

## English Learners Left Behind

## **BILINGUAL EDUCATION AND BILINGUALISM**

**Series Editors:** Professor Nancy H. Hornberger, *University of Pennsylvania, Philadelphia USA* and Professor Colin Baker, *University of Wales, Bangor, Wales, Great Britain*

### **Recent Books in the Series**

Negotiation of Identities in Multilingual Contexts

*Aneta Pavlenko and Adrian Blackledge (eds)*

Beyond the Beginnings: Literacy Interventions for Upper Elementary English Language Learners

*Angela Carrasquillo, Stephen B. Kucer and Ruth Abrams*

Bilingualism and Language Pedagogy

*Janina Brutt-Griffler and Manka Varghese (eds)*

Language Learning and Teacher Education: A Sociocultural Approach

*Margaret R. Hawkins (ed.)*

The English Vernacular Divide: Postcolonial Language Politics and Practice

*Vaidehi Ramanathan*

Bilingual Education in South America

*Anne-Marie de Mejía (ed.)*

Teacher Collaboration and Talk in Multilingual Classrooms

*Angela Creese*

Words and Worlds: World Languages Review

*F. Martí, P. Ortega, I. Idiazabal, A. Barreña, P. Juaristi, C. Junyent, B. Uranga and E. Amorrortu*

Language and Aging in Multilingual Contexts

*Kees de Bot and Sinfree Makoni*

Foundations of Bilingual Education and Bilingualism (4th edn)

*Colin Baker*

Bilingual Minds: Emotional Experience, Expression and Representation

*Aneta Pavlenko (ed.)*

Raising Bilingual-Biliterate Children in Monolingual Cultures

*Stephen J. Caldas*

Language, Space and Power: A Critical Look at Bilingual Education

*Samina Hadi-Tabassum*

Developing Minority Language Resources

*Guadalupe Valdés, Joshua A. Fishman, Rebecca Chávez and William Pérez*

Language Loyalty, Language Planning and Language Revitalization: Recent Writings and Reflections from Joshua A. Fishman

*Nancy H. Hornberger and Martin Pütz (eds)*

Language Loyalty, Continuity and Change: Joshua A. Fishman's Contributions to International Sociolinguistics

*Ofelia Garcia, Rakhmiel Peltz and Harold Schiffman*

Bilingual Education: An Introductory Reader

*Ofelia García and Colin Baker (eds)*

Disinventing and Reconstituting Languages

*Sinfree Makoni and Alastair Pennycook (eds)*

Language and Identity in a Dual Immersion School

*Kim Potowski*

Bilingual Education in China: Practices, Policies and Concepts

*Anwei Feng (ed.)*

**For more details of these or any other of our publications, please contact:**

**Multilingual Matters, Frankfurt Lodge, Clevedon Hall,**

**Victoria Road, Clevedon, BS21 7HH, England**

**<http://www.multilingual-matters.com>**

**BILINGUAL EDUCATION AND BILINGUALISM 65**

*Series Editors:* Nancy H. Hornberger and Colin Baker

# **English Learners Left Behind**

## **Standardized Testing as Language Policy**

Kate Menken

**MULTILINGUAL MATTERS LTD**

Clevedon • Buffalo • Toronto

**Library of Congress Cataloging in Publication Data**

Menken, Kate

English Learners Left Behind: Standardized Testing as Language Policy / Kate Menken  
Bilingual Education and Bilingualism: 65

Includes bibliographical references and index.

1. Achievement tests--United States. 2. English language--Study and teaching--Foreign speakers. 3. Language policy--United States. I. Title.

LB3060.3.M46 2008

306.44'973--dc22

2007040068

**British Library Cataloguing in Publication Data**

A catalogue entry for this book is available from the British Library.

ISBN-13: 978-1-85359-998-9 (hbk)

ISBN-13: 978-1-85359-997-2 (pbk)

**Multilingual Matters Ltd**

*UK:* Frankfurt Lodge, Clevedon Hall, Victoria Road, Clevedon BS21 7HH.

