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## AB 705: Where We've Been, and Where We're Headed

**Editors' Note.** The CATESOL Journal is republishing this CATESOL blog article about AB 705 given the importance of this topic to community colleges across California. Our next issue will include a theme section on how teachers, program directors, and other staff are responding to compliance requirements.

Between 2012 and 2018, the California Community Colleges system underwent significant changes in policy and practice to address student success rates; this article chronicles policies affecting ESL students and how ESL faculty worked to ensure equitable, appropriate implementation for students enrolled in credit ESL courses. The 2018 California law, AB 705 (Irwin) and its partner bill, AB 1805 (Irwin), changed placement processes; impact was greatest in the disciplines of English and mathematics, which were mandated to primarily use high school information for direct placement into transfer-level course work. Credit ESL students were not included in the original text of either bill. However, advocacy by three community college ESL faculty led to language amendments in both laws on behalf of ESL students. Further advocacy resulted in an ESL subcommittee to ensure that the needs of ESL students would still be met in the implementation of AB 705.

**J**anuary 10, 2019. In October of 2017, AB 705 (Irwin) was chaptered into California state law and became effective on January 1, 2018. The historic law made changes to many things, but chiefly, it altered how colleges place students into English, mathematics, and academic English as a second language (ESL) course pathways. Now, colleges are mandated to restructure their placement processes to maximize the probability that a student will be able to enter and complete transfer-level composition and transfer-level math within a year, and within three years for students beginning in credit ESL. While the use of placement tests in the California Community Colleges

system has not been made illegal with this law, the use of placement tests as the sole or primary basis for placement into course work is not compliant with the law. A partner bill, AB 1805 (Irwin) was chaptered the following year, mandating that as of January 1, 2019, all students at a California community college be made aware of their rights to enter into transfer-level composition and transfer-level math as well as academic credit ESL course work.

### **Early Days of AB 705**

When the law was in its draft stages, its broad-sweeping text caught the attention of three ESL faculty. Kathy Wada of Cypress College, Sydney Rice of Imperial Valley College, and Leigh Anne Shaw of Skyline College had presented together for years on the topic of accurate data reporting for credit ESL via the California Chancellor's Office data tools; their work was largely focused on increasing engagement of ESL faculty with policies that affect equity for ESL students. At the time, the key issue of the day was the need to define credit ESL as separate from Basic Skills, as it was defined in the state data metrics. Therefore, it was surprising to these three faculty that the draft of AB 705 in 2017 had no mention of ESL anywhere in it, and that omission meant either that credit ESL students could potentially be swept into transfer-level composition along with native English speakers or that the implementation of the law would be applied inconsistently to English language learners (ELLs) across the 114-college system. Working with Jeff Frost, legislative advocate for California Teachers of English to Speakers of Other Languages (CATESOL), these three faculty worked to amend the language of the law to allow a three-year timeline for English language learners. However, the most critical and defining language amendment for the ESL discipline was that ESL is now called out in California law as being akin to foreign language learning and distinct from “remediation in English”:

Instruction in English as a second language (ESL) is distinct from remediation in English. Students enrolled in ESL credit coursework are foreign language learners who require additional language training in English, require support to successfully complete degree and transfer requirements in English, or require both of the above. (AB 705 Section 1[a][7])

Since going into effect, the implementation of this law has produced challenges. Two implementation work groups were convened by the California Community Colleges Chancellor's Office (CCCO) and the Academic Senate for the California Community Colleges (ASCCC). The Implementation Committee, chaired by Executive Vice Chancellor Laura Hope, met over a 10-month period to develop implementation guidance for placement

into English and mathematics courses. While multiple measures for placement had been the law for many years, AB 705 now mandated that students with four years of education in a US high school be placed primarily using school information such as grade point average (GPA), high school transcripts, or course-taking patterns, and where that information was unavailable, self-reporting of the American high school GPA for students would be accepted.

The ESL Subcommittee, chaired by Vice Chancellor Alice Perez, had a very different task at hand; accurate placement into credit ESL course work ensures English language proficiency for successful navigation in the college environment. Furthermore, credit ESL courses are frequently used as recommendations or even prerequisites to other college courses. The issue of placement was of enormous concern; many colleges had old or outdated placement tests, and the new approving authority, the California Board of Governors, showed no signs of planning to approve any placement tests for English and mathematics. It was challenging for ESL to assert its unique needs to accurately place language learners into pathways that would ensure their success.

The issue of placement had been a critical topic for years before AB 705. Since 2014, ESL faculty statewide had been eagerly awaiting the collaborative, branching, state-sponsored Common Assessment, which was promised to assess students at every college and employ field-developed and tested rubrics to align with all foundational course work. The Common Assessment Initiative (CAI) began as a mandate from the 2012 Student Success Task Force recommendations, and by 2015, the state's commitment to the CAI had driven many assessment companies such as COMPASS to pull out entirely from California, leaving credit ESL departments with limited options for a placement test. The desire for a robust common assessment for credit ESL was never stronger.

