



# THE EFFECTS OF WAIVING ENGLISH LEARNER SERVICES

## EXAMINING POLICY LEVERS FOR ENGLISH LEARNER COURSE ACCESS

### What Does It Mean to Waive English Learner (EL) Services?

Federal law gives students and families the right to waive EL services. Waiving EL services entails opting out of specialized English language supports and specialized instruction. In some states, this means no longer being enrolled in a separate English Language Development (ELD) class, while in other states, it may mean waiving extra language support provided in regular classrooms. Students who waive services are still formally classified as ELs and still take an annual English proficiency exam.

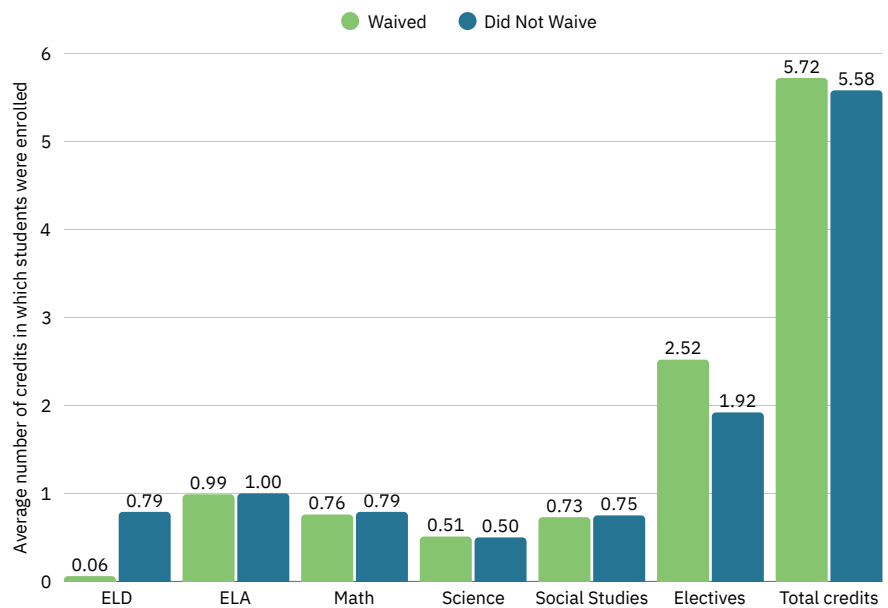
### Why Study Waiving EL Services?

Waiving EL services can influence students' access to services and coursework, which may, in turn, shape their academic paths. For instance, waiving EL services could restrict students' access to opportunities to learn English. On the other hand, not taking ELD courses may create more flexibility in scheduling, allowing students to enroll in other classes, some of which may be required for graduation.

### What Does This Brief Explore?

This policy brief examines how waiving EL services relates to students' high school course-taking patterns and graduation outcomes. The brief focuses on the effects of waiving EL services in 12<sup>th</sup> grade, where waiving may be most consequential. We use statewide longitudinal data from Oregon, and our sample consisted of first time 12<sup>th</sup> graders from 2014/15 through 2018/19.

Average Number of Enrolled Credits Across Subject Areas for EL-Classified 12<sup>th</sup> Graders, by Whether Students Waived EL Services



Data: Oregon Department of Education, 2014/15–2018/19

### ELs Who Waived Services Took Fewer ELD Courses, More Elective Courses, and Fewer Credits Overall Than Those Who Did Not Waive Services

Because high school schedules have limited flexibility, students often face trade-offs between enrolling in ELD courses and other classes needed for graduation. As expected, Oregon students who waived EL services in 12<sup>th</sup> grade were enrolled in fewer ELD credits than those who did not waive. Importantly, students typically did not use this additional space to enroll in more core academic courses. Enrollment rates in English language arts, math, science, and social studies were largely the same regardless of waiving.

Instead, data suggests that when not required to take ELD, some students who waived took an additional elective (electives are conceived broadly and include some classes that are required for graduation, such as P.E. and world languages). Other students chose to have a free period (as indicated by the fact that those who waived took fewer total credits). Thus, waiving may have allowed students to take a course that aligned with their interests, or waiving may have enabled students to have a shorter school day, leaving more time for other pursuits they valued—such as paid work. In both cases, waiving may potentially have supported engagement and persistence. These patterns held in statistical models that compared course-taking patterns among students who were similar in many respects, except for whether they waived EL services in 12<sup>th</sup> grade. Patterns also held in supplementary analyses examining the effect of waiving EL services at any point in high school.