*USA:* UTP, 2250 Military Road, Tonawanda, NY 14150, USA.

*Canada:* UTP, 5201 Dufferin Street, North York, Ontario M3H 5T8, Canada.

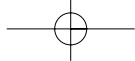
Copyright © 2008 Kate Menken.

All rights reserved. No part of this work may be reproduced in any form or by any means without permission in writing from the publisher.

The policy of Multilingual Matters/Channel View Publications is to use papers that are natural, renewable and recyclable products, made from wood grown in sustainable forests. In the manufacturing process of our books, and to further support our policy, preference is given to printers that have FSC and PEFC Chain of Custody certification. The FSC and/or PEFC logos will appear on those books where full certification has been granted to the printer concerned.

Typeset by Techset Composition Ltd.

Printed and bound in the United States of America.



# Contents

Acknowledgements ..... vii

## Part 1: Language Policy Context

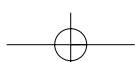
- 1 Introduction ..... 3
- 2 Language Policy, Federal Education Legislation and English Language Learners in the United States ..... 13
- 3 The New York Case: The Local Implementation of a National Policy ..... 36

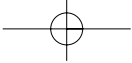
## Part 2: Standardized Tests in Daily School Life

- 4 Tongue-Tied: The Linguistic Challenges that Standardized Tests Pose for English Language Learners ..... 63
- 5 The Ones Left Behind: How High-Stakes Tests Impact the Lives and Schooling Experiences of ELL Students ..... 97
- 6 ‘Teaching to the Test’ as Language Policy: The Focus on Test Preparation in Curriculum and Instruction for ELLs ..... 118

## Part 3: Expansion and Recommendations

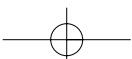
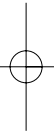
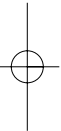
- 7 Higher Expectations vs. Language as Liability: Why the Drawbacks of Accountability Outweigh the Benefits for English Language Learners ..... 141
- 8 High-Stakes Testing and Language Un-Planning: Theoretical Implications of Testing as Language Policy ..... 160





---

9	Moving Forward: Embracing Multilingual Language Policies from the Top-Down to the Bottom-Up . . . . .	181
	Notes . . . . .	189
	References . . . . .	191
	Index . . . . .	204



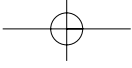
## ***Acknowledgements***

I would like to thank the many educators and students in New York City who have taken time out of extremely busy lives to share their stories with me in recent years, and who welcomed me into their schools. Standardized testing is a topic about which people in schools tend to have extremely strong opinions and, in spite of rigid scheduling, I found that interviews often went beyond the confines of a single class period. I also found that people would bend the rules and seek me out in school cafeterias and hallways for a chance to talk about their experiences. I am grateful for their generosity in doing so, and for their passion and dedication which made them want everyone to know about what really happens inside schools, so that policies can be adopted that are best for students. This book is dedicated to you.

I am grateful to Craig Shapiro, the principal of Grace Dodge High School in the Bronx (not one of the schools in this study, for inquiring minds), who has informed me about the inner workings of New York City public high schools and who, just when I'd finish an idea and feel confident I'd gotten it right, would say, 'What, you need a doctorate to know that? Come on. But did you also think about . . . .' Thank you Craig for expanding my ideas.

I have had wonderful editors. Thank you to Colin Baker and Nancy Hornberger, who carefully read each chapter and gave such knowledgeable and thoughtful feedback. It was a special treat to work with Nancy Hornberger, who was my professor at the University of Pennsylvania when I got my Master's Degree and the first person to ever introduce me to language policy (which, if you are interested in this area, is addictive). I am also so thankful to Tommi Grover, Ken Hall, Sarah Williams and others on the team at Multilingual Matters for your immediate interest in this topic, for your constant communication and support, and for tolerating long waits when I managed to break both wrists mid-way through the writing process. Oops. Thank you all!

