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ABSTRACT

This paper highlights three major aspects of recent trends in immigration and their impact on schools: high sustained flows, growing geographic dispersal, and an increase in undocumented immigration. It focuses on such topics as who comes to the United States (legal, humanitarian, and undocumented immigrants); demographic context (income level and wages and new immigration growth centers); the legal status of immigrants (dispersal of undocumented population, growth in the limited English proficient, or LEP, population, LEP immigrants are poorer on average, and children of immigrants and LEP children are concentrated in metro areas); immigrant students and English (immigrant children are a rising share of students, immigrant children are increasingly poor but trend reverses in late 1990s, and Spanish is increasingly prevalent and showing sharp increases in the 1990s); LEP declines by generation, with second generation LEP remaining high; more LEP children are native than foreign born; LEP students attend linguistically segregated schools; Hispanics and Asians are more likely to be in linguistically segregated schools; LEP children may not have parental English resources; No Child Left Behind Act grants to states; and school versus U.S. Census data. (SM)

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Immigration Studies Program
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U.S. Immigration -- Trends & Implications for Schools

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Overview of Policy Issues

- ***Immigration Trends***
  - -- Growth of Immigrant Population
  - -- Geographic Dispersion
  - -- Legal Status
- ***Students & Language***
  - -- Growth of Immigrant Students
  - -- Language Ability
  - -- Students, Schools, Parents
- ***NCLB Funding***
  - -- Formulas & Data

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This presentation sets the demographic context of the implementation of the No Child Left Behind Act of 2001. We seek to:

- Provide an overview of major trends in immigration that are having profound impacts on the nation's schools;
- Draw a statistical portrait of the nation's immigrant and limited English proficient (LEP) student population that builds on The Urban Institute's *Overlooked and Underserved: Immigrant Students in U.S. Secondary Schools* (Ruiz de Velasco, Fix and Clewell, 2000); and
- Discuss the comparative merits of using Census versus state reported measures of LEP students and their implications for distributing Title III funding under NCLB for immigrant and limited English proficient students.

Selected Key Points: Immigration Trends & Impacts on Schools

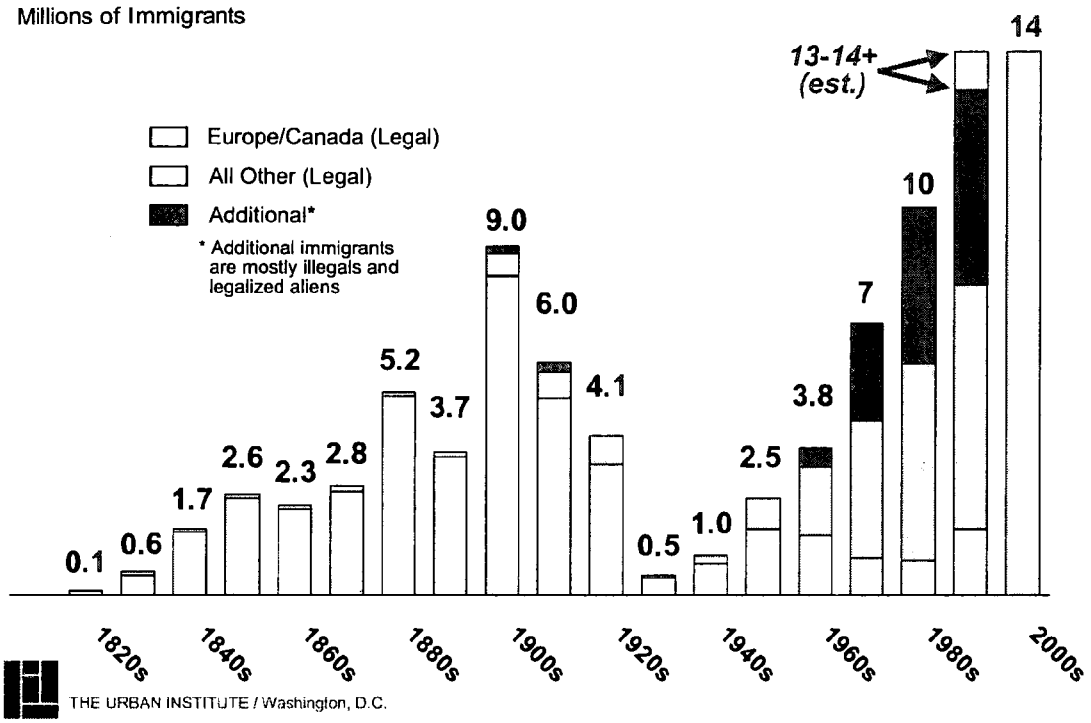
The No Child Left Behind law introduces dramatic policy changes at a time of rapid, immigration-led demographic transitions that hold far-reaching implications for school capacity. Some of the major demographic changes include:

- Children of immigrants are now 1 in 5 students grades K–12.
- Rising immigration has been accompanied by rapid dispersal to non-traditional receiving states of many key populations: (a) the foreign-born; (b) limited English proficient adults and children; and (c) undocumented immigrants, among other groups.
- There are 10.5 million students who are the children of immigrants – one-quarter of these are foreign-born; three-quarters are U.S. born.
- Poverty rates rose rapidly among children of immigrants from 1970 to 1995 but fell sharply during the late 1990s.

The specific impacts of these trends are likely to be felt by schools in many ways:

- Immigrant children make up a larger share of the secondary than elementary school population: 6.4 versus 3.8%. Secondary schools are typically less equipped to teach content, language, and literacy than elementary schools.
- Five percent of students in U.S. schools are LEP.
- The limited English proficient (LEP) student population is quite diverse: 30% has been in the U.S. for 10 years or more; 48% for 5 to 9 years; and 21% for less than five years.
- 40% of LEP students 5–19 are foreign-born; 60% of these immigrant students have been in the U.S. for less than five years.
- LEP students attend schools that are linguistically segregated and the level of linguistic segregation appears to have risen in the past 5 years. While the level of linguistic segregation is lower in schools in new growth states, it remains surprisingly high, as patterns of segregation appear to be reproducing themselves.
- Schools face a two-fold institutional challenge in the wake of NCLB: ensuring that LEP students make adequate yearly progress and effectively engaging the students' parents. 80% of LEP students live in families where all parents are themselves LEP.
- Assuming that there is a fixed amount of funding under Title III of the NCLB for language acquisition, a shift from a Census-based distribution formula to one based on school reports of the number of LEP students would reallocate funds from Eastern states and New York to Western states and California.

Current In-Flows are Very High



In this presentation, we highlight three major aspects of recent trends in immigration:

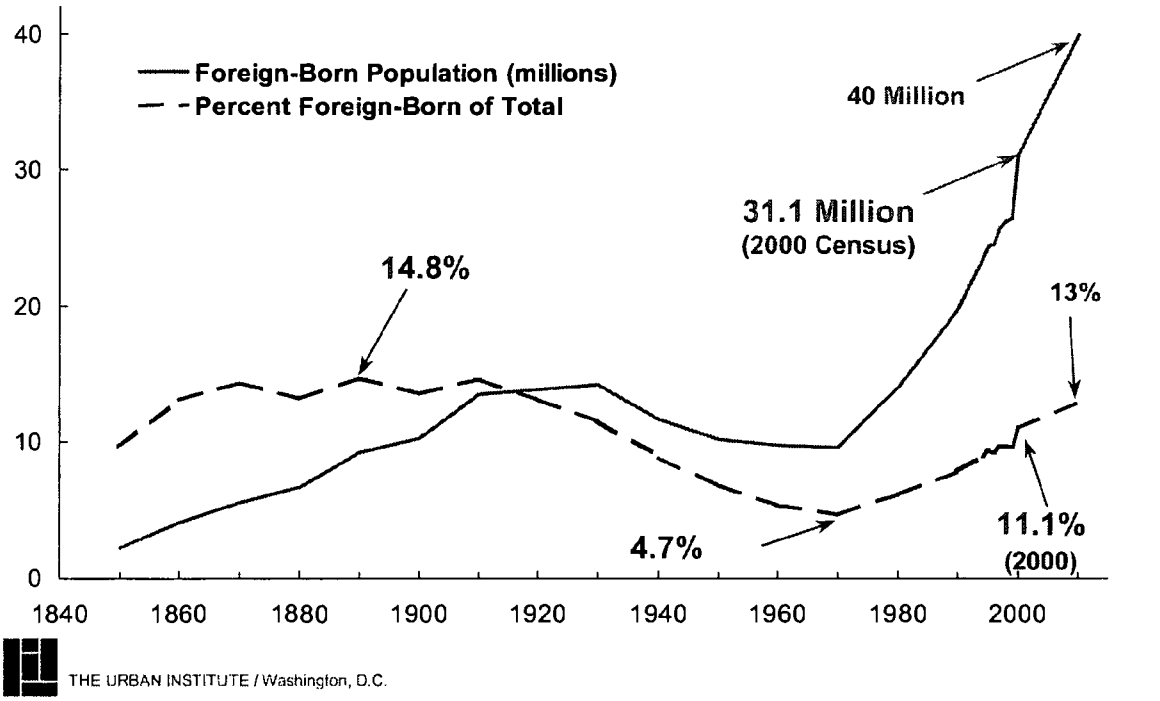
(1) high sustained flows;
(2) growing geographic dispersal; and
(3) an increase in undocumented immigration.

We start with the large scale of recent flows to the U.S.

- During the 1990s, more than 14 million immigrants entered the United States according to our estimates (based on Census 2000): this figure exceeds flows in any decade in the nation's history;
- Given the overall levels of legal immigration (about 800,000 or so per year), it is likely that the *net in-flow* of undocumented immigrants averaged about 500,000 per year over the decade; the *annual undocumented entries* were much higher;
- Barring a major change in the nation's legal immigration policy or a sustained deterioration in the economy we project the entry of another 14 million immigrants between 2000 and 2010.

Sources: *Statistical Yearbooks of the INS* and Urban Institute estimates and projections.

Immigrant Numbers at Peak -- Percentage is Not

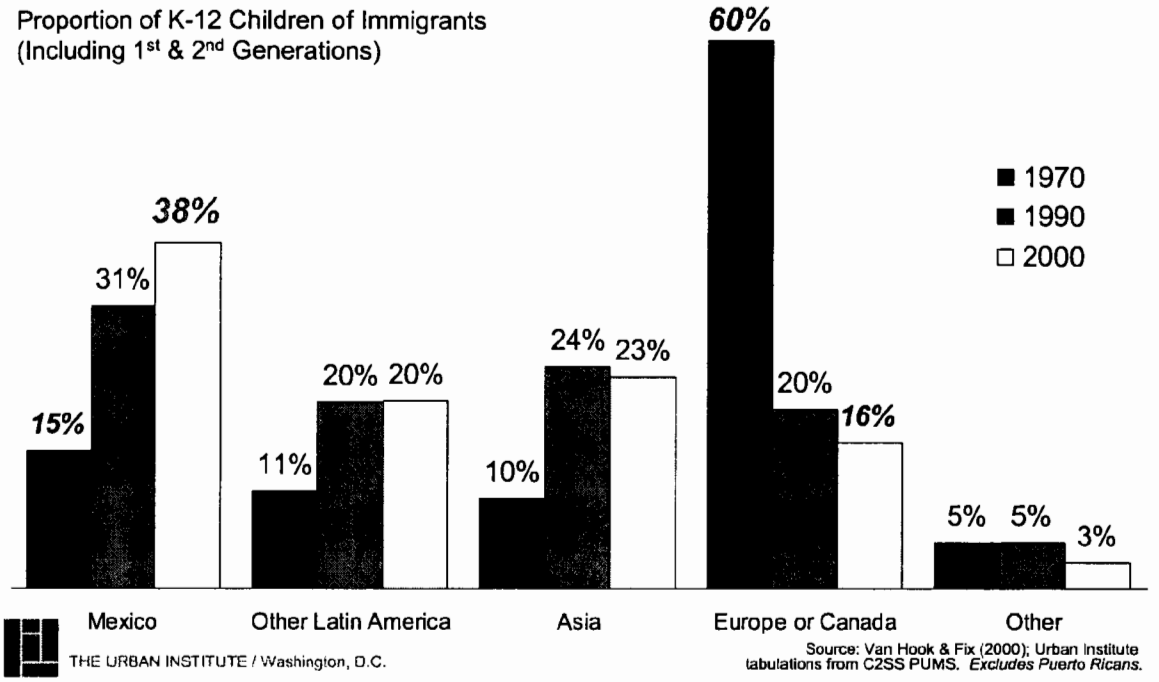


This chart depicts the "stock" of immigrants in the U.S. or the foreign-born population from 1850 through 2000.

