

Moving Kids to the Mainstream



Lawmakers are paying particular attention to a fast-growing segment of the K-12 school population: students who are learning English as a second language. These students currently comprise 10 percent of the K-12 school population nationwide, but the portion is projected to increase to 30 percent by 2050.

Now called “English learners,” they face a significant challenge. While still mastering their first language, they must also learn material presented in English, with some help in their native language when available. Their achievement, as a whole, is substantially lower than their

native-English-speaking classmates. On the 2015 National Assessment of Educational Progress, for example, the percent of fourth grade English learners reading proficiently trailed their white counterparts by 30 percent and in eighth grade by 32 percent.

To help close the gap, the challenge for lawmakers and educators is accurately determining when these students are ready to be reclassified—that is, moved from a classroom where they receive support in their native language into mainstream English classrooms. Reclassifying too early can lead to frustration and lower achievement, but reclassifying too late can result in social and educational stigmas, sometimes creating long-term English learners who never fully integrate into the mainstream.

There is considerable variation in states’ reclassification criteria. The Every Student Succeeds Act requires the reclassification process to be standardized within each state and provides time for inspection and innovation of these policies before state plans are due on Sept. 18, 2017.

Ten states and the District of Columbia use the federal minimum requirement: the composite score from a test of English

language proficiency that combines the individual scores in speaking, listening, reading and writing. Nineteen states use these specific language scores, in addition to the composite score, providing a more robust picture of the students’ abilities. Twenty-one states use several measures in addition to the English language proficiency test scores. These can include recommendations from teachers or principals based on student data and observations, English literacy and writing achievements, and parental feedback.

Improving the reclassification process is a higher priority, of course, in states with large numbers of English learners. In California, where English learners make up 22 percent of all K-12 students, the needs differ from those, say, in the Dakotas, where they comprise fewer than 5 percent.

So what’s best for English learners? Research confirms the obvious: using a variety of assessments to gather the most information possible about students’ actual abilities leads to more success. Researchers caution, however, that any change in policy should be based on criteria that are valid and reliable.

—Matt Weyer

Communicating in Code

Should computer coding be considered a foreign language? That’s a question some lawmakers are asking in discussions on whether to allow high schoolers to substitute computer coding classes for foreign language requirements.

This is just one strategy educators and policymakers are considering as part of a growing trend to improve K-12 computer science education in general. Proponents of allowing the substitution argue that computer coding skills are valued communication skills necessary to compete in the 21st century job market.

Yet, according to Code.org, there are more than 500,000 computing jobs open in the United States, due to a lack of qualified applicants.

Foreign language teachers have argued against the idea, saying

that coding and foreign language skills are fundamentally different. French, Japanese and Spanish, for example, have vocabularies of approximately 100,000 words, according to the American Council on the Teaching of Foreign Language. The typical computing-language vocabulary is about 100 words.

Thirty-three states allow certain computer science courses to count for high school graduation requirements and some states allow students to replace certain math courses with computer coding courses.

Other efforts to boost computer science education include establishing standards and strengthening the computer science teacher certification process.

—Isaac S. Solano

Human Trafficking Hotline

Human Trafficking Defined

Human trafficking is the illegal practice of procuring or trading in human beings, a modern-day form of slavery. It involves controlling a person through force, fraud or coercion to obtain some type of labor or commercial sex act.

The battle against human trafficking continues. Every state has passed a law to prosecute traffickers, yet often the public remains unaware that trafficking is occurring close to home or that nearby businesses may be benefiting from criminal sex or labor trafficking activity.

One tool many states are using is the National Human Trafficking Hotline, a telephone and web service survivors can turn to for help and that the public can use to report suspected cases.

Twenty-nine states and the District of Columbia require or encourage state entities to educate the public about the hotline. Eighteen states and the District require information about the free service to be

posted during major sporting events and conventions or permanently in certain businesses and facilities, including hotels, adult entertainment venues, hospitals, massage salons, rest areas, truck stops, bars, night clubs and agricultural labor offices.

