Invisible Choices in Overlooked Pathways: EL Service Waivers, Gifted Identification, and the Realities Beyond Labels

by

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DISSERTATION ABSTRACT

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Title: Invisible Choices in Overlooked Pathways: EL Service Waivers, Gifted Identification, and the Realities Beyond Labels

This dissertation examines how educational classifications structure access to opportunity for multilingual learners in secondary schools. Policies such as English learner (EL) services and Talented and Gifted (TAG) services are designed to expand opportunity through support and enrichment. Yet these systems rely on institutional processes and discretionary practices that can simultaneously enable and constrain access. Across three studies, this dissertation investigates how these labels operate in practice, with particular attention to the interaction of policy design, educator discretion, and structural inequality.

The first study analyzes how educators interpret and communicate the option to waive EL services, a federally protected right that allows families to opt out of language support. Drawing on qualitative data and informed by street-level bureaucracy theory, the findings show that educators function as policy intermediaries, navigating tensions between compliance and care. Communication practices often shape whether families are positioned to make informed decisions, revealing how agency is unevenly distributed in practice.

The second study examines whether TAG identification expands access to advanced coursework for multilingual learners and how these patterns vary across intersecting identities. Using statewide longitudinal data and a multilevel intersectional modeling approach (MAIHDA), the analysis demonstrates that identification does not uniformly translate into expanded opportunity. Instead, access remains stratified across race, language status, disability, and socioeconomic background, highlighting uneven returns to the gifted label.

The third study evaluates whether district adoption of grade-level universal screening assessments for TAG improves representation of multilingual learners in TAG programs. Using a difference-in-differences design, the findings show limited and inconsistent effects, suggesting that policy reforms alone are insufficient to disrupt entrenched patterns of exclusion without attention to local implementation and context.

Together, these studies demonstrate that educational opportunity is not solely determined by policy intent but is produced through the interaction of classification systems, institutional structures, and human discretion. By integrating perspectives from opportunity to learn, street-level bureaucracy, raciolinguistics, and intersectionality, this dissertation advances an understanding of how overlapping systems of support and stratification shape the educational trajectories of multilingual learners.

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"Do not let them infantilize your rage." – Marica Dabice, Mannequin Pussy

My dad loves to tell this story about when I was in first grade and nearly won the school spelling bee. There I was, a tiny little six-year-old who two years prior spoke no English—except maybe what little I learned watching Sailor Moon on TV. His version of the story is a victory story.

Mine is a little different. I remember losing to my first-grade nemesis when I spelled "whirled" instead of "world." It was a strange word to me. The sentence they gave me included some phrase like "go round," and in my emergent bilingual brain, "go round" meant something like twirling… therefore whirling, right?

In hindsight, this story has become one about the pesky little holes that persist when you learn a new language, and how invisible those holes become to the people around you. I was seen as gifted, independent, self-sufficient—even when I deeply needed support. The year after the spelling bee, I moved to a new city, scored in the top percentile of state reading scores, and skipped second grade entirely. No one stopped to check how I was coping. I advanced with a high vocabulary and significant gaps in my understanding.

Those gaps—linguistic and social-emotional—accumulated quietly over time. So did losses I couldn't yet name.

My bilingualism was treated as unimportant to develop, and that decision has caused harm I can't fully undo: to my heritage language, and to my ability to communicate with people I love. Not for lack of trying. Here I am, one bachelor's degree in Spanish and many heritage language courses later, still feeling like an imposter in my own language and culture.

By the time I left primary school, I had developed what the system called behavioral

issues. The system also had a very specific picture of who gifted students are, and I didn't fit it. I was labeled difficult: "bright, but lacks effort," "excels when she decides to show up." I couldn't engage with work unless it grabbed me completely and immediately. This is how I came to nearly fail out of high school while simultaneously enrolled in AP and IB programs. For a long time, I understood this as a personal failing. Writing this dissertation taught me otherwise: I was, precisely, the model of a certain kind of gifted student—one whose needs went largely unmet.

This section is meant to be about other people, not myself. But gratitude has not come easily to me and my thank yous do not carry their full weight without this context.

Gratitude is often treated as a virtue, but it is also something we are expected to perform—and not everyone is asked to perform it in the same way. For women of color, for immigrants, for the poor, gratitude is not just an emotion. It is a requirement. A test. A signal that we understand our place.

I have seen how this works. I have watched my parents be expected to express gratitude for things that should never have been conditional—food, housing, work. I have watched children of immigrants like me say thank you for access to rights that are supposed to belong to all of us, including education, even when those systems fail to meet our needs.

And I have experienced what happens when that performance is read as insufficient. When hard work, contribution, and commitment are not enough on their own. When what is being evaluated is whether you also demonstrate you are *grateful enough* for the opportunity.

There are things we should feel grateful for. And there are things we've worked hard for and earned that are framed as generosity, so that gratitude and deference can be demanded in return.

I want to say thank you. But first, I need to say that I am deeply angry. That anger lived

in me for a long time before it had anywhere to go. I am grateful it has found a new home in this research.

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Thank you to my family for letting me be angry.

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Thank you to Dustin, for being my adventurous fun friend and for making sure I was always fed. You pulled more than your fair share while I went on this journey, and I owe you about six years' worth of doing the dishes.

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CHAPTER I

INTRODUCTION

Educational services occupy a paradoxical role in the lives of multilingual learners. They are designed to expand opportunity through specialized support, enriched instruction, and formal recognition of students' strengths. In theory, English learner (EL) or Talented and Gifted (TAG) services are intended to ensure equity by addressing linguistic barriers or providing the accelerated instruction and enrichment opportunities students need to succeed. But in practice, the same systems that open doors for some students can reinforce boundaries for others.

This tension emerges not only from how services are structured, but from how they rely on classification systems that carry social, cultural, and institutional weight. Labels like "EL" or "gifted" are not just descriptors; they function as mechanisms of access and exclusion (Borland, 2003; Callahan, 2005; Umansky, 2016b). For instance, being classified as an EL means students get access to vital language support. However, it can also lead to diminished expectations (Dabach, 2014; Kanno & Kangas, 2014; Umansky, 2016b) and long-term segregation from core content (Callahan et al., 2010; Umansky, 2016a; Umansky et al., 2024). Similarly, TAG identification can unlock pathways to advanced learning, but it also depends on recognition in systems that often fail to see the talents of multilingual students (Ford, 2010; Gubbins et al., 2020; Peters & Johnson, 2023; Siegle et al., 2016). These services promise opportunity but operate within institutional logics that constrain it.

The contradiction deepens when formal labels intersect. Students who are given two labels (e.g., as both EL and gifted, or EL and special education) may experience program structures that are not mutually reinforcing. Rather than coordinating to provide support, overlapping classifications can create incompatible demands that constrain access. To understand

how multilingual learners experience educational opportunity, we must examine how services operate at this intersection of support and stratification. These are not neutral offerings; they are systems mediated by policy, shaped by institutional discretion, and constrained by normative assumptions about language, intelligence, and ability.

The chapters that follow explore two such systems that represent this tension: EL services, and particularly the choice to waive those services entirely, and TAG services. Both appear, on the surface, as tools for tailoring education to student needs. But both also reveal how educational opportunity is constructed through overlapping systems of classification and power.

Contextual Background

Oregon's educational system serves a linguistically and demographically diverse population. In 2023–24, multilingual learners accounted for roughly 12.2% of statewide enrollment—about 66,000 students (Oregon Department of Education [ODE], 2024). Approximately 10.4% of these students were currently designated as ELs, and an additional 7.8% formerly held that designation (ODE, 2024). Among this population Spanish is the most common home language, but Oregon is also home to sizable Vietnamese, Russian, Chinese, Arabic, Somali, and Chuukese speakers (ODE, 2024). Many multilingual learners navigate multiple, intersecting forms of marginalization. State reporting shows that around 89% of current ELs and 80% of former ELs are eligible for free or reduced-price meals. About 5% of current ELs experience homelessness, and between 13% and 14% are identified as migrant students (ODE, 2024). Oregon's multilingual population is also growing and becoming increasingly concentrated in the early grades. Nearly 28% of children under age 9 in Oregon live in households where English is not the primary language (ODE, 2024). This growing cohort underscores the long-term implications of classification, service design, and instructional

pathways: how schools respond to the needs of multilingual learners early on, and how those responses evolve through secondary school, will shape trajectories of opportunity and access for years to come.

Oregon's state education system reflects a broader tension between progressive state-level policy commitments and decentralized implementation. The Oregon Department of Education (ODE) has articulated a strong equity stance, including an equity lens that explicitly names systemic racism, elevates student voice, and calls for the redesign of policies that disproportionately impact students of color, students with disabilities, and multilingual students. Recent legislation such as the Access to Linguistic Inclusion Act (HB 2056) and updated administrative rules for TAG identification in 2022 (OAR 581-022-2325; OAR 581-022-2500) reflect a growing effort to advance these commitments in concrete ways.

At the same time, Oregon's structure as a local control state means that districts retain substantial authority over how policies are enacted. Decisions about service delivery, assessment tools, identification procedures, and family engagement are shaped by local priorities and capacities. In some cases, this allows district leaders to build innovative and responsive systems that exceed state expectations; in others, it can result in constrained implementation or perpetuation of inequities. This variability makes Oregon a compelling context for studying how classification systems operate in practice—not only because of the policies themselves, but because of the discretion embedded in their interpretation and enactment across diverse local settings.

Waiving EL Services

Federal law protects families' right to waive EL services, a policy rooted in Lau v. Nichols (1974) and reaffirmed in later legislation (e.g., Every Student Succeeds Act [ESSA],

2015). Students who waive remain classified as ELs, continue English language proficiency (ELP) testing, and must be monitored by districts (U.S. Department of Education, Office of English Language Acquisition, 2017; U.S. Department of Justice, n.d.; U.S. Department of Justice & U.S. Department of Education, 2015). In Oregon, waiving has been particularly salient given the historical reliance on EL programming that provides language instruction as a dedicated English language development (ELD) course period. Until 2021's Access to Linguistic Inclusion Act, these standalone courses did not count toward graduation requirements. This policy context helps explain Oregon's comparatively high rates of waiving (Thompson et al., 2025). A fuller discussion of how waiving functions in practice, and its implications for equity and access, appears in Chapter II.

Talented and Gifted Services

TAG programs are designed to identify and serve students with exceptional intellectual, academic, or creative potential. Federal definitions emphasize five areas of giftedness: intellectual ability, academic achievement, creativity, leadership, and the visual or performing arts (National Association for Gifted Children, n.d.). Research shows persistent inequities in identification, especially for multilingual learners and students of color (Ford, 2010; Grissom & Redding, 2016). In Oregon, districts are required to implement and document plans that demonstrate they are taking steps to mitigate these disparities, but local discretion means implementation remains highly variable, reflecting broader national trends (Peters & Johnson, 2023; Rinn et al., 2022). These identification systems act as gatekeeping mechanisms that can either expand or constrain access to advanced coursework. A more comprehensive analysis of TAG identification policies and their consequences for multilingual students is provided in Chapters III and IV.

Classification and Opportunity

Together, the cases of waiving EL services and TAG identification illustrate how classification systems shape access to educational opportunity in Oregon. Both are formally grounded in equity commitments—waiving as a protection of family agency, TAG as a pathway to advanced learning—yet in practice, each is mediated by local discretion, procedural variability, and structural inequities. For multilingual learners, these systems overlap in ways that resemble a Venn diagram: students are simultaneously subject to general education policies and additional classifications such as EL, special education, or TAG. The interaction of labels shapes the courses students can access, the expectations they encounter, and the supports they receive (Kangas, 2018; Kanno & Kangas, 2023; Gierczyk & Hornby, 2021). This dissertation will build on these dynamics to understand how overlapping systems operate for different students under the multilingual learner umbrella, highlighting the heterogeneity of the population and examining how institutional structures can collide in ways that enable or constrain opportunity.

The Importance of Secondary Schooling

This dissertation further centers secondary schooling, where both the structure of services and the composition of the multilingual student population introduce unique challenges and implications for equity. While much of the research on EL and TAG programs focuses on early grades, at this level the consequences of classification are also salient and hold both immediate and long-term consequences (National Academies of Sciences, Engineering, and Medicine, 2017; Uysal & Umansky, 2025).

First, the structure of schooling shifts dramatically at the secondary level, where students move to a fixed schedule with separate teachers for each subject. This organizational shift magnifies the impact of scheduling decisions: a standalone ELD course fills an entire period,

potentially displacing core content or electives and creating conflicts with required or desired classes. Although Oregon's Access to Linguistic Inclusion Act now permits ELD courses to fulfill credit requirements where standalone courses are used, earlier policies and uneven implementation continue to constrain students' course options. At the same time, TAG identification in secondary schools can serve as a gate opener to advanced coursework. In short, classification decisions at this level directly shape students' course placement, academic trajectories, postsecondary access, and perceived intellectual legitimacy (Callahan et al., 2010; Umansky, 2016a).

Second, the composition of the student body shifts in secondary school. A greater share of multilingual students are either long-term English learners (LTELs)—students who have attended U.S. schools for six or more years without exiting EL status—or recent immigrants commonly referred to as newcomers. LTELs often face systemic barriers to reclassification, including misaligned supports and deficit-based assumptions about language and ability (Olsen, 2010, 2012; Umansky & Avelar, 2023). Newcomers, by contrast, may experience academic disengagement, social isolation, and the risk of aging out before graduation due to late entry into the U.S. system (Sugarman, 2017). Despite their distinct needs, both groups are disproportionately affected by rigid service models and gatekeeping mechanisms.

Third, the consequences of misalignment are more severe. Secondary students are closer to graduation and encounter high-stakes decisions about coursework, credit accumulation, and college or career planning. When classification systems restrict access to rigorous coursework or elective pathways, they may contribute to academic disengagement, drop-out, or delayed graduation (Flores & Drake, 2014; Thompson et al., in press). The intersection of EL and TAG systems at this stage therefore holds particular importance for examining how policy, discretion,

and identity shape opportunity. For these reasons, focusing on programming at the secondary level allows me to explore a high stakes point in service provision, with an eye toward both immediate academic impacts and long-term equity consequences.

Conceptual and Theoretical Frameworks

This dissertation is situated at the intersection of three bodies of scholarship: research on how educational classifications structure opportunity, studies of policy enactment and educator discretion, and critical perspectives on raciolinguistic ideologies and intersectionality. Collectively, this work underscores that labels reflect both institutional procedures and ideological assumptions that shape who is recognized as in need of support or deserving of enrichment. Yet, little is known about how multiple classification systems interact in secondary schooling, particularly for multilingual learners who are also labeled as gifted. This dissertation addresses that gap by integrating four theoretical frameworks to examine how policy, discretion, and ideology combine to structure educational opportunity.

Opportunity to Learn

The concept of opportunity to learn (OTL; Carroll, 1963; Carter & Welner, 2013; McDonnell, 1995) asserts that student outcomes are shaped by institutional conditions like curricular access, instructional quality, and exposure to rigorous content. Rather than explaining disparities solely through student characteristics, OTL reframes the equity question: Did students have meaningful access? This framework is particularly relevant in contexts where institutional structures (e.g., course placement restrictions or opaque identification procedures) limit students' academic exposure. In the case of multilingual learners, the OTL framework invites us to examine not whether students succeed, but whether systems positioned them to succeed in the first place.

Street-Level Bureaucracy

Lipsky's (1980) theory of street-level bureaucracy explains how frontline actors, like teachers and administrators, implement policy under conditions of ambiguity, resource constraint, and competing demands. Teachers and administrators wield discretionary power to interpret policy and allocate access, especially when formal guidance is vague. In the context of EL waiving, educators must decide what to communicate, how to frame options, and how to interpret policy in ways that align with their own beliefs or workload. In the case of waiving, their discretion directly shapes whether students and families understand their rights and how to exercise them.

Raciolinguistic Ideologies

Flores and Rosa (2015) theorize raciolinguistic ideologies as the dominant beliefs that evaluate language through racialized lenses. These ideologies position white, monolingual English speakers as the norm and frame racialized multilingual students' language practices as deficient, even when they meet formal standards of academic English proficiency. For multilingual learners, these ideologies influence how ability is recognized (or not), whether language is seen as an asset or barrier, and how students are classified and served. In TAG identification, raciolinguistic ideologies may lead educators to view English proficiency as a prerequisite for gifted identification (Harris et al., 2009), undervaluing multilingualism.

Intersectionality

Intersectionality (Collins, 2015; Crenshaw, 1991, 1997) provides a framework for understanding how systems of oppression—racism, classism, linguicism, ableism—operate in combination. Multilingual learners may simultaneously occupy multiple marginalized identities (e.g., EL-designated, Latine, economically disadvantaged, dually identified for special

education), shaping their access to opportunity in distinct ways. Within TAG, students who are both classified as EL and gifted may experience compounded barriers, such as reduced access to advanced coursework or heightened risk of being overlooked for enrichment opportunities.

Each framework sheds light on a different dimension of the system: the institutional conditions that shape access (OTL), the discretionary actions of frontline actors (street-level bureaucracy), the ideological forces that racialize language (raciolinguistics), and the intersecting structures of oppression that position students differently within systems (intersectionality). Together, they support the central claim of this dissertation: educational opportunity is produced through institutional structures, policy interpretation, and ideological systems that differentially position students within schools.

Chapter Summaries

The dissertation will consist of three studies that collectively investigate how services and classifications shape opportunity for multilingual learners.

Chapter II explores how secondary EL educators in Oregon communicate the option of waiving EL services and how their practices reflect and shape institutional constraints, policy ambiguity, and family engagement. Drawing on critical discourse analysis and the framework of street-level bureaucracy, the study shows how educators mediate the right to waive in ways that either support or constrain family agency.

Chapter III examines whether TAG identification among multilingual students increases access to advanced coursework among multilingual students and whether TAG helps mitigate gaps in course access. Using a multilevel intersectional modeling approach, I construct intersectional strata based on race, language status, disability, and socioeconomic background to

examine which students benefit from TAG identification and which continue to face structural barriers.

Chapter IV assesses the impact of universal screening policies to identify students for TAG services, a practice encouraged by the state but ultimately chosen by individual districts. Drawing on state administrative data and district policy documents, I use a difference-in-differences framework to examine whether these reforms have increased representation of multilingual learners in gifted programs and whether these changes differ across district contexts.

Each paper offers a distinct methodological and analytic lens on how educational opportunity is structured and how reforms intended to promote equity interact with the realities of local discretion, policy ambiguity, and systemic inequality.

Researcher Positionality

My own trajectory shapes the questions I ask and how I interpret the data. I identify as a Latina, a second-generation immigrant, and a first-generation college student. I was raised in a multilingual household and navigated K–12 schooling as both a language broker and cultural translator for my family. I'm a former EL, whose rapid language acquisition led to gifted classification and academic acceleration. Despite this–or perhaps as a result–I struggled through public school as a disengaged student, often overwhelmed by cultural and linguistic differences I didn't yet understand but were necessary to succeed academically and socially. Thus, I know firsthand how systems that assume normativity subtly harm the students they're meant to support. These experiences inform my interest in how schools structure access to information and opportunity for multilingual learners and their families.

I have worked as an education policy researcher and in partnership with educator networks and state agencies. This work has made me especially attentive to the tensions between

how policies are written and how they unfold in practice. It also makes me cautious in assuming that equity-focused reforms, on their own, can rectify the layered ways in which access is constrained. Importantly, I have not taught in K–12 settings. That distance imposes responsibilities: to listen carefully to educators' perspectives, to avoid overgeneralizing, and to reflect on the power I hold as a researcher. Throughout this project, I seek to remain transparent about my interpretive lens and to check my assumptions through collaboration.

Terminology and Labels

Throughout this prospectus, I use terms such as *EL*, *LTEL*, and *newcomer* to describe specific student populations. I do so because these categories are widely recognized in research and policy, and they remain the designations used in state reporting. At the same time, I acknowledge that these labels are not neutral descriptors. Scholars have critiqued terms like *EL* and *LTEL* as deficit-oriented, positioning students in terms of what they lack rather than the linguistic assets they bring (Kanno et al., 2024).

In recent years, some researchers and practitioners have shifted to broader terms such as *multilingual learner*, or ML, to emphasize students' strengths and their linguistic abilities. While this shift highlights the value of linguistic diversity, it also risks collapsing important distinctions within the multilingual learner population. Some grow up speaking a language other than English at home, others have limited and informal exposure to their home language, while others still arrive in U.S. schools as adolescents with formal schooling in another language or are English speakers who learn another language in bilingual programs. Moreover, students move in and out of EL services over time. Collapsing all of these distinct experiences into a single label may reinforce the very homogenization it seeks to disrupt, replacing one broad category with another.

It further risks confusing the research literature by blurring distinctions that remain central to policy and practice.

My approach in this dissertation is therefore pragmatic and critical. I retain conventional policy terms like EL and LTEL when discussing state or federal classifications, while also using the broader term multilingual learner to describe the broader population of students connected to a language other than English whether they speak it, read it, write it, or use in other ways through family, community, or cultural ties. This dual usage is intended both to maintain clarity in relation to policy and to resist flattening the diversity of multilingual students' experiences.

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CHAPTER II

BEYOND COMPLIANCE: EDUCATORS AS POLICY INTERPRETERS IN THE WAIVING OF ENGLISH LEARNER SERVICES

In Oregon, approximately one in ten secondary English learner (EL) students waive services each year, choosing to opt out of EL programming. This trend raises critical questions about the alignment between EL services and the needs, goals, and preferences of students and their families. EL services are designed to provide linguistic and academic support, yet the prevalence of waiving suggests that families may perceive these programs as misaligned with their priorities or inadequate in meeting their child's needs. This complexity challenges the assumption that EL services are universally beneficial and calls for a deeper examination of why families make the choice to waive.

Waiving EL services can serve as both an opportunity and a risk. For some students, waiving may allow greater access to core academic courses, courses required for graduation, or electives that align with their interests and career aspirations (Thompson et al., 2025; in press). For others, opting out could mean losing structured language support at a critical stage of development, potentially affecting long-term educational outcomes. Given these divergent pathways, it is essential to explore not only the motivations behind waiving but also how the policy and communication surrounding it shape family decision-making.

The policy landscape further complicates this process. Federal law protects the right of families to waive services, yet guidance from the U.S. Department of Education explicitly prohibits school personnel from recommending waiving (U.S. Department of Justice, n.d.; U.S. Department of Justice & U.S. Department of Education, 2015). This creates a paradox in which schools must inform families of their right to waive while avoiding any perceived influence over

the decision. In practice, this results in families receiving written notices about waiving per federal guidelines, which may lack opportunities for discussion or clarification. The consequence is a system where families, particularly those with limited institutional knowledge or English proficiency, may be left to navigate the decision-making process with minimal support.

These tensions raise critical questions about how families engage with the waiving process and the role educators play in guiding them. Educators are often positioned as the primary point of contact for families (Epstein, 2011), yet their ability to facilitate informed decision-making is constrained by policy limitations. Understanding how educators interpret and communicate waiving policies—and the extent to which their interactions empower or marginalize families—provides key insights into the broader issues of equity and access in EL education.

This study examines how waiver decisions are produced and navigated in secondary schools, focusing on the interaction of policy, educator discretion, and the structural organization of EL services. By examining both how educators navigate these conversations and the conditions under which they merge, this research contributes to a deeper understanding of how EL policies are enacted in practice and how they shape family agency and student opportunity. To contextualize this aim, the following section provides a brief overview of the waiving policy landscape before turning to relevant literature.

Waiving English Learner Services

Fifty years ago, the Supreme Court established through their ruling of the landmark Lau v. Nichols (1974) case that multilingual students had two central rights: 1) the right to English instruction; and 2) the right to equitable access to grade-level academic content. Following this decision, the federal government issued specific guidelines (commonly referred to as the Lau

Remedies) for school districts to design programs that would support students in the process of learning English (U.S. Department of Health, Education, and Welfare, 1975), paving the way for EL programs as we know them today. These programs vary widely in structure but are generally organized under two broad approaches: bilingual education and English as a second language (ESL) instruction. Within each of these, schools may implement a range of specific service models. However, for some families, EL programs do not provide the support they need or want. For these individuals, the right to waive or opt out of EL services has been protected across multiple reauthorizations of the Elementary and Secondary Education Act (ESEA, 1965), including the Improving America's Schools Act (1994), the No Child Left Behind Act (2001), and the Every Student Succeeds Act (ESSA, 2015). In its most recent iteration, ESSA states that local education agencies must provide parents with information pertaining to their rights, including written guidance that details the option to choose an alternate program, if available, or to have their child removed from the language program upon their request.

Though waiving EL services is a protected right, local education agencies (LEAs) are explicitly instructed by the U.S. Department of Education and Department of Justice that they "may not recommend that parents opt out for any reason" (U.S. Department of Justice, n.d.; U.S. Department of Justice & U.S. Department of Education, 2015). If a student waives, LEAs are still responsible for ensuring the student has an equal opportunity to develop English language and meet academic needs. This includes monitoring student progress and offering EL services again if a student is struggling. School districts continue monitoring waived students' English language proficiency (ELP) progress annually as they do for other ELs, by administering a valid and reliable assessment in reading, writing, listening, and speaking aligned to state ELP

standards. Thus, these students are required to participate in all state-required assessments, including ELP assessments, which are counted in each district's accountability measures.