- The foreign-born population at 31.1 million is at an all-time high (data from Census 2000). (The chart suggests a very rapid increase in the late 1990s, but the true growth trajectory is probably smoother with the rapid change at the end of the decade representing significant improvements in measurement between the Current Population Survey and Census 2000.)
- The sustained rapid growth and high levels of *immigration,* shown in the previous chart, have led to the foreign-born population more than tripling in only 30 years, from less than 10 million in 1970 to 31 million in 2000, as shown in this chart.
- The percentage of the total population that is foreign-born was about 11% in 2000 -- more than double the 4.7% in 1970. That said, the 1970 levels are probably the lowest in the history of the country (certainly the lowest since we have data).
- Looking ahead a decade, we project that the foreign -born population will rise to 40 million, representing 13% of the total population -- a level that remains below the historical peak of 15% at the time of the last great wave of immigration.

Source: Decennial censuses for 1850-2000; Current Population Surveys (CPS) for 1990s; Urban Institute projections (Passel 2003) for 2010.

Origins of Immigrant Children Shift Markedly by 2000



One of the most frequently noted developments in immigration over the past generation has been the shift in the regional origins of the nation's immigrants from Europe and Canada to Mexico, Latin America, and Asia. This shift is quite apparent among the children of immigrants (enrolled in school) also.

- The share that Mexicans represent among all children of immigrants has increased from 15% in 1970 to 38% in 2000. (Note that this includes children born in Mexico and U.S.-born children with parents born in Mexico.)
- Moreover, we see continued growth in the number of children of Mexican immigrants in the 1990s as their share of all children of immigrants rises from 31 to 38%. During the decade other regions' shares remained steady (Latin America) or declined (Asia, Europe or Canada).

Sources: 1970, 1980, and 1990 Censuses, October 1995 CPS from Van Hook and Fix (2000); and C2SS. Tabulations by the Urban Institute. Includes children aged 5-19 enrolled in K-12 and excludes Puerto Ricans.

Who Comes to the U.S.?

- **Legal:** 600,000-750,000/year
- **Humanitarian:**
  70,000-125,000 down to 27,000
- **Undocumented:**
  Early '90s — 200-300,000 per year
  Late '90s — 500-800,000 or more
  Current — ???

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The figures in this chart represent estimates of the current level of annual *in-flow* for legal immigrants and humanitarian admissions and the *net annual increase* in the undocumented population.

- Most of the 600,000 to 800,000 legal immigrants are admitted for family unification purposes; a smaller share are admitted for employment reasons;
- The number of immigrants admitted for humanitarian reasons (refugees, asylees) has declined substantially in recent years. While the State Department and the Congress have set a ceiling of 70,000 annual refugee admissions, in fact only 27,000 refugees were admitted in the FY 2002. Levels have declined further in FY 2003.
- We estimate that the flow of undocumented immigrants to the U.S. more than doubled between the early and late 1990s. We do not have good estimates of the flows post 9/11. However, apprehensions at the U.S.-Mexico border are at their lowest level in a decade.

Demographic Context

Immigrants are ...

- 1 in 9 U.S. Residents
- 1 in 4 Low-Wage Workers

Children of Immigrants are ...

- 1 in 5 Children
- 1 in 4 Low-Income Children

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The flows over the past decade have had a profound effect on the nation's demographic make-up and hold far-reaching implications for all domains of education and social welfare policy. As of the year 2000, the foreign-born represented:

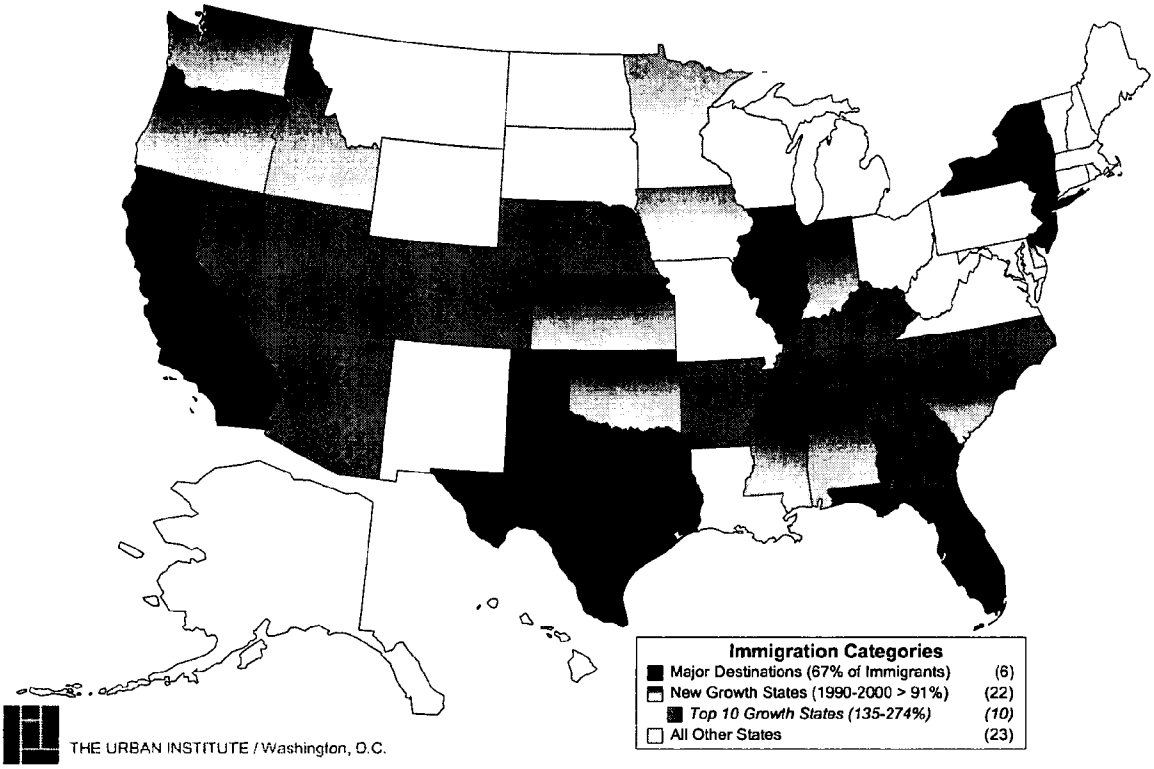
- 11% of the total U.S. population;
- 25% of low-wage workers (under 200% of poverty).

The foreign-born (i.e., the first generation) and U.S.-born children of immigrants (i.e., the second generation) together represented:

- 20% of all children (under 18) in the U.S.;
- 25% of all low-income children (under 200% of poverty).

Source: Census 2000 and Urban Institute tabulations from the Current Population Survey (CPS) and the Census 2000 Supplementary Survey (C2SS) Public-Use Microdata Sample (PUMS).

New Immigration Growth Centers

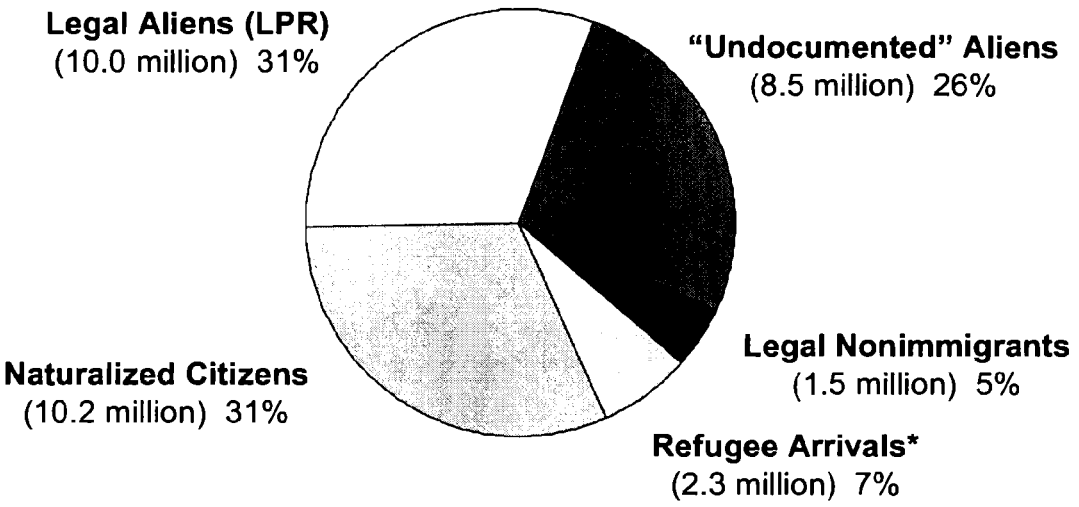


A second important demographic story of the 1990s was the dispersal of the immigrant population to states and communities with comparatively little recent history settling newcomers. (See Passel and Zimmermann, 2001.)

- Prior to 1995 the six major destination states (CA, NY, TX, FL, IL, and NJ) shown here in dark blue had roughly three-quarters of the nation's immigrant population for several decades. That share declined somewhat during the late 1990s and today only about two-thirds of the immigrant population live in these six states.
- Especially rapid growth occurred during the 1990s in the 22 "new growth" states shown here in red (or medium shade if in black and white); growth was particularly rapid during the last half of the 1990s. The new growth states are located in a wide band across the middle of the country, and include many of the Rocky Mountain, Midwest and Southeastern states. The fastest growth rates occurred in the 10 states shown here in solid red. (Despite rapid growth many still have relatively small, total immigrant populations.)
- Unlike the major destination states, the immigrant population in the new growth states is disproportionately made up of recent arrivals – almost 60% arrived in the 1990s, most since 1995. Recency of arrival is correlated with lower incomes and limited English language skills.
- Many of these "next destination" states have limited experience and infrastructure for settling newcomer families.

Source: 1990 and 2000 Censuses, Passel and Zimmermann (2001), and Passel, Capps, and Fix (2002).