## Estimates of the Effects of Waiving EL Services Apply Primarily to Long-Term English Learners, not to Newcomers

To estimate the effect of waiving EL services on course-taking and graduation we used a method called matching. Specifically, we matched students who waived EL services to students who did not waive EL services but were similar in many other respects. The characteristics we used to match students were gender, special education status, free or reduced-price lunch eligibility, newcomer status, long-term English learner (LTEL) status (defined as having spent seven years or more in EL services), and prior English language proficiency level. Then we compared course-taking and graduation outcomes among our matched sample.

Very few newcomer students waived EL services, while many LTEL students did. Therefore, our matched sample consisted of only 5% newcomer students and 78% LTELs. Newcomers may have perceived EL services as more valuable and thus have been less likely to waive them.

Our estimates of the effect of waiving EL services apply only to our matched sample. Thus, the estimated effects of waiving presented in this brief primarily apply to LTEL students, not newcomers.

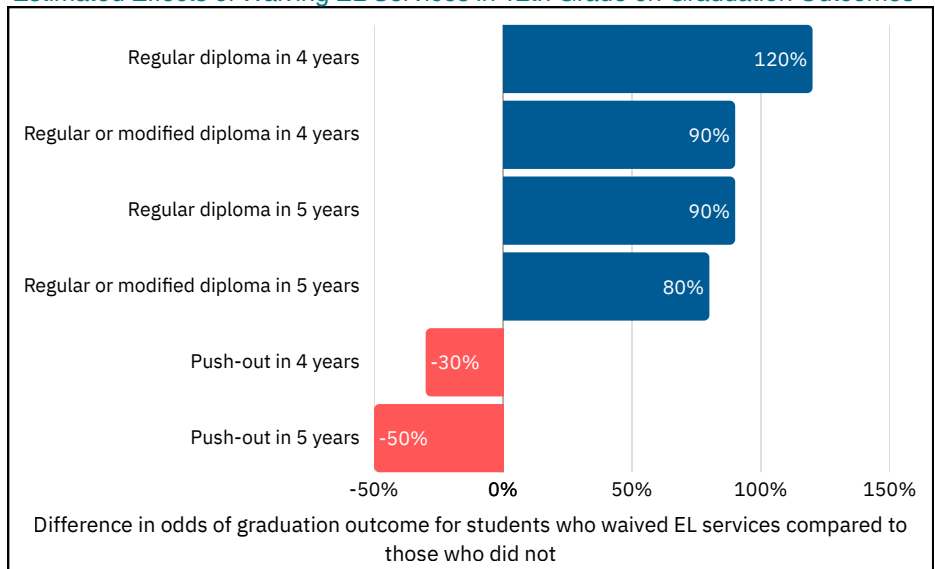
## ELs Waiving Services in 12th Grade Had Higher Graduation Rates and Lower Risk of Push-Out

Students who waived EL services in their final year of high school were more than twice as likely to graduate with a regular diploma (120% more likely, as shown in the figure below). Further, waiving students were about half as likely to experience push-out (30% less likely after 4 years and 50% less likely after 5 years, as shown below) compared to similar students who did not waive services. Viewed alongside course-taking patterns, these results suggest that waiving late in high school may help students navigate graduation requirements within tightly constrained schedules. Alternatively, students who waived EL services in 12<sup>th</sup> grade may differ from those who did not for reasons we cannot account for with available data, such as in motivation or families' experience navigating educational policies.

In supplementary analyses, we found that waiving earlier in high school did not show the same strong association with graduation outcomes. We hypothesize that when graduation requirements were still several years away, waiving may have been less directly connected to students' persistence through high school.

In 2021, Oregon passed a new Access to Linguistic Inclusion law. By expanding the ways that multilingual students can earn credits toward graduation, this law may have reduced incentives for waiving EL services and shifted the relationship between waiving and graduation.

Estimated Effects of Waiving EL Services in 12th Grade on Graduation Outcomes



Data: Oregon Department of Education, 2014/15–2018/19

### Key Takeaways

- Students who waived EL services in 12<sup>th</sup> grade took fewer ELD credits, more elective credits, and fewer total credits than students who did not waive services.
- Students who waived EL services in 12<sup>th</sup> grade were much more likely to graduate and less likely to experience push-out than similar students who did not waive EL services. However, there was no effect of waiving EL services earlier in high school on graduation outcomes.
- Because very few newcomer students waived EL services, it is not possible to accurately estimate the effects of waiving EL services for them. Most students for whom the effects of waiving EL services could be estimated were LTELs.
- These findings suggest a need for EL services at the secondary level to better align with students' interests and needs, particularly in 12th grade and particularly for LTELs. By expanding ways in which multilingual students can earn credit for graduation, Oregon's Access to Linguistic Inclusion law may be an example of such innovation.