International Journal of Bilingual Education and Bilingualism
Vol. 12, No. 6, November 2009, 721–737

Routledge
Taylor & Francis Group

BOOK REVIEWS

English learners left behind: standardized testing as language policy, by Kate Menken, Clevedon, Multilingual Matters, 2008, 207 pp., $39.95 (pbk), ISBN 139781853599972.

The No Child Left Behind (NCLB) Act was passed by the US Congress and signed into law by President Bush in 2001. The passing of this sweeping legislation was a watershed moment for proponents of standards-based education. The law mandated that all students in American public schools must demonstrate competency in a number of academic standards, and also mandated that each state demonstrate how every child was meeting those standards, or at least was making 'adequate yearly progress' toward meeting those standards. Proponents of NCLB hailed it as an initiative that would raise the educational standards and learning for all students. *Accountability* was and is the buzzword associated with this legislation – the law was trumpeted as a way to hold teachers, schools, and states accountable for assuring that every child would be able to meet the standards. While NCLB stated that each state could design its own assessment to measure students' attainment of and progression toward meeting the standards, not surprisingly, most states elected to use standardized tests to meet these accountability mandates.

In this book, which grew out of her dissertation research in New York City public schools, Kate Menken examines the impact of the testing components of NCLB on language policy and pedagogy in the American public school system. Specifically, Menken argues that the tests used to meet NCLB accountability demands have led to a de facto language policy, resulting not only in a reduced role for bilingual education in the USA, but also a major change in how English language learners (ELLs) are taught.

The book is divided into three sections (Language policy context, Standardized tests in daily school life, and Expansion and recommendations), with three chapters devoted to each section. In introducing the book and the language policy context in the USA, the author differentiates between language 'policy' and language 'planning,' arguing that there is no official language policy in the USA, and that official decisions are usually ad hoc responses to particular situations or political pressures. Because of this lack of official language planning, USA language policy is particularly susceptible to laws and mandates that result in de facto language policy, as has happened with the testing mandates associated with NCLB. Menken argues that this focus on standardized testing has had an outsized influence on school curricula, pedagogy, and bilingual education.

Chapter 2 provides a useful and informative overview of past US language and educational policies, the history of the testing movement, linguistic diversity in the USA, different program models for ELL education, historical language policy decisions, anti-immigrant and English-only movements, and the development of and response to the sweeping educational legislation of NCLB. Menken describes how popular attitudes toward speakers of languages other than English have vacillated

ISSN 1367-0050 print/ISSN 1747-7522 online
http://www.informaworld.com

between accommodating and discriminatory, and claims that in recent years there has been a rise in anti-immigrant feelings, as evidenced by the success of the English-only movement, in which 28 states have adopted some form of English-only legislation. This period of increased anti-immigrant feeling and English-only policies was the backdrop for NCLB. While NCLB's focus was not primarily on ELLs, it has had an unprecedented impact on this population, and on bilingual education. NCLB repealed the *Bilingual Education Act* of 1968, and promoted English-only approaches to language learning. An example of the anti-bilingual education components of NCLB includes the fact that the term 'bilingual education' has been eliminated from federal policy, and the word 'bilingual' is nowhere to be found in the law. Instead of 'bilingual education,' Title III of NCLB is called 'Language Instruction for Limited English Proficient and Immigrant Students,' and the former 'Office of Bilingual Education and Minority Languages Affairs' is now the 'Office of English Language Acquisition, Language Enhancement and Academic Achievement for Limited English Proficient Students.'

NCLB specifies that in order for states and individual school systems to receive federal funding, they must demonstrate that all learners (including ELLs) are making 'adequate yearly progress,' and by 2013–2014 all students must be 'proficient' as measured by state assessments. NCLB mandates a participation rate of 95% of all students, including ELLs, on these state assessments. Many states, including New York, have decided to use these tests not only for NCLB accountability requirements, but also to make high-stakes decisions, including high-school graduation. That is, all students (including ELLs, and recently arrived immigrants) must pass these tests in order to receive a high-school diploma. These tests were designed as subject area content knowledge exams (i.e. history, math, science, language arts), but Menken argues that for ELLs they are really functioning as language proficiency exams. Even though ELLs might have the content knowledge needed to pass the exams and to meet the particular standards, because of their lack of English proficiency, they fail the exams.