Legal Status of Immigrants



Foreign-Born Population in 2000

(Based on March 2000 CPS, Census 2000, & Author's Estimates)

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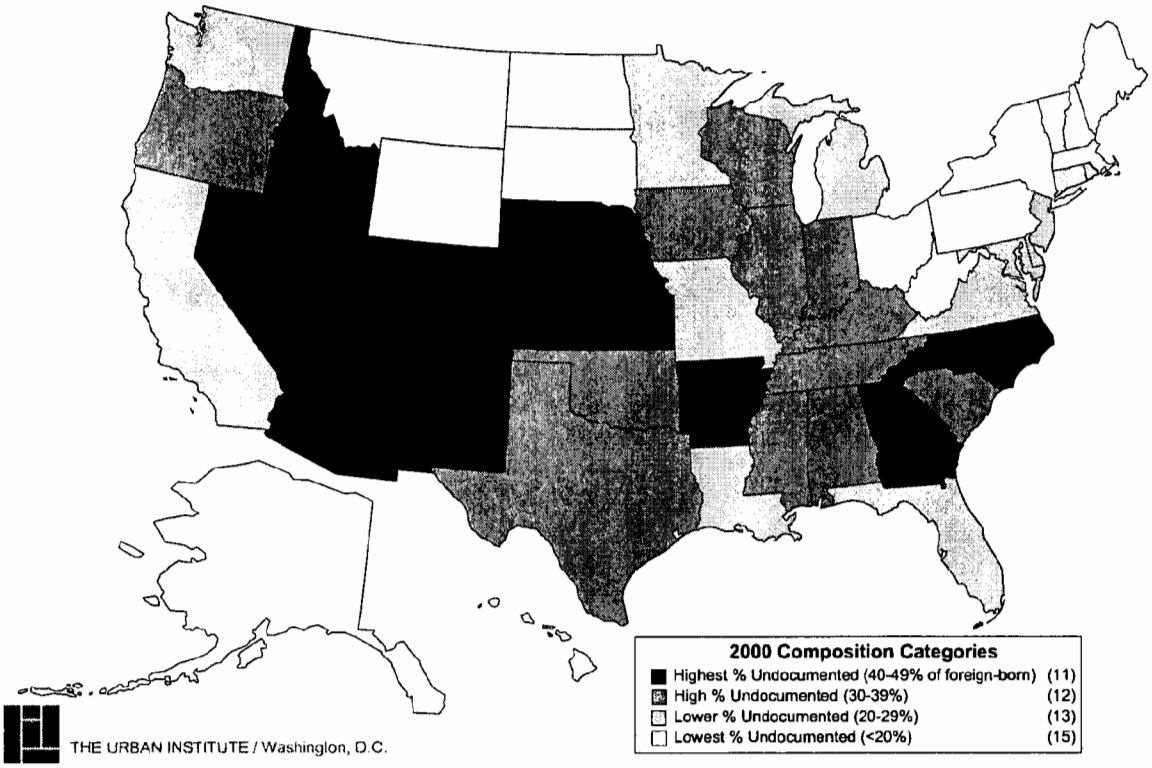
(Preliminary)
* Entered 1980 or later

A third major demographic story of the 1990s is a broad rise in the undocumented population. The chart sub-divides the foreign-born population in 2000 according to our estimates of legal status. (See below.)

- In 2000, there were roughly equal shares of legal immigrants (those admitted for permanent residency who had not yet become citizens) and naturalized citizens (legal immigrants who had been in the U.S. long enough to become citizens): about 10 million each. A substantial share of the foreign-born population (8.5 million or 26%) was undocumented (either entering without authorization or overstaying visas), and a smaller share (2.3 million or 7%) was made up of refugees (immigrants who fled persecution). Another 5% of foreign-born residents were "legal nonimmigrants," temporary visitors such as students and temporary workers.
- We estimate that there are about 1.4 million undocumented children under 18 with about 1.1 million of school age (5 -19).
- The undocumented population has been steadily increasing in size (and possibly by large increments in the last half of the 1990s). Similarly, the naturalized citizen population has grown rapidly in recent years as increasing numbers of legal immigrants have become eligible and taken advantage of the opportunity to naturalize. The legal permanent resident (LPR) alien population, on the other hand, has actually been decreasing as the number who have naturalized (or left the U.S. or died) has exceeded the number being admitted.

Source: Based on Urban institute estimates derived principally from from the 2000 CPS and Census 2000 (Passel 2002, 2003). Neither dataset, however, includes direct information on undocumented status or any legal status, other than naturalization. Our estimates also draw on INS data and information about countries of birth, time spent in the U.S., and occupation.

Dispersal of Undocumented Population



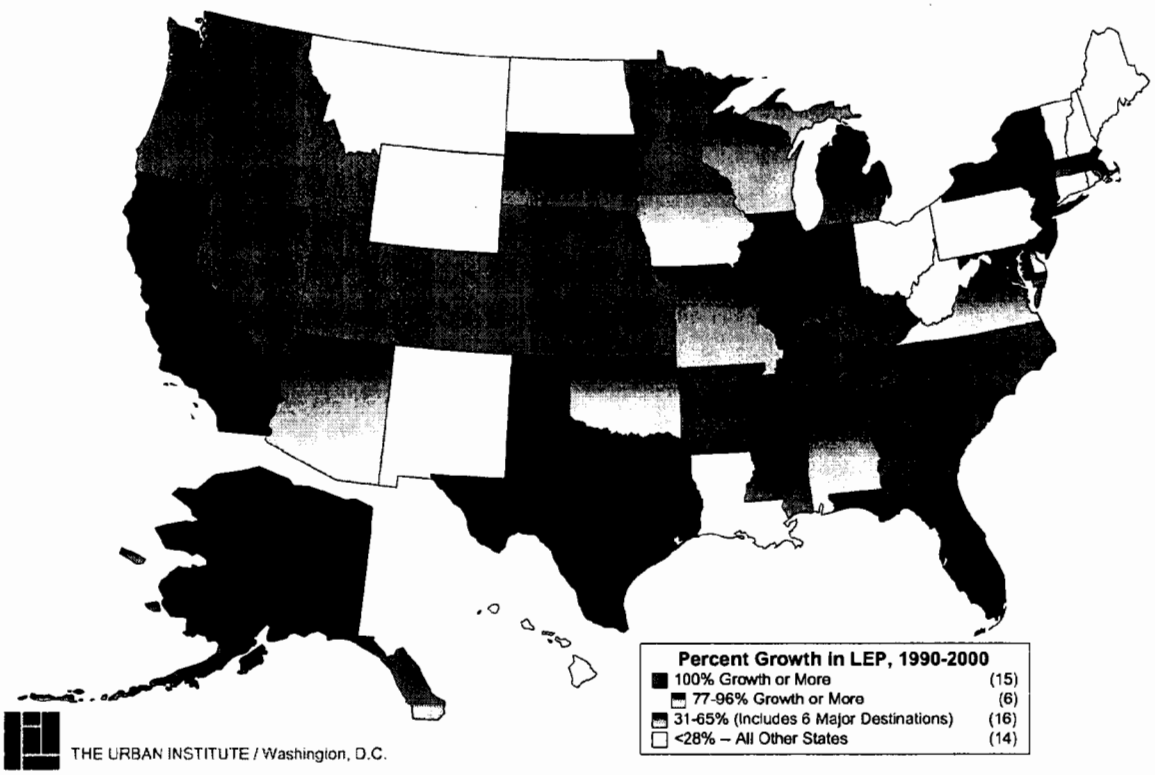
Until recently, the undocumented population was more heavily concentrated in the "big six" immigrant receiving states than the overall immigrant population. This trend no longer appears to hold as we estimate that the share of the undocumented population living outside the big six states (35%) is roughly equivalent to the share of the total immigrant population living within them (32%).

The undocumented make up widely varying shares of states' total immigrant populations. This map compares the size of the estimated undocumented population in a state with its total foreign-born population:

- We estimate the undocumented represent 40-49% of the total foreign-born population in the dark blue states in Mountain, Midwestern and Southeastern states and 30-39% of the purple states. These states largely coincide with the " new growth" states noted earlier.
- The undocumented make up a lower, but still significant share (20-29%) of the immigrant population in the green states (which include Florida and California) but less than 20% of the foreign-born population in the yellow states (which include New York).

Source: Urban Institute estimates of the undocumented population (Passel 2002, 2003) and Census 2000 data.

Growth in Limited English Population



As with the immigrant population overall, there was also substantial growth in the limited English proficient (LEP) population between 1990 and 2000 and a dispersal away from the traditional receiving states.

- Overall, the LEP population grew by 52% between 1990 and 2000 from 14.0 million to 21.3 million.
- Not surprisingly, the states with the fastest growing LEP populations coincide with those with the fastest growing immigrant populations.
- The LEP population has grown by at least 77% between 1990 and 2000 in the 21 red states on this map; the LEP population at least doubled in the 15 solid red states.
- In the six large immigrant receiving-states the LEP population grew by 31 to 62% -- but it did so from a much larger base. Ten other states shown in lighter blue also experienced growth rates in this mid-range.

Source: 1990 and 2000 Census data.

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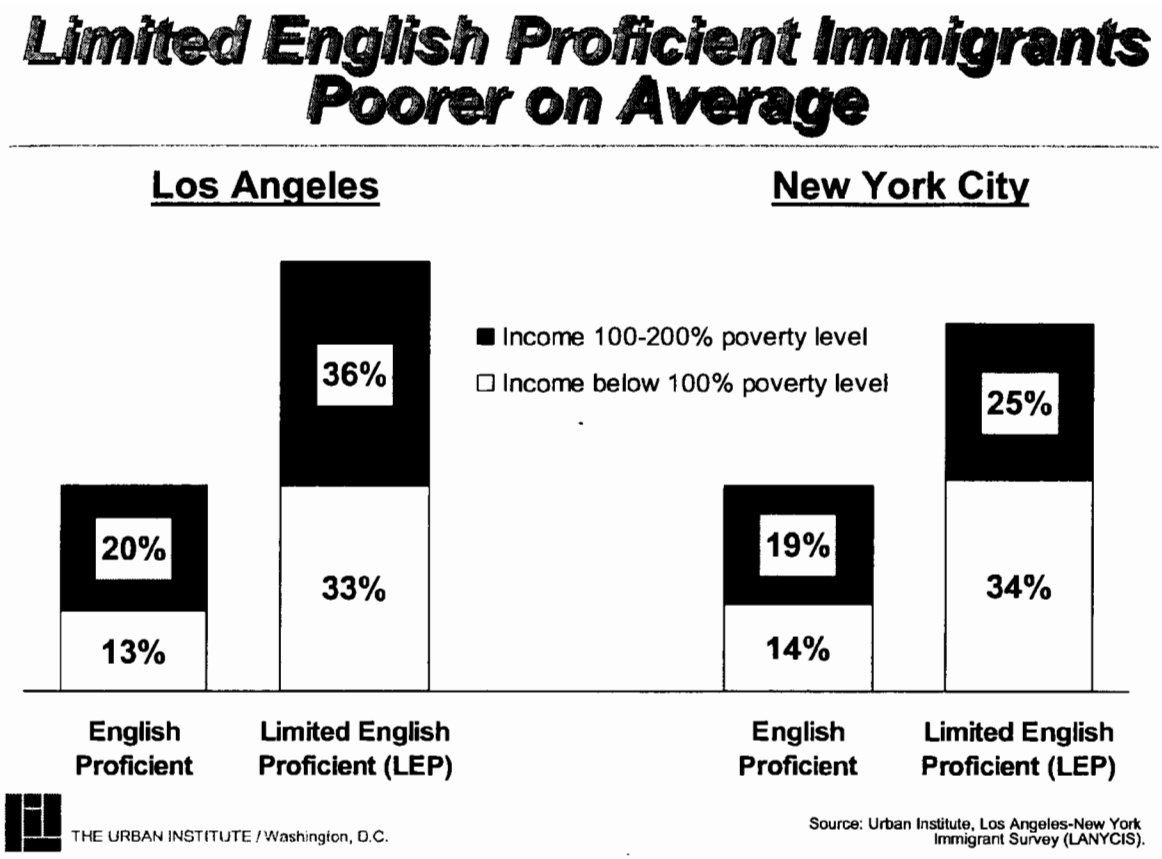
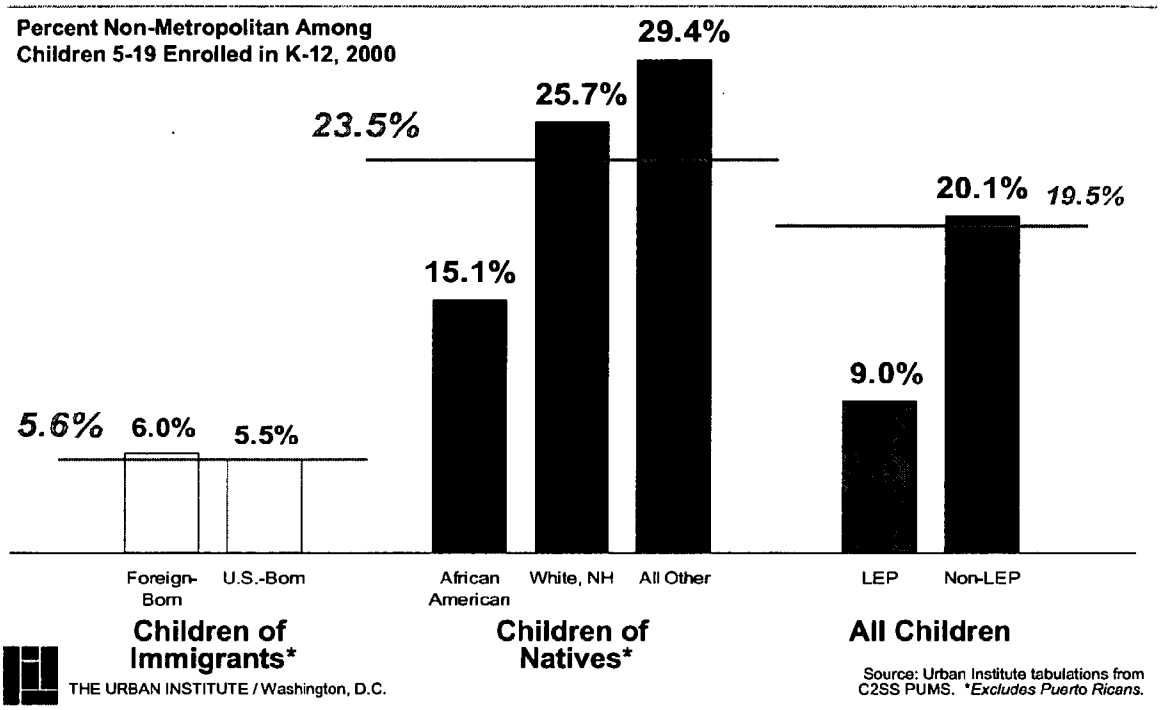


A recent Urban Institute survey of 3,400 immigrant households conducted in 1999 –2000 in New York City and Los Angeles brings home the value of speaking English.