In Oregon, waiving patterns and policies have been shaped by the historical use of standalone English language development (ELD) courses, particularly at the secondary level. Prior to the passage of the Access to Linguistic Inclusion Act (HB 2056) in 2021, these courses did not count toward English language arts or world language credit requirements for graduation. This created scheduling conflicts that may have disincentivized participation in EL services, especially for students seeking electives or career-aligned coursework. Although HB 2056 now allows ELD courses to count for credit and supports the shift toward integrated ELD models, many districts continue to rely on standalone programming which could explain higher rates of waiving in the state compared to others like Texas or Michigan (Thompson et al., 2025).

Communicating Waiving as an Option

On the ground, the various pieces of regulation concerning waiving can lead to confusion for educators and caregivers. Guidance that restricts making recommendations can create uncertainty for educators about whether initiating or engaging in conversations, naming waiving as an option, or responding to caregiver questions is compliant with federal regulations. At the same time, caregivers may not understand either the option to waive or how to initiate the process, in part because access to this information is mediated through institutional communication practices.

This ambiguity reflects the limits of what federal policy actually requires. Under ESSA, LEAs must provide written notification within 30 days of the start of the school year informing families of their child's EL status, the available program options, and their right to remove their child from services upon request (ESSA, 2015). Beyond this notification requirement, however,

federal law does not specify how that communication should occur, what educators may say during those conversations, or how LEAs should support families in making an informed decision. In practice, the most substantive resource available to practitioners has been the sample annual notification letter provided by the Office of English Language Acquisition and included in the EL Toolkit (U.S. Department of Education, Office of English Language Acquisition, 2017). This resource is now in jeopardy, as the current administration rescinded the 2015 Dear Colleague Letter on EL rights in August 2025 and moved to dissolve OELA in early 2026.

The emphasis on written guidance from the federal government has led many LEAs to solely include information in their annual notification letters of eligibility for EL services, drawing on OELA's template (U.S. Department of Education, Office of English Language Acquisition, 2017). Though written documentation serves to inform caregivers, this type of one-sided communication does not create the space to ensure understanding and answer questions (Burho & Thompson, 2021; Olivos, 2009). As a result, families' understanding of waiving is partially shaped by how LEAs structure communication, including how individuals like educators interpret and enact communication practices within these constraints. Together, these factors create conditions for murky understanding where parents or caregivers may unintentionally be robbed of their agency. For example, in one case study, Brooks (2019) documents one mother's journey to opt her child out of services. The study illustrates how institutional communication practices as enacted by educators can shape what families understand about their options. In this case, the mother was initially unaware of her child's status as an EL and, upon learning of it, was told she could not opt him out of services. While Brooks (2019) highlights the mother's difficulty in waiving services, the study also details her subsequent entry into a teaching profession and her development as an advocate dedicated to

ensuring that other families understand their rights and options. Her story underscores the potential of educators as intermediaries who can either reinforce or disrupt those patterns.

To complicate matters further, the processes through which LEAs inform caregivers of their rights and the steps required to exercise those rights vary across districts and states (U.S. Department of Justice, n.d.). For instance, one district might require parents or caregivers to submit written documentation annually, creating an additional layer of administrative responsibility. In contrast, another district may simplify the process by reducing paperwork requirements or streamlining the steps families must take to complete the waiver. These differences shape the ease with which families can waive services, and also the contexts in which educators must interpret and communicate policy.

Waiving is thus a complicated mechanism, shaped by both the particular programs LEAs offer and the ways in which communication is structured and enacted. Communication practices remain inconsistent, and no centralized system tracks the prevalence or conditions under which families choose to waive. In this context, educators play a key role in mediating policy, navigating ambiguity, and shaping how the option is presented and understood in practice.

Literature Review

While waiving EL services is a protected right designed to prioritize family agency, there is limited research on how families understand the option, why they choose to waive, and the potential long-term implications of waiving. Despite the importance of this decision for students' academic and linguistic outcomes, the literature on waiving remains scarce. Even among recent studies, much of what we know is descriptive, with limited insight into the institutional processes through which waiver decisions are shaped in practice. In particular, there is limited attention to

how educators mediate communication about waiving or how the structural organization of EL services shapes when and why waiver pressure emerges.

However, growing interest in waiving is evident, as shown by an increase in recent publications and the disbursement of grant funding to study waiving in Tennessee and Utah (Breen, 2024). The following literature review synthesizes scant existing research to understand which families choose to waive EL services, why they choose to waive, and how these decisions shape students' academic and linguistic trajectories. While much of the literature frames the decision to waive in terms of family perceptions, some studies also point to patterned variation in context and student characteristics, suggesting that these decisions may be shaped by both individual choice and how the broader conditions under which EL services are offered may misalign with student goals or needs.

Characteristics of Students who Waive

Thus far, there are no national estimates of how often waiving occurs. The prevalence of waiving is not systematically tracked across states, making it difficult to assess the full scope of the practice. However, state-level analyses by Thompson and colleagues (2025) reveal significant variation: in their study of Michigan, Texas, and Oregon, waiving rates ranged from approximately 2% to 18%, depending on the state context. These differences highlight the influence of local and state policy structures, including how EL services are delivered and how the waiver process is framed.

Despite variation in waiving rates across states and districts, the profiles of students most likely to waive show remarkable consistency. Thompson and colleagues (2025) observed consistent patterns in the characteristics of students who were most likely to waive across three states. Students who waived services were primarily long-term ELs, students dually identified as

ELs and receiving special education services, and students who were not economically disadvantaged. These findings suggest that waiving is more common among students who have been in U.S. schools longer, those navigating multiple service labels, and those with greater access to resources.

Similarly, Zhao and Maina (2015) examined data from Montgomery County Public Schools and found comparable trends. In their sample, 36% of students who waived services were dually identified, and more than half were long-term ELs at advanced English proficiency levels within the English for speakers of other languages program. The large number of long-term ELs who waive may suggest that families and students who perceive themselves as linguistically ready, especially those at advanced proficiency levels, may be more likely to initiate the process of waiving.

Oh (2022), who followed three cohorts of students in Tennessee from kindergarten through grade 12, provided further insights into demographic and linguistic patterns. Their analysis revealed that a smaller proportion of waived ELs came from low socioeconomic backgrounds compared to the broader population of current ELs. This trend aligns with Thompson and colleagues' (2025) findings. Additionally, while approximately half of the waived population in Tennessee was Spanish-speaking, speakers of less prevalent home languages, such as Arabic, Kurdish, and Vietnamese, waived at disproportionately higher rates relative to their representation among current ELs. This may point to linguistic diversity as a potential factor related to waiving, signaling potential gaps in program alignment with families' linguistic needs.

Taken together, these studies paint a consistent picture of the students most likely to waive EL services: they are often long-term ELs, economically advantaged, dually identified,

and more likely to speak less prevalent home languages. These characteristics may reflect how language proficiency, economic resources, and service alignment influence families' decisions to opt out of EL programs.

Rationale for Waiving English Learner Services

The decision to waive EL services has been found to relate closely to family background and the alignment of services. This dynamic becomes even clearer when examining the reasons families waive, many of which point to a disconnect between available programs and their child's unique needs or goals. These include perceptions of program limitations, concerns about social and academic impacts, misunderstandings about EL programming, and broader systemic issues such as discrimination and program effectiveness. Across the literature, several recurring themes emerge to explain why some families opt out of EL services.

One common theme is that families perceive EL services as academically or socially limiting for their children. Brooks (2023), through retrospective interviews, identified three dominant themes among individuals who sought to exit EL programs: they viewed services as academically limiting, socially isolating, and incongruent with their postsecondary plans. For example, participants expressed frustration that EL services restricted access to content-area courses or electives that aligned with their academic or career aspirations. Similarly, families were concerned about the social isolation their children experienced within EL programs, which often separated them from their English-speaking peers. It is important to note that these findings align with existing research on the challenges faced by long-term ELs and dually identified students, who may experience prolonged placement in EL programs due to systemic barriers or program design (Kangas, 2017; Olsen, 2010; Umansky & Avelar, 2023). Additionally, some participants described their initial placement in EL programs as a product of racism, reflecting

broader critiques of schooling processes that disproportionately label multilingual students of color as in need of services (e.g., García-Matus, 2021; Flores & Rosa, 2015; Kanno & Kangas, 2024; Rosa, 2019).

Mattson (2024) documented additional reasons families choose to waive EL services, particularly among secondary students. Through survey responses and interviews, parents reported valuing the opportunity for greater academic flexibility that waiving afforded. By opting out, students could access a broader range of electives and content-area courses, allowing them to engage with more relevant and rigorous curriculum. These findings are consistent with the idea that waiving can function as a mechanism to improve course access for secondary students, especially when families perceive EL programming as a barrier to integrating more engaging or career-aligned coursework. However, Mattson also noted that families often balanced these perceived benefits against an understanding of the potential value of EL services, citing both positive and negative aspects.

Confusion about the purpose and scope of EL services also plays a significant role in families' decisions to waive. Both Mattson (2024) and Kipchumba (2017) found that many parents lacked a clear understanding of what EL services entailed, often conflating them with special education services or assuming they were designed solely to provide basic language skills for newcomers or learners early in the process of English development. This misunderstanding was compounded by concerns about the length of time required to exit EL services. Parents expressed fears that their children would become 'stuck' in these programs as long-term ELs, often attributing this to perceived flaws in program design or educator capacity. Kipchumba (2017) also noted that some families questioned the training of teachers, expressing concerns that not all educators were adequately equipped to meet the needs of EL-classified students.

Together, these studies highlight the complex and multifaceted reasons why families choose to waive EL services. Decisions reflect a mix of practical considerations, such as access to electives and content courses, and broader concerns about the effectiveness and equity of EL programs. Concerns about isolation, limited access to core content, and the risk of students becoming "stuck" in services suggest that the decision to waive often emerges in contexts where EL programming does not align with students' academic trajectories or perceived needs. These patterns resonate with broader findings in the EL literature, particularly for students considered long-term ELs and dually identified students. Research has consistently shown that long-term ELs face systemic barriers within EL programs, including the provision of homogenous or inappropriate supports and services, widespread stigmatization, and systematic patterns of unequal opportunity to learn, including limited access to core content and advanced coursework (Umansky & Avelar, 2023). Similarly, dually identified students, who navigate both EL and special education labels, often experience these same barriers compounded by the additional challenge of inconsistent support across programs (Kangas, 2014, 2017). Taken together, these studies suggest that the conditions under which families consider waiving are closely tied to how EL services are structured and experienced within schools.

Despite these insights, two key gaps remain. First, while prior research identifies patterns in who waives and why, there is limited understanding of how families come to understand waiving as an option, including the role educators play in communicating, shaping, or constraining that decision. Second, existing explanations for waiving have not been systematically connected to the broader organizational and policy contexts in which EL services are delivered. As a result, it remains unclear how the structural features of schooling, including program design, scheduling, and institutional expectations interact with educator discretion to

shape both the emergence of waiving conversations and how they are navigated in practice. These gaps also extend to our understanding of what follows from these decisions.

Outcomes of Waiving English Learner Services

The outcomes of waiving EL services are complex and shaped by various factors, including the duration of program participation, student characteristics, and local contexts. While some studies suggest that waiving services can lead to positive academic and postsecondary outcomes (e.g., Oh, 2022; Thompson et al., 2024), we must exercise caution against overgeneralizing these findings due to variation in the characteristics of students who waive.

Flores and Drake (2014) found that Latine students who waived EL services were generally less likely to require remediation in college compared to their peers who participated in EL services. However, these results are descriptive and do not account for selection effects, such as differences in prior achievement or English proficiency between those students who waive and those that do not. The benefits of participation in EL services appeared to vary by duration: students with short-term participation (1–3 years) had better outcomes than those who participated for four or more years, who had higher remediation rates. These findings suggest that the timing and duration of EL services may play a critical role in shaping postsecondary readiness alongside waiving, especially given documented evidence that students who exit early are higher performing to begin with (Umansky & Reardon, 2014). Nonetheless, such patterns may inform families' decisions to waive services, particularly if short-term participation is viewed as more beneficial than prolonged enrollment.

Expanding on this, Flores and colleagues (2012) conducted a longitudinal study in Texas that tracked a cohort of students from first grade into their postsecondary careers. They found that among students who waived services, Latine students were less likely to attend college

compared to their white peers. Generally, students who opted out of services were less likely to attend college compared to peers who participated in EL programs for three years. Again, it is essential to interpret these findings with caution. Students who reclassify after three years of EL services are often different from students who waive services, the latter of whom are more likely to be long-term ELs or dually identified students. Indeed, other research shows that students who reclassify quickly tend to outperform all student groups, including never-ELs, on various measures (de la Torre et al., 2019; Hill, 2018; Umansky & Reardon, 2014). It may be that the academic outcomes we observe for students waiving services is influenced by underlying differences in student populations.

Oh (2022) used multilevel models to analyze statewide longitudinal patterns in English reading comprehension and math achievement among students who waived services, the broader EL population, and the Tennessee state-level average. Current ELs generally and those that waived showed progress in their academic achievement, but waived students consistently outperformed the state average in both subjects. These results suggest that waived ELs, particularly those with specific characteristics like advanced English proficiency or economic advantage, may be positioned to succeed academically. However, this does not necessarily indicate that waiving leads to improved achievement. The difference in student outcomes may reflect underlying differences between waived ELs and their peers who remain in language programs, such as differences in socioeconomic status, home language, or proficiency levels.

Thompson and colleagues (in press) employed coarsened exact matching to estimate the effect of waiving EL services on student outcomes, finding that those who waived EL services were more likely to graduate within four or five years and were less likely to experience "push-out" (i.e., drop out of school). These findings are the first to measure the impact of waiving using

a causal framework. Additionally, waived students were taking more elective courses, which the authors suggest may reflect the role of student choice and engaging curriculum in supporting retention. However, the mechanisms behind these gains likely vary across schools and districts, and the extent to which waiving opens access to a broader curriculum in other contexts may depend on local policies, course offerings, and placement practices.

Together, these studies suggest that the outcomes associated with waiving EL services are not consistent across contexts or student groups. Some studies find positive associations with academic flexibility, reduced remediation, or higher graduation rates, particularly among students with higher levels of English proficiency, while others document less favorable postsecondary outcomes or no clear advantage. However, much of this variation is difficult to interpret, as the existing literature relies heavily on descriptive comparisons or observational designs that cannot fully account for differences between students who waive and those who do not. As a result, it remains unclear the extent to which observed differences in outcomes reflect the effects of waiving itself, underlying differences in student characteristics, or variation in local policy and program contexts. Taken together, the literature underscores the need for cautious interpretation and further research to disentangle the role of waiving from the characteristics of students who opt out. It also points to the importance of understanding how educator practices and school-level conditions shape both decisions about waiving and their potential consequences.

Although prior research highlights patterns in who waives and raises important questions about the consequences of waiving, far less attention has been paid to how decisions about waiving are produced in practice. In particular, limited research has examined how the organization of EL services within schools shapes the conditions under which waiving becomes more or less likely, or the role educator discretion plays alongside this process. Features such as

program design, scheduling structures, and overlapping classifications all of which surface as reasons for waiving may create tradeoffs that educators must navigate and that make waiving more or less attractive to students and families, yet these dynamics remain largely unexamined.

Theoretical Framing

Communication and Information Access

Understanding the process of waiving EL services requires attention to policy design and how policy is communicated and enacted at the local level. As described above, communication about waiving is shaped by institutional constraints, including formal notification requirements, limits on educator recommendations as laid out in federal law, and variation in local implementation. These conditions create ambiguity in how information is conveyed and understood, positioning communication as a key site of policy mediation.

Although waiving is a federally protected right, research has shown that many families are unaware of this option or do not fully understand its implications (Brooks, 2019; Mattson, 2024). In some cases, families are not aware that their child had been classified as an EL, limiting their ability to make informed choices. These gaps in awareness and understanding highlight the significance of home-school communication, which often remains one-sided, leaving families without meaningful opportunities to engage in reciprocal dialogue with educators (Burho & Thompson, 2021; Kipchumba, 2017). As Nichols and Read (2002) argue, these communication practices place the burden on parents and caregivers to interpret institutional expectations, presuming linguistic, cultural, and bureaucratic knowledge that may not be equally distributed.

Federal and state guidance further shape these dynamics by emphasizing standardized notification practices, such as annual notification letters (U.S. Department of Justice, n.d.; U.S.

Department of Justice & U.S. Department of Education, 2015), with templates that include all statutorily required elements (U.S. Department of Education, Office of English Language Acquisition, 2017). While these letters fulfill compliance requirements and may be translated into multiple languages, they continue to rely on written, one-directional communication that does not ensure comprehension. As a result, families' understanding of waiving is not only uneven, but contingent on how these formal requirements are interpreted and enacted within schools. Institutional routines may enable or constrain information.

However, these conditions do not operate independently of the actors responsible for implementing them. Even within the same regulatory framework, how and when information is communicated and whether opportunities for dialogue are created can vary. This raises important questions about how educators interpret their role within policy constraints and how they navigate the tension between compliance while supporting families to make informed decisions.

At the same time, communication alone does not fully explain patterns of waiving. Decisions about waiving often reflect a mismatch between the services students receive and families' academic or social goals for their child. This mismatch is shaped by how EL services are organized within schools. Structural features may limit families' perceptions of services and the contexts in which decisions about waiving arise, suggesting the need to examine both how communication is mediated and how institutional conditions produce a need or desire to waive.

Educators as Street-Level Bureaucrats

To understand how communication is mediated and how institutional conditions produce a need or desire to waive, this study draws on street-level bureaucracy theory (Lipsky, 1980) to conceptualize the role of educators in the implementation of waiving policies. Street-level bureaucracy posits that frontline workers, such as teachers and school administrators, are not

merely passive implementers of policy but rather active agents who interpret, negotiate, and sometimes reshape policies in practice under conditions of ambiguity and constraint. In the context of waiving EL services, this ambiguity is shaped by policy guidance, which establishes families' right to waive while restricting educator recommendations, and by the organizational conditions under which services are delivered.

Prior research applying street-level bureaucracy to the education of EL-classified students highlights how educators' discretion is shaped by competing policy goals and institutional norms (e.g., Lee & Cole, 2024; Menken & García, 2010). For example, Menken and García (2010) describe how school leaders interpret and implement language education mandates in ways that often constrain bilingual programming. Extending this work, educators involved in communicating about waiving can be understood as policy intermediaries who translate legal mandates into actionable guidance for families. Their interactions with shape families' awareness, understanding, and decision-making about waiving. While federal guidelines prohibit school personnel from recommending waiving, educators may nonetheless be called upon to explain the process, respond to family inquiries, or clarify implications. This creates a tension between adhering to compliance-based regulations and ensuring that families have equitable access to information that allows them to make informed choices.

As street-level bureaucrats, educators carry out a range of tasks that extend beyond delivering information or complying with policy mandates. Weatherly and Lipsky (1977) emphasize that frontline workers regularly interpret ambiguous directives, allocate limited resources, and simplify their work through discretionary routines. In the context of waiving EL services, these tasks might include determining which families receive detailed explanations versus standard forms, how much time to dedicate to clarifying implications, and whether or

when to engage in discussions about waiving as they arise within organizational routines, such as scheduling conflicts or competing academic opportunities, in addition to perceptions of family background or student ability and need. These decisions, often made under institutional constraint, shape how families encounter policy and whether they are positioned to make informed, empowered choices.

At the same time, educator mediation of policy is not uniformly beneficial. While some educators may act as advocates, supporting families in navigating complex systems and fostering opportunities for dialogue (e.g., Brooks, 2019; Mattson, 2024 each highlight examples of individuals doing this work), discretion also introduces the possibility of uneven or biased guidance. Decisions about how much information to provide, how to frame options, or whether to engage families in discussion may be shaped by assumptions about students' abilities, language proficiency, or family background. As Peters (2012) argues, discretion is inherently tied to questions of equity, as the identities of both bureaucrats and those they serve influence decision-making processes. Perceptions of families and students may be shaped by raciolinguistic ideologies (Flores & Rosa, 2015; Rosa, 2019; Rosa & Flores, 2017) and broader assumptions about student ability and need (Kanno & Kangas, 2024; Menken & Kleyn, 2010; Thompson, 2015). As a result, educator discretion may either expand or constrain families' access to information and their ability to exercise their rights.

Street-level bureaucracy not only highlights how educators exercise discretion, but also how discretion is structured by organizational conditions, including resource constraints, institutional routines, and program design (Lipsky, 1980). In the context of EL services, these conditions include how services are scheduled, how they are integrated into coursework, and how they intersect with classification systems. These structural features shape when and why

conversations about waiving arise in the first place by creating tradeoffs between language support and access to other academic opportunities.

This study builds on these insights by examining how educators, as frontline workers, navigate these conditions in practice and how their discretionary decisions shape families' access to information and ability to exercise their rights. The stakes of this process are significant: waiving may increase access to broader academic opportunities for some students, while for others, it may limit critical language development support. Understand how these decisions are produced and the structural conditions under which they emerge is therefore critical to understanding how waiving functions in practice.

Ultimately, applying street-level bureaucracy theory to the study of EL waiving policies underscores the human element of policy implementation. Policies do not operate in isolation; rather, they are enacted through the daily interactions between educators and families, within organizational contexts that both constrain and enable action. In this study, I draw on street-level bureaucracy theory to better understand how educators interpret policy constraints, navigate organizational conditions, and make decisions that shape families' access to information. By centering the role of educators in this process, this study seeks to illuminate the ways in which street-level actors mediate the policy landscape and shape the educational experiences of multilingual students and their families. To explore these dynamics, this study investigates the following research questions:

1. How do secondary educators in Oregon interpret policy constraints around waiving EL services?
2. How do secondary educators exercise discretion in conversations about waiving, and what professional roles do they enact?

3. What structural and organization factors shape when and why incentive to waive emerges?

Method

I used a qualitative research design to explore educators' experiences and perspectives on communicating the option of waiving EL services. Qualitative designs are well-suited for examining the complexities of policy interpretation and implementation at the practitioner level. By centering educators' narratives, this study seeks to understand both the structural constraints and individual decision-making processes that shape their interactions with families.

Semi-structured interviews serve as the primary data source due to their ability to capture depth and nuance in participants' responses. The interview protocol (see Appendix A) will provide a consistent framework for discussing communication with families while allowing flexibility for educators to elaborate on their unique experiences. Conducting interviews in a one-on-one setting, rather than in focus groups, ensures that participants can speak candidly about their perspectives and practices, particularly when their actions may diverge from district or school guidelines (Seidman, 2019). I am also utilizing this design to build rapport one-on-one with participants, which will be crucial for member checking and ensuring the accuracy of interpretations during the analysis phase.

Although this study does not include direct observations of educators' interactions with families, the interview format provides an opportunity for reflection on their communicative practices. In line with the principles of critical discourse analysis (CDA), interview data is treated as situated talk that reflects broader ideologies, institutional logics, and the social positioning of educators within systems (Fairclough, 2010). While this presents a limitation in terms of observing real-time behavior, it allows for a deeper exploration of how educators

perceive and justify their approaches. This design is therefore well-suited for uncovering both commonalities and divergences in how waiving policies are enacted at the school level.

Study Context

Oregon enrolls approximately 550,000 students annually, with 10% classified as ELs (ODE, 2024). Of these, one in five EL-classified students attends a high school. The EL population shares broad characteristics: the majority are Spanish speaking (76%), Latine (76%), and eligible for free or reduced-price meals (88%). Additionally, 20% receive special education services, and 10% participate in migrant education programs, making Oregon home to one of the largest migratory student populations in the country. However, ELs' experiences vary significantly across districts, and a small number of districts serve the majority of EL-classified students (ODE, 2024), meaning local policies and contexts play an outsized role in shaping their educational trajectories.

Local policies also end up shaping how waiving is communicated. Oregon does not supplement the federal framework for waiving with additional state-level guidance on how districts should communicate the option to waive. Oregon Administrative Rules address EL program delivery requirements but do not specify the process through which families are informed of or supported in exercising their right to opt out (ODE, n.d.). Thus, local actors end up with more direct control over conversations about waiving, at least theoretically.

Oregon provides a unique context for studying the waiving of EL services at the secondary level due to its EL programming structure and graduation credit policies. The state has traditionally relied on standalone English language development (ELD) courses to provide English language instruction, typically meaning secondary EL-classified student schedules include a dedicated ELD period alongside core content and other graduation requirements. Prior

to 2021, students enrolled in ELD courses did not earn language arts or world language credits toward graduation, a policy that placed additional academic burdens on ELs. The passage of the Access to Linguistic Inclusion Act (HB 2056, 2022) changed this by allowing ELD courses to count for required graduation credit, but before this shift, many students and families may have viewed EL services as a barrier to postsecondary opportunities. As a result, waiving may have been seen as a strategic decision to free up space for required courses or electives, potentially contributing to Oregon's higher waiving rates compared to states like Michigan and Texas (Thompson et al., 2025).

