. That student won first place in the speech competition. “An SDAIE student!” he reiterated.

According to school reports and their teacher, Khara and Kou have been ELs ever since they entered elementary school and have not been able to meet reclassification criteria to move out of EL status. An English teacher whom I worked regularly with identified students such as Kou and Khara as “lifers.” SDAIE students were aware of the assumptions attached to their institutional identities. Unlike the newcomer students, SDAIE students did not see the sheltered classes as opportunities to build on their English proficiency. Instead, their placement in mainstream and sheltered classes marked them as students who did not know how to speak English.

Best Students

The third category of ELs included students who were mainstreamed and did not know they were institutionally identified as ELs until they were pulled out of class to take the CELDT, a test

mandated by the State of California Department of Education for every student who was identified by their school records as an EL.⁸ Although the students held institutional identities as ELs, this was not pragmatically consequential in their actual day-to-day experiences with teachers, peers, or the curriculum.

In May 2006 at an English Language Advisory Committee meeting, I met several mainstreamed students who had been reclassified from EL status to Fluent English Proficient. That day, a catered lunch of sandwiches and a cake was provided for the guest to celebrate the reclassification of twenty-four students. The students had received invitations from the Multilingual Office and most of them were in attendance. I was surprised to see Pao and Xee, whom I had met through the Hmong Club, because I did not know that they were ELs. Pao and Xee were among the high-achieving students at Fulton, enrolling in relatively rigorous academic plans, including several advanced-placement courses. I asked Pao and Xee if they understood the significance of the ceremony. They shook their heads and told me that they came because they received a reminder notice before lunch.

Not only were students like Pao and Xee unaware of their identities as ELs, teachers were also unaware of their EL classifications. When a memo was sent out from the school district asking teachers in mainstream classes to observe and document the academic progress of EL students in their classes, several teachers were unhappy with the “extra” work and complained that it did not make sense to focus on ELs because they were more interested in getting their “less motivated” students to learn. Onsite conversation with teachers revealed that in several cases, teachers did not know until the list was sent to them which students in their classes were ELs. “Many of these students are my best students,” a teacher told me, exasperated that in addition to the slew of benchmark tests she had to administer in her English class, she now had to help these students formally graduate from EL status to Fluent English Proficient. In contrast to the newcomer and SDAIE students’ situations, the “best” students and their teachers as well as peers did not interactionally and pragmatically invoke the EL identity.

According to Schegloff (1992), normal everyday participants constantly negotiate contextual frames of identity in interaction. Although social scientists hold contexts such as gender, race, and social class stable in their analysis, people in interaction operate

with multiple modalities of context (Schegloff, 1992) and often teach each other about which identity context is relevant at any given moment. Because Pao and Xee did not know they were ELs, we can assume that Pao's and Xee's institutional identity as an EL was irrelevant in their interaction and learning engagements inside classrooms with their teachers and peers in advanced-placement and college preparatory classes. Their English language proficiency enabled them to engage in learning activities, converse with their peers, and produce written text that was measured by their teachers to be sufficient. It is only in moments when mainstreamed EL students were asked to take the CELDT or when their teachers were informed of their institutional identities as ELs that this identity became salient in school.

Explaining Academic Failure at Fulton

The finding that educators at Fulton worked with different kinds of ELs of varying English language proficiencies prompted me, therefore, to ask: when is a student an EL with "limited English proficiency" at Fulton? This led me to recognize significant moments when educators glossed over the diversity of language proficiency found in the EL population and conflated EL identity with an assessment that they were limited English proficient. From my observational data, I conceptualize these particular moments as "explain failure events." Explain failure events were occasions when educators had to explain the academic failure of students and/or the school's status as an underperforming school. To illustrate how these moments emerge, I describe a set of interconnected explain failure events that occurred during an important school accreditation visit from the Western Association of Schools and Colleges (WASC).

WASC Report and School Site Visit

The week that Fulton staff prepared for the WASC accreditation team's site visit, a nervous energy hung in the air. In anticipation, they power-washed windows, cleaned and planted flowerbeds, and posted student work on classroom walls. One week before the visit, administrators held mandatory meetings with teachers from each learning community. I attended the meeting held in the learning community serving ELs. The meeting began with the administrator reminding teachers of the importance of

the WASC visit. She discussed some of the reform efforts reported to the accreditation team that Fulton had instituted to improve student achievement. After going through each item, the administrator invited the English language development literacy coach to discuss how Fulton was addressing the language needs of its EL population. As the literacy coach discussed the various curricular strategies and trainings for English language development, she reminded teachers and the administrators that this particular learning community was for students who scored “far below grade level” on standardized achievement tests and who had “low levels of English” proficiency. After the literacy coach finished her presentation, the school administrator reminded teachers that the EL population and the special education students constituted 48 percent of the student population. She ended by telling teachers, “I joke that we can have a Special Ed magnet program here at Fulton”