- The survey – which was conducted in five languages – revealed that over half of immigrant adults in the two cities were limited English proficient.
- Roughly 60-70% of the LEP immigrants had low incomes (below 200% of poverty level) but only about one-third of the English proficient adults had low incomes
- The survey also revealed that limited English skills were more highly correlated with poverty, food insecurity and other measures of hardship than even legal status – that is, being undocumented.

Source: Urban Institute tabulations from the Los Angeles-New York City Immigrant Survey (LANYCIS).

Children of Immigrants (& LEP) Concentrated in Metro Areas



- K-12 students who are children of immigrants (both first and second generation) are much less likely to live in non-metropolitan areas than children of natives – 5-6% of children of immigrants versus 23% of children of natives. Put differently, about 94-95% of children of immigrants live in metropolitan areas.
- White and American Indian children (of natives) have the highest percentages in non-metropolitan areas (i.e., the smallest percentage in metropolitan areas).
- Non-LEP children are also disproportionately found in non-metropolitan areas (20%) compared with LEP children (only 9% non-metropolitan). Note that the LEP children are more concentrated in non-metropolitan areas than the children of immigrants. This pattern suggests that the children of immigrants in non-metropolitan areas are more likely to be LEP than in metropolitan areas.

Sources: Urban Institute tabulations of C2SS PUMS data. Includes children aged 5-19 enrolled in K-12 and excludes Puerto Ricans.

Immigrant Students & English

- ***Immigration & Language Trends***
  - -- Growth in Children of Immigrants
  - -- Characteristics (Poverty)
  - -- Geography & Grade Distribution
- ***Students & Language***
  - -- Non-English Trends
  - -- Problem Groups
    - Late Entrants
    - Long-Term LEPS
- ***Linguistic Isolation***
  - -- Schools & Parents

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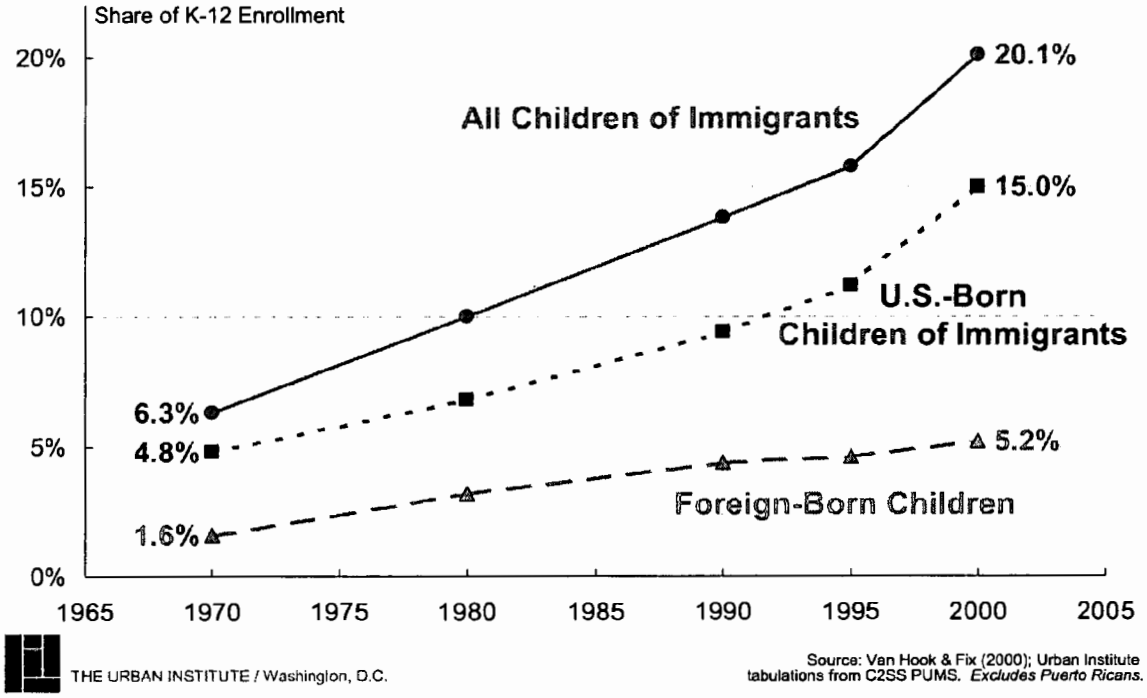
In this section of the presentation, we focus more directly on the impact of immigrants on the Nation's schools by examining the characteristics of K-12 students and their parents. In doing this, we differentiate between the "children of immigrants" and the "children of natives."** Children of immigrants are defined by "generation" as including foreign-born or immigrant children, designated as the "first generation," and U.S.-born children with one or two immigrant parents, designated as the "second generation." The children of natives -- U.S.-born children with both parents born in the United States -- are designated as "third and higher generations," sometimes shortened to the "third generation." (Note that these generational definitions can be applied to persons of any age, not just children.)

Our analysis first examines the characteristics of the K-12 student population and their families. We then turn to trends in the numbers of students who are not proficient in English. Finally, we use a different data source -- the Schools and Staffing Survey -- to look at characteristics of schools.

** Note that in the charts and analyses, we treat children born in Puerto Rico and those with parents born in Puerto Rico in several different ways. For purposes of immigration and immigrant policy -- i.e., determining who is admitted to the United States and what laws and programs pertain to the immigrants after arriving in the country -- Puerto Ricans are grouped with the native population because they are U.S. citizens by birth. Hence they are free to enter and leave the U.S. as they wish and are eligible for public programs on the same basis as persons born in the 50 states and D.C. Accordingly, many of the charts omit Puerto Ricans. However, because Spanish is the first language in Puerto Rico, persons born in Puerto Rico have many characteristics in common with non-English speaking immigrants so we tend to include Puerto Ricans in charts addressing language issues and policies. For those that include Puerto Ricans, persons born in Puerto Rico are grouped with the first generation; those born in the U.S. with one or two parents born in Puerto Rico, with the second generation; and persons of Puerto Rican origin born in the U.S. with U.S.-born parents are grouped with the third generation.

Immigrant Children Are a Rising Share of Students (1 in 5)



- Just as immigrants are a rising share of the total population, the children of immigrants -- both foreign and U.S.-born -- are a rising share of the nation's K-12 student population; the share of children who are children of immigrants has tripled from 6 to 20% between 1970 and 2000.
- The share of the overall student population that the children of immigrants represent will continue to expand, driven primarily by increases in the second generation. By 2015, children of immigrants will constitute 30% of the nation's school population.
- Three out of four children of immigrants are born in the U.S. and are members of the second generation. Only one in four children with immigrant parent(s) is foreign-born and a member of the first generation.

Sources: 1970, 1980, and 1990 Censuses, October 1995 CPS from Van Hook and Fix (2000); and C2SS. Tabulations by the Urban Institute. Includes children aged 5-19 enrolled in K-12.

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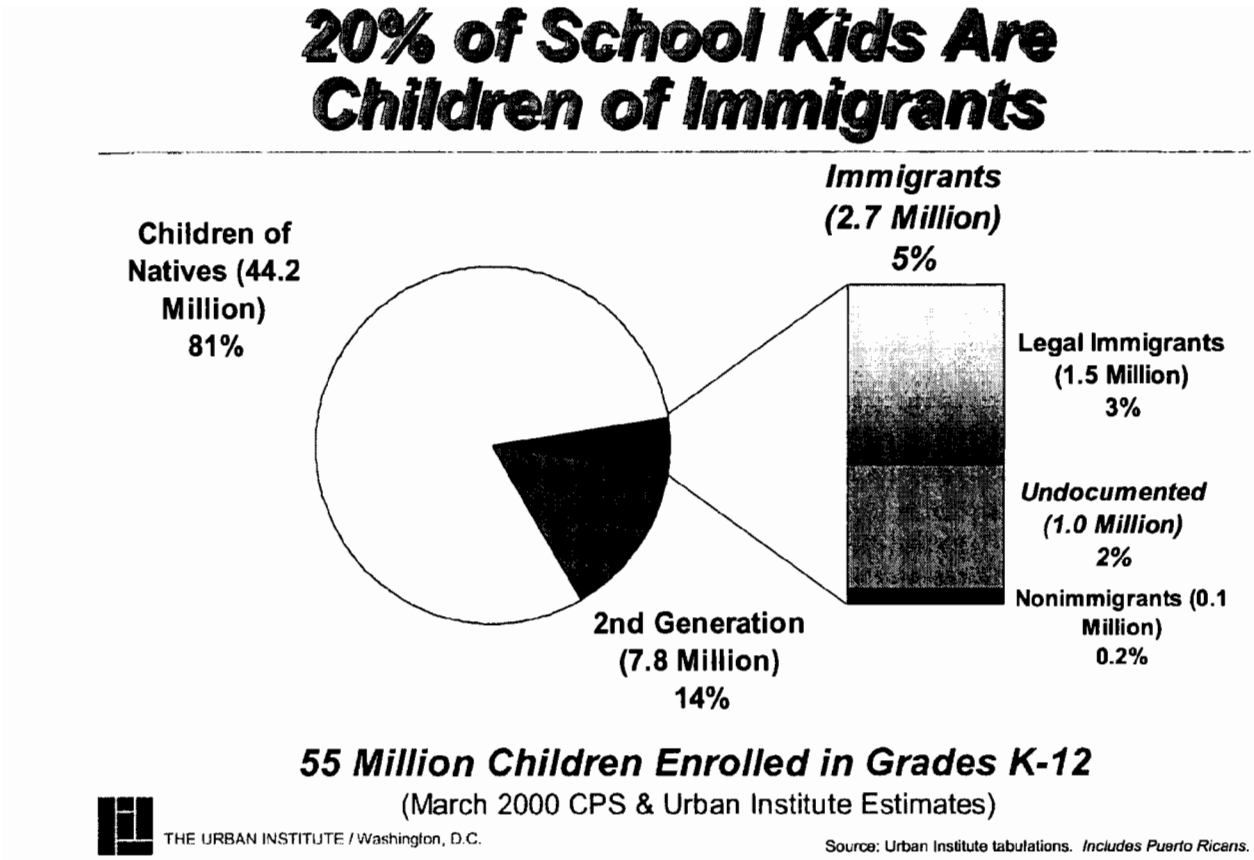
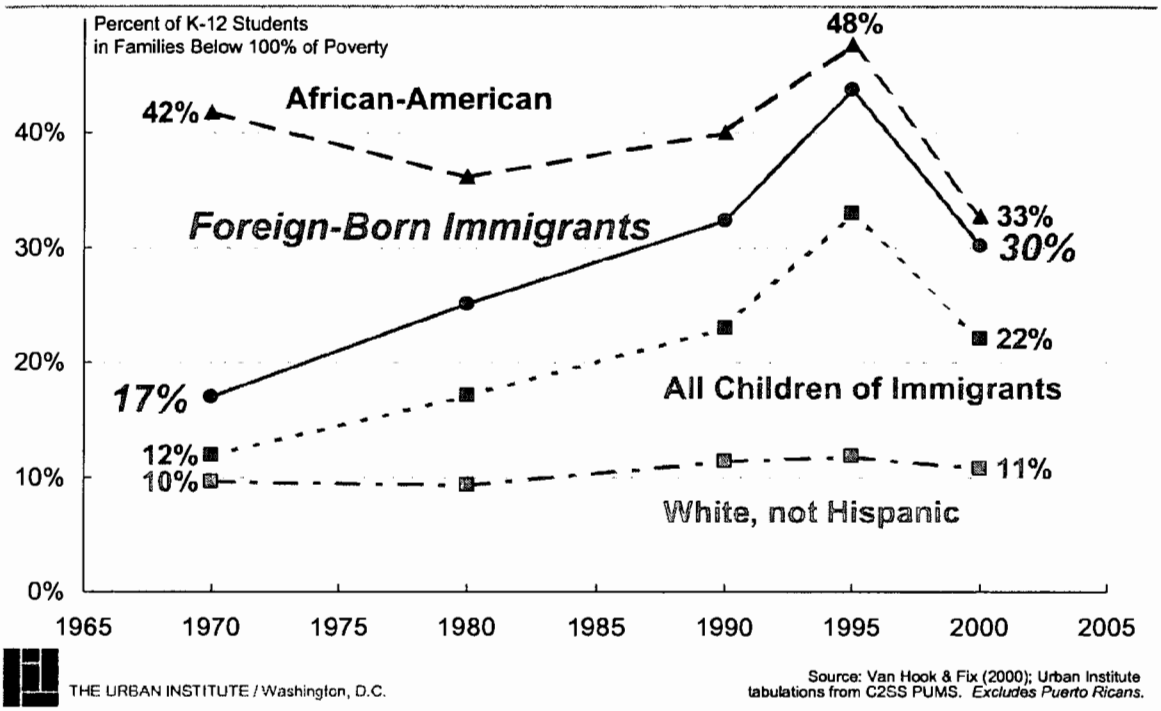