While standalone ELD courses are the most common programming model for English language instruction in Oregon, district-level variations in programming likely shape how families engage with the waiving process. Some districts use integrated, or push-in models instead, where students receive English language instruction within core curriculum, which may present different incentives or barriers to waiving. Integrated models that utilize co-teaching have been on the rise over the last decade (Khurana et al., 2026). Likewise, alternate programming models, like bilingual models where students receive direct instruction in their home language alongside English, may lower the incentive to waive. However, little research has explored how these structural differences impact family decision-making (for exceptions, see Olivos, 2006, 2009; Olivos & Mendoza, 2013), leaving an open question about whether and how district policies contribute to waiving trends. By interviewing educators in districts with varying approaches, this study will describe how local policies and instructional models shape the ways educators communicate the option to waive to families.

Sampling Strategy

I recruited secondary educators, language specialists, and district coordinators who currently or previously worked directly with students classified as ELs in grades 6-12. Because my research design aims to highlight convergent and divergent themes across interviews, I chose focal districts to ensure variation in district-level EL enrollment and service models (i.e., standalone ELD, integrated ELD, and bilingual programs). These aspects of EL programming may influence the ways educators enact their discretionary roles in communicating about waiving, a key concern of street-level bureaucracy theory. For example, schools with specific service models may have more established processes for navigating waiving if they see high rates of students opting out.

Additionally, the number of EL-classified students in a district serves as a balancing factor. Larger districts often enroll higher numbers of EL-classified students and may have greater resources, while smaller districts may face different constraints in how services are delivered and how waiving is navigated. Given the demographic makeup of Oregon where a small number of districts account for most EL enrollment, primarily in urban areas, sample districts also reflect variation across geographic locales.

I generated a list of potential focal districts by tabulating EL enrollment and longitudinal waiving rates for each district and merging that data with information about geographic locale and service models used. I relied on administrative longitudinal statewide data provided by the Oregon Department of Education to identify EL enrollment, waiving rates, and service models, and National Center for Education Statistics (NCES) data to identify geographic locale collapsing "town" and "rural" into a single category (rural), identifying "cities" as urban, and retaining the original "suburban" code. The administrative dataset was made available as part of

the National Research and Development Center to Improve Education for Secondary English Learners, a center housed at WestEd and funded through the Institute of Education Sciences (award R305C200008). Using these data, I then chose six districts using the following criteria:

1. Identify where waiving had increased, decreased, or remained stable from 2014 through 2024
2. Mark those districts with notable patterns (i.e., highest increases or decreases, stable and low rates, stable and high rates)
3. Create a short list that sampled across total enrollment, proportion of EL students, geographic context, service model
4. Narrow the list to those districts in which I could leverage existing connections
5. Select six districts with variation across key variables with equal representation across declining waiving rates, increasing rates, and stable rates

Following recruitment, three districts with meaningful participation were selected as focal case studies. These districts varied in waiver trends, concentration of students classified as ELs, ELD programming, and geographic context. For confidentiality, districts are referred to using pseudonyms. Table 2.1 summarizes key characteristics of the focal districts.

Table 2.1

Characteristics of Focal Districts

District	Waiving Trend	Waive 2014	Waive 2024	EL %	Total enrollment	Locale	Secondary programming model
Summit View	Declining	8%	3%	>25%	>10,000	Suburban	Integrated or Dual language
Pine Valley	Stable	12%	10%	Between 10–25%	<10,000	Rural	Integrated (MS) + Standalone (HS)
Cedar Ridge	Increasing	4%	11%	<10%	>10,000	Urban	Standalone + Dual language

Recruitment

I used existing professional connections for the first wave of recruitment, leveraging relationships developed through partnership with the National Research and Development Center to Improve Education for Secondary English Learners (R&D Center). Given that educators are already overburdened, participation in an interview may feel like a significant lift. To alleviate this, I offered participants a $25 gift card as an incentive. I began by compiling a list of six target districts that met the sampling criteria described above and directly contacted educators within them via email to request participation. Given that educators are often overburdened, participation in an interview may feel like a significant lift. To alleviate this, I offered participants a $25 gift card as an incentive.

Following the initial outreach, I employed a targeted snowball sampling approach, asking participants to refer colleagues working in relevant roles or contexts. For example, I asked, *Are there other individuals in the district involved with waiving that I should talk to next?* I then followed up with those individuals in subsequent waves of recruitment. After two waves of

recruitment, participation was concentrated in three districts. Given stalled recruitment efforts in other districts, I focused the study on these three districts as focal case studies.

In total, 13 educators participated in interviews across the three focal districts. Participants include one counselor and twelve language specialists working with students classified as ELs in grades 6–12. These specialists included classroom ELD teachers as well as individuals serving in instructional coaching, program specialist, or district coordination roles supporting language services. Because formal job titles may be district-specific, I collapse role designations into standardized categories (counselor, teacher, teacher on special assignment [TOSA], and district-level staff) to preserve confidentiality. Participants are referred to using pseudonyms, and gendered language is avoided in reporting. Table 2.2 summarizes participant roles and professional backgrounds.

Table 2.2

Roles and Characteristics of Interview Participants

Name	District	Role	Current or Former ELD Teacher	Years in Current Role	At least 5 years of teaching experience
Alex	Summit View	District-level staff	Yes	10	Yes
Riley	Summit View	District-level staff	-	3	-
Frankie	Summit View	District-level staff	-	2	-
Sage	Summit View	TOSA	Yes		Yes
Sam	Summit View	Teacher	Yes	20+	Yes
Taylor	Summit View	TOSA	Yes	1	Yes
Ash	Pine Valley	District-level staff	Yes	2	Yes
Jordan	Pine Valley	Teacher	Yes	1	Yes
Lee	Pine Valley	Teacher	Yes	3	Yes
Pat	Pine Valley	Counselor	No	13	Yes
Jamie	Cedar Ridge	Teacher	Yes	3	Yes

Max	Cedar Ridge	District-level staff	Yes	2	Yes

Note. Empty cells indicate missing information that was not provided during the interview.

The distribution of participants varied across districts. Pine Valley, as a smaller district, was represented by a comprehensive set of participants connected to EL service delivery. In contrast, Summit View and Cedar Ridge, as larger districts, were represented by a more limited subset of roles and school contexts. Cedar Ridge in particular was represented by two participants, providing more limited insight into within-district variation.

Data Collection

To guide the recruitment process, I used the most recent year (2023–24) of Oregon's EL Collection available through the R&D Center. This dataset is updated annually and provides information about EL enrollment, school and district placement, and the type of programming students receive. I used state program model codes to classify districts by their predominant program type (ESL or bilingual), further distinguishing ESL as either standalone or push-in instruction and calculated EL proportions and waiving rates within each district.

I conducted 13 hour-long semi-structured interviews with secondary counselors, ELD educators, specialists, and district administrators. I offered all participants the option to meet in person or via zoom, and all but one participant chose the virtual option. All interviews were recorded and transcribed using Otter.AI. Each of these approaches had some advantages and disadvantages. Conducting the interviews in person may better facilitate rapport-building, establishing higher trust and a connection I can rely on later in the member checking process but can come with potential recording and transcription issues. On the other hand, Zoom enables higher audio quality but may not establish the same level of rapport. I reviewed all transcripts to correct potential transcription errors during analysis.

At the start of each interview, I obtained informed consent. Participants were informed of their right to withdraw at any time or skip questions and were asked if they were comfortable with the session being recorded. I also informed them I would keep their identity confidential, relying on pseudonyms for individuals and districts and de-identifying transcripts by removing identifying information. At the end of each interview, I invited participants to review a future analytic memo to provide feedback.

Following the interview process, I reviewed transcriptions and wrote analytic memos documenting key moments, tensions, and initial impressions of district dynamics. Rather than serving as neutral summaries, the memos were treated as interpretive tools that supported ongoing analysis by surfacing early patterns and contradictions in the data before starting the coding process. Importantly, they provided an intentional moment of reflection. During analysis, they helped interpret surfacing themes, identify discourse patterns, moments of ambiguity, ideologically charged language, and critical tensions that warranted closer examination. This approach aligns with prior work that frames memoing as a form of analytic scaffolding in qualitative research (Saldaña, 2013). I referred to the memos during each coding phase and throughout theme development to trace how my thinking had evolved, identify patterns that may not be immediately visible through coding alone, and ensure that early insights or nuanced observations were not overlooked in later analytic stages.

Analytic Approach

To analyze the data collected from interviews, I employed a combination of inductive thematic analysis and CDA, aligning with the research questions to capture both patterns in communication practices and the power structures embedded in discourse.

Thematic Analysis

To answer RQ1 (*How do secondary educators in Oregon interpret policy constraints around waiving EL services?*), I used thematic analysis to inductively code and generate themes across transcripts.

Inductive thematic coding is appropriate for this study as it allows patterns and themes to emerge directly from the data rather than being imposed by pre-existing theoretical frameworks (Braun & Clarke, 2006), while remaining open to theoretical insights from street-level bureaucracy that help interpret how discretion, simplification, and gatekeeping operate in educators' accounts. This approach prioritizes participants' experiences while acknowledging the role of researcher interpretation in identifying patterns and constructing themes. Thematic analysis followed the structured approach outlined by Saldaña (2013), proceeding through multiple cycles of coding to ensure depth and accuracy: 1) first cycle coding; 2) second cycle coding; 3) theme development; and 4) final refinement.

First, I conducted an initial cycle of coding. This included reviewing transcripts and analytic memos to generate initial descriptive and in vivo codes that captured participants' perceptions of autonomy or constraint. For RQ1, coding focused on educators' descriptions of the policy context and their resulting communication process with families.

I developed an additional set of codes using the same approach to answer RQ3 (*According to educators, what structural and organization factors shape when and why the incentive to waive emerges?*). Here I was documenting the factors that my educator interviewees identified that led families to seek out waiving. In addition, I examined how these factors aligned with the types of students and situations referenced by educators. Rather than producing an exhaustive classification, this analysis focused on identifying patterns in when and why the

incentive to waive emerged and how educators responded within those contexts. This allowed for the examination of how structural conditions and student circumstances intersected to shape both the emergence of waiver pressure and educators' discretionary responses.

Next, I underwent second cycle coding for each research question. In this step, I condensed the codes generated through first cycle coding, categorizing them into groups and generating pattern codes that identified broader themes related to discretion and influencing factors.

Then, I underwent theme development. I further refined the categories I created to identify overarching themes, examining their relationships, and ensuring coherence within and across cases. This step allowed me to identify convergent and divergent themes. Prior research suggests that thematic saturation is often reached within the first 12 interviews (Guest et al., 2006). Consistent with this, the analysis prioritized identifying recurring patterns across interviews while remaining attentive to variation across district contexts and service models.

I then began the member checking process, writing a memo that describes the themes I've identified with examples from the data. I shared this memo with educators and offered the opportunity to meet one-on-one to discuss their reactions and suggestions, or for individuals to react via email. Three participants, one from each focal district, provided feedback. I used the feedback to guide final revisions and refinement. Specifically, I revisited themes for clarity and validated findings by reviewing prior analytic memos and participant feedback.

Critical Discourse Analysis

To answer RQ2 (*How do secondary educators exercise discretion in conversations about waiving, and what professional roles do they enact?*) I used CDA. CDA is a valuable methodological tool for this study because it uncovers how power, institutional constraints, and

ideology shape interactions through language (Fairclough, 2015; Gee, 2014). Since waiving is a legally protected right but constrained by federal guidance prohibiting educators from recommending it, CDA will help reveal how educators navigate this tension in their language and framing.

I used Fairclough's (2016) CDA framework to guide the process of analysis, utilizing *genre*, *discourse*, and *style* as key dimensions of meaning-making in educators' language. Genre refers to the ways discourse is socially situated within particular institutional and communicative contexts. In this study, I analyzed genre to understand how educators recall and frame their conversations with families about waiving EL services, including whether and how they describe aligning their discourse with formal district policies, legal requirements, or professional norms. *Discourse* encompasses the broader systems of meaning that shape how topics are framed, including dominant narratives, ideologies, and taken-for-granted assumptions about EL students, language learning, and school policy (Fairclough, 2010). By analyzing discourse, I examine how educators' talk reflects and reinforces or challenges existing institutional power structures. Style refers to the identity work that educators do through language, including the stances they take and the rhetorical choices they make when engaging with families (Gee, 2014). Style will be particularly important in analyzing how educators construct their professional roles, whether as policy enforcers, advocates, or neutral informants. By integrating these three dimensions (genre, discourse, and style) this analysis will provide a deeper understanding of how educators mediate policy, construct their professional agency, and navigate tensions between institutional constraints and family engagement. This analysis took place in three phases: 1) identifying discursive patterns through genre and style; 2) examining implicit ideologies through discourse; and 3) connecting to broader structural influence.

During the first phase, identifying discursive patterns, I examined recurring linguistic structures, framing devices, and rhetorical strategies that are used by educators when discussing waiving. First, I split the transcripts into stanzas (Gee, 2014) using participants' responses to the prompt: *Next, I would like you to tell me a story. Can you walk me through a time that stands out where you were involved in a conversation about waiving?* Each of these stanzas was analyzed individually. For each, I documented the strategies educators used that reflect genre, discourse, and style. As an example of style, an individual may have used pronouns in a revealing way in response to this question, situating themselves as a "we" against a "they," which could highlight tensions between educators who enforce the rules and administrators who set them.

In the second phase, examining implicit ideologies, I analyzed the stanzas to determine the type of discourses, or ideologies, that surface. For example, an educator may describe being hesitant or unwilling to initiate conversations about waiving, instead waiting for families to bring it up. This could reveal an implicit ideology that waiving should be entirely a caregiver-driven decision, reinforcing the status quo of one-sided communication rather than reciprocal engagement. Once individual-level analysis was complete, I compared across transcripts, paying particular attention to recurring strategies used that relate to power relations and institutional constraints reflected in educators' discourse.

In the final stage, I connected discursive patterns identified in earlier stages of analysis to the broader policy context shaping waiver conversations. Rather than introducing additional transcript-level coding, this stage involved comparing how educators described structuring conversations with students and families and grouping these patterns into two recurring approaches to discussing waiving. These approaches reflected different ways educators navigated the policy constraints surrounding waivers, including federal requirements that

families hold the right to decline services and professional norms discouraging educators from recommending waiving. Interpreting these patterns in relation to federal guidance, state policy, and district service models allowed me to examine how educators' talk reflects the tension between mandated neutrality and perceived responsibility for student outcomes. This stage therefore served as an interpretive step that both synthesized patterns surfaced through CDA into a small set of communication approaches and situated those approaches within the broader policy environments in which educators work, consistent with both CDA and street-level bureaucracy perspectives.

Combining thematic analysis and CDA allow for a layered examination of educator discourse: both *what* is said and *how* it is said. This dual approach reflects the street-level bureaucracy's framework's emphasis on understanding how frontline workers exercise discretion, respond to institutional constraints, and navigate the tensions between policy mandates and family engagement in real-world school contexts.

Reliability

To ensure the rigor and credibility of my findings, I've incorporated several strategies to enhance reliability and validity, including member checking, reflexivity, and triangulation.

Member Checking

I engaged participants in member checking to enhance the accuracy and credibility of my findings, and to engage participants in the process of meaning-making. Following analysis, I followed up with participants to clarify interpretations and to validate themes. This process was intended to allow educators to confirm that their perspectives are accurately represented and provide opportunities to refine or expand on key insights. Many participants preemptively requested findings to inform their knowledge, so in addition to formal member checking, this

step served to more generally share developing knowledge with participants. Three participants (one in each focal case district) responded to the request and provided positive feedback.

Reflexivity

As a researcher, my positionality influences the study, and I have engaged in ongoing reflexivity to minimize potential biases. My background in education policy and research informs my approach, shaping the questions I ask and how I interpret findings. Importantly, my background does not include K-12 public teaching, and thus I rely on reflexivity and member checking to ensure I am reflecting educators' perspectives in a way that is respectful and accurate. To further mitigate bias and enhance analytical transparency I maintained analytic memos to document reflections on coding decisions and potential biases. I also conducted peer debriefing with colleagues who are familiar with qualitative research and EL education to critically examine emerging interpretations.

Triangulation

To strengthen validity, I incorporated triangulation by comparing findings across different contexts and, when relevant, district policies. I did so by analyzing patterns across schools and districts with different ELD programming to determine whether themes related to waiving EL services were consistent or vary by ELD programming. I also analyze patterns for high and low concentration of ELs and bring in information about district investment in language services based on conversations with district coordinators. Together, these strategies help ensure the study remains methodologically rigorous while capturing the complexity of educators' experiences and perspectives.

Findings

Across districts, waiving did not appear to be primarily driven by how individual educators presented the option to families. Instead, variation emerged in the broader context in which waiver conversations occurred, particularly the structure of EL programming and how services were designed, delivered, and experienced within schools. These contextual differences shaped when incentive to waive emerged and how educators handled family communication.

The findings therefore unfold across three analytic layers. First, district cases illustrate how educators interpreted policy constraints surrounding waiver conversations (RQ1). Second, cross-district analysis examines how educators enacted different professional roles when navigating waiver conversations with students and families (RQ2). Third, cross-district patterns reveal structural features of schooling that generated pressure to waive services (RQ3).

Interpretation of Policy Constraints

Educators described navigating waiver conversations within a shared policy framework that formally grants families the right to decline language services, but they interpreted the boundaries of that policy in different ways. Across the sample, all districts relied on a formal waiver form supplied by the state department of education that families need to sign to opt out. While some districts developed additional formal procedures and documentation to guide conversations about waiving and others relied more heavily on educator discretion, participants consistently described similar guardrails shaping their actions. In particular, educators emphasized that discussions about waiving services should generally be initiated by families rather than introduced by school staff and framed their role as ensuring that families understood the purpose and implications of language services before making a decision. Within these shared constraints, however, districts varied in how openly the option was communicated and how

much information was provided once families raised the issue, resulting in distinct approaches to waiver conversations across contexts. The following district cases illustrate how these interpretations of policy constraints shaped waiver conversations in practice.

Pine Valley: "We don't broadcast it. Yeah, you can waive, but we don't recommend it."

Pine Valley is a small district with a relatively small population of students classified as ELs, and multilingual services are delivered through different instructional models across grade levels. At the middle school level, language support is largely embedded through a recently implemented co-teaching model, with ELD staff working directly in content classrooms. At the high school level, however, services are more commonly delivered through standalone ELD classes. The district has recently invested in a coordinator position responsible for overseeing multilingual programming and is beginning to formalize structures around services. Currently, communication about waiving is limited to the required annual notification letter sent to families, though the coordinator shared that additional guidance may be developed in the future. Over the past decade, waiver rates in the district have remained relatively stable, hovering around ten to twelve percent for all students classified as ELs.

Within this context, participants consistently described language services as beneficial and framed their role as helping students remain in the program long enough to develop academic language with the goal to exit services. While families retain the right to waive services, educators described the district's stance as one where the option exists but is not promoted. As one participant put it, "We don't broadcast it. Yeah, you can waive, but we don't recommend it." This framing shaped how participants interpreted the policy environment surrounding waivers and the boundaries it created for educator communication.

Across interviews with ELD teachers, district leaders, and counselors, staff in Pine Valley described interpreting the policy through a strongly prohibitive lens. Participants repeatedly emphasized that waiving *must* be initiated by families. Lee, a high school ELD teacher, described being reprimanded by a building leader after discussing the option with a family, "Yes, when I started doing this [role], one time I kind of suggested to a parent maybe, *maybe*, you need to look into different options and I was told 'no, you can't do that. You cannot even bring the subject [up]. You can't. You're not supped to say [that].' Okay, never again." Other participants echoed similar interpretations of the policy, stressing that they should not even introduce the possibility of waiving and that the conversation can only begin if families raise the topic themselves. Pat, a school counselor, explained that when the conversation does arise, they personally recommend *not* waiving services "I don't ever encourage a kid or a family to not [take] that class [ELD]. So it's, it is always just a family, for whatever reason that they bring it up, but I am usually the one that will come through if they're in my alphabet [i.e., students assigned to them based on alphabetical caseload]. If it's the other counselor, you know, same thing. She's on the same page as I am in terms of just saying 'Yeah, you can, but we don't recommend it.'" Several educators also shared examples where students brought up the idea of leaving services multiple times before educators felt comfortable engaging the conversation seriously. For example, Lee shared, "And, you know, after several times of talking and listening and that kind of thing, you know, talking to the student and my administrator…this just seems like things are not going well and it's causing other problems like wanting to not be here and skipping class and that kind of thing. And so, having the conversation of you know, we can talk to a parent about you not taking this class." Similarly, Jordan an ELD teacher shared, "I don't

know, if I had an adult reach out to me to say that, that's one thing, but it's, you know, like a 12-year-old being like, I don't want this."

This prohibitive interpretation corresponded with limited formal communication about families right to waive. Participants described the notification letter as the primary mechanism informing families of their rights. At the same time, several educators expressed skepticism that the letter effectively communicates the option to families. Jordan noted that "it's got to be reading fatigue. 'I get this letter every year, I don't feel like reading the whole thing through', so we're not close reading the letter," while Lee suggested the letter can sometimes function as a barrier, "And sometimes the form can be a barrier, in the sense that a kid wants to [waive], and they said, 'Well, my mom has said that we can', and, 'oh, great, here's the form', you know, or whatever, and 'take it home and get it signed'. And they don't ever bring it back, so they're in the class still, and we don't know maybe what's going on at home, or if the kid's not telling the truth, or whatever." When waiver conversations do occur, educators described focusing on helping parents understand the purpose of services, particularly the distinction between conversational and academic language development, how services support that development, and continued language proficiency testing even when students waive. The focus stayed on families right to receive services and why, rather than on their right to opt out.

Participants also described the policy environment as functioning simultaneously as a protection for students and a constraint on educators. Because language services are widely viewed as beneficial, several educators suggested there is little reason to actively publicize the waiver option. At the same time, the absence of formal district guidance beyond the notification letter appeared to create uncertainty about what educators are permitted to say and who is responsible for handling waiver conversations. Participants offered different answers when asked

who takes the lead: some pointed to ELD teachers while the ELD teachers pointed elsewhere. In one case, because they felt family liaisons were better positioned to walk families through the process, and in another because they stopped conversations about waiving entirely after being reprimanded:

> **Researcher**: Yeah, could you tell me about when a student brings up this issue [of waiving]? Do you sort of say, like, 'Okay, I will talk to your parents.' Or do you tell them that this is an option that they can waive? Or do you just wait for the families to come to you?
> **Lee**: No, I cannot say anything.

Despite this constrained environment, Lee described navigating waiver conversations differently from colleagues once they were initiated by families. Rather than approaching the interaction primarily as an opportunity to provide information about services, Lee described the conversations as opportunities to understand what was not working for students and why they were considering leaving services. This sometimes involved discussing scheduling conflicts or frustrations with the program and exploring ways to address those concerns in order to keep students in services and defer the conversation about waiving. They experienced a high level of tension when situations came up where families looked to them as the expert, but they felt unable to clearly discuss options for the student because of perceived legal restrictions. One example involved a student whose ELD placement conflicted with a dual enrollment opportunity:

> I have one student, really smart boy… And he came to me, 'what should I do? I want to do that [dual enrollment option], but I have your class. I don't know what to do.' And I was thinking, well he should go for [dual enrollment option]. He doesn't really need my class. I care for the boy, I really do, but he doesn't need my class. But I can't [say that]. So I told the boy, 'maybe you want to talk to the counselor [about] what is best for you'…I feel that there is [a tension] because there is a restriction so I cannot be open, and sometimes I would like to [say], 'Yes, this is the best for you. Let's do this.' Yeah, I mean, it makes sense to me to provide the support to some students, but to some, maybe they need to explore something different.

Summit View: "We try not to call attention to it, but also ensure families know about it."

Summit View is a large suburban district serving a large population of students classified as ELs and has invested heavily in multilingual programming over time. The system includes multiple district-level and school-based roles dedicated to supporting multilingual learners, including specialists who work across schools and grade levels. This infrastructure reflects a broader institutional commitment to serving multilingual students and maintaining consistency in how services are implemented across the district. Language services are delivered primarily through an integrated co-teaching model in which multilingual specialists work alongside content teachers to support students' language development within general education classrooms. Over the past decade, waiver rates in the district have steadily declined, falling from roughly eight percent of students to around three percent.

Within this context of established institutional capacity and program development, Summit View had the most standardized process for waiving services across the districts in this study. Rather than relying solely on educator discretion, the district had developed formal structures to guide the process of waiving, including talking points for the conversation. Participants referenced district-created forms that include information about outcomes for students who waive compared to those who remain in services, as well as a flow chart outlining the steps staff should follow when a parent initiates a waiver request. The process also requires multiple individuals to sign off before a waiver is finalized. These structures create clearer procedural expectations for educators and ensure that waiver decisions move through a consistent review process.

Even with these formalized structures, however, participants emphasized that the district maintains a clear boundary around how waiver conversations begin. Like in Pine Valley, staff

are expected to refrain from introducing the option of waiving. This expectation is built directly into the district's waiver forms, which include a statement—printed prominently in bold red text—requiring parents to affirm that no staff member encouraged them to waive services. In this way, the district formalizes both sides of the process: while procedures exist to guide the conversation once it begins, the responsibility for initiating that conversation is positioned firmly with families. At the same time, the standardized materials also create space for more explicit discussion once a waiver request has been raised. The forms themselves provide families with information intended to support decision-making, including district data on outcomes for students who waive services. Participants described this approach as reflecting a shift from an earlier period when the district held a more strictly prohibitive stance. The district coordinator explained that communication about services became more consequential as the district transitioned to integrated programming and families often lacked a clear understanding of what language support looked like under the new model. Sam, an ELD teacher, described approaching waiver conversations with this in mind, emphasizing the importance of "the philosophy of honoring what families are wanting" while ensuring families understand the role language services play in supporting students' academic development.