Calls increase in number every year. In 2012, the hotline received 13,325 calls, resulting in 3,279 reported cases; last year

Top Places for Trafficking

Labor Trafficking

1. Domestic Work
2. Agriculture
3. Traveling Sales Crews
4. Restaurants/Food Service
5. Health & Beauty Services

Sex Trafficking

1. Hotel/Motel-Based
2. Commercial-Front Brothels
3. Online Ad, Venue Unknown
4. Residential Brothels
5. Street-Based

Source: *The National Hotline*

it received 20,424 calls, with 5,748 cases reported.

What is the hotline number? 1 (888) 373-7888. You can also go to the website humantraffickinghotline.org.

—*Rich Williams*

Aid-in-Dying Laws Spread

One of Colorado's November ballot initiatives made the state the latest to legalize physician aid in dying, which allows a terminally ill patient to receive life-ending medication from a doctor. The state is not the first to consider this controversial and emotional issue, also known as physician-assisted suicide or death with dignity, nor is it anticipated to be the last.

Laws in five states—California, Colorado, Oregon, Vermont and Washington—currently allow physician aid in dying. A court ruling in Montana provides protection from prosecution to physicians who aid dying patients.

Oregon was the first state to allow physician aid in dying in 1997, when voters approved the Death with Dignity Act. Colorado and Washington joined Oregon in approving the practice through a voter-initiative process. Vermont and California legalized the practice through legislation in 2013 and 2015, respectively.

Although not always easy to implement, states with current aid-

in-dying laws have developed guidelines for participating patients, including eligibility and reporting requirements. In Oregon, for example, participating patients must be state residents who are at least 18 years old. In addition, they must have been diagnosed as terminally ill with a prognosis of dying within six months, and have the ability to communicate their own health care decisions.

Comparable legislation has been considered but not passed in more than 20 states.

Some opponents fear that physician aid in dying creates the potential for abuse, particularly toward the elderly or people with disabilities, who could be pressured to end their lives. In addition, some religious groups oppose the legislation for moral reasons, and some physicians oppose the act because they feel it directly contradicts their responsibility to help patients. Supporters argue that the bills include safeguards against such abuse and help patients end their suffering in a humane way.

—*Samantha Scotti*

From Jails to Jobs

For the nearly 11.5 million people who cycle in and out of prison and jail every year, employment is key to becoming a productive, taxpaying member of the community. But a criminal record, combined with spotty experience or little training, can make finding and securing a meaningful job difficult.

State lawmakers, corrections agencies and the business community are teaming up to provide in-prison and post-release educational and vocational training so that offenders can learn the skills they need to land jobs. A trio of policies designed to level the playing field for former inmates has been enacted in a growing number of states over the last couple years.

Certificate of employability laws in at least 20 states authorize courts or parole boards to issue certificates that serve as proof of rehabilitation for employment purposes or allow some occupational disqualifications to be lifted.

Some of these laws also carry employer liability protection for hiring ex-offenders who have been granted certificates. In cases where a certified employee causes injury or damages, the policies protect employers from lawsuits for negligent hiring or for a failure to adequately supervise an employee solely because of a previous criminal conviction. At least 12 states have laws that protect employers who hire people with criminal records.

“Ban the box” is a term used to describe policies that prohibit employers from asking about an applicant’s criminal record on an initial employment application. Currently, 20 states and the District of Columbia, along with many localities and some governors, regulate at what point in the hiring process an employer can ask about an applicant’s criminal history. Most of these laws apply only to public employers and licensing boards.

Many private employers are instituting their own fair-chance hiring policies such as banning the box, providing specialized human resources training and hosting targeted job fairs. Some, such as Koch Industries and Google, also have taken the lead on local community and national education campaigns. Google is working with other Silicon Valley tech companies to recruit, train and support those re-entering the community. Koch Industries and the Charles Koch Institute are hosting educational forums with some of the country’s top experts.

—Alison Lawrence

Giving Ex-Offenders a Fair Chance at Employment



States with laws that:

- Offer certificates of employability
- Protect employers from liability
- Offer certificates and liability protection
- ★ Limit when employers can ask about an applicant’s criminal record (ban the box)

Source: NCSL, 2017