- There are 10.5 million children of immigrants in grades K-12 in the United States, representing 19% of school children, or 1 child in 5.
- 7.8 million are second generation students (i.e., children born in the U.S. to foreign-born parents); representing 14% of all students.
- 2.7 million are foreign-born children enrolled in grades K-12 (i.e., the first generation) representing 5% of the total student population. Of the immigrant children:
  - 1.5 million are legal immigrants who make up 3% of the total U.S. student population;
  - 1.1 million are undocumented representing roughly 2% of the total student population.

Source: Urban Institute estimates based on the March 2000 CPS.

Immigrant Children Increasingly Poor But Trend Reverses in Late '90s



These regional shifts in origins of children of immigrants have been accompanied by a rise in the prevalence of poverty among these children.

- By 1995, one-third of the children of immigrants (both U.S. and foreign-born) and almost half of immigrant children (i.e., foreign-born) lived in families with incomes below the poverty line. Their poverty rates were almost as high as those of African Americans – representing a major shift from 1970 when immigrant rates were closer to non-Hispanic whites. High poverty among the children of immigrants is thus a relatively recent phenomenon.
- Rapid increases in the number and share of the children of immigrants coupled with patterns of income inequality shown here will continue to be important factors in the distribution of Title I funding at state, district and school levels.
- However, we see a striking reversal in this 25 year trend occurring between 1995 and 2000 with poverty rates for African American, immigrant children and children of immigrants falling rapidly. The steepest proportionate declines are registered by the children of immigrants.
- We see no parallel decline for white, non-Hispanic children between 1995 and 2000.
- With the slowdown in the economy and an upturn in poverty rates, we would expect to see a rise in poverty across each of these groups of children.

Sources: 1970, 1980, and 1990 Censuses, October 1995 CPS from Van Hook and Fix (2000); and C2SS. Tabulations by the Urban Institute. Includes children aged 5-19 enrolled in K-12 and excludes Puerto Ricans.

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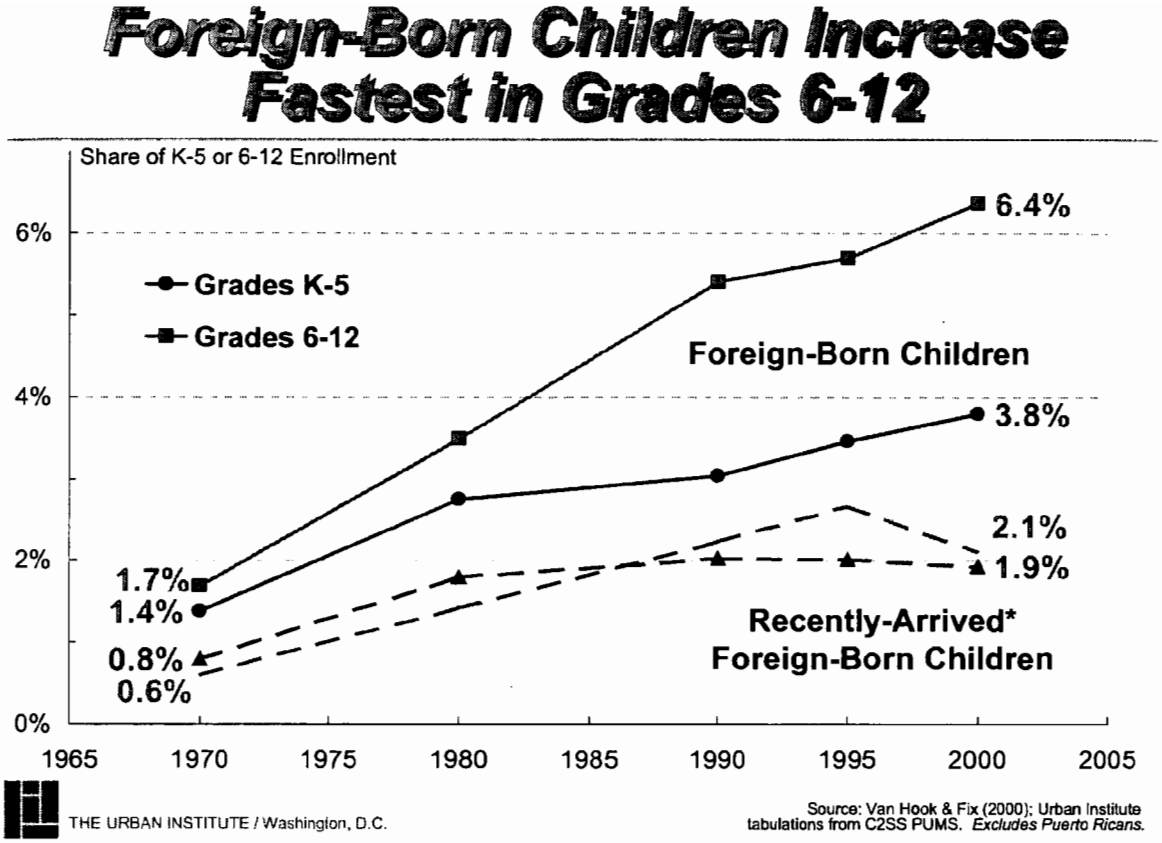
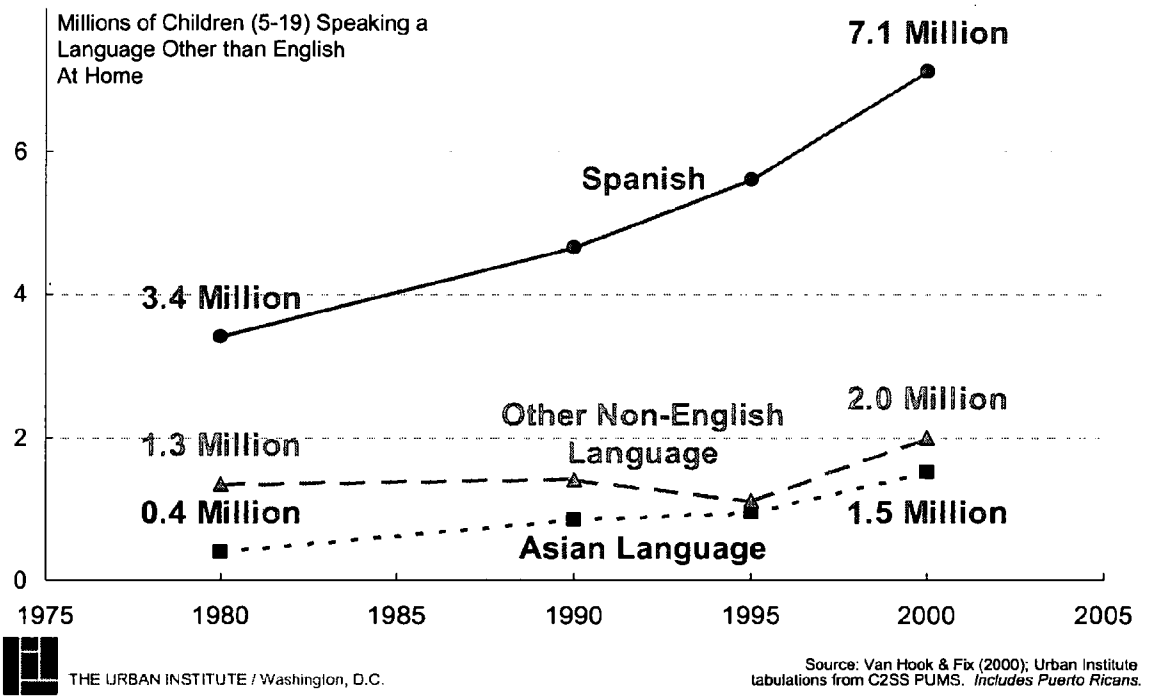


We turn now to an analysis of the grade distribution of the immigrant or foreign-born student population (excluding the second and third generations).

- The fastest increase among foreign-born children has been within secondary schools where immigrant children account for 6.4% of the total secondary school population in 2000 *versus* 3.8% of the elementary school population.
- As the red dashed line indicates, recently arrived foreign-born children (i.e., those in the country for less than five years) account for a slightly larger share of secondary than elementary school students (2.1 *versus* 1.9 %).
- These trends in the grade distribution of immigrant children raise a number of resource and capacity issues.
    - First, a substantially smaller share of LEP secondary school students receive language instruction (either ESL or bilingual instruction) than LEP elementary school students (Van Hook and Fix, 2000)
    - Further, secondary schools often do not have the capacity to meet the language acquisition and literacy needs that many recently-arrived immigrants need.

Sources: 1970, 1980, and 1990 Censuses, October 1995 CPS from Van Hook and Fix (2000); and C2SS. Tabulations by the Urban Institute. Includes children aged 5-19 enrolled in K-12 and excludes Puerto Ricans.