When conversations occur, educators described a goal of ensuring families understand what services look like for their child and what they would be opting out of under the integrated model. Sam described drawing on their knowledge of language acquisition to explain how multilingual development unfolds and to emphasize that multilingualism is something that should be cultivated both at school and at home:

> I try to just give parents a sense of, like, the pros and cons of it. You know, what the service provides…and maybe just elevating multilingualism a little bit. Understanding that, like, this is really a superpower so even if you're going to pull them out or whatever, you're not using Spanish at home, or you're hesitant, like, seriously, use it. Good for

> them. Do it…I mean being in a ELD class or not, the benefits for them and their kids are, you know, I think, a lot.

Sam noted that these conversations are most effective when they occur in person so families can weigh the pros and cons and ask questions, though this is not always possible in practice, "I feel like most communications that have been successful with the English language populations that I worked with are in person, you know, having something early in the year that [makes] families feel like they're really members…Paper notification, I think, is limited at best even if it's translated." Taylor, a TOSA in the district, similarly described creating space for curiosity during these discussions so families feel comfortable asking questions and exploring the decision "[My main responsibility is] making sure that they have as much information as they need. I try to give them opportunities to ask questions. I try to give them relevant information that will hopefully spur on some questions in order to have them ask more."

Several alternative pathways to waiving arose in conversations. In cases where families believe a student was misidentified and express anger or frustration with the EL label, they may be given the option to redo the home language survey to erase the label from the student's record. For example, Sage, another TOSA, shared:

> It's pretty high Asian and South Asian population, and they would often waive for their, I mean they would say it was for their resume…Just really thinking long term. So I would always explain, like, the students don't even know that they're in ELD [in an integrated model] until they're pulled to do the ELPA test. But they are going to be supported in their class whether they're in it [EL services] or not. It's just a matter of like, getting more support if needed… Some of them would be fine. 'Oh yeah, ok, that's fine. I just don't want them pulled for a different class', right? Or the other students, the other parents would say 'Absolutely not.'. So I'm like you have the option of waiving it. They will also ask, 'Well can I just redo the language use survey?' Which they can, that's up to them, so then it's just totally of their record that they even qualified for it at some point.

As Sage described, a motivating reason for scrubbing the EL label from their record was to ensure their child did not have to take the annual English Language Proficiency Assessment for the 21st Century (ELPA) test. Other educators also noted that some students waive both

services and the ELPA. Waiving the test, however, was described as far more restrictive, typically requiring a qualifying circumstance such as a disability-related reason or a religious exemption per state guidance. Summit View was the only district where participants described the option to waive the ELPA or retake the home language survey as an option provided in waiver discussion. Most educators in other districts interpreted state policy to prohibit waiving the ELPA.

Cedar Ridge: "I don't want any student to feel like they don't have choice or autonomy over their learning"

Cedar Ridge is a large urban district serving a mid-sized population of students classified as ELs. The district had fewer centralized structures guiding program implementation than in the other two focus districts, though, currently, the district is entering a period of transition with the central office recently creating a role dedicated to overseeing multilingual services. At the time of the interview, the coordinator was in the process of developing the district's first strategic plan focused specifically on multilingual learners. They described this moment as one in which the district was beginning to build clearer structures, policies, and systems around services that had previously operated with greater local variation. EL services in the district primarily rely on standalone ELD classes or dual language instruction. The district has experienced a steady increase in waivers, rising from roughly four percent of students in 2014 to around eleven percent in 2024.

Within this context, participants described relatively few explicit restrictions governing how educators could discuss waiving services with students or families. Unlike in the other districts, the district coordinator did not name clear limitations on whether teachers could raise the topic themselves. One ELD teacher, Jamie, described explicitly naming the possibility of

leaving services at the beginning of the school year as part of setting expectations with students, "And so when I meet students, I talk about my classes, I show them my materials, and I also am very frank that this is an elective. This is a choice class. I never want a student to feel in any way, like…burdened or restrained or detained." Jamie described these conversations as grounded in students' academic experiences and needs. When students express frustration with ELD or asked about leaving services, they described discussing with the student how they are doing academically and whether language support is still necessary. In some cases, these conversations led to identifying alternative ways to support the student, for example, moving the student into a study support period rather than attending a class dedicated to language instruction when they felt what they needed was more general academic assistance. Jamie explained that making the option visible helps ensure that students, particularly long-term English learners, do not feel "stuck" in services:

> I'm like, you were scheduled in ELD until we have a conversation about how your other classes are going and if you see yourself growing in this space, if this is useful time for you versus just saying like, you're stuck here until you can prove to me that you've acquired a certain level of language proficiency. That's also come with 20 years of seeing kids plateau, especially with this assessment [ELPA]…often kids are high flyers in listening and speaking, they'll get top scores, but reading and writing can just kind of plateau at level three and you can't get out of ELD officially, on paper you can't exit ELD or the—again, this is our systemic language—limited English proficiency flag until you have met the benchmark…I feel like that is quite punitive and doesn't see the whole picture of a student and what they're able to do and how they're showing their skills in lots of different ways so I would never take one assessment as a measure of a student's ability so that is [why] often it's like, how are you doing [in] your other classes? Are you meeting your teachers' expectations? Are you understanding?

At the same time, this open-door approach was not universally shared. Max, the district coordinator, described interpreting the policy environment somewhat differently and emphasized the importance of protecting students' access to language services. Max questioned whether waiver conversations across the district were consistently grounded in students' academic data and needs, noting that in some contexts teachers may suggest waiving during meetings such as

IEP discussions, potentially in an effort to reduce caseloads. From this perspective, the absence of clear district guidance created the possibility that waiver conversations might unfold unevenly across schools.

Max shared that the district is still developing systems to track what happens after students waive services. They noted that monitoring waived students was not occurring consistently across the district, an issue they plan to correct in their new district role:

> …Really advocating to ensure that, at a systems level, that all of our buildings are keeping an eye on waived students, that they're at the forefront of the data that we're looking at when we're looking at student outcome data. That we're not just looking at names and test scores, but that we're really being intentional about looking at our waived and monitored students in particular, as well as our ELS, but just making sure that the waived students aren't getting lost, because I feel like they do get lost. And the other piece too is educating classroom teachers, because we have in [data platform] that kids come with flags, right? So there's like an L flag and there's a W flag that means waiver, but I don't think many teachers know what any of our flags mean, right? And so there's that other piece of ensuring that, as a system, we're educating teachers to understand that when you go into [data platform] and you open up your class list, and you're looking at a student, if you see a W on there, that means that student is waiving services…And perhaps you're going to need to keep an extra eye on that student.

Max explained that the central office is in the process of building clearer systems for tracking waived students and collecting information about why students choose to leave services, noting that, "I think my role and my office is going to be an integral role. I might not sit in on all the meetings, right? I think as needed, I would come in…But the other piece is really, I think, in my role, setting the structures and the policies and the systems in place for how we're going to adapt."

Autonomy and Enactment of Roles

Educators navigated waiver conversations with considerable professional discretion. Although policies and procedures created boundaries, particularly around whether educators could initiate discussions, the content and structure of the conversations relied on individual judgment. Within these spaces, educators did not occupy a single fixed role. Instead, they moved

fluidly among different professional identities depending on the context of the conversation, the student's circumstances, and their own understanding of their responsibilities. This flexibility was reflected in the discourse patterns participants used when describing waiver conversations. Throughout this section, I use italics to highlight specific discursive features (e.g., genre, discourse, style) in participants' accounts. Across interviews, educators shifted between procedural explanation, justification of professional decisions, and storytelling about specific students, signaling different ways of positioning themselves in relation to families and institutional expectations and reflecting how they enacted discretion through different professional roles.

One orientation centered on providing families with the information necessary to make an informed decision about language services. In these interactions, educators emphasized the academic language development needs of students and framed their role as explaining the purpose and function of language services. This stance was frequently expressed through the *genres* of procedural walkthroughs and policy explanations, where educators focused on clarifying how services operate and why students were identified. For example, one educator described explaining the integrated model to families: "I explained that, like, you know, in an integrated model, a teacher will come in and help support, they're doing the same work that every other, every other student is with some scaffolds, and they stay in class the whole time" (*procedural walkthrough*). Here, the emphasis is on translating institutional processes into accessible terms, positioning the educator as a guide to how the system works rather than as a collaborator in decision-making. Similar patterns appeared across interviews when educators described explaining reclassification timelines, testing requirements, or the procedural steps

required to waive services, often referencing formal documentation (*genre*) and institutional processes.

These explanations were often embedded within *discourses* related to *expertise*, where educators positioned themselves as knowledgeable interpreters of language development and school policy ("So you might have a student or child who doesn't speak the language, your home language, or your, you know, your first language, but they actually understand a lot of it, and they weren't listening to English all of that time, so that vocabulary development and all of that stuff could be behind") and *compliance/accountability*, which centered procedural correctness and documentation ("And this is the letter that is dictated by the state. We don't. We don't make our own letter. We use what the state has provided for us"). Linguistically, this positioning was marked through stylistic features such as *pronoun choices*, with educators frequently using "I" or "we" to signal professional authority when explaining how language acquisition works or why services are structured in particular ways ("**I** helped him understand"; "**I** explained how it worked"; "**we** just give this test"; "**they** were very upset with **us**"). Additional stylistic features included *intertextual policy referencing*, where educators invoked documents, statutes, guidance, or forms used alongside *indexing*, specifically using "the" vs. "a" or "an" to reference formal documents and statutes that strengthened legitimacy ("we did **the formal assessment**"; here's **the form**"; "**the ELPA test** every year").

Within this informative orientation, educators also frequently engaged in *justification or rationale-giving* (genre), offering explanations for why they did or did not recommend waiving ("This student needed EL services. This was an intermediate English learner who desperately need support") and why remaining in the program may be beneficial or not for students ("It's not personal, like, you know, it's like, what do they need? I don't know, like 1,000 different things

and none of them are the same"; "one of the benefits of being in an ELD program is that you've got one person with a smaller caseload that has eyes on your kid"). These accounts often blended expertise with a rights-based framing of services (*discourse*), emphasizing that multilingual learners are entitled to instructional support designed to develop academic language ("it's their civil right to receive those services"). Participants described feeling a moral responsibility to ensure that families understood both the benefits of services and the potential trade-offs associated with waiving them. In these moments, educators positioned themselves as institutional translators—individuals responsible for helping families interpret policies, testing requirements, and instructional models so that decisions would be made with a full understanding of their implications.

A second orientation emphasized collaboration with students and families in shaping educational decisions. In contrast to procedural explanation, these interactions were more frequently conveyed through *storytelling* (genre), where educators described specific students or situations that required negotiation or flexibility. For example, one educator described working with a family to navigate a student's preferences and needs: "I talked to their case manager about their learning disabilities"; team-based deliberation: So we started just communicating, and I talked to the mom and I asked her, 'How do you feel about this? He doesn't want to be in my class." In contrast to procedural explanations, these narratives foregrounded the perspectives and experiences of students and families, positioning educators less as institutional representatives and more as collaborators working alongside families to find solutions. These accounts often emphasized the limits of existing program structures and the need to adapt supports in response to students' lived experiences.

When educators engaged in this orientation, they drew on *discourses* that centered the student's experience, including *belonging and psychological safety* ("I knew that the student was feeling really frustrated with their continued, you know, placement in ELD"), *relational fit* ("student just did not like the ELD teacher, and it was not a good fit of their relationship"), and *stigma* ("it feels punitive for them or their family to still be in this kind of limited English proficiency label"). For example, educators described students feeling frustrated with continued placement in ELD, strained relationships with teachers, or the stigma associated with the EL label. These narratives frequently surfaced tensions between institutional classifications and students' identities or experiences in school.

At the same time, educators sometimes situated these challenges within broader systemic patterns. This appeared through references to discourses like *system sweep and overidentification*, referencing the broad institutional processes that bring students into EL classification ("Then we have, like, over-achieving parents who, like, always come to somewhere in France…but that's not the kids that are getting swept into the system"; "Often kids are labeled a language learner when it's not necessarily like the right identifier…who is a language learner and not? It's kind of a broad brush stroke"). Educators also referenced *state power*, where identification decisions were attributed to state-level policies or mandates ("The state came to a decision that quite possibly students were misidentified, meaning that they should not have been identified"). In these moments, educators positioned challenges as consequences of how the system categorizes and serves students. This framing shifted the focus from individual decision-making to structural constraints, reinforcing the limits within which educators exercised discretion.

These collaborative interactions were also marked by different stylistic features. Rather than emphasizing professional certainty, participants used *reported speech* ("Then she told me, 'well that's what he needs. He needs to stay there.' I said ok, so mom is on my side"; "she said, 'yeah, let's try', so we did") and *affective language*, recounting conversations with families and describing their own or families' emotional responses ("that felt like a really good, you know, team platform with professional that were all on the same page and I felt supported in making that suggestion, and the parent felt supported that I was seeing, you know, what their student was struggling with", "the student was feeling really frustrated"; "And I get the phone call from the parent who is, like I said, very upset"; "he was still very angry"). This shift in style foregrounded relational dynamics and positioned educators as responsive to students' and families' perspectives in a different way. The commitments guiding these interactions were less procedural and more relational, focusing on maintaining trust with families and ensuring that students did not feel alienated from school structures intended to support them.

Although these orientations represent distinct ways of approaching waiver conversations, educators did not consistently operate within only one stance. Many participants moved between procedural explanation and collaborative negotiation depending on the circumstances of the conversation. For example, educators might begin by explaining how language services operate and then shift into a more relational discussion if a caregiver expressed frustration or concern. Across interviews, however, discourse patterns associated with the informative orientation appeared more frequently. Procedural explanations and expertise-based rationales were common features of how educators described their role in waiver conversations, reflecting the strong influence of professional norms and institutional expectations around supporting students' academic language development. This suggests that, while educators exercised discretion in how

they approached these conversations, that discretion was structured by broader institutional expectations about what students need and how services should be delivered. Collaborative discourse surfaced most clearly in moments where those expectations came into tension with students' lived experiences, prompting educators to reframe their role as advocates or problem-solvers rather than solely as interpreters of policy.

Structural Drivers of Waiver Pressure

Educators across all three districts consistently described the substance of conversations about waiving as shaped by structural conditions embedded in how multilingual services are organized within schools. These conditions did not simply generate interest in waiving; they also shaped how educators interpreted situations, framed options, and exercised discretion in conversations with students and families. In particular, participants pointed to several features of schooling that created moments of tension including program design, scheduling constraints, and administrative systems which structured how conversations unfolded. The pressures appeared most often where program design intersected with institutional constraints and underlying language ideologies that shaped how language services were understood for different groups of students.

Program Design and Visibility of Services

The structure of language programming itself was frequently described as a key factor shaping conversations about waiving. Pull-out models created the most direct tensions because students were scheduled into standalone ELD courses that competed with electives, advanced coursework, or other opportunities within the master schedule. These models also made language services highly visible, which heightened stigma for some students. At the same time, educators emphasized that these classes often served important academic and social-emotional functions.

As Lee in Pine Valley shared, “I also explain, however, my class is different, because I don't just teach a class. I provide support, emotional support. We have community. We're building community and helping them to be more confident. So that's part of the process.” In these moments, educators emphasized the benefits of participation, positioning ELD as both instructional support and a space of belonging. This framing reflects how program design shaped not only when conversations occurred, but how educators justified services in response to family concerns.

Integrated models shift these dynamics by embedding language support within general education classrooms. This structure reduced the visibility of services and allowed educators to frame support as part of the general classroom experience rather than as a separate intervention. In conversations that arose, educators often emphasized that students were receiving the same instruction as their peers, positioning language services as an added layer of support.

At the same time, integrated models also introduced new constraints. Participants noted that co-taught classes were often very large and sometimes over-capacity, which limited opportunities for targeted language instruction. As Taylor in Summit View described, “Some of those classes with co-teachers end up getting stuffed to the gills, for example. And so when families see that, you know, there's this other class over here that only has 28 kids and my kid is in a class that's pushing 40, I'm going to waive those services so that you move my kid into the class that has more attention.” Here, program design shaped how educators navigated competing priorities by balancing access to support with concerns about instructional quality. In these contexts, conversations involved reframing services in relation to broader classroom conditions, illustrating how structural features shaped both the substance and direction of educator discretion.

Dual language programming introduced additional tensions when immersion courses were treated as electives within the master schedule. This created direct competition between language programming and other coursework. As Max explained,

> DL [dual language] really dictates your schedule, right. And so by waiving services, then it allows you to be able to open up your schedule a little bit more to take other classes like band or art. I mean, the Spanish immersion students that I've seen that have waived, it's been at middle school and it's because they have an elective, a Spanish Immersion elective. So if they take ELD, then their only electives are Spanish immersion and ELD, which are two academic classes.

Across these examples, program design structured the trade-offs that educators and families had to navigate. In turn, educators' explanations of services were shaped by these constraints, influencing how they positioned ELD as either an opportunity or a limitation within students' broader educational trajectories.

Scheduling Constraints and Academic Pathways

Scheduling constraints were frequently described as the immediate context in which conversations about waiving emerged, particularly in secondary settings where course-taking decisions carry long-term consequences. Educators described how ELD requirements could limit access to electives, advanced coursework, or specialized programs requiring more deliberate engagement with potential pros and cons as a result. Often, certain opportunities were positioned as more or less important relative to ELD. For example, one participant explained, scheduling decisions become much more consequential when students are trying to access advanced course-taking opportunities,

> Right now, especially since we've integrated specifically with language arts, we've also kind of set up some barriers for students accessing honors classes or IB [International Baccalaureate] classes or AP [Advanced Placement] classes, depending on their setting. And so we do occasionally see refusals [i.e., waiving] for that, because students, if their focus is to get into that IB program and to earn those credits, then the EL services are not what they're going to value.

In these situations, conversations centered on weighing competing priorities, with educators navigating tensions between supporting language development and enabling access to other opportunities. These trade-offs shaped how educators framed services but their framing often depended on perceived student need.

Some educators described attempting to mitigate these tensions by adapting ELD classes to be more flexible or relevant to students' goals. For example, in settings with standalone ELD, some educators described incorporating real-world projects into coursework or offering study-support periods as alternatives to standalone courses. These adaptations reflect efforts to align services with students' goals, while also illustrating the limits of flexibility within existing structural constraints.

Developmental dynamics further intensified these pressures. As students moved into middle and high school, language services became more visible through course schedules, classroom assignments, and peer comparison. The visibility of services becomes more salient in secondary schooling, when developmentally, students are experiencing increased pressure to not stand out from peers which increased perceived stigma. One educator described:

> At the high school level is where I think kids are starting to see that stigma more. And so I think that, you know, there's just so much pressure once you're in high school and you don't want to be different than other kids. Elementary, I think at that [time] you're just like, happy to be in this little group and with these people. And I think Elementary, you don't think as much about what people are thinking. Middle School is, I think, is the crucial years where you really start to develop your identity and kind of decide who you are. And so that's where I see it [waiving] starting.

In the secondary context, conversations about waiving were shaped by structural constraints, and how those constraints were experienced socially. Educators often responded by explaining the purpose of services and attempting to reframe their value, highlighting how discretion was exercised in response to both institutional and developmental pressures. When this coincided

with integrated services, educators also relied on descriptions of delivery of services to ease concerns.

Administrative Infrastructure and Communication

Administrative systems surrounding EL identification and services also shaped when and how waiver conversations occurred. Across districts, educators noted that key components of the identification and notification process were often communicated to families through procedural mechanisms (specifically, the annual notification letter) rather than through direct interaction. As a result, families frequently entered discussions with limited understanding of how EL services operate within schools.

Participants described several recurring sources of confusion, including the role of the home language survey in triggering identification and the continuation of annual testing even after services were waived. As Ash shared, some families contacted schools "livid that their child was assessed for language," requiring educators to explain "the whole protocol…the language use survey." Others in settings with integrated models described families learning for the first time that their child was receiving services when testing or scheduling made those services visible. As Taylor explained, "Right now it's really happening because we're in the ELPA window, and parents are being approached for sometimes the first time ever about taking the ELPA. And that's when the conversation about, you know, your kid's technically receiving these services [starts]." As a result, waiver discussions sometimes functioned less as a discrete decision point and more as a site where the broader infrastructure of EL services was explained in a way families could fully understand for the first time. Educators described walking families through how the home language survey operates, why annual proficiency testing continues even

after services are declined, what the purpose of EL services is, and what the provision of services looks like for their child.

These explanations often centered academic language as a key rationale for continued services. Educators distinguished between conversational fluency and academic proficiency, using this distinction to explain why support remained necessary. For example, Alex described the goal of the conversation about waiving to be:

> Helping, you know, helping the parents understand, or the families understand, that you absolutely can have a conversation … your child can, you know, go to the grocery store and, you know, can, can make their way around our world beautifully, but when it comes to the academic language, that's where they might need the extra support and helping them understand that that is our push, I guess, is the academic language and helping them understand that that's where they need the support and the help, and that's what we can do, that's how we can provide for them.

This framing shaped how educators evaluated the decision to pursue waiving, sometimes positioning continued participation in services as necessary even when families perceived them as unnecessary or undesirable. In this way, administrative infrastructure and language ideologies worked together to structure both the content of conversations and the boundaries of educator discretion.

Student Characteristics and Differential Framing of Services

Educators also described variation in conversations about waiving based on students' linguistic backgrounds, family familiarity with school systems, and students' academic trajectories. Early waivers were often associated with families who believed their children had been misidentified, particularly English-dominant students including second- or third-generation students with limited or no knowledge of their heritage language. These families were often described as having greater familiarity with school systems and therefore greater confidence in challenging the label. Others described similar reactions with socioeconomically advantaged bilingual families, including immigrant families working in the region's technology sector or

adoptive English-only families raising multilingual children. In both cases, participants described parents expressing frustration with what they perceived as the implication that their child's language background was "not good enough." For example, Sam shared, "Other times, I feel like, usually it's families that feel like, 'No, we already speak English', so they feel like it's an insult to their language abilities." Conversations about waiving in these instances centered explanations for why their child was identified for services, rather than focusing on service provision and explaining why it was appropriate for their child. For example, more time was dedicated to explaining the purpose of the home language survey and in the case of students who were deemed truly mis-identified, the option to retake the survey was explored as an alternative to waiving.

By contrast, waiver discussions in high school were often associated with long-term ELs navigating competing academic and social pressures. Some, like Jamie, described students who were close to reclassification but frustrated with repeated testing:

> I saw these students growing and also being thwarted by a system and in the middle school it was punitive. They're like, 'Oh, I didn't pass. I'm in this class again', head down. That just broke my heart as a teacher, I was like, 'Oh, you're doing so many good things. I see you growing.'…I kind of have this conversation with students now, like, 'This is just a test. This is not you.'

Economic and social pressures also shaped these discussions. Some students prioritized work or family responsibilities over continuing coursework, reframing the perceived value of language services. As Lee described:

> The other thing is, many families—or not the families, the students—they want to support their families, and they just want to drop out of school and start working, but that's a different issue. So they don't really see or they can't understand. 'Why [is it] important for me to be proficient in the second language? What I need to do is start working to help my family'.

This rationale for waiving shifted the focus of conversations toward broader life goals, shaping how educators framed the relevance of services and weighed trade-offs with students and

families, particularly when students felt disengaged from services or from the goal of reclassification.

Educators also described differences in how waiver conversations were initiated and taken up within schools. Unlike waiver discussions in earlier grades, which were consistently initiated by caregivers, those in secondary settings were often initiated by students themselves. These student-initiated requests were sometimes described as carrying less legitimacy, requiring students to involve a caregiver before a formal conversation could proceed. As a result, even when students articulated clear reasons for wanting to waive or attempted repeatedly to initiate the conversation, their ability to act on those preferences was mediated by institutional expectations about who holds decision-making authority. This distinction shaped how educators engaged in these conversations, structuring when and how discretion could be exercised.

Differences in how conversations unfolded were particularly visible for students who were dually identified for special education services. In these cases, waiver discussions were often integrated into IEP processes and involved multiple professionals responsible for the student sitting down with families to collaboratively decide on services. Often, the conversation did not foreground academic language development as in other conversations and instead was focused on how language services interacted with students' broader educational needs and goals. Waiver conversations emerged as part of a more holistic discussion about how to structure students' schedules and supports with less restraints on whether they could be initiated by educators.

For dually identified students, incentives for waiving were often tied to two interrelated considerations: the perceived likelihood of reclassification and competition for instructional time. Educators described situations where learning needs made it difficult to meet state

language proficiency benchmarks, particularly when specific language domains were affected. In these cases, other opportunities like electives were prioritized. As Sam explained, “A lot of the times kids in special ed, you know, they're never going to pass the ELPA because of their learning disabilities… they shouldn't miss art so that they can come to ELD. It's like, they're getting reading services somewhere else. Like that doesn't make sense.” Here, decisions about waiving were not framed in relation to language development alone, but within a broader set of educational priorities. These contexts illustrate how discretion was exercised differently depending on how students were positioned within overlapping service systems, with fewer procedural constraints and greater emphasis on collaborative decision-making.