The idea that ELs and special needs students constituted a significant proportion of the student population would be heard again when the WASC review team held a focus-group meeting with teachers one week later. In the meeting the accreditation team asked teachers (also in attendance were two counselors, a school administrator, and two members of the school multilingual department) about the challenges and benefits of transforming Fulton from a comprehensive high school into a school of nine learning communities. They also asked questions regarding student support services and curriculum planning time. In the middle of the conversation, one of the WASC reviewers informed the teachers that he ran reports of the number of students who had received Ds, Fs, or Incompletes and asked teachers what they would do to address this problem. He stated:

I asked for total from first semester for this year and there were 1,500 scores of D, Fs, and Is for grades 9–12, for math and English combined. . . . What do you guys expect as a group to happen between the teachers and the students—between the first quarter the student is failing and end of the semester—in an effort to bring that student to passing, or a C grade, or an A or B?

The teachers responded that they had just implemented a benchmark testing system that was on track to be an indispensable tool for making sure that students were learning, but there were still a few wrinkles to work out, such as the high number of students

receiving Fs because they did not pass the benchmark test—even though they might be passing the class. In addition, one teacher noted that the tests might not be suitable for all students at Fulton.

- Teacher: “It might take second language learners more time, even in a structured environment, to get through some of those benchmarks.”
- Reviewer: “You guys are very similar to the special ed.”
- Teacher: “Yeah.”
- Administrator: “And the EL and the special ed combined make up 48 percent of the population.”
- Reviewer: “Yeah.”

From the event referred to in the preceding text, the reviewers can imply from the response given by school staff that the 1,500 scores of Ds, Fs, and Incompletes can partly be attributed to the difficulties ELs had in passing the benchmark testing system. The problem of academic failure at Fulton could be related to it serving a 48 percent student population composed of English language learners and special education students.

The demographic characteristics of the school and its correlation to failure had already been reported to the WASC team prior to their visit. In a school self-report created by several teams of teachers and administrators, the condition of academic failure at Fulton was accounted for in the following way:

The school also has a large number of students who are at-risk as well as our large EL refugee population that makes up 43% of the student population, resulting from many student families struggling with the challenges of acculturation. The school currently has 62% of the students on AFDC. The community experiences difficulty with gang activity and neighborhood violence that create occasional tension on the school campus. These facts and others account for a large number of students who are failing and behind in credits. (WASC Report, 2005, 3)

Thus, the socioeconomic, community context, and demographic and linguistic characteristics of students provide a means to account for the “large number of students who are failing.” The number of ELs was referenced specifically, both in the preparation meeting and the teacher focus-group meeting with the review team. Explaining academic failure (and the school’s overall status as underperforming) by referring to the language ability of students was

an institutionally acceptable explanation. In the exchange between teachers and the reviewers, we see how the explanation was accepted by the reviewer through his complicit response, “You guys [EL students] are very similar to the special ed.”

The WASC accreditation visit was a consequential explain failure occasion. School staff recognized the meeting as a moment to explain their status as an underperforming school, struggling to show improved student performance on standardized assessments and NCLB-mandated annual yearly progress. Despite a lengthy preamble by the WASC team leader who opened the visit by saying, “We’re not here to judge you or do anything of that. The goal is to continue give all the accreditation we can give you. We’re just trying to fill in all the information for the report we have to write,” school staff understood that Fulton and their own work as professional educators would be subject to approval or disapproval. It is in this context of having to account for Fulton’s institutional status as an underperforming school that the EL identity of their students became relevant and necessary.

This event exemplifies how linguistic explanations of academic achievement outcomes echo motivational and cultural explanations of school failure. These explanations are problematic in that they disperse the sites of remedy and reform away from the institution of schooling and into the neighborhoods, parenting styles, and cognitive abilities of students and families of color. Linguistic theories of academic failure play on assumptions that positive academic achievement outcomes can occur if and when students acquire English language proficiency. The locus of remediation here is on the student’s language abilities and not on practices and policies in the institution of schooling.

Explaining Failure in an American Educational Institution under NCLB

An analysis of explain failure events situates linguistically based explanations of academic achievement outcomes by making visible the conditions that educators have to contend with as they do their best to teach. In the following section, I move beyond the immediate context of the WASC meeting to analyze the conditions that made it possible and necessary for educators to direct attention to the limited English proficiency of ELs as the source of Fulton’s status as a low-performing school. At best, the explana-

tions offered by educators are partial descriptions of the situation and reasons for academic failure at Fulton. In exploring the policy and cultural-ideological context of schooling, I offer alternative explanations of academic failure at Fulton.

