Study 1 (Course-taking)

Imagine fifteen-year-old Bong, a multilingual, Korean, and English-speaking student at Cedar High School. Bong's family just moved to a small Pacific Northwest town from South Korea in March of his 9th grade year, and based on his family's income level, Bong qualifies for the school's free/reduced-price lunch program. Bong has had some exposure to English before immigrating to the US but tests at a beginning level on the state's English language proficiency (ELP) screener. Bong attended school regularly in South Korea and does not have interrupted or limited formal education. However, Cedar High School has limited resources for interpreting newcomer student's transcripts from their home countries, and it is difficult for them to determine his academic preparation in detail. Cedar High School does not have a newcomer program. They have several English language development (ELD) teachers who teach separate ELD class periods, with students grouped by ELP level. Several content teachers have earned their ESOL endorsements, and several have attended training related to making content accessible to multilingual students. No staff member is fluent in Korean. There are no bilingual content courses at the school.

Bong's school counselor builds him a schedule of classes, which includes a period of beginning English language development, Algebra I, two science courses (biology and physics), a semester of P.E., and a semester of health, as well as an assortment of electives, but no social studies course and no English language arts (ELA) class. Under a new state law, advanced ELD courses can count towards ELA credit for graduation, and any ELD course can count towards World Language credit. Because Bong's ELD course is at the beginning level, it can count for World Language credit (but not ELA credit). Four years of language arts credits are required for graduation. However, the counselor is concerned that the 9th grade language arts teachers will not be able to make the 9th grade ELA content accessible to Bong, potentially causing him to fail the class. Most 9th graders at the school, including Bong, are not enrolled in social studies because only three years of social studies are required for graduation. Instead, the school chooses to enroll all 9th graders in required Health and PE courses, and students typically begin taking social studies in 10th grade.

By the end of his first school year at Cedar, Bong has tested at an intermediate level of English language proficiency. However, because he has been excluded from the standard ninth-grade language arts class, he is now behind on the credits required for graduation.

Half a century prior, the United States Supreme Court's *Lau v. Nichols* (1974) ruling established what still stands as core rights of multilingual students, such as Bong. Namely, students in the process of developing English have the right to receive—and schools have the obligation to provide—1) instruction towards developing English proficiency; and 2) equitable and accessible grade-level academic content. Fifty years later, however, we still see significant disparities in EL-classified students' access to core content, due in part to the practice of exclusionary tracking. Exclusionary tracking occurs when students are fully excluded from courses in particular content areas (Umansky, 2016).

If you were the counselor, what schedule would you have designed for Bong? In both the short- and long-term, what actions could teachers, school administrators, district administrators, and state policymakers take to support access to both English development and grade-level content for newcomer students like Bong?