Discussion

This study examined how educators navigate conversations about waiving EL-designated services and what these interactions reveal about the organization of EL programming. Across districts, educators described operating within similar policy guardrails: families have the legal right to decline EL services, educators cannot recommend waiving, and waiver conversations typically occur only when families initiate them. Despite these shared constraints, waiver patterns differed across districts. The findings suggest that these differences are not solely explained by the tone or structure of individual conversations. Instead, they are closely tied to the structural organization of EL programming itself and to how EL services intersect with students’ academic trajectories, particularly at the secondary level. These structural conditions shape when conversations emerged, what tensions they center, and the trade-offs that must be navigated.

At the same time, educators exercised meaningful discretion in how they engaged in these conversations. Participants described drawing on different professional roles when interpreting their responsibilities to students and families. These roles shaped how educators

framed services, what information they emphasized, and how they responded to requests to waive. Importantly, this discretion was not exercised uniformly but was structured by the same institutional conditions that produced waiver pressures in the first place. In this sense, waiver conversations reflect both the constraints of program design and the interpretive work educators undertake within those constraints.

Together, these findings suggest that waiving functions as a signal of alignment between EL services and students' broader educational experiences. Where services fit more seamlessly within students' schedules and goals, waiver pressures appeared to diminish. Where services conflicted with other opportunities or were experienced as misaligned, waiver conversations became more frequent and more consequential. This reframes waiving not simply as an individual or family decision, but as an indicator of how EL programming operates within the broader structure of schooling.

These patterns also reflect forms of discretion commonly associated with street-level bureaucracy. Educators described interpreting policy constraints surrounding waiving within a shared legal framework, particularly when determining how and when the option should be communicated to families. They also described translating institutional demands created by scheduling systems and program design into practical considerations for students and families. Finally, waiver conversations positioned educators as gatekeepers to information about waiving and broader language services, shaping how families understood both the purpose of services and the implications of declining them. Taken together, these dynamics illustrate how frontline educators enact policy through everyday decisions about communication, interpretation, and professional judgment.

Waiving as an Indicator of Programmatic Fit

Rather than viewing waiving as unique student cases, the findings suggest it arises in predictable moments and can function as a diagnostic indicator of programmatic fit. Educators consistently described waiver conversations emerging upon initial identification and during high school. These moments reveal structural tensions in how EL designation and EL service delivery are organized, communicated, and experienced.

At the point of initial identification, waiver conversations often arose when families questioned whether the EL label accurately reflected their child's needs. Participants described families who were surprised or frustrated to learn that their child had been identified through the home language survey despite primarily using English in school and everyday life. In these cases, waiver requests were often framed as a response to misalignment between the broad identification net and the linguistic realities of individual students. While the home language survey is designed to ensure that students who may need language support are not overlooked, participants described it as capturing students whose academic language needs were limited, context-specific, or difficult to distinguish from those of their English-dominant peers, setting the stage for early skepticism about the designation and the services attached to it.

Waiver conversations emerged more frequently at the secondary level, especially among students considered long-term ELs. Participants described students' frustration with repeated cycles of language proficiency testing and continued classification despite years of schooling in English. In many accounts, educators perceived that what students were attempting to opt out of was not "language support" in the abstract, but the institutional package that accompanies EL designation in secondary school: schedule tradeoffs, the visibility of ELD placements, and recurring language proficiency testing. The ELPA was described as time-consuming, disruptive

to instruction, and discouraging for students who had repeatedly attempted but failed to meet reclassification thresholds. Over time, this dynamic produced what one participant characterized as "test fatigue," especially when students felt the assessment no longer reflected their actual language abilities or academic performance.

Read through this lens, waiver conversations offer a window into when and for whom EL services are experienced as misaligned. Waiver pressure clustering at identification and in high school appeared more often among specific groups: English-dominant students with heritage language backgrounds, families with higher levels of institutional familiarity, and long-term students classified as ELs who are academically close to reclassification but feel stuck in a repeated testing cycle. The common thread reveals friction between EL service structures and the way students' schooling is organized and valued.

Two institutional features are especially prominent in these accounts. First, language proficiency testing governs reclassification out of EL services that can constrain students' schedules and access to academic opportunities. Participants repeatedly described the annual assessment as the focal point of student frustration, particularly when testing is perceived as pulling students out of other instruction without producing meaningful change in classification status. Second, identification through the home language survey remains a point of tension when families interpret EL designation as misrecognition, stigma, or an implication of deficiency. Together, these dynamics suggest that waiver conversations are not simply about whether EL services are "good" or "bad," but about whether the designation-service-testing bundle is experienced as legitimate, useful, and compatible with students' educational priorities.

Design of Service Models Shapes Incentive to Waive

If waiving reflects programmatic fit, then the design of EL service delivery plays a central role in shaping when and why waiver pressure emerges and how conversations are structured as a result. Across districts, educators described different models as creating distinct conditions for waiver conversations.

In models with standalone ELD classes, participants described how this structure can increase waiver pressure in secondary school by producing direct schedule competition. ELD courses may displace electives, advanced coursework, or pathway opportunities that students and families view as consequential for graduation and postsecondary options. Pull-out placements were also described as highly visible, heightening stigma for some students, especially in adolescence when pressures around peer belonging are heightened. At the same time, several participants emphasized that standalone ELD spaces can serve as protective environments where students receive social-emotional support and build community alongside English development. The same structural features that create waiver pressure can also produce meaningful benefits depending on how the program is designed and experienced.

In integrated models, supports are less visible and theoretically minimize schedule conflicts, since students remain in core classes and EL services are less likely to cost an elective or advanced course slot. However, educators also described constraints: co-taught classes may be large and, in practice, managing the master schedule proves difficult.

In districts where dual language programming intersects with EL designation, participants also noted that immersion courses can compete with other electives in secondary schedules. Like integrated models, supports were framed as less visible.

The Role of Academic Language

Underlying waiver conversations were strong professional commitments to the importance of academic English development. Participants consistently emphasized that conversational fluency does not necessarily translate into the forms of English associated with success in school. This belief shaped educators' interpretations of their responsibilities: many described a moral obligation to ensure families understood what they saw as potential risks of leaving EL services, especially for long-term educational opportunity.

At the same time, the findings suggest that these commitments can generate tension between protection and autonomy. When academic English is treated as the overriding objective and educators position themselves primarily as experts responsible for steering families toward that objective, waiver conversations can narrow the range of legitimate priorities that students and families are understood to have. From a raciolinguistic perspective, these dynamics reflect broader hierarchies that elevate particular language practices as legitimate and future-oriented while framing other linguistic trajectories as less valuable.

The most important point here is not whether academic English is important, but that prioritizing it as the singular goal can obscure the diversity of students' aspirations and constraints, particularly in secondary school where time, credit, and course access are scarce. Moreover, given accounts of students struggling specifically with reading and writing, some question remains about whether we are accurately distinguishing between students needing language support or *literacy* support.

A smaller number of participants described approaching waiver pressure differently: as a cue to ask what is not working and to negotiate alternatives. In those cases, educators treated waiver conversations as opportunities to align EL supports with students' trajectories rather than as moments to reiterate rationale. These accounts illustrate how educators can enact different

professional roles under the same policy conditions, consistent with street-level bureaucracy, where frontline workers interpret constraints and translate policy into practice through discretionary judgments.

Uneven Access to Information and Choice

Although families formally hold the right to waive EL services, the findings suggest that access to meaningful information about this right is uneven. Across districts, participants described the annual notification letter as the primary mechanism through which families learn about the option to decline services. Beyond that required communication, opportunities for deliberation were often limited and frequently depended on families' ability to initiate follow-up and engage in extended conversations with school staff.

This structure matters because it shifts the burden of action onto families and therefore privileges those with greater institutional familiarity. Participants often described waiver requests coming from families who already knew how to navigate school systems or who had the confidence to challenge labels and placements. By contrast, families with less familiarity with school procedures were less likely to initiate these conversations, and participants were often uncertain whether those families fully understood the option or its implications. In other words, choice is formally universal but practically stratified by access to information and navigation capacity.

This stratification becomes especially visible in cases involving students who are dually identified for special education services. Participants described waiver conversations for these students as more likely to occur within IEP meetings, where multidisciplinary teams review the student's broader needs, supports, and schedule constraints. This creates a different decision-making environment than the one available to most families of students classified as ELs.

Students with IEPs are more likely to have structured meeting spaces, multiple professionals present, and formal processes that support deliberation about tradeoffs across service systems. That contrast reveals an equity issue: some students receive more robust institutional attention to fit and supports, while other students classified as ELs are more often routed through a one-way notification system and ad hoc follow-up conversations.

These patterns also clarify why misunderstanding is not best treated as a family deficit. Participants often attributed waiver requests to misinformation about EL services, but the findings point to a structural explanation: districts frequently rely on one-way notification and reserve deeper explanation for the moment when families seek to exit. In practice, this means that waiver conversations are sometimes the first point at which families receive a more complete explanation of EL services and their purpose. Rather than learning about the structure of EL programming at the moment of identification, families frequently encountered more detailed discussion only when they began considering whether to decline services, often due to arising structural constraints. As a result, waiver conversations often carried a dual function: they were not only about whether to waive services, but also about helping families understand what EL services were intended to provide in the first place. If districts want waiver decisions to be informed and equitable, communication about what services entail has to start earlier—at identification—and it has to be interactive rather than purely procedural.

These dynamics also raise questions about whose autonomy is recognized within the process of waiving. At the secondary level, students themselves live the tradeoffs of scheduling, testing time, and course access, yet they were rarely positioned in participants' accounts as primary decision-makers or legitimate initiators of the conversation.

Policy, Discretion, and Implementation

Federal guidance for waiving EL services is designed to ensure that students receive language support unless families explicitly decline it. Schools are prohibited from recommending that families waive services, reflecting a policy concern that students might otherwise be steered away from supports they are legally entitled to receive. This design positions EL services as presumptively beneficial and seeks to protect families from being discouraged from participation. However, the educators in this study frequently interpreted the prohibition on recommending waivers as limiting their ability to initiate conversations about the option at all.

In practice, this produced what might be described as a form of selective silence: educators often waited for families or students to raise the possibility of waiving or introduced the option only when scheduling conflicts or academic pathway concerns made the issue unavoidable. As a result, families' ability to exercise the waiver option often depend on when and how educators chose to introduce the topic. These dynamics are consequential for families navigating language barriers or unfamiliar school systems, as the opportunity to exercise choice depends heavily on how educators interpret and enact waiver policy.

Thus, the design of waiver policy interacts with the broader structure of EL classification systems to shape the conditions under which families can exercise choice. While federal policy seeks to protect access to services by restricting schools' ability to recommend waiving, the rule does not eliminate educator discretion. Instead, it shifts how discretion operates. Educators retain influence over when waiver conversations occur, how options are framed, and which students they perceive as needing continued protection through services. In this sense, the interpretation of the waiving policy reflects the dynamics described in theories of street-level bureaucracy:

frontline educators must navigate competing priorities, institutional constraints, and the diverse needs of students and families.

At the same time, the findings in this study suggest that waiver conversations are not simply procedural interactions but sites where educators interpret the purpose of EL services more generally and their role in supporting students' academic trajectories. Educators weighed competing considerations like language development, academic pathways, scheduling constraints, and family understanding when deciding how to approach these conversations. As a result, the waiver process functioned not only as a formal policy mechanism but also as a point of negotiation through which educators and families navigated the complex relationship between language classification, educational opportunity, and student needs.

Implications

Several implications follow from these findings. First, the findings raise questions about how federal and district waiving policies structure family decision-making. Federal guidance prohibits schools from recommending waivers to ensure families' right to receive services is met. This protective orientation was echoed at the district level, where interpretation frequently meant ensuring the conversation was family-initiated, resulting in selective silence. Combined with the opt-out structure of EL services, these practices can make families' ability to exercise their right to waive services dependent on whether educators feel able to engage in the conversation or on families' prior familiarity with school systems and available options. At the same time, districts operate within funding and accountability structures that continue to hold them responsible for the outcomes of students classified as EL, which may create additional incentives to maintain service participation. Policymakers and districts may therefore wish to consider how guidance can balance the goal of protecting access to services with ensuring that families receive clear,

proactive information about their options and have meaningful opportunities to participate in decisions about how language support fits within students' educational pathways. Clarifying expectations for how educators can proactively inform families about their rights, without discouraging recommending waiving, could help ensure that waiver policy supports both access to services and informed family decision-making.

Relatedly, the findings point to the limits of one-way notification systems like letters and emails. If meaningful explanation largely occurs only after families initiate waiving, then "choice" is structured by who has the information, time, language access, and institutional familiarity to initiate. Districts could strengthen equity by building routine, two-way communication at identification and at key transition points (e.g., entry to secondary school), including structured opportunities for families to ask questions and for educators to jointly plan how EL services fit into students' course pathways. The contrast with IEP meeting infrastructure suggests a concrete design lesson: EL service systems could borrow from the design of special education processes by normalizing collaborative planning conversations that involve families and multiple professionals, are which not triggered only by exit and through personalized planning. One such mechanism may be through the integration of individualized language plans (ILPs).

Additionally, districts can treat waiver patterns as information about program design and system fit. Rather than viewing waiving solely as a compliance concern, districts can examine when waiver requests occur, for whom they are concentrated, and what features of EL service delivery (e.g., scheduling conflicts, course displacement, visibility, testing burden) appear to trigger pressure. These data serve as important diagnostic tools for program improvement.

Fourth, educators repeatedly pointed to the shift toward integrated or co-teaching models as a key factor in reducing waiving. When language support was embedded within core academic classes rather than delivered through pull-out instruction, many of the concerns that previously triggered waiver requests appeared to diminish. At the same time, educators raised questions about class sizes and challenges related to implementing centralized co-teaching models in secondary settings like figuring out the master schedule and increasing staff FTE. Together, these findings suggest that integrated models may reduce pressures to waive services while also highlighting the importance of aligning staffing, scheduling, and course structures to support effective implementation.

Finally, the findings underscore the need to more deliberately incorporate students' perspectives, especially in high school. Students are the ones experiencing test fatigue, schedule tradeoffs, and the everyday social meaning of EL designation. Creating systematic space for student voice in planning and service decisions would likely improve both fit and legitimacy.

Future Directions

This study also highlights several directions for future research. First, districts vary in how and whether they monitor students who waive EL services. Several participants suggested that monitoring is inconsistent, raising questions about how districts ensure continued access to supports and how they detect emerging needs once EL services are declined.

Second, additional research should examine how accountability and funding structures shape waiving dynamics. One participant noted potential tensions when students decline services while districts remain responsible for outcomes, suggesting that waiver policy sits inside broader incentive systems that may shape how districts communicate and design EL services.

Finally, the research base on waiving EL services is still thin, leaving basic descriptive and explanatory questions unanswered across contexts. Within that limited literature, students' perspectives are particularly underdeveloped. Future research should investigate how students understand EL designation, how they experience EL services in relation to course access and testing, and how these experiences shape decisions to remain in or waive services over time.

Limitations

Several limitations should be considered when interpreting the findings of this study. First, this study relies on interviews rather than direct observation of educators' interactions with students and families. This limits what can be claimed about real-time communicative practices in waiver conversations. At the same time, interviews provide a valuable window into how educators understand, justify, and narrate their actions within institutional constraints. Treated as situated talk, these accounts offer insight into the ideologies, norms, and policy logics educators draw on when describing waiver decision-making, even when they cannot directly capture moment-by-moment interaction.

Second, the sample varied across districts. Pine Valley, as a smaller district, was represented by a relatively comprehensive set of participants connected to EL service delivery. In contrast, Summit View and Cedar Ridge are larger districts where the sample reflects only a subset of roles and school contexts. As a result, the district comparisons should be interpreted as illustrating variation in how waiver policy is interpreted and enacted, rather than as exhaustive portraits of each district. Additionally, this study did not directly analyze district-level waiving rates or formally link educator approaches and programming models to trends in waiving. State administrative data were used to inform district sampling and contextualize variation in EL programming, but the analysis itself remained focused on educators' interpretations and

experiences navigating conversations about waiving. As a result, the findings cannot determine whether particular approaches to communication or service delivery are systematically associated with higher or lower rates of waiving. Future research should more directly connect educator practices and EL program models to longitudinal patterns in waiving across districts and schools.

Third, Cedar Ridge was represented by only two participants, limiting the ability to capture within-district variation across schools. Although those participants held positions that offered visibility into districtwide EL programming dynamics, the Cedar Ridge case should be read as suggestive rather than definitive.

Finally, participants were disproportionately experienced educators. Many described confidence navigating waiver conversations with limited formal guidance. Less experienced educators may interpret policy constraints differently, rely more heavily on scripts or district procedures, or experience greater uncertainty about what can and cannot be said. This study may therefore underrepresent how waiver conversations are navigated by educators earlier in their careers.

Conclusion

Across districts, participants described remarkably similar formal guardrails to conversations about waiving: families have the right to decline services, educators cannot recommend waiving, and waiver conversations are typically framed as family initiated. Within those shared constraints, what differed more meaningfully was the institutional environment in which waiver pressure emerged—especially the structure of EL programming and how it intersects with secondary scheduling, credit-bearing coursework, and the social visibility of services. In this sense, waiving operates less like an isolated family preference and more like a

signal about programmatic fit: where, when, and for whom services feel appropriate within the realities of schooling.

At the same time, the chapter makes clear that policy constraints do not determine practice on their own; they are interpreted and enacted through educators' discretion. In line with street-level bureaucracy, educators are constrained but not directed: they must translate broad policy principles into day-to-day decisions under uncertainty, competing demands, and uneven guidance (Weatherley and Lipsky, 1977).

The district cases illustrate how this interpretive work matters. Some contexts produced a strongly prohibitive stance (waiving is "allowed" but effectively backgrounded), while others created more formalized pathways for informed decision-making once families raised the issue, and still others left greater room for school-level variation in how autonomy and protection were balanced. These differences were not primarily about whether educators valued services—nearly all did—but about how they understood their responsibilities, where they located risk, and how they navigated the tension between compliance, advocacy, and responsiveness.

The chapter's third contribution is to surface waiver conversations as relational sites where educators take up different professional roles. Across interviews, participants most often positioned themselves as institutional translators and experts responsible for explaining academic language, reclassification, and the perceived long-run consequences of leaving services. Less often participants described a more collaborative stance that treated waiver pressure as information about what was not working for a student and opened space to negotiate solutions, not just reiterate rationale. This matters for equity because "protection" can drift into paternalism: centering academic language as the overriding goal can implicitly narrow whose

aspirations count and whose autonomy is recognized, echoing broader raciolinguistic hierarchies that elevate particular language practices as legitimate and future oriented.

Taken together, these findings reframe what districts should learn from waiving. If waiver requests cluster at identification and in high school, and among particular groups of students classified as ELs, then waiving is a useful diagnostic for where classification, testing, and service design are misaligned with students' trajectories. The policy question is not only whether families have the right to decline services, but whether districts have built service models and communication structures that make that right meaningfully informed, equitably accessible, and responsive to students' lived constraints, especially at the secondary level, where scheduling tradeoffs and "test fatigue" concentrate. The broader implication is that strengthening EL services is not just about persuading families to stay; it is about designing systems where services are experienced as coherent, worthwhile, and compatible with opportunity.

Appendix A

Interview Protocol

District Info (fill in prior to interview)**:**

Opening

Thank you for taking the time to talk to me today. I am exploring how educators/leaders help families understand and navigate the process of waiving EL services and the type of guidance you are provided from your administration. What you share will help me share with other researchers and practitioners how waiving operates in practice and how families come to decide whether or not waiving is a good choice for them.

Participation is completely voluntary, and you may choose to keep your identity confidential. You may skip any question you're not comfortable answering.

Do you have any questions for me?

Is it ok if I hit record now?

[**Hit record**]

Background info

1) Tell me about your current role and responsibilities.
   a) How many years have you been in this role?
   b) Can you describe your school? (**Probe**: program model for ELD, geographic context, support from leadership)
   c) Can you describe your students? (**Probe**: home languages, newcomers, long-term ELs, dually identified students, general economic background)
   d) How does your work interact with EL-designated students?

If in a student-facing role (even partly) continue below.
If *not* in a student-facing role skip ahead.

STUDENT-FACING

Understanding the waiving process

Knowledge and Implementation:

2. To start off, how would you describe what it means for a family to waive EL services for their child?
3. How is the option to waive EL services communicated to families at your school, if at all?
4. Are there district or school policies (formal or informal) that guide if, or how, you communicate waiving to families?
    a. What do these policies entail? Do you know if they are set at the school or district level?
    b. What materials or guidance are provided to support this process? By whom?

Process and Procedure:

5. Can you walk me through the steps a family takes if they choose to waive EL services?
    a. Are there specific informational or decision-making meetings that have to happen?
    b. Who is involved? Who is typically leading?
    c. (How) are you involved in this process?
6. Who usually initiates the conversation about waiving—families, teachers, administrators?
    a. [If teachers or administrators] Do families usually know that waiving is an option for their students?
        i. What do you think contributes to families' awareness—or lack thereof?
    b. [If families] Who do they normally approach? When are you typically involved in the process?

Educator Roles and Experiences

Communication with Families:

7. Do you regularly talk to families about their option to waive services, or have you in the past?
    a. How would you describe your role during those conversations?
        i. **Probe**: What's going through your mind?
        ii. **Probe**: What do you see as your main responsibility at that moment?
    b. [How]Do you typically explain the option to waive EL services to families? How?
    c. Do you discuss the benefits or risks of waiving with families? What do you usually describe?
    d. Do you rely on resources or guidance to inform the conversation? Which?
    e. [If no] Why not?
    f. What do you hope families take away from the conversation?
8. [If yes to #7] Can you walk me through a specific time that stands out?
    a. What makes this moment stand out for you?
    b. How did the [student/parents/caregivers] react? Did they end up waiving?
9. [If no to #7] Could you tell me more about why not? (**Probe**: Procedural? Siloing? Admin pressure? Fear/risk? Unaware of the option?)

Targeted Communication:

10. [If yes to #7] How do you decide which families to talk to about waiving services?
    a. Are there student characteristics—such as English proficiency or academic performance—that influence your decision?
11. Have others ever encouraged or discouraged you from discussing waiving with families?
    a. Why do you think they encouraged or discouraged you?
    b. If so, who did this come from?

Autonomy and Constraints:

12. Do you feel you have what you need to be able to guide families through this process?
13. Are there administrative or institutional challenges that affect how you approach waiving discussions?
14. Do you ever feel tension between your personal beliefs about what is best for a student and district/school policies on waiving?
    a. [If yes] Can you tell me more about how you think through or manage that tension?

Closing

15. Is there anything else you think I should know about waiving or the role teachers play in the process?
16. If you're interested and available, I'd love to check back with you later to share what I'm understanding across conversations. This would help make sure I'm on the right track and haven't misinterpreted anything you shared. Would you be open to a quick follow-up once I've had a chance to analyze these interviews?

NOT STUDENT FACING

Understanding the waiving process

Knowledge and Implementation:

1. To start off, how would you describe what it means for a family to waive EL services for their child?
2. Are there district or school policies (formal or informal) that guide how educators communicate waiving to families?
    a. What do these policies entail? Who sets them?
3. How is the option to waive EL services communicated to families in your district, if at all?
4. When looking at student-level data for your district, do you look at achievement or outcomes separately for students who have waived?
    a. [If yes] Can you tell me a little bit more about the process?

Process and Procedure:

5. Can you walk me through the steps a family takes if they choose to waive EL services?
    a. Are there specific informational or decision-making meetings that happen?
    b. Who is involved? Who is typically leading?
6. Who usually initiates the conversation about waiving—families, teachers, administrators?
    a. [If teachers or administrators] Do families usually know that waiving is an option for their students?
        i. [If no or not always] What do you think contributes to families' awareness—or lack thereof?
    b. [If families] Who do they normally approach? When are you typically involved in the process?

Educator Roles and Experiences

Framing: I know that depending on your role, you may or may not talk directly with families about waiving. I'd still like to learn how those conversations happen in your context and what role, if any, you or your team play in shaping them.

Communication with Families:

7. Are you ever directly involved in conversations with families or teachers about waiving EL services, or are you more connected to that process in another way?
    a. Could you describe what that looks like for you?
8. [If directly involved] How would you describe your role during those conversations?
    a. **Probe**: What's going through your mind?
    b. **Probe**: What do you see as your main responsibility at that moment?
    c. What do you hope families take away from the conversation?
    d. Do you typically explain the option to waive EL services to families? How?
    e. Do you discuss the benefits or risks of waiving with families? What do you usually describe?
    f. Do you rely on resources or guidance to inform the conversation? Which?
9. [If yes to #7] Can you walk me through a specific time that stands out?
    a. What makes this moment stand out for you?
    b. How did the [student/parents/caregivers] react? Did they end up waiving?
10. When families are making decisions about waiving services, what role does your office [or the central office if district admin] play in supporting those conversations?
    a. **Probe**: Do you provide guidance or materials? Offer training? Set expectations for who communicates what?
    b. In your view, how are the benefits or risks of waiving usually discussed with families? Do you feel those conversations reflect district guidance or individual staff discretion?
11. [If not directly involved] Can you walk me through a time when the question of waiving has come up in your work? For example, if a teacher, counselor, or administrator raised it, or if you've been involved in reviewing or implementing a related decision?
    a. What stands out to you about how that situation unfolded?
    b. How did you and others make sense of your roles or next steps?