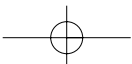
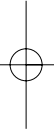
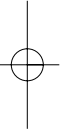
There are others whose imprints can be seen throughout the pages of this book. Ofelia García has been a mentor to me in the truest sense, always available, and constant in her feedback, guidance, and ongoing support.



Many thanks to Tatyana Kleyn and Tori Hunt, as well as Laura Valdiviezo and Monisha Bajaj, for reading and talking about this book in its different stages. I would also like to thank wonderful faculty at Teachers College – Jo Anne Kleifgen, Jay Heubert and Thomas Sobol – for your contributions to my thinking about this work. I am grateful to my colleagues at Queens College and the Graduate Center of the City University of New York, and particularly Bob Vago and Ricardo Otheguy, for their support of my research.

To my wonderful friends and family, for teaching me so much, and for your support and encouragement – thank you. Special thanks to my mother for continuous interest and for all of your advice.

And most of all, thank you Stephen for spending countless hours and far too much time on weekends by my side while I worked, for your genuine enthusiasm about the content of this book, and for your own interests and work towards social justice. I admire and love you.

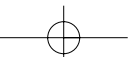
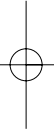


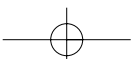
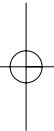
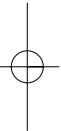




*Part 1*

***Language Policy Context***





## Chapter 1

# Introduction

In a movement that has rapidly accelerated in recent years, testing has become a central part of education for all students in the United States – including English Language Learners (ELLs).<sup>1</sup> At the same time, more immigrants arrived in the United States in the past decade than ever before, such that there are now more than five million ELLs from all over the world attending public schools in the United States and speaking at least 460 different languages (Kindler, 2002), reflecting an increase of 84.4% in this student population over the past decade (National Clearinghouse for English Language Acquisition, 2004). When an immigrant who speaks a language other than English at home enters a school in the United States today, she or he not only enters a new country, language and culture, but also a testing culture in which an assortment of different tests are administered regularly to determine everything from that student's placement into a program to help her or him learn English, to whether the student can advance to the next grade, and even to assess the performance of his or her school and state education system. It is therefore a pressing concern that language proficiency mediates performance on the standardized tests being used, which makes language a liability for ELLs when test results are the primary criteria for high-stakes decisions. Furthermore, testing has come to determine language policies in education in an implicit way, removed from explicit public debate.

In the United States, federal education policy (called the Elementary and Secondary Education Act) was amended in 1994, mandating the creation and adoption of academic standards and corresponding assessment systems inclusive of ELL students. The recently reauthorized federal education policy, entitled *No Child Left Behind*, was passed into law by Congress in 2001 and places even greater emphasis on assessment for all students, requiring that ELLs make 'adequate yearly progress' towards meeting state standards and 'demonstrated improvements in English proficiency' (US Department of Education, 1994, 2001). According to the law, each state must show the federal government that students in their schools are achieving

or progressing towards scores of 'proficient' on assessments; the law's rationale is that such assessments will ensure there is accountability for the educational progress of all students. While each state is allowed to design their own assessment system, most states are relying on standardized tests to meet these federal mandates. Tests now carry higher stakes than ever before for individual students, as they are used in most states as the primary criteria for high school graduation, grade promotion, and placement into tracked programs (Blank *et al.*, 1999; Heubert & Hauser, 1999).

Yet the standardized tests that most states currently employ were developed for the assessment of native English speakers – not for ELLs. In this way, these tests are first and foremost language proficiency exams, not necessarily measures of content knowledge (García & Menken, 2006; Menken, 2000). As a result, English language learners across the United States are performing poorly on the standardized tests being used in compliance with *No Child Left Behind*, and their scores are being used to make high-stakes decisions. According to national data, ELLs typically perform 20–40 percentage points below other students on statewide assessments (Abedi & Dieta, 2004; Center on Education Policy, 2005).