In the year and a half that followed the introduction of the CAI, scant progress had been made on developing an instrument for English and mathematics. In contrast, ESL faculty had nearly completed an assessment and were in the process of bias-testing items. Thousands of faculty hours went into the creation of this historic battery of assessment tools, which drew upon a similar common assessment project from years before, integrating CB 21 levels and language from CATESOL's California Pathways. The ESL product included newly crafted questions and scoring rubrics encompassing all four skills and reaching down eight levels. With the passage of AB 705, however, the state rescinded its support for the CAI, and the entire project was shuttered in 2017, leaving many credit ESL departments with old, soon-to-expire placement tests, a shelved common assessment, and no other options. ESL faculty and practitioners were advocating for maintaining a quality assessment instrument for credit ESL while many more throughout the

state were advocating against any assessment tests, and it was unclear if the California Board of Governors would approve any new tests at all.

### **Developments in English/Math and Credit ESL**

As 2018 unfolded and the Fall 2019 implementation timeline for English and mathematics drew near, the two AB 705 work groups worked at different paces. Placement into English and mathematics course work, whose students largely came from high schools, extensively relied on copious data that showed that high school students with GPAs of 2.6 could generally be expected to succeed in transfer-level course work; colleges across the state began working to review their sequences, develop concurrent support, and expand transfer-level offerings. Credit ESL was a different matter entirely, since between 75% and 80% of the credit ESL population has no US high school data. These students are a staggering array of adults of every age group, from every corner of the globe, possessing myriad levels of education and professional backgrounds, and with language skills ranging from illiteracy in the first language to proficiency in four or more languages. The task that lay before the ESL group was, first and foremost, to understand its population and how best to serve it.

The ESL work group developed Assembly Bill 705 Initial Guidance Language for Credit English as a Second Language Memorandum AA 18-41, issued July 20, 2018. This guidance encouraged credit ESL departments to begin the following:

- Review currently offered credit ESL curriculum and consider integrating skills (e.g., grammar/writing, reading/writing, or reading/writing/grammar). This does not prohibit the offering of stand-alone, elective credit ESL courses such as listening/speaking, vocabulary, pronunciation, grammar, reading, or other courses that support language acquisition and lead to academic language proficiency, per AB 705, Section 1(a)(7).
- Develop ESL pathways that transition students from the highest levels of credit ESL course work directly into transfer-level English (TLE) rather than into developmental English courses.
- Ensure that placement into the credit ESL sequence maximizes the probability that students will enter and complete transfer-level English in six semesters (or nine quarters) or fewer.
- Begin intentional discussions between credit ESL and English Composition faculty to determine shared goals, specific curricular needs pertaining to successful skills scaffolding, and knowledge sharing.
- Explore credit ESL pathways to transfer-level English that allow for credit ESL faculty to (a) teach English Composition to ESL

- students or (b) create a credit ESL course that is the equivalent of transfer-level English.
- Increase professional-development opportunities for credit ESL and English Composition faculty.
  - Pursue the possibility of submitting transfer-level ESL courses for inclusion in CSU General Education Breadth Area C2 and for course-to-course articulation.
  - Begin to establish structures that would allow the collection of data for ESL students by educational goal and background.
  - Begin intentional discussions between credit ESL faculty and your college's Guided Pathways planning and implementation group(s).

At the time the July 2018 guidance was issued, the ESL Subcommittee fully intended to have more specific guidance for the field by the end of 2018. Its members were cognizant of the strains on the credit ESL departments that had sequences longer than five semesters, or whose credit ESL sequences led only to transfer-level English via developmental English. Because of the enormity of quantifying and qualifying the vast credit ESL population, the demands of research impacted the subcommittee's ability to provide more specific guidance.

True to their nature, ESL faculty stepped up to share best practices—2018 saw several webinars, conferences, workshops, trainings, electronic mailing list discussions, and other efforts to aid credit ESL as a field in learning how to serve its students in this new landscape. However, the rapid developments in English and mathematics put credit ESL departments in precarious positions on their campuses with respect to advocating for continued use of assessment tools and ways to appropriately place English language learners. In response to this outpacing of development, the ESL Subcommittee issued an FAQ document on December 4, 2018, to address key concerns, most notably:

***Q: Are we still able to use our ESL Placement tests?***

A: Placement tests may continue to be used for credit ESL through Fall 2019. It hasn't been determined whether assessment tests for ESL will be approved for use beyond Fall 2019 (Spring 2020 placement), but a final determination will be distributed during Spring 2019.