In 2001, the US Congress passed federal education legislation NCLB into law. Since the 1983 *Nation at Risk* report, the federal government has focused its efforts on closing the achievement gap. NCLB reauthorizes the Elementary and Secondary Education Act by making accountability, flexibility, and public choice the centerpiece provisions for improving education. Focused on high standards and strong accountability of schools, NCLB requires schools to annually test all students in reading and mathematics, deliberately including ELs into the state accountability system (Menken, 2009; Tsang et al., 2008; Batalova et al., 2005). The guiding assumption is that improving educational outcome for ELs entails holding them and teachers to the same standards as native English-speaking students (Menken, 2009; Genesee et al., 2005).

In critiquing NCLB, policy makers and practitioners have argued that it has done more harm for those students it was intended to support, due to its high-stakes, one-dimensional measures of accountability, inadequate funding, and heavy sanctions on schools that fail to meet its demands.⁹ Many note, in particular, that the requirements for standardized methods of assessment have resulted in a drastic narrowing of the curriculum (Wright and Choi, 2006). Menken (2009) notes, "NCLB has galvanized a national fixation on testing. We have arrived at a point in the United States where a single test score has incredibly high stakes, used in certain states to make major decisions about an individual student, including grade promotion, high school graduation, and placement into tracked programs" (50).

One of the most salient effects NCLB has had on educators at all levels is how high-stakes testing requirements have changed classroom conceptualizations of teaching and learning. Following NCLB's mandates, educators at Fulton also implemented a system of high-stakes benchmark tests to measure the progress of their students in math and English. These tests were administered several times a semester and designed to align with statewide math and English standards identified by the California Department of Education and reported for NCLB requirements. The rationale for the testing system was based on the idea that if students consistently missed certain

types of questions, teachers would be able to locate their specific areas of weakness and target appropriate assistance that would lead to academic improvement as measured by future test scores.

Like NCLB, implementation of the benchmark testing system had unintended consequences as it became the primary public representation of a teacher's ability because tests scores were discussed in department meetings and high student failure rates could affect a teacher's professional status. The benchmark assessments also altered the school's math and English curriculum. Given the consequentiality of the tests, teachers had little choice but to focus instructional time on test preparation. If students did not pass the test (after one retake), they received an F in the course, despite the grade they received in class. Students who received Fs were expected to enroll in summer school to make up the course, yet teachers reported that there were not enough classes during the school year and summer for students. One teacher estimated that of the 228 students who failed English due to benchmark tests, only 28 were able to enroll in summer school. The frustrations resulting from the unintended consequences of the benchmark tests is best vocalized by a teacher I interviewed:

I am very frustrated with benchmarks process this year with English. We have one in a couple of weeks. The kids have to pass with an eighty percent and I am frustrated. I'm actually having a meeting with a [curriculum] coach next and, talk about lack of curriculum. I'm like, well, where is the resources for me to teach them because if they don't pass, they fail. . . . Even though I don't agree with having the test, even as I've not wanted to, I have to play the game. And I am going to be more vocal next year about our own school's high stakes testing 'cause I don't think it's good. It definitely has a lot of room for improvement. And I don't agree with it. So, I've got to be more vocal and not play the game.

To provide another explanation of the successful failure (Varrenne and McDermott, 1998) of NCLB and its localized Riverbank surrogate, the benchmark testing system, we must situate failure within the cultural-ideological context of schooling in the United States. In *Culture Against Man*, Jules Henry documented the institutional life of American schools in the 1950s. He found that "to be successful in our culture one must learn to dream of failure" (1963, 296). Henry was not speaking of abstract concepts of success or

failure; he was concretely describing what he saw students and teachers doing in American classrooms. Forty years later, I am an educational ethnographer inside an urban US high school, observing that the situation has not changed:

Mrs. Johnson is in front of the class. She has the English book opened and the students are reading about a boy name Paulo from Brazil. Elise is talking so she asks Elise to answer a question. Elise shrugs her shoulders and nonchalantly tells her she does not know. Several students raise their hands, "I know, Mrs. J!" They yell out. Mrs. Johnson calls on Bee. Bee is able to deliver the answer. "Good, Bee. Put a plus one on your homework. Elise, you need to pay attention."

In this example, Elise's failure to answer the question opens up the possibility for Bee to respond. Bee's moment of success comes at the cost of a comparable moment of failure for Elise. These moments accumulate over time and establish patterns that eventually define, for better or worse, the trajectory and the perception of Elise's academic biography as a student.