Research for this book was conducted in New York City, where students must pass a set of Regents exams in order to graduate from high school and to comply with state and federal regulations. In this multinational and multiethnic city, where approximately 40% of all school students come from homes where a language other than English is spoken and 14% are currently categorized English language learners (New York City Department of Education, 2006a, 2006b), ELLs in the past four years have performed an average of 47 percentage points below native English speakers on these high school exit exams. Like in other states requiring exams to attain a high school diploma, ELLs graduate from high school at rates far lower than other students. The unfortunate irony of current education reforms is that English language learners are disproportionately being 'left behind'.

This book shares the human stories of how recent testing policy is affecting schools and the daily lives of teachers and students. I spent a year in ten high schools in New York City studying how the national emphasis on testing is lived in schools, offering one local example of this critical national and international issue. Because of the high-stakes consequences attached to standardized tests in combination with consistently lower test scores among ELLs, the tests greatly impact the instruction and educational experiences of ELLs. Specifically, tests shape what content is taught in school, how it is taught, by whom it is taught, and in what language(s) it is taught. In this way, tests have become *de facto* language policy in schools.

*No Child Left Behind* is in actuality a language policy, even though this is rarely discussed and nor is the law presented to the public as such. This book shows how language education policy in the United States is currently being negotiated, as the law is interpreted by people at every level of the educational system, from the federal government to classrooms, with teachers acting as the final arbiters of language policy implementation. Although research has until recently often overlooked local or bottom-up language policy implementation (Canagarajah, 2005), language policy is examined in this book from the top-down to the bottom-up, in both a practical and theoretical way. Tests are a defining force for ELLs and the educators who serve them, and analyzing this movement through the lens of language policy allows us to document the practical realities and yet also explore the wider sociopolitical implications.

## Defining Language Policy

Before moving into this discussion, it is first necessary to establish a definition of language policy, and particularly language education policy, which will be used in this book. Language policy is concerned with such topics as which language(s) will be taught in school, how language education is implemented, as well as orientations towards language and language ideology (Cooper, 1989; Corson, 1999; Crawford, 2000; Fettes, 1997; Fishman, 1979, 1991; Hornberger, 1996, 2006b; Kaplan & Baldauf, 1997; Ricento & Hornberger, 1996; Ruiz, 1984). While there are many definitions within this emerging field and remaining ambiguities (Hornberger, 2006b), in this book I favor the broad definition offered by Spolsky (2004). For Spolsky (2004:9), language policy encompasses all of the 'language practices, beliefs and management of a community or polity'. Language policies can be overt or covert, and include all of the decisions people make about language in society (Shohamy, 2006; Spolsky, 2004). While language policy research focuses primarily on the policies of official bodies, such as governments, this book will show how there can be policymakers at all different positions in society. The term language policy is therefore used on its own in this book, apart from language planning, because the language policies currently being created in US schools as a byproduct of testing policy occur in an *ad hoc* way, without careful language planning as traditionally depicted in the literature (Fettes, 1997; Kaplan & Baldauf, 1997). As such, it would be misleading to refer to language planning when discussing how standardized tests create current language policies in education.

Schools serve as a primary vehicle for language policy implementation. Acknowledging the importance of schooling in language policy, Cooper

(1989) introduced the term 'language acquisition planning' into the literature. This is similar to what Kaplan and Baldauf (1997) term 'language in education policy' and Shohamy (2003, 2006) calls 'language education policy', and these terms are used interchangeably in this book. While some schools have contributed to language loss, others have contributed to language maintenance, revitalization and reversing language shift.<sup>2</sup> Examples of language loss include the imposition of English-only policies in Ireland (Wright, 1996), and English and Afrikaans in apartheid South Africa which led to the loss of minority languages (Alexander, 1999; Heugh, 1999). By contrast, examples of minority language maintenance and reversing language shift in schooling include recent efforts to revitalize Navajo in the United States (Cummins, 2000; McCarty, 2003), Quechua bilingual education in Peru (Hornberger, 1996), as well as Basque in Spain (Gardner, 2000).