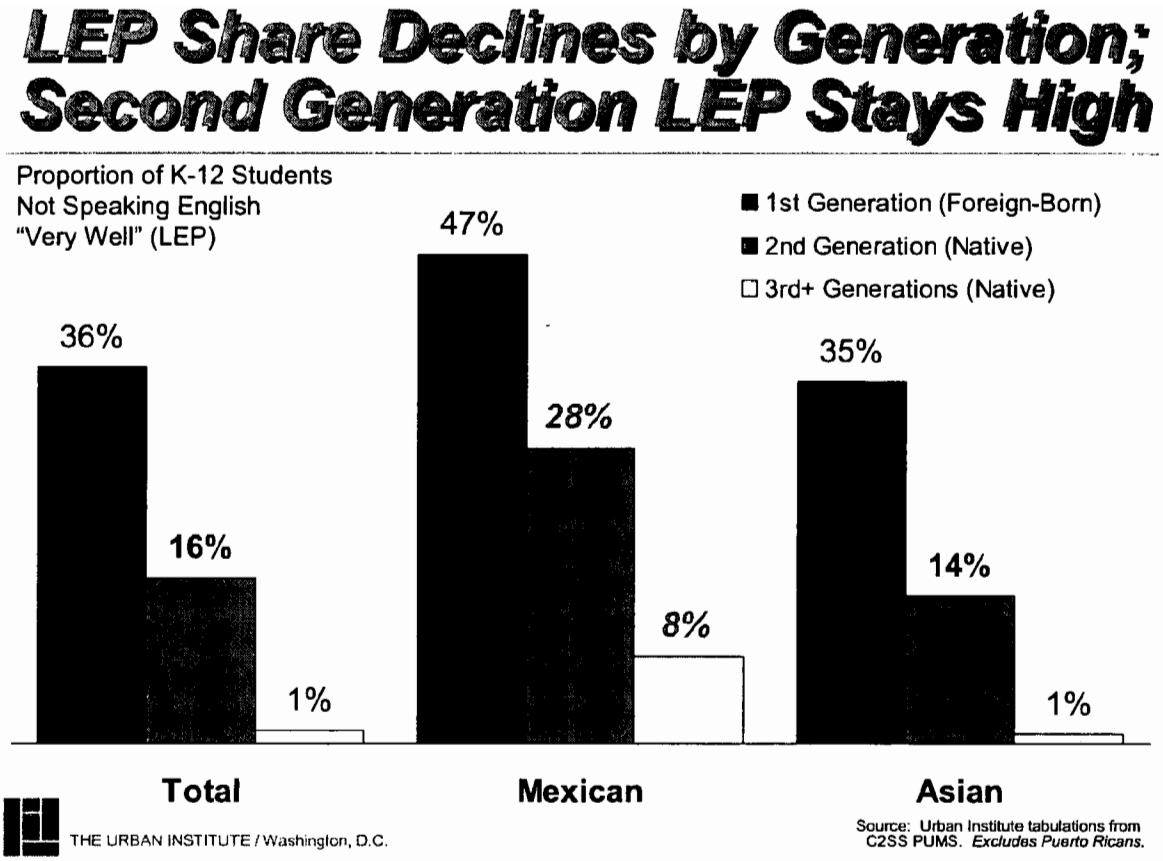
Spanish Increasingly Prevalent -- Sharp Increases in 1990s



Rising immigration has been accompanied by growth in the number of children from homes where a language other than English is spoken.

- The number of children who speak a language other than English at home more than doubled from 5.1 to 10.6 million between 1980 and 2000.
- There has been a steady rise in the share of children from Spanish-speaking families who represented two thirds of all non-English speaking families in 2000. Spanish speakers grew faster than speakers of other languages.
- The number of children from families that speak neither Spanish nor English doubled from 1.7 to 3.5 million between 1980 and 2000.
- The increase accelerated after 1995 as we see substantial increases registered in the number of children from Spanish-speaking families as well as from those that speak Asian and "other non-English" languages between 1995 and 2000.
- Put differently, both the number and diversity of students from families speaking a language other than English rose rapidly in the late 1990s.

Sources: 1970, 1980, and 1990 Censuses, October 1995 CPS from Van Hook and Fix (2000); and C2SS. Tabulations by the Urban Institute. Includes all children aged 5-19 not just those enrolled in K-12 and *includes* Puerto Ricans.

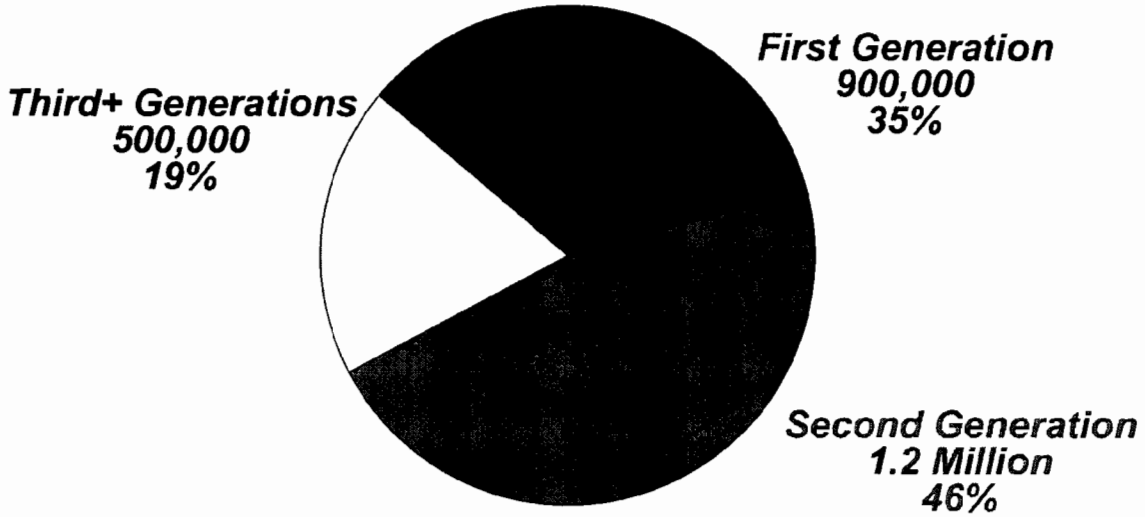


The prevalence of limited English proficiency declines across generations, to the point where it largely disappears by the third generation, at least in terms of percentage of the population.

- Limited English proficiency is most common among the foreign-born or first-generation immigrant K-12 students, 36% of whom are LEP. Among first-generation Mexican K-12 students, almost half or 47% are LEP.
- The share of LEP children declines substantially within the second generation. That said, a significant share (16%) of the U.S.-born children of immigrants are LEP students. Not only are these children members of the second generation -- i.e., they were born in the U.S. -- but, they presumably started school in the United States and have been attending school in the United States for their whole lives.
- Limited English proficiency rates vary considerably across groups. They are higher for each generation of Mexican students than for other populations, while for Asian students, the LEP rates are lower.
- Among 3rd generation K-12 students of Mexican descent, 8% are LEP.

Source: Tabulations by the Urban Institute from the C2SS; *includes* Puerto Ricans.

More LEP Children are Native Than Foreign-Born



2.6 Million Limited English Proficient Students in Grades K-12

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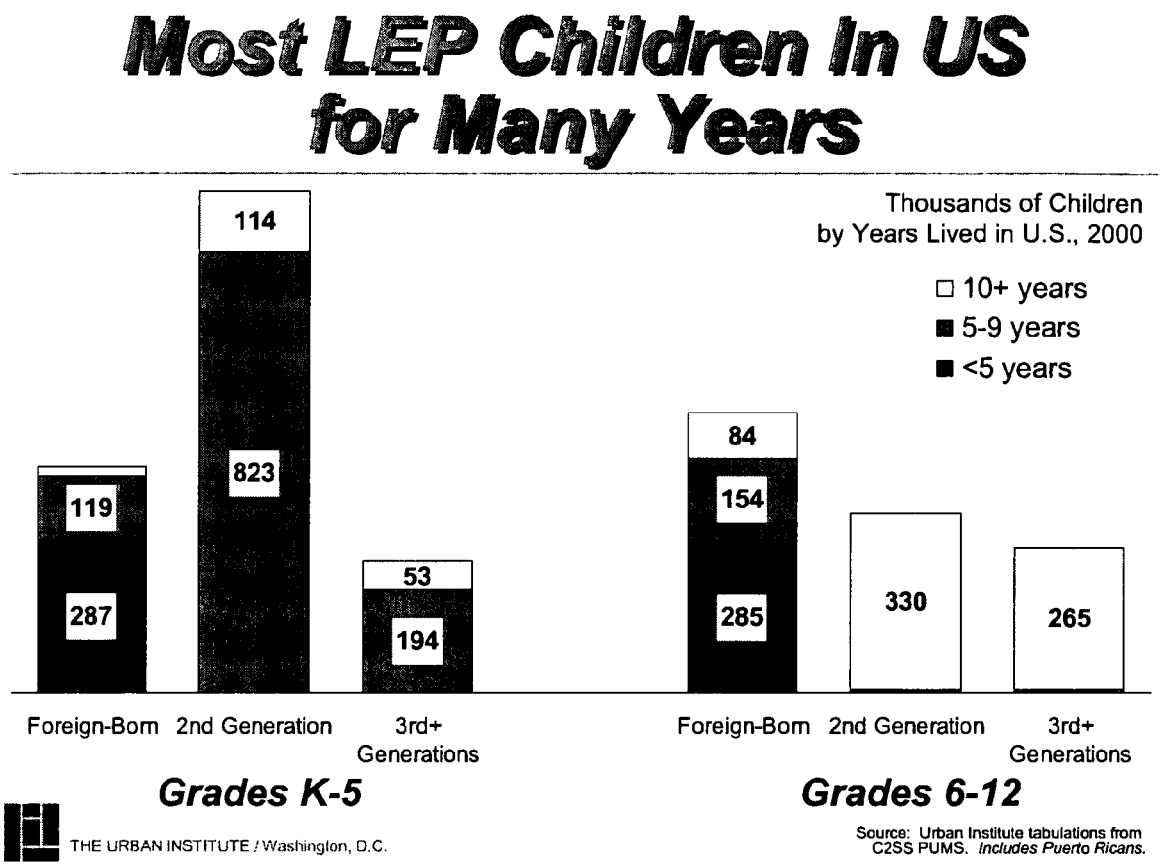
Source: Urban Institute tabulations from C2SS PUMS. *Includes Puerto Ricans.*

There are about 2.6 million LEP students aged 5-19 in K-12 according to the Census 2000 Supplementary Survey. *They represent roughly 5% of all students nationwide, K - 12.*

- LEP students are overwhelmingly the children of immigrants as 2.1 million or over 80% of the LEP students are first or second generation.
    - However, only about 900,000 or slightly over one-third of the LEP students were born abroad themselves.
    - The largest share of LEP students are second generation, the U.S.-born children of immigrants, accounting for about 1.2 million or just under half of the LEP students.
- Put differently, about 1.7 million or just under two-thirds of the LEP K-12 students are U.S. natives.
- Almost one-fifth of LEP students or 500,000 are U.S.-born children of U.S. natives (i.e., the third generation).

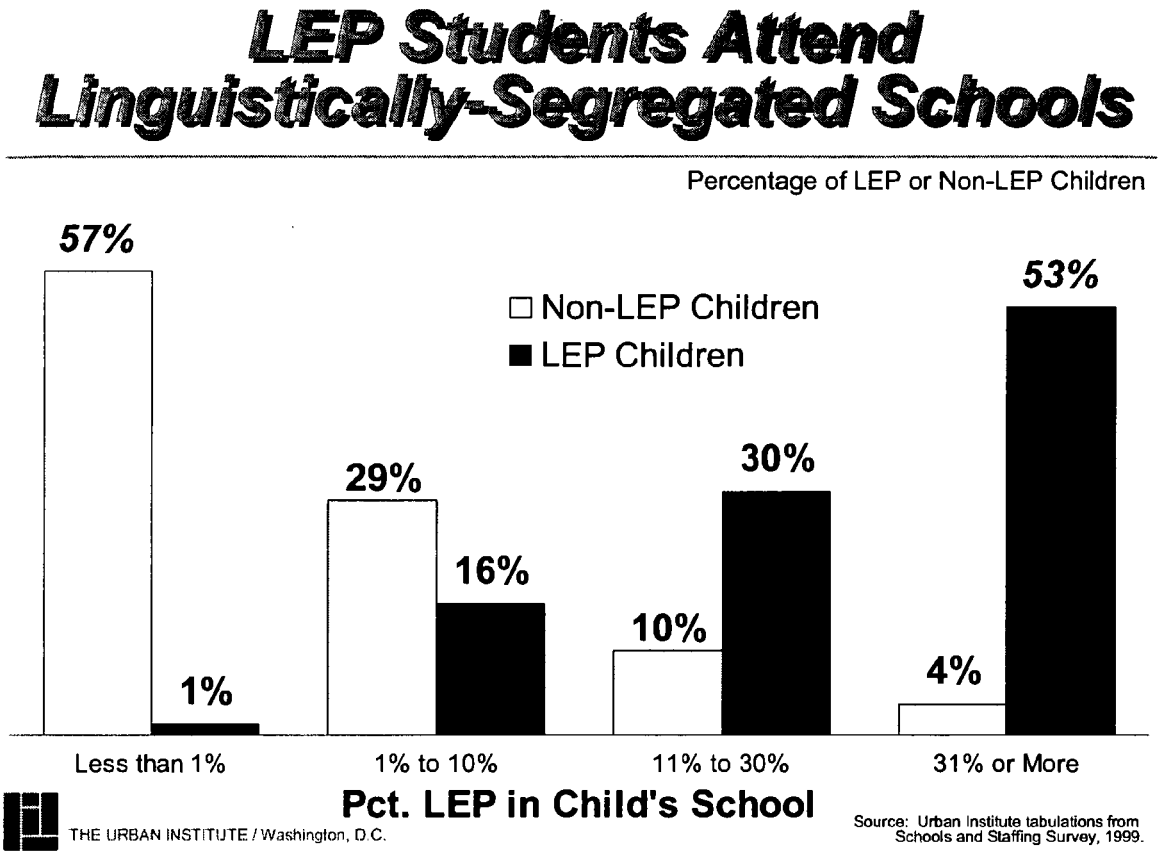
Source: Tabulations by the Urban Institute from the C2SS; *includes* Puerto Ricans.