Targeted Communication:

12. [If directly involved] How do you decide which families to talk to?
    a. Are there student characteristics—such as English proficiency or academic performance—that influence your decision?
13. Have you ever seen or experienced situations where staff were encouraged or discouraged from having those conversations?
    a. If so, why do you think that was, and who or what shaped that message?

Autonomy and Constraints:

14. [If directly involved] To what extent do you feel you're able to guide families through this process?
15. To what extent do you feel you're able to shape how waiving is approached more broadly in your school or district?
16. Do you ever feel tension between your personal beliefs about what is best for a student and district or building policies on waiving?
    a. [If yes] Can you tell me more about how you think through or manage that tension?

Closing

17. Is there anything else you think I should know about waiving or the role admin plays in the process?
18. Is there anyone else in your district you think I should talk to about waiving?

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Chapter III

GIFTED BUT STILL EXCLUDED? INTERSECTIONAL PATTERNS IN TALENTED AND GIFTED IDENTIFICATION AND EDUCATIONAL OUTCOMES

Talented and Gifted (TAG) programs are often positioned as engines of academic opportunity offering students enriched instruction, advanced coursework, and recognition for exceptional ability. In theory, they create pathways to deeper learning and expanded futures. For students who have been historically underserved by the education system, TAG identification has the potential to act as a powerful lever: a mechanism that opens access to challenging coursework and enrichment opportunities that might otherwise be out of reach.

In practice, however, access to TAG programs remains unequal. Research consistently finds that multilingual learners, students with disabilities, and students from low-income households are significantly under-identified for gifted services (Ford, 2010; Grissom & Redding, 2016; National Center for Education Statistics, 2020; U.S. Department of Education Office for Civil Rights, 2024). These disparities reflect both structural barriers to identification (Gubbins et al., 2018; Hamilton et al., 2020) and narrow definitions of giftedness (Ford, 1998; Mun et al., 2016) that privilege students whose language, behavior, or prior opportunity align with dominant norms (Ford, 2010; Grissom & Redding, 2016; Hodges et al., 2018).

Yet less is known about what happens after identification. Does being labeled as gifted actually expand students' access to opportunities like advanced coursework? And does it do so equally across student groups? Most research on TAG has focused on who gets in. But for students who hold multiple marginalized identities, an equally pressing question may be: what happens once you're in? These questions are particularly salient in states like Oregon that mirror broader national trends, where TAG policy is set at the state level but implemented locally.

Whether identification translates into a gateway to further opportunities may depend heavily on district and state policy choices, creating wide variation in how opportunity unfolds after students are labeled as gifted.

This study investigates how TAG identification shapes educational opportunity for multilingual students in Oregon. Drawing on statewide longitudinal data and a methodological approach grounded in intersectionality, it explores both patterns of identification and the academic consequences that follow. The study is structured to first examine identification patterns, then assess whether identification translates into access to advanced coursework, and ultimately focus on the critical question of how these relationships differ across students with intersecting marginalized identities. This intersectional analysis is central to understanding the nuanced dynamics of educational opportunity. Specifically, the study asks:

1. How does TAG identification vary by students' language status, race/ethnicity, disability status, and socioeconomic background?
2. Is TAG identification associated with greater access to advanced coursework?
3. Do these associations vary across students with intersecting marginalized identities?
4. How does the relationship between TAG identification and access to advanced coursework differ across districts?

Talented and Gifted Services

TAG programs are designed to identify and serve students with exceptional intellectual or academic potential. Federal definitions emphasize five areas of giftedness: intellectual ability, academic achievement, creativity, leadership, and the visual or performing arts (National Association for Gifted Children, n.d.). TAG services typically take the form of accelerated coursework or enrichment programs (Rinn et al., 2022). At the elementary level, TAG services

often include enrichment programs, pull-out instruction, or differentiated curricular experiences (Rinn et al., 2022). In secondary schools, however, TAG identification typically functions as an eligibility marker for access to advanced coursework (e.g., Honors, Advanced Placement [AP], or International Baccalaureate [IB] classes) rather than as a direct service.

To receive access to TAG services, students must be identified as eligible. The identification of gifted students is a complex and multi-phased process. Identification usually begins with a broad nomination phase where stakeholders (typically educators and families) refer students, followed by screening using objective measures, like achievement tests or cognitive assessments, and subjective inputs, like teacher observations, parent nominations, or student portfolios (National Association for Gifted Children, n.d.). In the final phase, a determination about eligibility is made using the evidence provided. Despite its promise, access to TAG services is shaped by local nomination practices, assessment tools, and interpretations of ability, including how states and districts choose to define giftedness (Card & Giuliano, 2016; Harris et al., 2009).

While some states provide centralized criteria for identification, TAG policies and implementation practices vary widely across the U.S (Rinn et al., 2022). Oregon requires each school district to submit a public TAG plan and to identify students using multiple measures under OAR 581-022-2325 and OAR 581-022-2500. In 2022, the state revised its administrative rules to emphasize cultural responsiveness, reduce bias, and ensure transparency. This included redefining giftedness to include creative ability, leadership ability, and ability in the visual or performing arts in addition to academic talent and intellectual ability in reading and math. The state also began encouraging the use of more inclusive identification practices such as universal screening and alternative assessment tools to identify student groups that were historically under-

identified, including multilingual learners and students with disabilities. Despite these shifts, local discretion remains high: districts determine their own identification tools, screening processes, and service models. Some screen all children for eligibility while others rely on referrals or assessments to make that decision. Consequently, multilingual students in Oregon face inconsistent pathways to TAG identification and the potential opportunities it confers (Gubbins et al., 2020; Peters & Johnson, 2023).

Literature review

Research on TAG programs has consistently documented disparities in identification, revealing that multilingual students and students from historically marginalized racial and socioeconomic backgrounds are significantly underrepresented. Much of this body of work has concentrated on who gets identified, framing access to TAG as primarily a matter of equitable identification processes. Far less attention has been paid to what happens after identification: whether the gifted label translates into provision of services, for example, through advanced coursework at the secondary level, and whether those returns are equitably distributed across students' racial, linguistic, and socioeconomic backgrounds. This literature review reflects these themes, focusing on patterns of identification and the factors that shape them, while also highlighting the need for further investigation into the implications of TAG identification for access to programming like advanced coursework among multilingual learners.

Disparities in TAG Identification

Extensive research has documented persistent disparities in gifted identification by race and ethnicity. National and state-level data consistently show that Black, and Latine students are identified for TAG services at lower rates than their White and Asian peers. Long and colleagues (2023), drawing on data from three states, found that students from historically marginalized

racial and linguistic groups were consistently underrepresented, while White and Asian students were between two and eight times more likely to be identified as gifted. Yoon and Gentry (2009) reported similar patterns in their state-level analysis, noting that Asian students were overrepresented in nearly every state examined, while Black, Latine, and American Indian or Alaska Native students were underrepresented in most. McBee (2010), using multilevel models in Georgia, found that racial disparities in identification persisted even after accounting for socioeconomic status and school composition. These studies highlight consistent patterns of unequal access to gifted identification along racial lines.

Socioeconomic status is also associated with differences in gifted identification and is intertwined with school- and community-level factors. Yaluma and Tyner (2018) found that high- and low-poverty schools were equally likely to offer TAG programs, but students in high-poverty schools participated at much lower rates. Cohen (2022) similarly found that identification and participation were associated with a combination of household and school characteristics, including maternal education, income, and school resources. Some researchers have pointed to disparities in access to early academic preparation, referral support, and informal advocacy as contributors to these differences (Grissom & Redding, 2016; So & Gentry, 2009). These findings suggest that TAG identification processes often reflect not only individual ability, but broader inequalities in opportunity and access.

Several studies have also pointed to the systemic under-identification of EL-designated students. In Texas, for example, ELs comprise over a quarter of the student population but just 3% of those identified as gifted (Coronado & Lewis, 2017). Similar patterns have emerged across other states, with EL-designated students among the most underrepresented groups alongside students with disabilities, with identification rates one-eighth to one-sixth of their

population share, respectively (Gray & Gentry, 2024; Peters & Johnson, 2023). And at the national level, Peters and Johnson (2023) and Peters and colleagues (2019) similarly found that EL-designated students were identified at rates far below their population share in most states.

Despite growing attention to equity in gifted education, studies that examine disparities related to language background—particularly those that disaggregate multilingual learners—remain limited. While some researchers include EL classification as a covariate in models of TAG identification (Coronado & Lewis, 2017; Peters et al., 2019; Peters & Johnson, 2023), language status is often treated as a static or monolithic category. Key distinctions like current versus former EL status, duration of language service, timing of reclassification, and dual identification for special education are frequently overlooked. A few recent studies have begun to move in a more intersectional direction. For example, Hodges and colleagues (2022) explicitly argue that analyzing categories in isolation masks within-group disparities and obscures the structural conditions that drive them, while Kuykendall (2023) incorporates multiple identity markers into a descriptive analysis. These contributions highlight the value of an intersectional approach, but their modeling strategies remain largely additive, leaving open questions about how overlapping systems of stratification may compound marginalization. Building on this emerging work, my study treats race, language, ability, and class not as background controls but as intersecting systems that structure how giftedness is defined and recognized.

Importantly, disparities persist when conditioning on prior achievement and other eligibility measures. Using nationally representative data, Grissom and Redding (2016) show that Black students are significantly less likely than White peers with similar math and reading scores to be assigned to gifted services; likewise, in a large urban district, moving from teacher referral to universal screening uncovered many low-income, multilingual, and racially

minoritized students who met identical eligibility cut scores but had been previously missed (Card & Giuliano, 2016). While conditioning on achievement strengthens the case for systemic bias in referrals, it's also important to recognize that test scores themselves are shaped by unequal opportunities to learn. Achievement measures reflect prior access to instruction, resources, and support, not just individual ability (Ladson-Billings, 2006; McDonnell, 1995; Porter, 1995). Thus, both opportunity gaps prior to identification and discretion during the identification process likely also contribute to disproportionality. Structural features of TAG systems, such as how students are referred, screened, and identified, what criteria are used, and how policies are implemented all further compound these dynamics.

Structural and Perceptual Barriers to Gifted Identification for Multilingual Learners

Despite growing attention to equity in gifted education, multilingual learners continue to face significant structural and perceptual barriers that hinder their identification and participation in TAG programs. These barriers manifest throughout the identification pipeline and are often reinforced by linguistic ideologies and institutional design, creating cracks in different stages from screening and referral to assessment and placement.

Structural/Systemic Barriers

The multi-stage identification process itself creates barriers for multilingual students, comprising screening, nomination/referral, formal identification, and placement (Gubbins et al., 2020). At each stage, multilingual students encounter potential obstacles. During screening and referral, stakeholders may rely on informal observations not suited to culturally and linguistically diverse learners (Aguirre, 2003; Stein et al., 2012). During identification and placement, the use of achievement tests with high language demands can disadvantage students who are still

developing academic English, even when their cognitive potential is high (Bernal, 2001; Esquierdo & Arreguín-Anderson, 2012; Lewis et al., 2016).

Definitions of giftedness also matter for access. McBee and Makel (2019) demonstrate that different definitional criteria can produce identification rates ranging from under 1% to nearly 90%, underscoring how state and district choices about what counts as gifted directly shape who is granted entry to advanced services.

Communication barriers further exacerbate these challenges. Families of EL-designated students often receive limited information about TAG programs in accessible languages, and interpreters may be unavailable during key meetings (Coronado & Lewis, 2017; Harris et al., 2009). These gaps reduce family agency and create additional hurdles during the consent and placement phases of identification.

Assessment design itself has drawn critical scrutiny. As Peters and Engerrand (2016) argue, traditional cognitive and achievement tests tend to reflect students' prior opportunities to learn rather than innate potential. Because multilingual and low-income students often experience systemic opportunity gaps, these assessments may inadvertently function as gatekeepers, encoding disadvantage into identification outcomes. Despite efforts to introduce nonverbal or alternative assessments, evidence about their effectiveness remains mixed (Mun et al., 2016), and the institutionalization of these tools varies widely across districts and states.

Policy infrastructure also plays a role. Many states do not track subgroup participation in TAG programs, making accountability difficult (Rinn et al., 2022). Even where policies support inclusive practices, implementation gaps persist. Peters and Johnson (2023) found that district mandates, compliance audits, and public TAG plans were positively associated with higher rates of EL student identification—but these conditions were far from universal.

Perceptual Barriers: Bias and Beliefs

Structural issues are compounded by stakeholder beliefs and biases about multilingualism, language acquisition, and giftedness. Research consistently shows that teachers often perceive English proficiency as a prerequisite for giftedness, delaying referrals for EL-designated students until they are reclassified (Gubbins et al., 2020; Harris et al., 2009). Others may fail to recognize multilingualism as a cognitive asset, leading them to overlook students for TAG when their academic English proficiency is still emerging (Valdés, 2014).

These beliefs are shaped by broader cultural models of intelligence that align with White, monolingual, middle-class norms (List & Dykeman, 2021). Educators may unconsciously favor behaviors and communication styles that reflect dominant cultural expectations, interpreting differences as deficits (Aguirre, 2003; Allen, 2017; Valdés, 2014). Such perceptions can influence nomination, rating scale responses, and even acceptance of students who qualify via alternative assessments (Pierce et al., 2007).

Together, these structural and perceptual barriers form a tightly woven web that constrains the identification and participation of multilingual learners in gifted education. While recent studies have identified promising practices and policy frameworks, the literature overwhelmingly points to a misalignment between TAG systems and the lived realities of multilingual students and their families. Parallel disparities emerge after identification in how services are structured and delivered. These issues are taken up in the following section.

Unequal Returns?

Even after identification, the benefits of TAG may not be evenly realized. This section synthesizes research on how program design and implementation relates to unequal academic

returns, first reviewing disparities in service delivery and then assessing whether participation translates into comparable outcomes.

Disparities in Service Delivery

Across districts, TAG programs commonly follow a "one-size-fits-all" pattern rather than a continuum of options. In a national survey of LEA coordinators, Callahan and colleagues (2017) found that nearly all identified students in a district were served through a single dominant model at each level with AP courses functioning as the default programming at high school. These implementation patterns echo national monitoring reports that document wide variability in state expectations and limited, uneven support for local programming leaving service delivery largely to local discretion (Rinn et al., 2022). Such standardization and policy variability raise equity concerns for EL-designated students with distinct learning profiles who need coordinated services that blend language support with content. Qualitative work with secondary students likewise indicates that coursework like AP is not a good fit for all gifted learners, especially those from historically underserved groups (Hertberg-Davis & Callahan, 2008). These patterns suggest that while differences in service may be appropriate when responsive to student needs, current models often provide limited options that lack intentional differentiation.

There is also evidence that service structures and learning environments constrain participation after identification. Scholarship on retention highlights program features that impact racially minoritized and low-income students' participation, including competitive climates, limited social supports, and mismatches between pedagogy and students' cultural experiences (Ford, 2014; Moore et al., 2005). Reviews and empirical syntheses point to modifiable program barriers like inadequate enrichment opportunities, lack of targeted

scaffolding, and limited teacher preparation (Siegle et al., 2016). For multilingual learners in particular, the literature recommends improving TAG services by incorporating multi-tiered, strength-based service models that integrate language development with advanced academic tasks (Bianco & Harris, 2014).

Research also demonstrates that the link between identification and access to advanced coursework is not automatic but mediated by state and district policy. Peters and Johnson (2023) found that mandates requiring TAG plans, compliance audits, and service guarantees were correlated with more equitable representation of EL-designated students, and that district context (e.g., smaller, lower-achieving schools) shaped the extent to which identified students were served.

Tracking and Disparities in Educational Outcomes

The literature has long focused on disparities in identification and strategies to disrupt them, but far less attention has been paid to how gifted services are delivered once students are identified, and whether those services translate into equitable access to programming and positive outcomes. In practice, research examining who receives services is often functionally research on who is identified, implicitly treating identification as a proxy for access to programming. However, this assumption remains largely unexamined. If access to gifted services varies among students who have already been identified, then identification alone provides an incomplete picture of opportunity. This gap is particularly consequential for multilingual learners, whose access to advanced coursework may be shaped not only by whether they are identified, but by how services are structured and integrated within school systems.

Research generally supports the idea that TAG identification can improve academic achievement, self-concept, and long-term educational attainment (Bhatt, 2009; Cohen, 2022;

Steenbergen-Hu & Moon, 2011). However, the extent to which these benefits are equitably distributed remains less clear, especially for students whose linguistic or racial identities may continue to shape their educational experiences after identification.

Several studies suggest that TAG identification is associated with increased access to advanced coursework (Bui et al., 2014; Card et al., 2024), improved math achievement (Imberman, 2021), and higher retention (Davis et al., 2010). Most of this research aggregates effects across the population or focuses on single subgroup comparisons (e.g., gender or race), with relatively few studies disaggregating by language background or examining how intersecting identities influence outcomes. As subgroup sample sizes become smaller, statistical constraints often limit the ability to investigate these questions. This challenge, while methodological in nature, has consequences for how equity is understood in practice (Covarrubias & Vélez, 2013; Evans et al., 2018, 2020).

One area of concern is how language status interacts with school-level tracking systems. There is substantial evidence that EL-designated students—especially those not yet reclassified—face curricular stratification that restricts their access to core academic content (Bromley et al., 2025; Umansky, 2016; Umansky et al., 2024). If barriers to core content remain in place, the gifted label alone may not guarantee access to more rigorous coursework. While gifted designation could serve as a lever to disrupt traditional tracking, in practice it may predominantly benefit certain multilingual students, for example, early-reclassified students who already experience greater access and achievement (Estrada & Wang, 2018; Umansky, 2016).

In sum, while gifted identification is often framed as a pathway to educational opportunity, current evidence leaves open the question of whether those opportunities are equally realized by all students. If programs do not evolve to meet the needs of newly identified

multilingual learners, gains in access may not translate to gains in outcomes. As Gubbins and colleagues (2018) and Harris and colleagues (2009) note, programmatic mismatches such as English-only instruction in otherwise inclusive programs can undermine success. Thus, increasing identification without restructuring services to support multilingual students risks replicating patterns of exclusion under the guise of equity.

This tension underscores an important distinction between differentiation and inequity. An equitable system would support multilingual learners in accessing advanced academic content while also supporting their ongoing development of academic language. However, the patterns documented in prior research do not reflect systematically differentiated or responsive services. Instead, TAG programming is often relying on a narrow set of opportunities, most notably advanced courses at the secondary level that are typically not designed to meet the needs of all students (Rinn et al., 2022). As a result, it remains unclear whether multilingual learners who are identified for TAG services are able to access services in practice, or whether patterns of access continue to reflect broader structural constraints.

Understanding how gifted participation shapes access to coursework and graduation for multilingual students requires not only disaggregation by language background but also attention to the intersecting structural barriers that shape their trajectories through school. Consistent with prior research documenting persistent disparities in identification, I expect that multilingual learners will be underrepresented in TAG identification relative to their peers, even when accounting for observable characteristics. Given the documented differences in TAG identification rates and the lack of differentiation in services for multilingual learners, I hypothesize that significant disparities in service delivery will exist. However, it remains unclear how much variation will exist among the multilingual population.

Conceptual Framework

Raciolinguistic ideologies (Flores & Rosa, 2015) offer a critical lens for understanding how multilingual students are positioned within gifted education systems. These ideologies do not simply mark students by the languages they speak, but by how their language practices are racialized and evaluated against dominant, White, monolingual norms. Within this frame, "academic English" is not a neutral standard but a socially constructed benchmark that privileges certain ways of speaking, writing, and engaging in the classroom. As a result, multilingual students—particularly those who are racialized as Latine, Black, or Indigenous—are often seen as linguistically deficient even when they demonstrate high cognitive potential. Their language use is more likely to be read as informal, non-academic, or in need of remediation, rather than as an asset (Flores, 2017; Flores & Rosa, 2015; Rosa, 2016).

These dynamics underscore a deeper conceptual point: race, language status, and other social categories are not fixed traits, but socially constructed positions shaped by institutional power (Flores & Rosa, 2015; Omi & Winant, 2015). Race is not reducible to skin color, just as language status cannot be defined by a single test score or label (Abedi, 2004; Solano-Flores & Trumbull, 2003). These categories emerge through political, relational, and evaluative processes that determine how students are "read" and responded to by schools (Collins, 2015; Omi & Winant, 2015; Valdés, 2014). Raciolinguistic theory highlights that language is not evaluated in isolation but through racialized lenses, just as race itself is interpreted in interaction with linguistic and cultural practices (Flores & Rosa, 2015; Rosa, 2016). Other categories like disability and economic disadvantage are similarly mediated through systems of classification in systems that carry their own histories, biases, and logics of inclusion (Bourdieu, 2002; Skiba et al., 2008). Acknowledging the socially constructed nature of these categories pushes us to be

cautious about interpreting them as objective facts, and instead to analyze them as institutionalized ways of organizing students and distributing opportunity.

This raciolinguistic framing extends into how giftedness itself is recognized. Educators and systems tend to associate giftedness with fluency in dominant language norms, verbal precocity in English, and cultural styles of communication that align with whiteness and middle-class socialization (Borland, 2003; Ford, 1998, 2014; Valdés, 2014). As a result, multilingual students may be overlooked not because they lack ability, but because their giftedness is expressed in forms that are illegible within existing evaluative frameworks. Even when students from racially and linguistically minoritized groups are identified as gifted, the gatekeeping structures that control placement into advanced courses and the content of those courses may continue to reflect and reproduce these hierarchies. For example, when identification presupposes fluency in academic English, course content is delivered with little accommodation for students developing proficiency, or when gifted-identified ELs are still tracked into remedial courses. The very structures that limit initial access to identification often persist into program design and course-taking pathways, reinforcing inequities under the guise of neutral standards (Gubbins et al., 2020; Hamilton et al., 2020).

But language and race are not the only axes through which exclusion is structured. Students with disabilities are also significantly underrepresented in TAG programs, and the same is true for students from low-income households and other historically marginalized backgrounds (National Center for Education Statistics, 2020; U.S. Department of Education Office for Civil Rights, 2024). These patterns reflect not just bias along any single dimension, but the compounding nature of disadvantage when students occupy multiple marginalized social locations. Thus, this study draws on intersectionality theory (Collins, 2015; Crenshaw, 1991) to

foreground how race, language, disability status, and socioeconomic position operate in tandem to shape access to educational opportunity. Intersectionality sharpens our understanding of who is excluded and helps interrogate how institutional systems—specifically gifted identification processes and programs—reflect dominant norms that privilege certain expressions of ability, intelligence, and potential.

For students who are simultaneously racialized, linguistically minoritized, economically disadvantaged, or labeled as having a disability, identification may or may not dismantle the barriers that limited access in the first place. This study focuses on the central question: Does TAG identification meaningfully expand opportunity for students with intersecting marginalized identities? Or does it replicate existing hierarchies under a different label? To situate this analysis, I first establish baseline patterns of TAG identification across student groups (RQ1), before examining how identification relates to access to advanced coursework and how those relationships vary across intersecting identities (RQ2–4). I use a methodological approach that aligns with the conceptual commitment that race, language, ability, and poverty cannot be understood in isolation. By attending to the patterned inequality created at their intersections, the analysis offers a more equity-centered understanding of how access to advanced coursework is structured across student groups.

Method

Despite widespread recognition of disparities in gifted identification, most quantitative studies rely on additive models that isolate the effects of race, language status, socioeconomic background, or disability. These approaches treat students' identities as separate and independent; masking how overlapping systems of power create distinct patterns of marginalization. But more than that, they often treat these identity markers as directly

measurable traits rather than proxies for deeper, socially constructed experiences. Variables like "race" or "language status" are not observable in any fixed or objective sense—they represent institutionalized categories that imperfectly capture how students are perceived, positioned, and responded to within schools (Flores & Rosa, 2015; Omi & Winant, 2015; Rosa, 2016).

Raciolinguistic theory reminds us that students' language practices are read through racial lenses, and vice versa. A student's dialect, accent, or English proficiency does not carry meaning on its own—it is interpreted in relation to how the student's racial identity is perceived. Similarly, disability labels or poverty status are not just descriptors, but proxies for how institutions allocate resources, make judgments, and structure opportunity. Additive models obscure these dynamics, treating indicators of social stratification as interchangeable variables rather than complex, relational markers of students' experience.

To address these limitations, the study adopts a multilevel analysis of individual heterogeneity and discriminatory accuracy (MAIHDA) approach, which directly aligns with its intersectional framework. MAIHDA allows for the construction of social strata that reflect combinations of students' background and identity characteristics. These strata are not simply statistical categories—they reflect institutionalized patterns of sorting and access that shape how students are perceived and subsequently served in schools.

One of MAIHDA's most powerful features is that it enables the quantification of *structural effects*, which refers to the extent to which a student's position within an intersectional social group is associated with and may explain variation in outcomes. For example, consider two students: one EL-classified from a low-income background and another from a similar economic background but identified as English proficient. By employing MAIHDA, we can analyze how much of the variation in their access to advanced coursework is associated with

their group membership, in this case, specifically, how being in EL status influences their educational opportunities compared to their peer. This approach allows us to ask: to what degree are students' chances of accessing opportunity structured by their social identities? In this way, MAIHDA helps illuminate the systemic barriers that affect students drawing on their intersecting marginalized identities to identify them.