Recent research has focused on ways that language policies create and/or perpetuate social inequities (Corson, 1999; Phillipson, 1992; Phillipson & Skutnabb-Kangas, 1996; Skutnabb-Kangas, 2000; Tollefson, 1991). A great deal of scholarly attention is now being paid to ensuring that school language policies do not contribute to language loss or disparities because of language (Corson, 1999; Cummins, 2000; Skutnabb-Kangas, 2000; Tollefson, 1991). Corson (1999) explains this movement in the following passage:

When school language policies are put into action, they are linked with power and with social justice in a range of ways. Whenever schools set out to plan their response to the language problems they face, matters of language variety, race, culture, and class always affect the planning process, and an effective language policy process will always look critically at the impact of these and other aspects of human diversity. (Corson, 1999: 6)

This book is located within recent language policy research that is concerned by issues of power, particularly within educational contexts, and seeks to ensure that language policies in education promote equity rather than inequity.

The body of research in language policy offers a helpful lens for analyzing the inclusion of ELLs in testing, because the preparation of students who are non-native speakers of English to take high-stakes standardized tests necessitates decisionmaking at the school and classroom levels with regard to language. Yet research in this area has far-reaching implications, in that language education policies paint in full relief the power dynamics within schools and the wider society which schools reflect, and help us to understand real national priorities. While debates over bilingual education

wage on in the United States and elsewhere, decisions are being made in educational systems around the world about which languages will hold an official place in schools. However, these debates are not simply about language. Decisions about which languages to teach in school and how to teach them are deeply intertwined with the status of each language and its speakers within international and local sociolinguistic hierarchies. In actuality, these are conversations about how society chooses to treat diversity, culture, immigration and, mainly, the people who are the speakers of different languages.

### Why is Testing a Language Policy Issue?

At present, there is no official language or language policy in the US, as clarified in the following:

Strictly speaking, the United States has never had a language policy, consciously planned and national in scope. It has had language **policies**—ad hoc responses to immediate needs or political pressures—often contradictory and inadequate to cope with changing times. Government cannot avoid language policymaking. Yet no federal agency is charged with coordinating decisions, resources, or research in this area. (Crawford, 2000)

The *ad hoc* creation of a wide array of language policies that Crawford describes has serious implications for language in education; standards and corresponding assessments for ELLs offer one example. In the absence of official language policy in the United States, unofficial or *de facto* policies carry great significance.

Recent education reforms in the United States have dramatically affected language education, and assessments are currently assuming the place of a language plan and policy. The following citation refers to the efforts of various professional associations to create standards that plan language acquisition, in the absence of national language policy in the United States:

As the development of language-in-education policy may seem very complex, it may be instructive to look at the recent development of 'standards statements' by professional associations in the United States. There, in the absence of a national policy on languages (or even clear guidelines), these elements of the education sector have taken policy development into their own hands ... (Kaplan & Baldauf, 1997: 140–141)

Standards were the precursor to the current focus on standardized tests, and this quotation accurately portrays this movement as language policy development. In fact, standards are now primarily symbolic in many places in the United States, hanging on classroom walls and occasionally referenced in lesson plans, when in actuality tests carry far greater weight in influencing curriculum and teaching because of the consequences attached to them.

The reality is that tests offer a highly potent and expedient method for changing school curricula and classroom practices, particularly when the stakes attached to them are high. The effects of tests on teaching and learning are called testing 'washback' in language education research (Cheng *et al.*, 2004), and policymakers in countries such as the United Kingdom, New Zealand, China and Israel turn to assessment as a vehicle for driving curricula and promoting their agendas (Baker, 1995; Hayes & Read, 2004; Qi, 2005; Shohamy, 2006). Yet when used as an instrument for change, tests are found making teaching and testing essentially synonymous (Menken, *in press*; Qi, 2005; Shohamy, 2001).