Elise's moments of failure occur as coordinated institutional events (McDermott, 1997). The daily interactions of showing at the right moments what you know and not getting caught when you don't know are orchestrated everyday in American classrooms. These moments take place in a variety of forms, ranging from mundane question/answer events and turning in assignments to producing graded, written work and, at times, participating in high-stakes mandatory standardized tests. In each case, students—and their schools—are comparatively rated in the name of accountability. Academic success and failure are outcomes of the same practices (Varenne and McDermott, 1998), such that teachers, administrators, resource personnel, and students, at one point or another, have to explain "their" failure.

Discursive Practices and Their Consequences

As data from Fulton suggest, invoking the English language proficiency of students during explain failure moments reveals little about the actual language abilities of students. By identifying this discursive practice and its specific application at Fulton, I am urging policy makers, researchers, and practitioners to question more honestly whether ELs' academic achievement outcomes in US classrooms should be so freely attributed to their limited English

language proficiency. In each of the accounts presented in the preceding text, references to the language ability of ELs to explain the low academic performance status of Fulton illustrates the linguistic phenomena of reported speech. Linguistic philosopher V. N. Volosinov coined the term *reported speech* to direct attention to the social life of words and to illuminate the social interactive phenomena of communication in which ideas can be empirically traced as traveling from one speaker to another. According to Volosinov, when we learn to decipher reported speech, we learn that important influences in ideological formation are those “steadfast social tendencies in an active reception of other speakers’ speech, tendencies that have crystallized into language forms” (Volosinov 1973, 117).

Discursive practices such as the examples of reported speech described serve to actualize the ideology that students identified as ELs are limited English proficient. For this ideology to be culturally and institutionally grammatical, it must acquire interindividual significance such as when school staff met with the accreditation review team. The function of ideology is that it has the ability to turn “uncertain and fragile cultural resolutions and outcomes into a pervasive naturalism” by shaping and concretizing cultural productions into a real and lived commonness (Willis, 1977, 169). Thus, the tendency to link the school’s low-performing status with not only the number of ELs but also their assumed lack of English proficiency served as a common frame for rationalizing academic failure.

Conclusions and Implications

Ongoing critiques of educational research on Asian American and Pacific Islander (AAPI) populations throughout the past twenty years have focused on the limitations of aggregate data that conceal and distort the realities of specific ethnic groups, such as the Hmong and other Southeast Asian Americans, within racial categories used institutionally by school districts and state education agencies to report attendance, engagement, testing, and other important measures of student performance and need. Beyond this AAPI-focused critique, a broader methodological limitation of quantitative reporting of student achievement, whether at the national, state, local, or school level, is that such data do not reveal how and why various trends occur, even if they show important gaps with statistical significance. As an alternative approach to address these limitations, I chose to look ethnographically at educational practices within an ur-

ban school setting that specifically includes a large Hmong student body and a large proportion of ELs overall. In presenting a complicated story of the institutional categorization of linguistic minorities as ELs, I move the analysis away from *who* is an EL to *when* is the identity of a student as an EL invoked by teachers and administrators in order to explain academic performance. Unlike the common and institutional perception that ELs have limited English abilities that cause their disproportionate academic failure, my fieldwork in the school found that students who were referred to normatively as ELs included not only “newcomer” Hmong refugee students like Yang and Gee but also high-performing college-bound Hmong students like Pao and Xee, as well as students such as Khara and Kou. Although the EL institutional classification served bureaucratic and ideological functions for educators in the system, it also represented a pedagogically inaccurate label that glossed over the wide English proficiency range of students. Instead of providing clarity, this uncritical labeling of more than 90 percent of all immigrant students whose home language was not English obstructed the work of teachers and other school staff to help those students who actually needed English support of various kinds.

As an educational ethnographer, I recognize that there are many levels of analysis and intervention in between the macro-level of federal NCLB policy mandates, the institutional level of school-reported failure data, and the microlevel expressions of teacher ideology during moments of explain failure discourse. Though not the primary focus of analysis presented, it is these “in-between” levels where implications for practice and further research are most pressing, and to which I turn briefly.

First, for stakeholders directly concerned about academic performance at Fulton High School, numerous issues related to EL curriculum, instruction, academic advising, and staff professional development require serious attention. This is the case in schools and school districts throughout the country (Fresno Unified School District English Learners Task Force, 2009; Uriarte and Tung, 2009).