Chapter 3 provides a more in-depth description of local implementation of the federal NCLB law, focusing on New York state and New York City legislation and educational policies that affect ELLs. Particularly noteworthy in this chapter is an explicit example of how the accountability mandates of NCLB have led to de facto language policy. Near the time that NCLB was implemented, New York state mandated an increase in the amount of English instruction that ELLs receive: ELLs at all grade levels received increased amount of English as a Second Language (ESL) instruction, and advanced ELLs now receive at least one period of ESL instruction, and at least one period of English language arts instruction taught by a certified English (not ESL) teacher. Obviously, the reason behind this increased amount of English instruction (and a corresponding de-emphasis on native language instruction) was due to the NCLB testing requirements. There was also a subsequent decrease in participation in bilingual education programs. In 2002–2003, 39.7% of all ELLs in New York City public schools were enrolled in some form of bilingual education, but by 2005–2006, this percentage had decreased to 31.1%. There was also a subsequent increase in participation in English-only ESL programs, and an increase in the ELL dropout rate.

In Part 2 of the book, Menken focuses on how standardized tests impact the educational experiences of ELLs. Chapter 4 provides an analysis and critique of the assessments that are used by different states (New York, California, and Texas) to document accountability requirements for NCLB. One of these is the New York's English Language Arts Regents exam, a test designed to assess English language arts competence, and one of the Regents exams with the highest failure rate for ELLs. The English Regents was not designed to assess ESL proficiency; indeed, until 2007 the New York State ESL Achievement Test (NYSESLAT), a test designed to measure English language proficiency, was used to meet NCLB accountability mandates. But in 2006, the US Department of Education decided that this was out of compliance with NCLB, and now all students, including ELLs, must take the same test that is designed to assess English language arts. The chapter also describes how some states, including New York, have attempted to address the issue of language and test performance by providing modifications or accommodations for ELLs taking the test. These accommodations usually include allowing ELLs to use bilingual dictionaries, providing glossaries of key terms, providing extra time, or reducing the language complexity of the test questions. In some states (including New York), translated tests are also used. However, there is very little evidence that these accommodations are particularly useful for the ELL test takers.

Chapter 5 documents how these tests have led to a change in how ELLs are taught, in the hopes of 'speeding up' learners' acquisition of English, and also how prevalent teaching to the test has become. The author also describes how many ELLs who have completed all other graduation requirements must continue attending school in order to pass the English Regents exam, and the effect that not passing the exam has on students' self-esteem. This results in the perverse effect of creating an incentive for ELLs to leave school without graduating, either by dropping out, studying for their graduate equivalency degree (GED), or returning to their home country.

Chapter 6 provides fascinating examples of how this de facto language policy ostensibly promoting English is not as straightforward as might be imagined. While most schools studied sought to increase student performance on these tests by increasing English instruction, one school did the opposite, and actually increased native language instruction in the hopes of increasing student performance on the English Language Arts Regents exam. Perhaps the most damning critique of the high-stakes testing comes when Menken describes how the need to pass the English Language Arts Regents has led schools and teachers to change the way they teach ELLs. Teaching to the test has essentially become the curriculum for ESL classes, rather than pedagogically sound practices that result in second language acquisition. Many ESL classes in New York have become English language arts classes, even though the learning needs of ELLs are very different from the needs of native English speakers.

Part 3 of the book explores some of the broader implications of this de facto language policy, and provides a number of recommendations and new conceptions of language policy in the USA. In Chapter 7, Menken reviews the benefits and drawbacks of this standardized test-induced de facto language policy, and argues that while there are real benefits, including the raising of educational standards for ELLs (a group that historically has been marginalized and neglected), the testing policies of

NCLB ultimately discriminate against ELLs by penalizing schools with large ELL populations, and also marginalize ELLs by causing schools to not offer the services necessary and required by law.

Menken provides an analysis of her study from a language policy perspective in Chapter 8, arguing that the testing mandates of NCLB actually contribute to language standardization, the promotion of English, and the creation of language hierarchies in schools. She argues that the de facto language policy is a result of teachers and administrators at all levels of the education system reacting to the testing mandates of NCLB.