MAIHDA also allows researchers to compare observed group-level outcomes to those expected under an additive model. These comparisons help identify intersectional groups whose outcomes are notably better or worse than predicted, highlighting compounded advantage or disadvantage that might otherwise go undetected. These deviations highlight which student groups are consistently advantaged or marginalized which can shed light on how power operates through educational classification systems.

The central contribution of this study is to examine how access to advanced coursework varies across intersecting student identities and whether those patterns differ by TAG identification. MAIHDA offers a flexible modeling strategy for assessing the degree to which social group membership accounts for variation in outcomes, while also allowing for the identification of compounded advantage or disadvantage among multiply-marginalized groups (Evans et al., 2018). I first examine how TAG identification varies across student characteristics (RQ1). I then estimate the association between TAG identification and academic outcomes (RQ2), before examining how that relationship varies across intersectional student groups (RQ3) and district contexts (RQ4). The MAIHDA models (RQ3 & 4) allow for a more direct examination of how access is patterned across groups and contexts, aligning the analysis with the study's intersectional framework (Evans et al., 2018).

Data

This study will use administrative data from the Oregon Department of Education (ODE), which includes longitudinal records on enrollment, course-taking, program participation, and graduation for all K–12 public school students statewide. The dataset was compiled by the National Research and Development Center to Improve Education for Secondary English Learners, a center housed at WestEd and funded through the Institute of Education Sciences and spans the 2012–13 through 2023–24 academic years, allowing for observation of long-term outcomes such as advanced coursework participation and on-time or extended graduation.

Key data elements include student demographic information (race/ethnicity, socioeconomic status, disability status), language classification history (including EL status and reclassification), and program flags for services such as TAG. The dataset also includes detailed course-level records that allow for identification of participation in AP and IB courses, and school- and district-level identifiers that enable the nesting of students within institutional contexts.

Sample

The analytic sample includes students who first entered ninth grade between 2012–13 and 2019–20, allowing for observation of four- and five-year graduation outcomes and access to advanced coursework for seven cohorts (N = 649,941). Students are included in the sample if they have complete demographic and programmatic data necessary for defining intersectional strata and are observed through the years in which they would typically complete high school. To address cases where demographic information is intermittently missing, I will use forward- and backward-filling from adjacent years to generate time-invariant variables. Students who

transferred out of state or exited the system without a confirmed graduation or dropout outcome are excluded as are students with missing course-taking data.

The sample includes multilingual students, defined as those who were ever classified as EL, reclassified fluent English proficient (RFEP), or initially fluent English proficient (IFEP), as well as English-only (EO) students. Including EO students enables a fuller investigation of access patterns by language status and allows for direct comparison of TAG identification and advanced course-taking across linguistically diverse groups.

Key Measures

Outcomes

This study focuses on access to advanced coursework, which will be measured based on student enrollment in AP or IB courses, using standardized course-level codes from the state dataset and corresponding National Center for Education Statistics course codes. While other forms of advanced coursework—such as honors or dual enrollment—are available in raw course records, these options are not consistently coded across districts. Thus, the primary specification will rely on AP/IB participation to ensure comparability. This outcome variable will reflect any enrollment in advanced coursework (i.e., binary), and the total number of advanced course credits earned divided by the number of years the student is observed (i.e., continuous).

Key Predictor

TAG identification is operationalized as a binary indicator based on state administrative records. Students may be identified for TAG based on intellectual ability, academic talent in reading and/or mathematics, creativity, leadership ability, or visual and performing arts (OAR 581-022-2325). While districts maintain some discretion in the tools and criteria they use, students identified in any one of these categories will be coded as TAG-identified for the

purposes of this study. Since 2022, Oregon stopped tracking specific domains in the administrative data. Collapsing into a single measure allows for comparability over the study years.

Covariates and Intersectional Strata

To examine how TAG identification and subsequent course taking and graduation outcomes differ by student background (RQ1 & RQ2), I will use a set of student demographic variables. These include race/ethnicity, language status (including EO, IFEP, RFEP, and EL-classified), disability status, and socioeconomic disadvantage, proxied as eligibility for free and reduced-price lunch.[1] These variables will be derived from administrative data and treated as time-invariant, based on whether students ever fell into each category to align with the approach used for the MAIHDA framework.

To examine how access to TAG and associated outcomes vary by social position (RQ3), the same student demographic variables will be used to construct intersectional strata. As the distribution of students across strata permits, the analysis will further disaggregate by timing of reclassification and newcomer or long-term EL (LTEL) status which will in turn be included as covariates in the comparative analysis for the first two research questions. In Oregon, newcomers (also referred to as "Recent Arrivers") are defined as students not born in the United States who have attended schools in any U.S. state for no more than three full academic years (Oregon Department of Education, n.d.). LTELs are defined in this study as students who have received

[1] Free and reduced-price lunch (FRPL) eligibility is used here as a proxy for socioeconomic disadvantage; however, this measure has become less precise in recent years due to the expansion of the Community Eligibility Provision (CEP). CEP allows high-poverty schools and districts to provide free meals to all students without collecting individual applications, resulting in missing or uniformly coded FRPL data. In Oregon, CEP participation has expanded substantially over the past decade, particularly in higher-poverty districts. As a result, FRPL may understate variation in socioeconomic disadvantage within participating schools and attenuate observed differences between groups. While FRPL remains one of the most consistently available indicators in administrative data, estimates involving this variable should be interpreted with caution, particularly in districts with widespread CEP adoption.

English language development services for seven or more years, drawing on existing research (e.g., Olsen, 2010). The set of EL-related categories then may include: EO, IFEP, reclassified by third grade, reclassified by eighth grade, newcomer, dually identified, LTEL, and both dually identified and LTEL. The final specification of these categories will be determined prior to analysis based on sample size constraints, with a single consistent set of strata applied across all models (Evans et al., 2018, 2024).

To examine how access to TAG and associated outcomes vary across institutional contexts (RQ4), the study will construct a second set of strata based on district characteristics. These include multilingual learner enrollment, the use of universal screening measures (i.e., administering screening assessments to all students in a given grade rather than relying on referrals), and urbanicity. Multilingual learner enrollment will be measured as the sum of all EL, RFEP, and IFEP students as a proportion of the district. I split urbanicity into two distinct groups: Rural and Urban/Suburban using NCES geographic codes for public school districts. As strata allows, I will also use per-pupil expenditure. Information on district spending is reported on ODE's website as mandated by the Every Student Succeeds Act (2015). Each of the continuous variables will be grouped into low, average, or high categories based on statewide distributions and averaged over the decade observed. Combinations of these characteristics will define the strata within which students are nested in the final, district MAIHDA model.

Analytic Strategy

The analysis begins by examining how TAG identification varies across students' language status, race and ethnicity, disability status, and socioeconomic background. RQ1 will be addressed descriptively, using tabulations. Language status is categorized as English-only for monolingual students, initially fluent English proficient (IFEP) for students who were assessed

for services but never classified an EL, reclassified, newcomer, and LTEL, with additional distinctions for dual identification where applicable. Race and ethnicity are categorized as White, Black, Latine, Asian or Pacific Islander, American Indian or Alaska Native, and multiracial. Socioeconomic status is proxied by eligibility for free or reduced-price lunch, and disability status reflects whether a student is identified for special education services.

The second question asks whether TAG identification, across the full sample, is associated with greater access to advanced coursework. This question will be addressed using regression models to estimate the average association between TAG identification and each specification for the outcome of interest, controlling for relevant student characteristics and including district fixed effects to account for clustering of multiple observations. This model specification, as well as the ones for RQ3 and RQ4, are provided in the next section.

The first two research questions are designed as descriptive baselines that feed directly into the MAIHDA framework. For RQ1, crosstabulations illustrate disparities across the demographic variables that are later modeled intersectionally. For RQ2, regression models estimate the average association between TAG identification and outcomes. These are not intended as causal estimates but rather provide a benchmark for comparison, illustrating how subgroup heterogeneity is obscured when all students are combined in a conventional model. Models are estimated separately by subgroup to examine whether associations differ across student populations. RQ3 and RQ4 then leverage MAIHDA to examine heterogeneity across strata in a way that standard regression approaches cannot.

The third question explores whether these associations vary across students with intersecting marginalized identities. This is the core contribution of the study's intersectional analysis. Using a MAIHDA approach, I examine how access to advanced coursework varies

across intersectional configurations of students, with particular attention to multilingual learners and the role of TAG identification. MAIHDA offers a theoretically grounded and statistically rigorous alternative to traditional fixed-effects models, particularly for equity-oriented research concerned with how systems produce and sustain complex patterns of stratification. Rather than controlling for group membership, as fixed effects models do, MAIHDA treats social categories as meaningful explanatory constructs—an approach that aligns more closely with the conceptual foundations of intersectionality and the social construction of categories like race, language status, and ability (Evans et al., 2018, 2023, 2024; Van Dusen et al., 2024).

In this analysis, students (Level 1) are nested within intersectional strata (Level 2) defined by combinations of demographic characteristics such as language status, race/ethnicity, socioeconomic status, and disability status. These strata are not treated as isolated variables but as socially constructed combinations that reflect the ways institutions interpret and respond to student identity. MAIHDA allows us to examine both how much outcome variation can be attributed to stratum-level differences, and how much of that variation is additive—explained by the main effects of each variable—versus multiplicative, reflecting interaction or compounding effects. To assess whether the relationship between TAG identification and opportunity varies across intersectional strata, I extend the baseline MAIHDA model to include a random slope for TAG, drawing on recent extensions in the MAIHDA literature (Evans et al., 2023). Adding random slopes allows the model to estimate whether the benefits of TAG are consistent across strata or disproportionately concentrated among students with more privileged social positions. The formal model specifications are presented in the following section; the discussion below introduces key parameters used to interpret the models.

The proportion of variance in outcomes attributable to stratum-level membership is captured through a measure called the variance partition coefficient (VPC), while a similar measure, the proportional change in variance (PCV), estimates the share of intersectional inequality that can be explained by additive rather than intersection-specific effects (Evans et al., 2024). In other words, the VPC tells us how much of the total variation in the outcome (e.g., enrollment) is due to between-group (stratum-level) differences rather than within-group (individual-level) variation. The PCV then indicates how much of that between-group variation can be explained by the additive effects of student characteristics, thus revealing how much inequality is due to the intersections themselves versus the main effects of race, language, socioeconomic status, or ability alone.

To illustrate, imagine two students who are both newcomers, Latine, and economically disadvantaged. A high VPC would indicate that their enrollment chances are much more similar to each other than to students in other strata, meaning that strata membership captures an important share of the inequality in outcomes. Conversely, a low VPC would suggest that even within the same stratum, graduation outcomes vary widely, and strata membership explains little of the overall variation. Importantly, this does not necessarily mean that inequality between strata is absent. When there is substantial variation in outcomes overall, it is possible to observe both meaningful differences between strata and substantial variation within strata at the same time.

In turn, the PCV helps distinguish whether those between-strata differences are mostly explained by race, language, and economic background separately, or whether it is the particular combinations of these characteristics that matter. A high PCV would indicate that the main effects account for most of the variation, for example, that their newcomer status and

socioeconomic status independently explain graduation gaps. A lower PCV would suggest that unique intersections (i.e., EL status + socioeconomic status + being Latine together) create disparities that cannot be captured by main effects alone. Both the VPC and PCV range from 0 to 1, with higher values indicating a greater proportion of variance attributable to between-stratum differences (VPC) or explained by additive effects (PCV). In practice, values are often relatively small in MAIHDA applications (e.g., below 0.10), but even modest proportions can reflect meaningful structural patterning across intersectional strata (Evans et al., 2018; 2024).

Thus, we can identify strata where multilingual students identified for TAG are significantly more or less likely to access advanced coursework than their peers, even after accounting for additive effects. Additionally, MAIHDA incorporates Bayesian shrinkage at the second level, which improves the reliability of estimates for smaller strata. This is particularly critical in studies of multiply-marginalized groups that may be underrepresented in the data. Rather than relying on unstable estimates for small subgroups, Bayesian methods "shrink" those group-level estimates toward the grand mean using partial pooling. MAIHDA uses prior distributions and simulation-based estimation (typically via Markov Chain Monte Carlo or Hamiltonian Monte Carlo) to balance the observed data with statistical uncertainty, yielding more precise and stable estimates across strata of varying sizes (Evans et al., 2024). The analysis will be conducted using the guidance and modeling procedures outlined in a recent tutorial developed by Evans and colleagues (2024). MAIHDA allows the analysis to stay grounded in the study's theoretical commitments while producing robust, interpretable estimates that speak directly to questions of equity in gifted identification and advanced course access as a downstream outcome.

In addition to the primary two-level MAIHDA specification, I estimate an extended model that incorporates district as an additional level. In this specification, students are nested within intersectional strata, which are in turn nested within districts, allowing for the examination of how district context contributes to variation in advanced course-taking beyond student-level intersectional positioning.

The final research question examines how the relationship between TAG identification and access to advanced coursework differs across districts. Because identification and service delivery are largely determined at the district level, variation in local context may shape whether access to TAG translates into meaningful opportunity or reproduces existing inequities. To address this, I fit a second set of MAIHDA models in which students are nested within strata defined by the characteristics of their district at the time they enter high school. These characteristics include multilingual learner enrollment, TAG identification rates, district size, and economic context. Each variable is categorized into low, average, or high, and strata are constructed from combinations of these categories. This model allows for an examination of how institutional context shapes the extent to which TAG identification translates into access to opportunity for multilingual students.

Interpreting the results of these models requires attention to how strata are defined and how estimates are communicated. Finalizing the strata is itself part of the analytic process, requiring the researcher to balance theoretical considerations with empirical feasibility. In this study, I selected strata-defining variables based on theory and prior research. The final number of strata, however, will depend on the distribution of sample sizes across strata. Consequently, I do not interpret every stratum-specific estimate individually. Instead, the emphasis is on variance decomposition (e.g., VPC and PCV) and on patterns across the distribution of strata estimates,

supplemented by visualizations that highlight key intersections, such as caterpillar plots of stratum effects with credible intervals and predicted probability for selected contrasts. This approach avoids over-emphasizing any single small group while still making visible the broader patterns of inequity that emerge through intersectional analysis.

Model specification

All models are estimated on a student-level dataset with a single observation per student; outcomes reflect either whether students ever accessed advanced coursework (binary) or the proportion of credits earned in advanced coursework relative to the number of observed periods across high school (continuous). To estimate the relationship between TAG identification and students' access to advanced coursework (RQ2), I begin with a logistic regression model that includes TAG identification as a predictor, controls for individual demographic characteristics, and assumes a Bernoulli-distributed outcome with a logit link function for the binary specification. This baseline model provides a descriptive estimate of the average association between TAG and any advanced course enrollment, and serves as a comparison point for the multilevel intersectional models that follow. This model is specified as:

$$logit(Y_i = 1) = \beta_0 + \beta_1(TAG_i) + \beta_2 \boldsymbol{X_i} + \gamma_d \quad (3.1)$$

Where Y is a binary indicator of advanced course enrollment for student i, TAG is a binary variable indicating TAG identification, $\boldsymbol{X}$ is a vector of student-level controls including race/ethnicity, language status, socioeconomic status, disability status, and prior achievement in ELA and math, and γ is a set of district fixed effects. This model helps establish whether, on average, TAG-identified students are likely to enroll in advanced coursework, net of other characteristics and district context. I build a similar linear version of the model to measure the association between TAG and the proportion of courses students took in years observed.

To examine whether the association between TAG and advanced coursework varies across intersecting social positions (RQ3), I use a MAIHDA approach. In the MAIHDA model, students are nested within strata defined by combinations of social categories constructed using cross-classifications of race/ethnicity, language status (EO, IFEP, RFEP, EL-designated), disability status, and socioeconomic disadvantage. Where feasible, additional distinctions are included for newcomer and long-term EL status. These strata reflect shared structural locations, e.g., a low-income, Spanish-speaking student classified as an EL with a disability forms one intersectional group, while a non-disabled, English-only, non-economically disadvantaged peer forms another. In low-frequency cases, adjacent groups will be collapsed to preserve statistical stability. All strata will be treated as mutually exclusive and exhaustive within the analytic sample.

The strata are modeled as random effects with partial pooling. Each unique combination of these characteristics defines a stratum *j*, and students *i* are assigned to a single stratum. The baseline random-intercept MAIHDA model is specified as:

$$\text{Level 1: } logit(Y_{ij} = 1) = \beta_0 + \beta_1(TAG_{ij}) + \mu_j \tag{3.2}$$

$$\text{Level 2: } \mu_j \sim N(0, \sigma^2{}_\mu)$$

Where Y is the outcome (i.e., advanced course enrollment) for individual *i* in stratum *j*, β estimates the fixed effect of TAG identification, and μ_j is a random intercept for stratum *j*, capturing the deviation in log-odds from the grand mean attributable to intersectional group membership. The variance of μ_j is used to calculate the VPC, and this process is detailed below. This baseline model estimates the extent to which outcomes vary across intersectional strata using the VPC and provides an overall estimate of the association between TAG identification and access to advanced coursework.

To evaluate whether the effect of TAG varies across strata for TAG-identified students, I then estimate a second model that includes a random slope for TAG. This allows the relationship between TAG and the outcome to differ by intersectional group, testing whether access to opportunity through TAG is equitably distributed. The random slope MAIHDA model is specified as:

$$\text{Level 1: } logit(Y_{ij} = 1) = \beta_0 + \beta_1(TAG_{ij}) + \beta_2 \boldsymbol{X_{ij}} + \mu_{0j} + \mu_{1j}(TAG_{ij}) \quad (3.3)$$

$$\text{Level 2: } \begin{bmatrix} \mu_{0j} \\ \mu_{1j} \end{bmatrix} \sim N\left(0, \begin{bmatrix} \sigma^2{}_{\mu 0} & \\ \sigma_{\mu 0 \mu 1} & \sigma^2{}_{\mu 1} \end{bmatrix}\right)$$

Here, β_1 represents the average association between TAG identification and the outcome across all strata, and μ_{1j} represents the deviation in the TAG effect for each stratum from the overall average effect. By estimating both μ_{0j} and μ_{1j}, the model can assess whether certain intersectional groups experience a stronger or weaker association between TAG identification and access to opportunity than others. In other words, it tells us whether the benefits of TAG are evenly distributed across students with different intersecting identities, or whether they are amplified or dampened depending on students' social positions.

To estimate the relationship between TAG identification and proportional access to advanced coursework, I use the same general modeling structure but replace the binary indicator with the continuous specification of the outcome. This measure captures access to rigorous coursework across grades 9–12, accounting for movement in and out of the sample. Because the outcome is continuous, I use linear models rather than logistic regression. The baseline linear MAIHDA model with a random intercept is specified as:

$$\text{Level 1: } Y_{ij} = \beta_0 + \beta_1(TAG_{ij}) + \beta_2 \boldsymbol{X_{ij}} + \mu_j + \epsilon_{ij} \quad (3.4)$$

$$\text{Level 2: } \mu_j \sim N(0, \sigma^2{}_{\mu})$$

$$\epsilon_{ij} \sim N(0, \sigma^2{}_{\epsilon})$$

Where *Y* represents the number of advanced courses taken by student *i* in stratum *j*, and all other terms are defined as above. A second model introduces a random slope for TAG to examine whether the association between TAG and advanced course-taking varies across strata:

$$\text{Level 1: } Y_{ij} = \beta_0 + \beta_1(TAG_{ij}) + \beta_2 X_{ij} + \mu_{0j} + \mu_{1j}(TAG_{ij}) + \epsilon_{ij} \tag{3.5}$$

$$\text{Level 2: } \begin{bmatrix}\mu_{0j}\\ \mu_{1j}\end{bmatrix} \sim N\left(0, \begin{bmatrix}{\sigma^2}_{\mu 0} & \\ \sigma_{\mu 0 \mu 1} & {\sigma^2}_{\mu 1}\end{bmatrix}\right)$$

$$\epsilon_{ij} \sim N(0, {\sigma^2}_{\epsilon})$$

This allows the effect of TAG on course-taking to vary across groups, revealing whether certain configurations of identity are associated with stronger or weaker access to advanced coursework following identification.

To quantify the extent to which opportunity structures vary across intersectional strata, I calculate the VPC and PCV using variance components from the baseline and main effects models. The VPC estimates the proportion of total variance attributable to differences between strata. In the baseline model, VPC is calculated as:

$$VPC = \left(\frac{{\sigma^2}_{\mu}}{{\sigma^2}_{\mu 0} + \frac{\pi^2}{3}}\right) * 100 \tag{3.6}$$

A higher VPC suggests that students' educational outcomes are more strongly patterned by their combined social identities than by individual differences alone. Once we add random slopes, the VPC no longer captures just general stratum-level variation. Instead, it also reflects whether the relationship between TAG and the outcome differs across groups. In the random slopes model, it is calculated as:

$$VPC = \left(\frac{{\sigma^2}_{\mu 0} + 2\sigma_{\mu 0 \mu 1} + {\sigma^2}_{\mu 1}}{{\sigma^2}_{\mu 0} + 2\sigma_{\mu 0 \mu 1} + {\sigma^2}_{\mu 1} + \frac{\pi^2}{3}}\right) * 100 \tag{3.7}$$

The PCV measures the extent to which this between-stratum variance is explained by the inclusion of individual-level main effects. It is calculated as:

$$PCV = \left(\frac{{\sigma^2}_{\mu 0(NULL)} - {\sigma^2}_{\mu 0(MAIN\ EFFECTS)}}{{\sigma^2}_{\mu 0(NULL)}} \right) * 100 \quad (3.8)$$

Higher values indicate that additive factors (e.g., language, race, or SES alone) explain a large share of the between-group differences. The remaining variation captures the degree to which outcomes differ in ways that aren't fully explained by those individual pieces, pointing to the role of intersecting identities.

Finally, to assess whether the effect of TAG varies across institutional contexts (RQ4), I add a third level to my model, nesting students within intersectional strata, further nested within districts. I also estimate a second set of exploratory MAIHDA models in which students are nested within strata defined by combinations of district-level characteristics. These strata are constructed from combinations of multilingual learner enrollment, TAG identification rates, district enrollment size, and economic disadvantage. As in the primary model, strata are first modeled as random intercepts with partial pooling using Bayesian shrinkage. They are then modeled using random slopes. This second set of models provides a complementary lens on inequality by examining how structural features of students' educational environments shape access to opportunity after gifted identification. These models differ in how strata are defined rather than in whether student or district characteristics are included. In both cases, students remain the unit of analysis; the distinction lies in whether variation is organized around student intersectional identities or district-level contexts, providing complementary perspectives on how opportunity is structured.

Supplementary Analyses of Racialized Heterogeneity

Race and ethnicity are central to the motivating questions of this study. However, incorporating race/ethnicity directly into the primary MAIHDA stratification alongside language status, home language, socioeconomic background, and disability status proved analytically challenging due to the close alignment between racial/ethnic and linguistic classification in administrative data. In practice, these dimensions are not independent; patterns of language classification are deeply intertwined with racialized categories, resulting in substantial overlap across stratifying variables. In this dataset, this overlap limits the ability to estimate stable intersectional effects when all dimensions are combined simultaneously.

To address this limitation, I estimated a complementary set of MAIHDA models that incorporate race/ethnicity in place of home language and are otherwise structured exactly the same as the previously described models. These models allow for the examination of racialized heterogeneity in advanced course-taking while maintaining sufficient differentiation across strata for estimation. Results from these alternate specifications are interpreted as extensions of the primary models.

In addition, I estimated the same MAIHDA models that incorporate race/ethnicity in place of home language restricted only to students whose home language was Spanish. Although "Hispanic" is recorded within the race/ethnicity classification system in administrative data, it reflects an ethnicity that spans multiple racial identifications. Students classified as "Hispanic" may identify across racial groups and Spanish-speaking students are not limited to a single racial category. Restricting the sample to Spanish-speaking students therefore allows for the examination of racialized heterogeneity within a shared linguistic context. while addressing the administrative conflation of "Hispanic" ethnicity with Spanish language use. This conflation

reflects raciolinguistic processes through which language is used as a proxy for race in classification systems. Since the dataset includes separate indicators for race, Spanish-speaking students in this subset are represented across multiple racial categories, enabling clearer estimation of racialized heterogeneity within a linguistically defined population.

These supplementary analyses extend the primary MAIHDA specifications by examining whether patterns of intersectional heterogeneity persist when race/ethnicity is incorporated more directly into the stratification or examined within a linguistically similar subgroup. Because some resulting strata remain relatively small, estimates from these models should be interpreted with appropriate caution. The MAIHDA framework addresses this through partial pooling, which stabilizes estimates for smaller strata by shrinking them toward the overall mean; accordingly, these estimates may be considered conservative.

Findings

Variation in Identification for Talented and Gifted Services

To address RQ1, Table 3.1 presents TAG identification by student characteristic. The column labeled "% identified for TAG" indicates the proportion of the total sample that consists of students from each subgroup who have been identified for TAG services. This metric reflects how much each subgroup contributes to the overall TAG population. In contrast, the "Rate of Identification" column reports the percentage of students within each specific subgroup who have been identified for TAG services. This figure provides insight into the likelihood of a student in that subgroup being recognized for TAG services. Together, these measures distinguish between representation in TAG and likelihood of identification.