Testing has therefore emerged as a new development in language policy. Shohamy (2001) describes why testing is a language policy issue in the introduction to her book, *The Power of Tests*. As she writes:

In recent years I have been conducting research in the area of language policy. Professor Bernard Spolsky and I were asked to propose a new language policy for Israel. Given my background and interest in language testing, I again learned about the power of tests as it became clear to me that the 'language testing policy' was the *de facto* 'language policy'. Further, no policy change can take place without a change in testing policy as the testing policy becomes the *de facto* language policy. It was clear that documents and statements about language policy were marginal in comparison to the power of the testing policy. I thus concluded that through the study of testing practices it is possible to learn about the existing educational policies. It was then that I realized what an excellent mirror tests could be for studying the real priorities of those in power and authority, as these are embedded in political, social, educational, and economic contexts. (Shohamy, 2001: xiii)

Shohamy's perspective is aligned to recent language policy research that is attentive to the political nature of language teaching and concerned by issues of social equity. By turning our attention to the intersection between testing and language policy, Shohamy lays the groundwork for the research presented in this book. It is exactly within this perspective towards language that my research is set, based on the assumption that high-stakes



testing in the United States (and specifically New York City) is *de facto* language policy.

In recent years, several authors have argued that *No Child Left Behind* is likely to promote English-only language education policy due to its assessment mandates (Crawford, 2004; Evans & Hornberger, 2005; Wiley & Wright, 2004). The law has entirely removed the term 'bilingual' from federal education legislation, and repeals the *Bilingual Education Act* that preceded it. Because the law requires assessments of English proficiency and content knowledge, in tests that are usually in English only, these authors draw a clear connection between current testing policy and language policy. This book furthers these findings, bringing to life how *No Child Left Behind* exemplifies implicit language policy. Testing is therefore an extremely significant language policy issue, because high-stakes tests become *de facto* language policy in education when schools respond to the pressures they create.

My focus in this book is less on the technical, psychometric challenges of high-stakes testing. Shohamy (1998, 2001) notes how language testers have typically overlooked the social and political dimensions of testing. Though the technical complications of including ELLs into standardized tests are very important and are described in this book, my primary interest is in the even less explored area of how testing impacts the instructional practices and the learning experiences of ELLs, and analyzing the implications of this through the lens of language policy. In a country characterized by the absence of an official, explicit national language policy, implicit language policies become central.

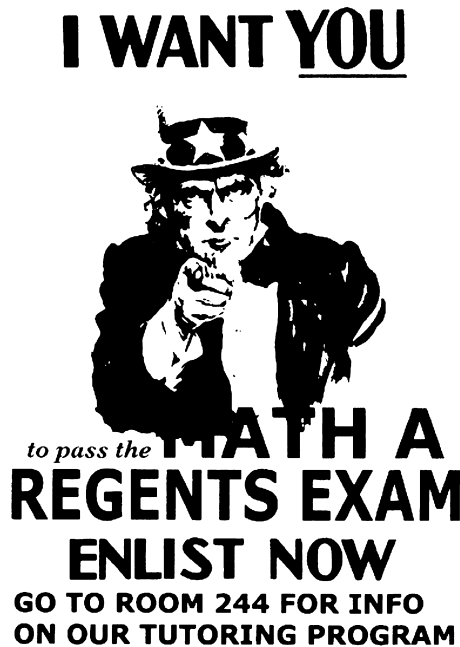
## Background and Organization of the Book

Before I entered the secondary classrooms of New York City for the purposes of this research, I imagined that testing was somehow affecting what educators and students do in their everyday lives at school. At the time when I began teaching English as a Second Language in the mid-1990s, there were statewide standardized tests that my students would take at the end of the year, and yet I fully assumed that the skills I was teaching in class were close enough to what would be on the tests that I need not directly align my instruction to them. Significantly, the exams that my students took were not attached to any high-stakes decisions then.

Times have changed. Even in New Jersey, where I held my first public school teaching position, it is now required that students pass an exit exam in order to graduate from high school. When I returned to classrooms in 2003 as a researcher in New York City, I was surprised by the extent

to which New York's Regents exams define curriculum, teaching, and learning for English language learners. Since the passage of *No Child Left Behind* in 2001, testing has been increasingly emphasized at the federal level. At the local level, I met educator after educator, and student after student who could identify by name and describe for me in detail each part of the Regents exams. I observed hours of test preparation in classrooms where this occurs every day, and listened to many educators and ELL students describing their experiences and how testing has personally affected them.