This chart displays LEP students aged 5-19, subdividing them by grade, generation, and time in the United States.

- Roughly 60% of all LEP children 5-19 are enrolled in K- 5; 40% are in grades 6–12.
- As the previous chart shows, about two-thirds of the LEP students are members of the 2nd and 3rd+ generations -- they were born in the U.S. and, presumably, began their education in the U.S.
- About one-third of LEP students 5–19 are foreign-born. Of these foreign born LEP students, about 60% have been in the country for less than 5 years.
- One population of special concern is the group of immigrant children who arrive in schools not as young children, but as teens or *late entrants*. The best proxy we have for this population is the 285,000 foreign-born LEPs in grades 6–12 who have been in the U.S. for less than 5 years.
- Most LEPs (about 80%) appear to have been in the U.S. for five years or more; a little less than a third have been in the U.S. for 10 or more years (and slightly more than one-third have been in the U.S. their whole lives, but are less than 10 years old).

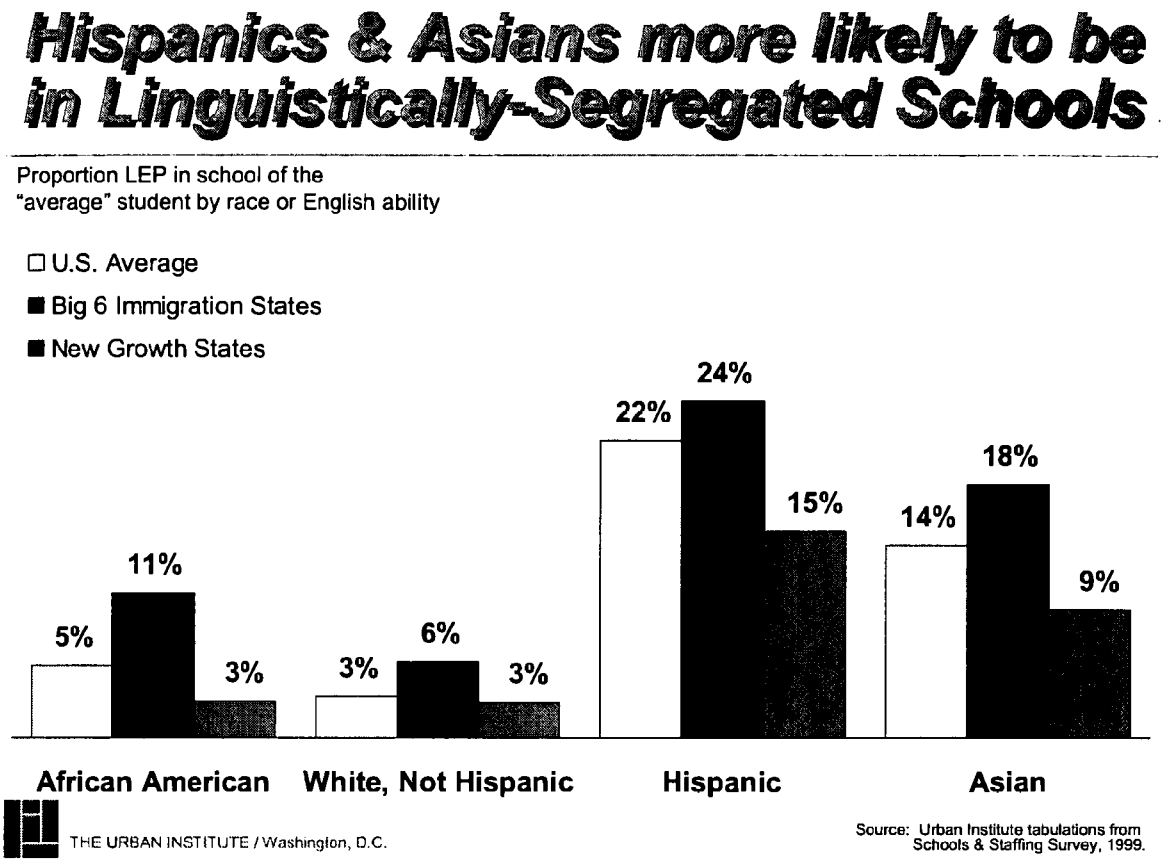
Source: Tabulations by the Urban Institute from the C2SS; *includes* Puerto Ricans.



Patterns of LEP student segregation may in some instances impede educators' and schools' capacity to meet high new standards.

- According to the 1999-2000 Schools and Staffing Survey (SASS), over half (53%) of LEP students attend schools where over 30% of their fellow students are also LEP. In contrast, only 4% of non-LEP students go to schools where over 30% of the student body is LEP.
- These patterns of segregation also appear to be reproducing themselves in the new growth states to which many immigrants moved in the 1990s. In the 22 "new growth" states, 38% of LEP students attend schools where more than 30% of the students are LEP. In the 6 major immigrant destination states, the percentage is much higher – 60% of LEP students are in schools where more than 30% of the students are LEP. (Data not shown in chart.)
- These patterns of segregation are particularly striking given the small share that LEP students represent of the total student population. In the 6 major destination states only 13% of the students are LEP; in the 22 new growth states, **only** 4%. Schools with high concentrations of LEP students may face a more difficult time than others demonstrating annual year progress towards standards based goals.

Source: Urban Institute tabulations from Schools and Staffing Survey (SASS), 1999-2000.

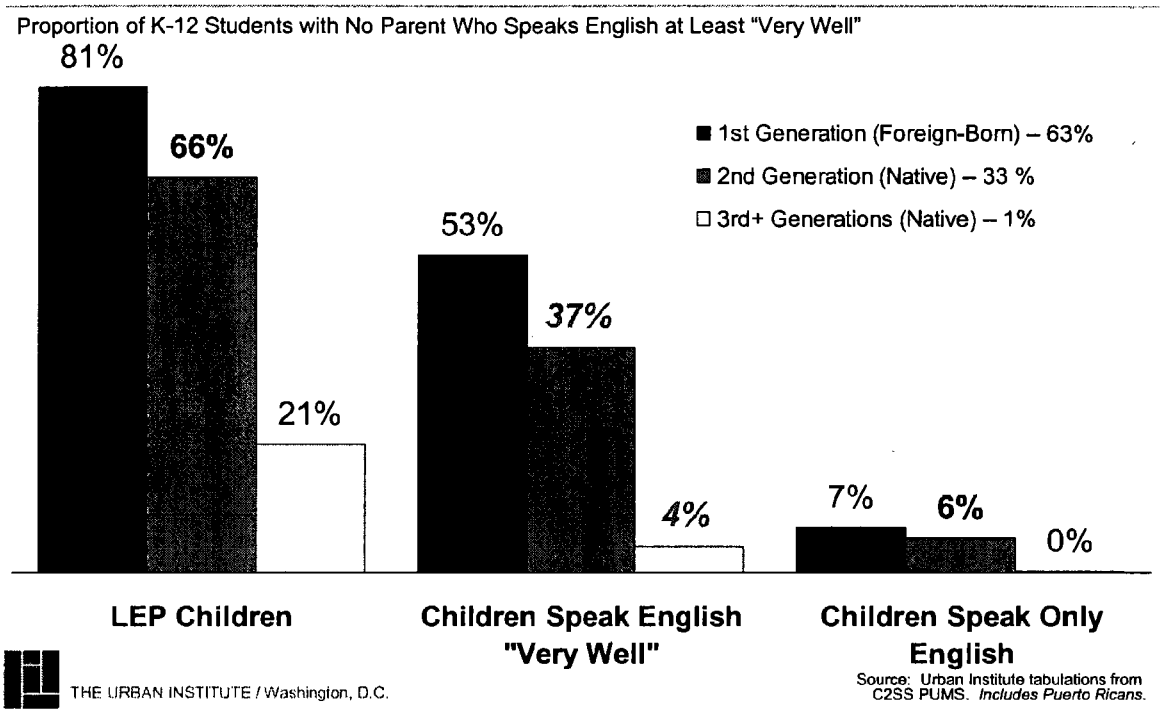


This chart provides another perspective on linguistic segregation of LEP students by examining the proportion LEP in the school of the "average" student by race and by language ability.

- Not surprisingly, the two groups of students with the highest proportion of children of immigrants -- Hispanic and Asian children -- tend to go to schools with higher proportions of LEP students. These two groups have much higher proportions of children of immigrants.
- The differences in LEP segregation levels between the 6 major immigrant destination states and the 22 "new growth" states are not terribly large given the substantial differences in proportion LEP among students – 13% in the major states versus 4% in the new growth states (data not shown in chart).

Source: Urban Institute tabulations from Schools and Staffing Survey (SASS), 1999-2000.

LEP Children May Not Have Parental English Resources



The NCLB places an unprecedented emphasis on informing parents about their children's progress, and providing them with choices regarding special services or transfer when schools fail to meet state standards. The information on characteristics of parents of LEP children suggest that they may have some difficulty availing themselves of these services.

- This chart shows the share of children in families where all parents are LEP according to the Census. Children are shown by their language ability and generation.
- Most LEP children (63%, not shown) live in families where all parents are LEP.
  - Four out of five foreign-born LEP children live in families where all parents are LEP;
  - Even LEP children with native parents tend to live in families where all the parents are LEP; this includes two out of three second generation LEP children.
- The problems associated with parental communication may extend beyond LEP children as a substantial share of children who speak a language other than English at home but who speak English "very well" live in families within which all parents are LEP.
  - Over half of immigrant children who speak English "very well" have only LEP parents.
  - Such families may not be "linguistically isolated" only because of the children.

Source: Tabulations by the Urban Institute from the C2SS; *includes* Puerto Ricans.

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Selected Provisions of the NCLB Law

The No Child Left Behind law introduces "the most significant federal education policy initiative in a generation" at a time of rapid, immigration-driven demographic change. Key policy shifts include:

- Requiring schools, districts and states to test all students (including LEP students) annually in math, reading and science.

- Requiring that tests be aligned with state standards, with results disaggregated by student subgroups, including economically disadvantaged students, students in major race and ethnic groups, students with disabilities, and limited English proficient students. Results on tests and graduation rates will serve as key indicators of adequate yearly progress.

- Imposing a graduated set of penalties and sanctions on schools that fail to make adequate yearly progress across each group for two consecutive years. Sanctions include allowing parents in schools determined to be in need of improvement to transfer to another school and to receive special services such as tutoring or remediation.

- Mandating that every classroom be staffed by a teacher qualified to teach in their subject area — a requirement extended to teachers of language acquisition programs.