Second, my study further hints at questions such as: what is the overall status of the EL learning community among the nine learning communities within the restructured high school complex, and what is the relationship structurally, pedagogically, and demographically between the EL learning community and Fulton’s special education programs and services? In the accreditation team

visit vignette described, for example, teachers and review team members both associate the school's academic failure not only with the large number of EL students who are assumed to have limited English proficiency but also with the numbers of special education students enrolled. Thus, a parallel analysis of the school's special education structures, practices, and ideologies of support also deserves attention. In addition, without conflating the needs and identities of those students categorized by either EL or special education status, it is essential to investigate whether some EL students have been incorrectly classified as learning disabled, while fully assessing those EL students who do have disabilities and are, therefore, entitled to appropriate special education services. The lack of professional personnel who have the necessary special education training together with the linguistic and cultural competence to communicate effectively with immigrant students and their family members, however, make this a daunting challenge for school districts (Frattura and Capper, 2007)—especially in relation to severely underserved populations such as the Hmong.

Third, for Hmong EL students, in particular, resources and networks of support may need to be identified in nonacademic domains inside and outside of school. For example, I was first able to meet and interact directly with Pao, Xee, and others by attending activities of Fulton's Hmong Club. Though not the focus of this article, it is clear from my observations over time that the actual and potential roles of the club in providing sociocultural support and solidarity as well as peer academic assistance for Hmong, and perhaps other diverse students in the school, are worth developing further. Moreover, students and community members as well as educators may also want to review models for effective educational interventions with Hmong EL students that can be found in other settings regionally in California or nationally in Wisconsin and Minnesota (Yau, 2005; First and Te, 1997; Capper, forthcoming).

Finally, although in this article I highlight the role of explain failure events to illustrate the institutional and ideological functions of labeling immigrant students as ELs with limited English proficiency, I recognize the ethnographic value and educational relevance of exploring "explain success" events. Too often, studies of classroom and school practice, particularly in urban settings, focus solely on problems, deficits, and failure. Comparative studies of best practice in those same settings are essential to show

how students develop academic language proficiency through engagement in rich discussions of relevant content, supported by teacher ideologies of affirmation, advocacy, and achievement (Dolson and Burnham-Massey, 2009; Goldenberg, 2008). Ethnographic approaches are, again, valuable for this purpose in order to provide contextualized, thick description of success with qualitatively more meaning and validity than the simplistic stereotypes of success that pervade dominant educational research about AAPI students (Lee, 2001).

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Notes

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1. All names have been changed in this article.
2. API scores are a key component of the Public Schools Accountability Act. Instituted in 1999, it helps to ensure that schools, districts, and students are held accountable for school performance. The API is a tool used to compare a school's performance in relationship to other schools in the state. Each school is compared to 100 other schools that share the same demographics. API scores are generated through a matrix of California Standards Tests, attendance, and graduation rates. Schools are assigned a growth target of 5% from their base API. Schools that do not meet their annual target under go a series of interventions that range from minor to complete reconstitution (California Department of Education).
3. The purpose of a SAIT is to provide support for schools that are state monitored. Under state-monitored status, Fulton had to meet academic performance improvement targets or achieve "significant growth" in order to avoid state sanctions (EC sec. 52055.650 from California Department of Education).
4. The data presented in this paper is part of a larger research project. See, Her, 2008 for a full account of the project and presentation of data.
5. The vignettes I present in this paper ARE created from fieldnotes gathered while conducting participant observation, formal interviews, and onsite conversations with school staff and students. The quotations and citation of discourse are original in content and, in some occasions, have been edited for clarity. To maintain the flow

of the paper, I do not cite the fieldnote dates or interviews. For a comprehensive account of the fieldwork methods and presentation of data see Her, 2008.

6. The California Department of Education defines SDAIE as “an approach to teach academic courses to English learner (EL) students (formerly LEP students) in English. It is designed for nonnative speakers of English and focuses on increasing the comprehensibility of the academic courses typically provided to FEP and English-only students in the district.”
7. This term was not a formal institutionalized identity, but one that was invoked in everyday practices to identify newly arrived immigrants.
8. The CELDT held different meaning for different groups of ELs. SDAIE and newcomer students recognized that the test was designed to measure their ability to speak and read English. They were familiar with the test because their teachers stressed the importance of the test and were able to explain the rationales of the test and the implications their scores had for reclassification and placement in mainstream English classes. Mainstreamed ELs were less familiar with the implications of the test. In general mainstreamed students understood that the test measured their English ability, but they followed up with comments stating that the test was not difficult. Furthermore, some students informed me that they treated the test like other standardized tests. They tried their best, but because the results of the test did not affect their grades they were less worried about how they performed.
9. For an especially incisive critique see McDermott and Hall (2007).

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