Figure 1.1 is a sign collected from the focal school involved in this study, which captures the way that testing permeates so many aspects of schooling for English language learners who attend high school in the United States. This sign uses the image of 'Uncle Sam', the national personification of the United States, to encourage students to enroll in tutoring to help them pass the Math A Regents examination, one of the exams required for graduation in New York. This sign is an alteration of a famous



**Figure 1.1** Sign collected from the hallway near the English as a Second Language and Foreign Language Office, Focal School #1

poster of Uncle Sam that was used in 1917 to recruit citizens to join the Army during World War I. The symbolism of this militaristic and nationalistic image, when used to greet the arrival of new immigrants in US schools, cannot be overstated.

The first part of this book describes past and present testing and language policies in the United States. Chapter 2 documents the linguistic diversity of the United States and overviews key language policy decisions in the history of this country, with particular attention to language education policy and the treatment of English language learners in federal education legislation, and detailing current *No Child Left Behind* regulations within this historical perspective. Chapter 3 explores legislation and policies for ELLs in New York City and describes the study of high school exit exams I conducted, as an example of how these complicated national issues play out in one local context.

This discussion of testing and ELLs is brought into the real life world of schools in Part 2 of this book, by considering the content of the tests and the impact they have on students and educators. Chapter 4 provides a detailed linguistic analysis of different exams being used to determine high school graduation in New York, California and Texas – the states with the largest ELL populations – showing how all of the exams are linguistically complex, regardless of the subject area and the accommodations provided. This chapter thereby highlights the unequal ‘playing field’ of testing and accounts for the lower tests scores of ELLs. Chapter 5 shows that testing culture is now a defining force in how immigrant students experience schooling in the United States, reflecting new language education policy which attempts to speed up the process of English language learning and a focus on ELLs’ deficits. Many ELLs experience a test-focused curriculum, and must habitually retake the exams in order to pass. In addition, it was found in this study that the difficulty of high-stakes exams creates a pressure for ELLs to leave school and attend alternative diploma programs, drop out or return to their country of origin.

Educators are now very focused on ensuring that their ELL students can pass the tests, causing radical changes to curriculum, teaching, and classroom language policies that are described in Chapter 6. The tests themselves leave the task of interpretation to teachers and schools, who decipher their demands and use them to create a complex and wide array of school-level language policies. While it is tempting to assume that top-down policy will simply be unidirectional in implementation, and that if *No Child Left Behind* implicitly promotes English then English will always be favored in instruction. In actuality, however, this assumption is overly simplistic; while most schools in this sample indeed increased the amount of English

instruction students receive to improve their test performance, one school and certain teachers were found doing exactly the opposite, and instead increased native language instruction as a test preparation strategy.

Part 3 of this book moves outward to examine the broader implications of recent testing policy for ELLs. Chapter 7 weighs the benefits and drawbacks of test-based accountability for this student population, and concludes that while the testing movement has brought ELLs into the national spotlight and in many ways raised educational standards for them, the drawbacks currently outweigh the benefits as language has become a liability within this context. The testing policies of *No Child Left Behind* are ultimately discriminatory against ELLs, by penalizing schools with large ELL populations and creating a disincentive for schools to serve these students. Chapter 8 is theoretical, analyzing the findings of this study from a language policy perspective, and describing the complex ways that testing contributes to language standardization, negotiations of language status and the creation of language hierarchies in schools. The chapter concludes by arguing that the term language 'planning' is a misnomer in the US context, where language policies are created at every level of the educational system in uncoordinated and often competing ways, and offers a new view of language education policy. Feeling that a purely theoretical conclusion simply would not be sufficient for a book like this one, Chapter 9 offers a practical set of recommendations and considerations for policymakers and practitioners.