The concluding chapter provides a number of recommendations for policy makers, educational experts, and schools and teachers. Individual schools with ELL populations should articulate strong school-wide language policies that are responsive to and support local language policies and practices. Menken recommends that educational policy makers support schools in their development of these policies, move away from too much standardized testing by using other measures of student achievement, and try to measure ELLs' progress, rather than simply outcomes. She also recommends that students' native languages should 'count.' In other words, if language arts tests are designed to measure literacy skills and higher order thinking, then students should be able to display these skills in their native language, or in English. Finally, Menken recommends that schools continue to support native language instruction, and that high-stakes testing not drive ELL instruction.

Menken states quite explicitly that the focus in the book is not on the 'technical, psychometric challenges of high-stakes testing (9),' but her argument would have been stronger if she had focused more on some of the technical aspects of standardized testing. For example, she repeatedly states that the English Language Arts Regents exams lack reliability and validity, because they were not designed to measure English proficiency. The author seems to be equating reliability and validity, but they are not the same thing. Reliability is consistency of measurement, while validity is concerned more with whether the test is really measuring the underlying construct it purports or is designed to measure. The English Language Arts Regents can be a reliable measurement, even if the decisions made on the basis of the scores of these tests lack validity. However, there is no presentation of the psychometric qualities of these exams. Are they reliable? Who creates these high-stakes exams? How are they developed and piloted? Are they psychometrically sound? What sorts of validation studies have been conducted? Considering the high-stakes nature of these exams, the psychometric qualities of the tests should be readily available to the public and to researchers. Similarly, in relation to the accommodations that are made in some states for testing ELLs (allowing bilingual dictionaries, providing extra time, reducing the language complexity of test questions, using translations), Menken focuses on the lack of empirical evidence that these accommodations are useful for ELL test takers, but does little critiquing of the fact that these modifications present threats to the validity of the inferences made from the test results, and that these validity concerns have received virtually no research.

In addition, Menken repeatedly derides the notion that all students, including ELLs, have to take the English language arts regents (or their equivalent in other states) in order to meet NCLB mandates to demonstrate yearly progress for students

and schools. Even very recent immigrants, who might have virtually no possibility of passing the test are required to take the test. This process is demoralizing and unfair, perpetuates a 'deficiency' model of language and bilingualism, and leads to schools with large numbers of ELLs being punished because of the test results. This certainly seems true; however, the author never describes why NCLB requires that all students take the tests. Invariably with test score-based accountability systems, some individual schools, administrators, or teachers would feel pressured into trying to manipulate the test statistics, perhaps by having only those ELLs that they thought could pass the test take it, in order to make their schools or classes appear to be making more progress. Admittedly heavy handed, making all students take the test seems to be a legitimate attempt at a more objective snapshot of all learners' English proficiency. It would seem to be more productive to argue for a more rational policy – perhaps only those ELLs in the country longer than one year should take the test, and make this uniform policy so that no schools or systems could fudge the numbers.

Menken's research provides more evidence confirming what many critics of NCLB had predicted – that the testing mandates of NCLB would lead to curricula dominated by test preparation, affecting virtually every layer of the educational system, including students, teachers, and administrators. But Menken goes a step further by convincingly arguing that the NCLB legislation has also had the consequence of becoming de facto language policy. The impact of this de facto policy on the learning opportunities and lives of large segments of American society cannot be underestimated or ignored, and Menken's book helps to draw attention to the issue.

DOI: 10.1080/13670050802499662

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Adult biliteracy: sociocultural and programmatic responses, by Klaudia M. Rivera and Ana Huerta-Macías, New York, Lawrence Erlbaum, 2008, xix+225 pp., $75.00 (hbk), ISBN 0-8058-5361-8; $29.95 (pbk), ISBN 0805853626

In the US, the customary focus in adult education has been on literacy development, workforce education, and English as a second language and civics education. In *Adult biliteracy: sociocultural and programmatic responses*, Klaudia Rivera and Ana Huerta-Macías make the case that these endeavors often 'normalize monolingual and monoliterate approaches' (203) which do not build upon or strengthen adults' bilingualism and biliteracy. They explain how unrealistic a monolingual, monocultural, and monoliterate approach is given the large numbers of adult education students for whom English is an additional language. In the present volume, the editors gather a collection of chapters that offers an important contribution to the field through a call to expand the focus of adult education to include the topics of bilingualism, biliteracy, biliteracy development and biliteracy