***Q: When does the three-year timeline for ESL begin: in credit or noncredit?***

A: The three-year timeline for ESL begins at the point that a student enrolled in a credit ESL sequence declares intent for degree or transfer as determined by his or her educational goal, education plan, and/or major declaration. ESL programs and departments may continue to offer levels necessary to serve the needs of all students, but the placement process must maximize

the likelihood that students complete an approved (to be included in CSU General Education Breadth or the Intersegmental General Educational Transfer Curriculum) transfer-level composition course within three years from the time the student is enrolled in the credit sequence and declares his or her goal. The theoretical maximum sequence length would begin five levels below transfer-level composition, but a shorter sequence may maximize the likelihood of completing transfer-level composition within three years. Colleges should perform analysis to determine the optimal sequence length to maximize the likelihood of completing transfer-level composition within three years for various student groups.

***Q: Does the three-year timeline for credit ESL necessitate a shorter ESL sequence?***

Colleges may have credit ESL levels beyond the theoretical maximum of six semesters (nine quarters) to complete transfer-level English; however, colleges may not place into levels beyond the three-year timeline to complete TLE and are required to provide placements that maximize throughput to TLE completion.

***Q: Should ESL/ELL students with high school GPA data be advised to enroll directly into transfer-level composition?***

A: Students can receive placements into transfer-level composition and/or ESL sequences. Colleges are encouraged to provide information to incoming students on both sequences to encourage them to engage with the placement process best suited to their English skill level and goals. Available high school information should be used along with other measures adopted by each college to create support and advising that will maximize the likelihood of completing transfer-level composition. Per the July Guidance Memo AA 18-41:

Colleges should be mindful that while some high school senior English language learners (ELLs) may indeed be ready for mainstreaming into transfer-level English [composition], credit ESL at the community college is designed to enhance proficiency in English at a level of academic rigor that can better serve many ELLs who may have completed three or four years of high school English but whose language proficiency may still require attention to specific needs that are not met in transfer-level English even with co-requisite or cocurricular support.

### **Deadlines Approaching**

The timeline for full implementation for credit ESL is Fall 2020, one full year past the implementation date for English and mathematics. Of para-

mount concern to ESL departments now is the need to review the sequence to transfer-level composition and ensure that departments can maximize the probability that credit ESL students can enter and complete transfer-level composition in a three-year timeline or less. To achieve this goal, ESL departments can focus on the two most critical items from the July 2018 AA 18-41 memo:

1. Revising courses to integrate two or more skills in the path to transfer, and reviewing the process of placement into that path, and
2. Revising ESL pathways that transition directly into transfer-level composition rather than developmental sequences, as has been previous practice.

Integrating and revising credit ESL curriculum is a highly localized decision that should be made by ESL professionals who understand the unique needs of local populations they serve. AB 705 does not encompass noncredit and adult education; the law applies to credit ESL only. Therefore, ESL departments that have created pathways with their local adult education providers should review the point at which students formally enter an educational pathway. For students who are degree and transfer focused, the pathway must ensure that students are able to enter and complete transfer-level English within a three-year timeline. For students who are certificate focused or undeclared, the timeline does not apply until their educational goals change. The law does not stipulate that low-level credit ESL courses shall be converted to noncredit; such decisions should be made on the advisement of ESL professionals and based entirely on knowledge of the community served and its needs.

### **What's the Future for Credit ESL?**

There is every reason to believe that credit ESL will be in California community colleges as long as there are English language learners in California. Perhaps ESL offerings will become more demographically focused, with more specific roles delineated for adult education ESL, college non-credit ESL, and college credit ESL as well as ESL for Specific Purposes and international education. Out of necessity, ESL programs will evolve to serve students in various ways; accelerated, contextualized, and multimodal delivery will likely become more common. The language in the law recognizing credit ESL as akin to foreign language learning creates an avenue that expands the value credit ESL has for students pursuing transfer to the CSU and UC systems, where credit ESL courses may fulfill requirements in humanities or other areas. The ESL programs throughout the California Community Colleges system will not only weather these changes but may dis-

cover new opportunities to serve students in achieving an array of goals. ESL faculty are to be commended for their steadfast advocacy for their students and their willingness to adapt to continue to serve students in a constantly changing environment.

### **Authors**

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*Sydney Rice is a professor of ESL at Imperial Valley College, where her research encompasses adult language learners and servant teachership in higher education. Past president of CATESOL and ASCCC appointee to the ESL Subcommittee for AB 705 Implementation, her passion is advocating for fair access and equitable opportunities for adult English language learners.*

*Not one for making dramatic changes in her professional environment, Kathy Wada is in her 30th year of teaching in the ESL Program at Cypress College. Her passion is for the advancement of opportunities for ELLs in California community colleges. She is an ASCCC appointee to the AB 705 Implementation Team, the AB 705 ESL Subcommittee, and the CB 21 Revision Workgroup.*

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