- Increasing the credentials that paraprofessionals working in the classroom must obtain.

- Expanding overall funding for educating disadvantaged students under Title I by 20%; targeting spending on the poorest districts. Federal funding has also been increased 50% for providing language instruction to LEP students under Title III, with funding for language programs changed from a discretionary to a formula-based grant program driven in large part by the distribution of LEP students by state.

- Requiring policies to encourage and sustain active parental involvement in choices regarding students' programs.

Data for NCLB Grants to States

- ***Census-ACS Data***
  - -- Uniformly Defined & Collected
  - -- Based on *Speaking* Only
  - -- Non-Professional (Parental) Assessment
  - -- Sample-Based, possible Undercount
- ***School-Based Data***
  - -- Standards & Collections Vary
    Within & Across Schools & States
  - -- Based on *"Whole Child"* Approach
  - -- Professional Assessment
  - -- Administrative Counts (Complete)
  - -- Interested Party Generates Data

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Finally, in this section, we explore how using data on LEP students reported by the Census *versus* those provided by schools affects the distribution of federal Title III funding for language instruction. The NCLB Act directs the use of Census data on the LEP population aged 5-17 to distribute these funds and to update the Census with data from the American Community Survey when it is fully implemented. States also collect information on the number of LEP students through the schools with the Survey of States' Limited English Proficient Students and Available Educational Programs and Services (State Educational Agency Survey or SEA Survey). Each data source has pros and cons, some of which we review here:

- Census data are collected with uniform procedures using a standardized definition of English language ability and LEP. School-generated data use definitions that can vary by state, district, and even school.
- LEP status is defined by the Census on the basis of a child's ability to *speak* English only; school data tend to take a "whole child" approach and are based on the student's ability to read and write English, as well as to speak and understand oral English.
- The Census' assignment of LEP status is based on reports of parents or whoever fills out the census form; schools' assignment is more often done by teachers and other professionals.
- Census and ACS data are collected using sampling strategies that can systematically omit selected populations, such as immigrants or persons who do not read English well; schools' LEP data are based on direct counts and tend to be more complete.
- Schools, however, may have an incentive to overstate LEP counts since funding allocations depend on the counts.

School vs. Census Data

- ***School Data finds More Kids***
  - -- 400K above Census 5-17
  - -- 400K higher in California
- ***Regional Patterns***
  - -- Western States Higher
  - -- Eastern States Lower
- ***Funding Formula***
  - -- "Fixed Pie" Reduces Disparity
  - -- California Gains
  - -- New York Loses
  - -- Percentage Changes Large

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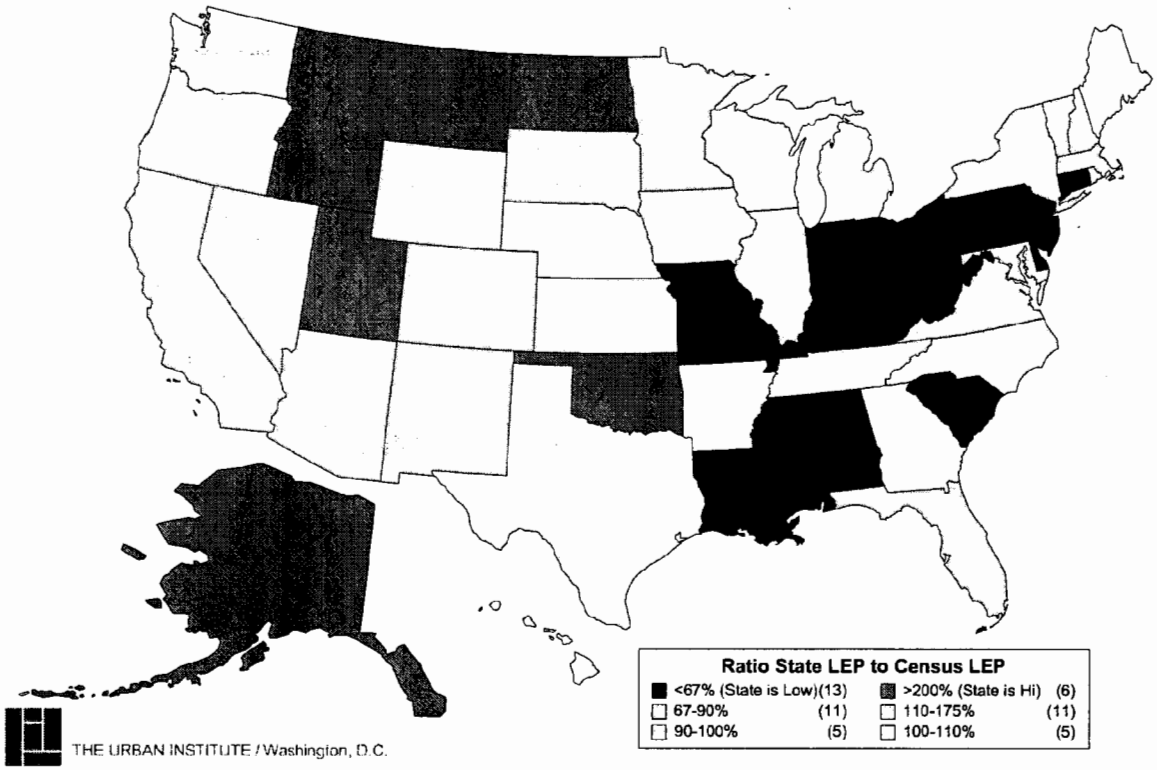
The LEP data from schools via the SEA Survey, as published by NABE *(NABE News*, Jan/Feb 2003, p.44), indicate that there are 3.9 million LEP students in the U.S. The Census data for 2000 show 400,000 fewer or 3.5 million LEP children aged 5-17. Note that the population definitions are quite different. The schools data are for K-12 *students* regardless of age whereas the Census data are for persons aged 5-17 without regard to enrollment. The schools' data include children under 5 and over 17 but only those enrolled in K-12; the census data include children not enrolled in school as well as those who have graduated from high school.

- California reports 400,000 more LEP students in the state than does the Census. This figure accounts for almost all of the difference at the national level, but many states have figures significantly above or below the Census.
- The SEA Survey data result in higher counts within Western states, most notably California; the Census data result in higher counts within Eastern states, most notably New York.
- As with many fund allocations, the overall resources allocated to the states under Title III appear to be fixed. In such situations, the use of differing data sets will simply result in shifting the distribution of funds under the Act rather than providing more funding overall. In other words, for some states to gain funding, others must lose; it is a zero-sum situation.

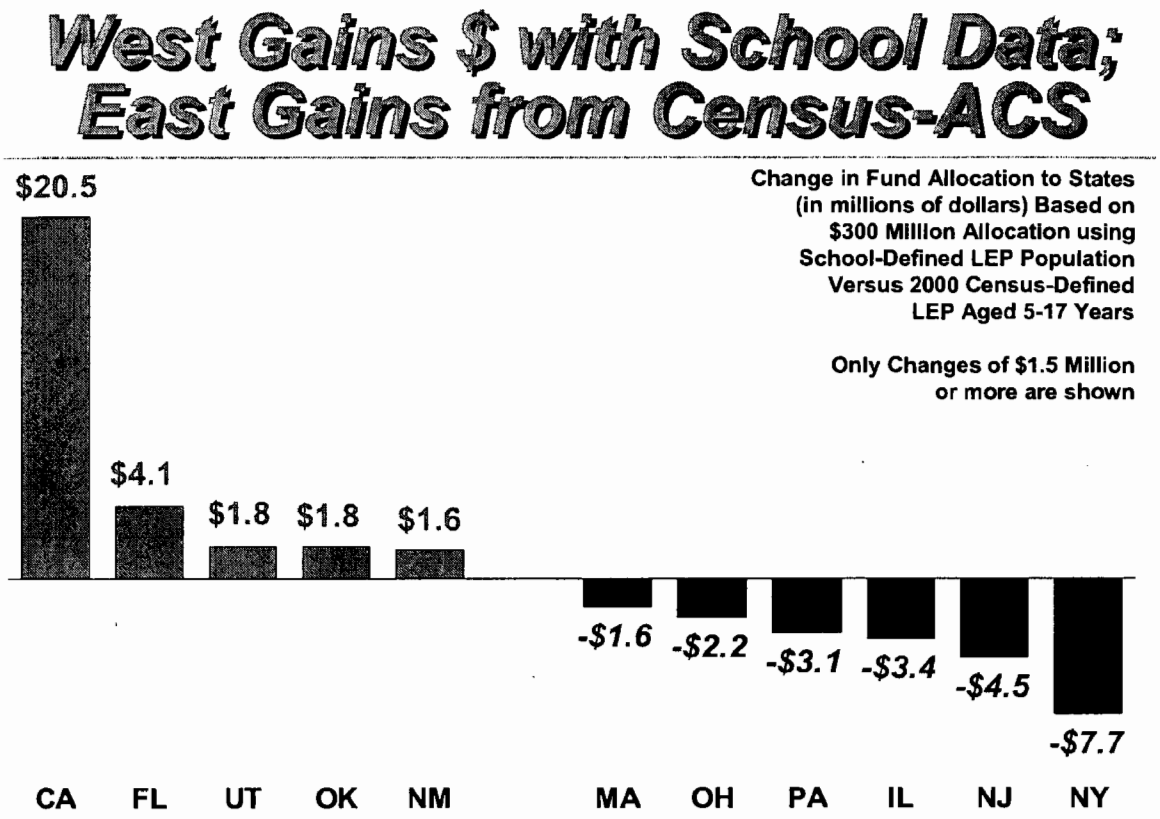
Ratio of State LEP to Census



This map displays the ratios of the State LEP data from the SEA Survey of 2000-2001 to Census 2000 LEP figures for persons aged 5 to 17. In the **dark red** states, the State's figures are at least twice the Census; the [illegible] states have SEA Survey data from 10 to 75% above the Census. The **dark blue** states are at least one-third *below* the Census; the **light blue** are 10 to 33% *below* the Census. The yellow states have SEA Survey LEP estimates within 10% of the Census.

- The SEA Survey total for LEP students nationally is 12% higher than the Census 2000 figure for LEP children 5-17 -- 3.9 million to 3.5 million.
- Using a proportional allocation formula with a fixed total allocation (like the NCLB formula), states with SEA Survey data 12% higher or more than the Census will get more money with the SEA Survey data than the Census; States with ratios of less than 112% get more money if the Census data are used; In other words:
  - **Dark red** and [illegible] states gain funding with the SEA Survey data. These states are almost entirely in the Western half of the country, with the exception of Florida.
  - **Blue** and yellow states gain funding with the Census data. These states are in the Eastern and Central U.S.
- "Fixed pie" allocation formulas tend to "compress" the differences. In other words, the proportionate difference in funding under alternative data sets is less than the proportionate difference in the data. Specifically for these data, a difference of 12% between the SEA survey and the Census leads to no difference in funding.

Source: Urban Institute calculations using Census 2000 data and SEA Survey data for 2000-2001 from *NABE News*, Jan/Feb 2003, Table 2, p.44.



This chart displays the largest potential gains and losses in funding with alternative datasets under the NCLB formula for LEP children with a total allocation of $300 million.

- Shifting from Census data on the LEP population to a schools-based accounting of LEP (from the SEA Survey) will lead to substantial percentage gains for California and an extra $20.5 million.
- Other large absolute gains are for Florida, Utah, Oklahoma, and New Mexico.
- All states in red on the previous map would gain; the **dark red** states would have the largest percentage gains although not necessarily the largest dollar gains.
- The largest dollar loss in shifting to the schools-based data from Census LEP children would be New York at $7.7 million.
- Other large dollar losses would occur in New Jersey , Illinois, Pennsylvania, Ohio, and Massachusetts.
- All states in blue and yellow on the previous map would lose with a shift to the schools-based data; the **dark blue** states would have the largest percentage losses although not necessarily the largest dollar losses; the yellow states would have generally small percentages shifts.

Source: Urban Institute calculations.

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