Table 3.1

Percentage and Rate of Identification for TAG Services by Student Characteristic

Characteristic	N	% identified for TAG	Rate of identification
Language status			
English only	1,314,174	0.7924	0.1037
Initially fluent English proficient	29,917	0.018	0.2135
Reclassified	235,809	0.1422	0.0496
Newcomer (1-3 years of service)	28,989	0.0175	0.0014
Developing (4-6 years of service)	7,092	0.0043	0.0016
Long-term EL (7+ years of service)	42,493	0.0256	0.0026
Race/ethnicity			
American Indian or Alaska Native	22,479	0.0136	0.0333
Asian or Pacific Islander	85,065	0.0513	0.1846
Black	39,112	0.0236	0.0353
Latine	381,349	0.2299	0.039
Multi-ethnic	95,579	0.0576	0.1154
White	1,034,890	0.624	0.1071
Home language			
Arabic	4,442	0.0027	0.0182
Chinese	7,729	0.0047	0.2069
Russian	10,975	0.0066	0.072
Somali	3,158	0.0019	0.0089
Spanish	224,592	0.1354	0.0259
Vietnamese	12,044	0.0073	0.1378
Other language	50,440	0.0304	0.0597
Not recorded (i.e., English only)	1,345,094	0.811	0.1052
Eligibility for Special Education services			

Table 3.1 (continued)

Characteristic	N	% identified for TAG	Rate of identification
Eligible	220,382	0.1329	0.0154
Not eligible	1,438,090	0.8671	0.1051
Economic background			
Economically disadvantaged	895,029	0.5397	0.0579
Not economically disadvantaged	763,445	0.4603	0.1345
All students	1,658,474	0.0932	0.0932

Note. Table reports the distribution of students across language classification, race/ethnicity, home language, disability status, and economic disadvantage, along with the proportion of students within each category who were ever identified for TAG services. Estimates are calculated using all student-year observations in the analytic sample, reflecting average identification patterns over the ten-year study period.

There was substantial variation in TAG identification across student characteristics. By language classification, multilingual learners who were IFEP were identified for TAG services at the highest rate (21%), well above the overall average rate of identification across all students in the state (9%). English-only students were identified at a rate similar to the statewide average (10%). In contrast, students who had been reclassified out of EL services were under-identified relative to the average rate (5%). Students currently classified as ELs were the most severely under-identified, with identification rates increasing as length of EL service increased to long-term EL status (Table 3.1).

Despite these differences in identification rates, the overall distribution of identified students is still heavily shaped by population size, with English-only students accounting for the largest share of students identified for TAG services. This distinction is reflected in the "% identified for TAG" column. For example, although IFEP students are identified at the highest

rate (21%), they make up only 1.8% of all students identified for TAG services due to their relatively small population size. In contrast, English-only students are identified at a lower rate (10%) but comprise nearly 80% of the TAG population. Similarly, Latine students represent nearly 23% of students identified for TAG services, despite having a relatively low identification rate (4%), reflecting their larger share of the overall student population.

Patterns of identification also varied considerably by home language. Chinese (21%) and Vietnamese (14%) speakers were identified for TAG services at rates well above the overall average. All other top language groups were under-identified relative to the average rate, with Spanish, Arabic, and Somali speakers experiencing the lowest rates of identification (3%, 2%, and <1%, respectively).

Eligibility for special education services was strongly associated with TAG identification. Students eligible for special education were identified for TAG services at a rate of approximately 2%, compared to 11% among students not eligible for special education. Economic background showed a similar pattern: students from economically disadvantaged backgrounds were identified at a lower rate (6%) than their non–economically disadvantaged peers (13%), and below the overall average rate of identification.

These descriptive differences are consistent with long-standing patterns documented in the literature, which show that students with disabilities, students who are racially or linguistically minoritized, and students from economically disadvantaged backgrounds are identified for gifted services at substantially lower rates than their peers.

Association Between Identification and Advanced Course-taking

To address RQ2, Table 3.2 and 3.3 below present estimates of the association between TAG identification and advanced course-taking, measured both as enrollment in any AP/IB

coursework (Table 3.2) and as the average number of AP/IB credits earned per year (Table 3.3). Each column reflects a separate model estimated for a different student population (full sample, English-only students, multilingual students, and ever-EL students).

Table 3.2
Associations Between Student Characteristics and Odds of Enrolling in Advanced Coursework Across Student Populations

Student Characteristics	All Students	English Only Students	Multilingual Students	Ever-EL Students
Identified as gifted	1.250*** (0.063)	1.276*** (0.067)	0.976*** (0.081)	1.032*** (0.074)
Language status				
English only	1.397*** (0.055)		1.447*** (0.058)	
Initially fluent English proficient (IFEP)	1.317*** (0.097)		1.300*** (0.092)	1.308*** (0.093)
Reclassified	-0.118† (0.062)		-0.154* (0.064)	-0.197** (0.062)
Newcomer (1-3 years of service)	0.029 (0.076)		-0.097 (0.073)	-0.126† (0.071)
Long-term EL (7+ years of service)	1.397*** (0.055)		1.447*** (0.058)	
Race/ethnicity				
American Indian or Alaska Native	-0.427*** (0.051)	-0.363*** (0.046)	-0.851*** (0.146)	-0.513*** (0.141)
Asian or Pacific Islander	0.416*** (0.041)	0.414*** (0.041)	0.493*** (0.099)	0.412*** (0.096)
Black	-0.488** (0.167)	-0.575** (0.188)	0.103 (0.118)	0.079 (0.135)
Latine	-0.207*** (0.039)	-0.169*** (0.036)	-0.338** (0.125)	-0.224* (0.113)

Table 3.2 (continued)

Student Characteristics	All Students	English Only Students	Multilingual Students	Ever-EL Students
Multi-ethnic	-0.000 (0.028)	-0.007 (0.029)	0.263** (0.091)	0.283** (0.106)
Home language				
Arabic	0.020 (0.124)	-1.307* (0.605)	-0.004 (0.154)	0.361** (0.140)
Chinese	0.334* (0.148)	-1.060*** (0.291)	0.378* (0.185)	0.938*** (0.119)
Russian	-0.651*** (0.177)	-0.903* (0.430)	-0.607*** (0.163)	-0.251† (0.142)
Somali	-0.125 (0.115)	-7.291*** (0.167)	-0.660*** (0.130)	-0.289† (0.171)
Spanish	0.085 (0.089)	-0.644*** (0.104)	0.180* (0.080)	0.425*** (0.088)
Vietnamese	0.388** (0.128)	-1.149 (0.729)	0.357* (0.167)	0.837*** (0.119)
Other language	-0.361*** (0.062)	-0.870*** (0.112)	-0.366*** (0.091)	0.070 (0.068)
Eligible for special education services	-1.612*** (0.058)	-1.716*** (0.060)	-1.181*** (0.061)	-1.160*** (0.061)
Economically disadvantaged	-0.424*** (0.050)	-0.452*** (0.052)	-0.162* (0.070)	-0.158* (0.074)
N obs.	627,641	498,058	129,027	117,555

Note. Estimates are presented as odds ratios, with a value of 1 indicating even likelihood. Models include district fixed effects. Standard errors are clustered at the district level and reported in parentheses. Reference categories are developing EL (4–6 years of service) for language status; White for race/ethnicity; English only/not recorded for home language; not eligible for special education; and not economically disadvantaged for economic disadvantage.
† p < .10 *p < .05, **p < .01, ***p < .001.

Table 3.3

Associations Between Student Characteristics and Average Annual Enrollment in Advanced Courses Across Student Populations

Student Characteristics	All Students	English Only Students	Multilingual Students	Ever-EL Students
Identified as gifted	0.597*** (0.031)	0.593*** (0.032)	0.585*** (0.046)	0.568*** (0.068)
Language status				
English only	0.048 (0.038)			
Initially fluent English proficient (IFEP)	0.225*** (0.033)		0.211*** (0.029)	
Reclassified	0.175*** (0.026)		0.172*** (0.025)	0.173*** (0.025)
Newcomer (1-3 years of service)	-0.081*** (0.014)		-0.070*** (0.011)	-0.076*** (0.013)
Long-term EL (7+ years of service)	0.004 (0.016)		-0.017 (0.015)	-0.026† (0.014)
Race/ethnicity				
American Indian or Alaska Native	-0.077*** (0.015)	-0.061*** (0.015)	-0.306*** (0.082)	-0.227*** (0.063)
Asian or Pacific Islander	0.319*** (0.059)	0.352*** (0.055)	0.234*** (0.049)	0.175*** (0.038)
Black	-0.142† (0.073)	-0.178* (0.081)	0.019 (0.039)	0.015 (0.030)
Latine	-0.045** (0.014)	-0.035** (0.011)	-0.190** (0.071)	-0.132* (0.051)
Multi-ethnic	0.003 (0.017)	-0.002 (0.016)	0.059 (0.040)	0.062† (0.033)
Home language				
Arabic	-0.135* (0.067)	-0.021 (0.188)	-0.272** (0.103)	-0.196* (0.084)

Table 3.3 (continued)

Student Characteristics	All Students	English Only Students	Multilingual Students	Ever-EL Students
Chinese	-0.092 (0.072)	-0.360*** (0.096)	-0.107 (0.113)	0.076 (0.072)
Russian	-0.233*** (0.047)	-0.136 (0.125)	-0.367*** (0.085)	-0.295*** (0.065)
Somali	-0.123† (0.062)	-0.083 (0.136)	-0.374*** (0.089)	-0.284*** (0.054)
Spanish	-0.116* (0.048)	0.001 (0.037)	-0.120** (0.041)	-0.099* (0.042)
Vietnamese	-0.258** (0.097)	-0.411* (0.163)	-0.272* (0.123)	-0.120 (0.090)
Other language	-0.239*** (0.059)	-0.053 (0.035)	-0.341*** (0.091)	-0.229*** (0.048)
Eligible for special education services	-0.269*** (0.027)	-0.283*** (0.029)	-0.196*** (0.023)	-0.187*** (0.021)
Economically disadvantaged	-0.176*** (0.026)	-0.175*** (0.024)	-0.148* (0.063)	-0.130* (0.060)
N obs.	627,645	498,062	129,583	118,104

Note. Models include district fixed effects. Standard errors are clustered at the district level and reported in parentheses. Reference categories are developing EL (4–6 years of service) for language status; White for race/ethnicity; English only/not recorded for home language; not eligible for special education; and not economically disadvantaged for economic disadvantage.
† p < .10 *p < .05, **p < .01, ***p < .001.

Across the full sample, identification for TAG services was strongly and positively associated with advanced course-taking. On average, the TAG label was associated with a 0.6 credit increase in the number of advanced credits earned per year over the observed period, roughly equivalent to a little more than a semester-long course (1 credit = 1 year-long course). TAG identification was also associated with a 25% increase in the odds of enrolling in at least

one AP/IB course in a given year (Table 3.2). Estimates for English-only students were substantively similar in magnitude and direction.

While TAG identification is associated with higher odds of advanced course-taking in the full sample, this pattern does not extend to multilingual students or students ever classified as ELs. Among multilingual students, the association between TAG identification and advanced course-taking was very similar. The TAG label was associated with a 0.59 credit increase in advanced coursework per year (Table 3.3). TAG identification was also associated with a roughly even likelihood in the odds of enrolling in at least one advanced course (OR = 0.98; Table 3.2), indicating that multilingual students identified for TAG were no more likely to enroll in advanced courses than their non-TAG peers.

Results for students ever classified as ELs followed a similar pattern. Among ever-EL students, TAG identification was associated with a 0.57 credit increase in advanced coursework per year, alongside even odds of enrolling in any advanced courses (OR = 1.03; Table 3.2), indicating similar likelihood of enrollment for TAG-identified and non-TAG students within this group.

Heterogeneity in the Association Between TAG Identification and Advanced Course-taking Among Multilingual Students

To address RQ3, I estimated a series of MAIHDA models that examine whether and how the association between TAG identification and advanced course-taking differs across students' intersecting social positions for multilingual learners.

Construction of Intersectional Social Strata

For the student-level MAIHDA models, intersectional social strata were constructed by combining students' language status (IFEP, reclassified, newcomer, LTEL, dual identification,

dual identification and LTEL, and other EL), home language (Spanish, Vietnamese, Russian, Chinese, Arabic, Somali, and Some Other Language), and economic background (economically disadvantaged vs. not economically disadvantaged). Because this research question focuses specifically on multilingual students, analyses are limited to this population and do not include English-only students. This approach yielded 98 unique student-level strata.

When a relatively large number of strata are specified, Evans (2024) recommends examining the distribution of stratum sizes rather than applying a strict minimum threshold. Provided that only a small share of strata fall below 15–20 individuals, MAIHDA estimates may be interpreted with the understanding that smaller strata will be more strongly shrunk toward the grand mean, providing more conservative estimates. In this sample, approximately 9% of student-level strata fell below this threshold (Table 3.4). These smaller strata were concentrated primarily among less common home languages (Vietnamese, Arabic, and Russian) and specific language-status combinations (current EL and LTEL × SPED). All strata were retained in the analysis.

Table 3.4
Distribution of Sample Size for Student-Level Strata

Strata Size	N	%
Less than 10	9	9%
10 or more	10	10%
20 or more	12	12%
50 or more	17	17%
100 or more	50	51%

For the district-level MAIHDA models, strata were constructed by combining the proportion of multilingual learners in the district (low, average, high), urbanicity (rural vs. urban/suburban), and use of universal screening for TAG identification (yes/no). This specification yielded 12 unique district-level strata. All but one strata exceeded the recommended minimum of 15–20 student observations within the strata, but the number of districts represented in each strata was sparse for urban/suburban districts that do not use universal screening (Table 3.5).

Although the resulting number of district-level strata was relatively small, alternative specifications were explored. Additional stratifying variables including per-pupil expenditure, district size, number of high schools, and number of advanced courses offered, were considered but resulted in a large number of empty strata. Because MAIHDA requires sufficient observations within strata to produce stable estimates, incorporating these characteristics would have substantially increased sparsity and undermined model estimation.

Table 3.5
Distribution of Sample Size for District-Level Strata

Strata	Individual districts		Individual students	
	N	Pct	N	Pct
High ML Universal screening Urban/Suburban	8	0.06	55567	0.45
Avg ML Universal screening Urban/Suburban	8	0.06	24862	0.20
High ML Universal screening Rural	11	0.08	10958	0.09
Low ML Universal screening Urban/Suburban	12	0.09	7545	0.06
High ML No universal screening Rural	6	0.04	6919	0.06
Avg ML Universal screening Rural	13	0.1	5508	0.05
Low ML Universal screening Rural	42	0.31	3403	0.03
Avg ML No universal screening Rural	8	0.06	2710	0.02
Avg ML No universal screening Urban/Suburban	2	0.01	2229	0.02
Low ML No universal screening Rural	23	0.17	1587	0.01
High ML No universal screening Urban/Suburban	1	0.01	845	0.01
Low ML No universal screening Urban/Suburban	1	0.01	*	<0.01

As a result, the district-level MAIHDA models focus on a limited set of contextual dimensions (multilingual learner concentration, urbanicity, and use of universal screening) that could be meaningfully combined without generating empty or near-empty strata. While this approach allows for estimation of between-stratum variation at the district level, it also limits the range of contextual features that can be examined intersectionally within the MAIHDA framework in this study.

Student Social Positioning Structures Access to Advanced Course-taking

In the baseline MAIHDA model, which includes only the intersectional strata and no additional predictors (e.g., TAG identification or student-level covariates), advanced course-taking varied substantially across intersectional strata, indicating that students' enrollment in advanced coursework differed meaningfully based on the intersection of language status, socioeconomic background, disability status, and home language. Table 3.6 reports VPC values from null models and PCV values following adjustment for student-level covariates. The VPC indicates how much of the total variance lies between intersectional strata, while the PCV indicates how much of that between-strata variance is reduced after adjustment.

Approximately 24% of the total variance in advanced course-taking was attributable to differences between strata in the binary model and 18% in the continuous model, suggesting that intersectional social positioning captures meaningful heterogeneity beyond individual-level differences for both the likelihood of taking advanced coursework and the number of enrolled credits. Introducing covariates reduced between-stratum variance by 92% for the binary outcome and by 80% for the continuous outcome, indicating that much of the baseline heterogeneity across strata reflects systematic differences in students' social positioning rather than unexplained intersectional variation.

Following recommendations in the MAIHDA literature (Evans et al., 2024a), Appendix B presents null and additive models in which intersectional strata are represented using indicator variables rather than random effects. These models are included as a diagnostic robustness check to assess whether the magnitude and pattern of between-stratum differences observed in the MAIHDA models are sensitive to how strata are modeled, rather than to re-estimate the primary student-level associations examined in RQ2. Alongside the change in variance, VPC, and PCV,

these estimates indicate that advanced course-taking is strongly patterned by intersectional strata, while also showing that the majority of between-stratum variation is accounted for by observed dimensions of students' social positioning.

Table 3.6
Variance partitioning and proportional change in variance across student-strata MAIHDA model specifications

Outcome	Stratum-level variance (null model)	Stratum-level variance (adjusted model)	VPC (null model)	VPC (adjusted model)	PCV
Likelihood of taking any AP/IB	1.03	0.08	0.24	0.02	0.92
Number of AP/IB credits in each year observed	0.09	0.02	0.18	0.04	0.8

Note. VPC = variance partition coefficient; PCV = proportional change in variance. Adjusted models include student-level covariates: economic background, home language, eligibility for special education services, and language service status.

Table 3.7 presents model-based predicted values for advanced course-taking by TAG identification status, averaged across intersectional strata. These estimates are derived from the MAIHDA model with a random slope for TAG identification and summarize the association between TAG identification and advanced course-taking at the population level. Averaged across strata, students identified as gifted were substantially more likely to enroll in at least one AP or IB course and enrolled in more advanced courses than their non-identified peers. The differences shown in Table 3.7 reflect the overall magnitude of this association. As evidenced by the positive difference between groups, students who were ever identified as gifted had substantially higher probabilities of enrolling in at least one advanced course and completed more advanced courses on average than their non-identified peers.

Table 3.7
Model-Based Predicted Values of Advanced Course-taking by TAG Identification Status

Outcome	TAG-identified	Not TAG-identified	Difference (TAG - Not TAG)
Probability of taking any AP/IB	0.74	0.34	+0.40
Number of AP/IB credits in each year observed	1.24	0.30	+0.94

However, allowing the association between TAG identification and advanced course-taking to vary across intersectional strata (i.e., estimating random slopes for TAG identification) revealed substantial heterogeneity in how strongly gifted identification translated into course access. While TAG identification was positively associated with advanced course-taking across the population and in nearly all strata, the magnitude of this association varied considerably depending on students' intersecting identities. In some strata, gifted identification corresponded to large increases in the probability of advanced course-taking, whereas in others the same designation was associated with more modest gains (see Table 3.8).

Given the large number of intersectional strata, Table 3.8 presents the ten highest and ten lowest strata based on predicted difference between TAG-identified and non-identified students to illustrate patterns at the extremes (see Appendix C for full table of all strata). These contrasts illustrate the extent to which baseline access to advanced coursework varies across intersectional strata and the degree to which adjustment for TAG identification within strata alters these differences.

For the probability of advanced course enrollment, the difference between TAG-identified and non-identified students ranges from +0.02 to +0.39 among the displayed strata. For annual advanced credits, the estimated difference ranges from -0.15 to +1.20. In both

outcomes, the largest positive differences tend to appear among several reclassified, initially fluent, and newcomer strata, as well as some strata that include students receiving special education services, whereas the smallest differences are more common among EL and dually identified LTEL strata, particularly those that are economically disadvantaged. These patterns suggest that TAG identification is more strongly associated with advanced course access in some intersectional contexts than others.

At the same time, these patterns are not uniform. For example, some strata that include long-term students classified as ELs or dually identified students appear among those with relatively large differences in annual predicted credits, while several initially fluent strata appear among those with the smallest differences despite higher baseline rates of identification. Students' access to advanced coursework reflects both their baseline likelihood of enrollment and the extent to which TAG identification translates into additional access, resulting in substantial differences in how students experience opportunities even after identification.

Although not shown among the extreme strata in Table 3.8, a small number of strata (see Appendix C), exhibited negative predictions for TAG-identified students. These cases typically occurred in strata where TAG identification was extremely rare, resulting in limited information for estimating stratum-specific effects. In combination with the shrinkage inherent in MAIHDA models, this can produce unstable estimates that do not reflect a substantively negative association. This feature of the model underscores that the results are most appropriately interpreted in terms of broader patterns across strata rather than precise estimates for any single group.

Table 3.8

Ten Strata with the Largest and Smallest Differences in Advanced Course Enrollment by TAG Identification

Strata	Baseline	Adj.	Diff.
Predicted Probability			
Highest			
SPED Not economically disadvantaged Something else	0.20	0.59	+0.39
Initially fluent Economically disadvantaged Russian	0.25	0.59	+0.34
Reclassified Not economically disadvantaged Something else	0.50	0.83	+0.33
Reclassified Economically disadvantaged Something else	0.37	0.69	+0.32
Newcomer Not economically disadvantaged Something else	0.31	0.62	+0.31
Initially fluent Economically disadvantaged Something else	0.51	0.81	+0.3
Reclassified Economically disadvantaged Somali	0.37	0.67	+0.3
Newcomer Not economically disadvantaged Chinese	0.43	0.73	+0.3
SPED Economically disadvantaged Vietnamese	0.29	0.58	+0.29
Reclassified Not economically disadvantaged Russian	0.28	0.57	+0.29
Lowest			
EL Economically disadvantaged Russian	0.07	0.19	+0.12
EL Not economically disadvantaged Russian	0.08	0.19	+0.11
Newcomer Economically disadvantaged Somali	0.10	0.21	+0.11
LTEL*SPED Economically disadvantaged Something else	0.09	0.19	+0.1
SPED Economically disadvantaged Russian	0.08	0.18	+0.1
Initially fluent Not economically disadvantaged Vietnamese	0.54	0.64	+0.1
LTEL*SPED Not economically disadvantaged Russian	0.06	0.15	+0.09
LTEL*SPED Economically disadvantaged Somali	0.06	0.15	+0.09
LTEL*SPED Economically disadvantaged Russian	0.04	0.11	+0.07
Initially fluent Not economically disadvantaged Chinese	0.60	0.62	+0.02
Predicted Annual Credits			

Table 3.8 (continued)

Strata	Baseline	Adj.	Diff.
Predicted Annual Credits			
Highest			
Reclassified Not economically disadvantaged Chinese	1.06	2.26	+1.2
Reclassified Not economically disadvantaged Something else	0.69	1.83	+1.14
LTEL Not economically disadvantaged Chinese	0.48	1.58	+1.1
Initially fluent Not economically disadvantaged Something else	0.93	1.87	+0.94
Initially fluent Economically disadvantaged Chinese	0.67	1.54	+0.87
Reclassified Not economically disadvantaged Arabic	0.56	1.41	+0.85
SPED Not economically disadvantaged Something else	0.18	1.02	+0.84
Initially fluent Economically disadvantaged Something else	0.53	1.36	+0.83
Reclassified Economically disadvantaged Chinese	0.81	1.53	+0.72
Reclassified Not economically disadvantaged Vietnamese	0.82	1.53	+0.71
Lowest			
SPED Economically disadvantaged Spanish	0.09	0.29	+0.2
SPED Not economically disadvantaged Spanish	0.10	0.27	+0.17
LTEL Not economically disadvantaged Something else	0.21	0.36	+0.15
LTEL*SPED Economically disadvantaged Spanish	0.05	0.19	+0.14
Initially fluent Not economically disadvantaged Spanish	0.42	0.54	+0.12
LTEL Economically disadvantaged Spanish	0.10	0.22	+0.12
Initially fluent Not economically disadvantaged Russian	0.52	0.63	+0.11
Initially fluent Economically disadvantaged Somali	0.33	0.41	+0.08
Initially fluent Not economically disadvantaged Chinese	0.92	0.86	-0.06
Initially fluent Economically disadvantaged Arabic	0.64	0.49	-0.15

Note. Adj. = Adjusted estimate for TAG-identified students. Diff. = Difference between adjusted and baseline predictions.

Racialized Heterogeneity Within and Across Linguistic Groups

Results from the complementary MAIHDA models incorporating race/ethnicity in place of home language (Appendix D) revealed substantial between-stratum variation in advanced course-taking. These patterns indicate that racialized social positioning structures access to advanced course-taking in ways that parallel the heterogeneity observed in the primary models.

Among Spanish-speaking students, the models similarly revealed meaningful heterogeneity in advanced course-taking across racial groups (Appendix E). Despite sharing a common linguistic classification, students varied considerably in their likelihood of AP and IB enrollment depending on their racial identification, suggesting that language alone does not fully capture how access to advanced coursework is structured.

It is important to note that this specification includes a substantial share of intersectional strata with relatively small numbers of students. This pattern is not unexpected. Racial and ethnic classification among Spanish-speaking students is shaped by administrative conventions that often pull students either toward a single "Hispanic" category or into a residual "Multi-ethnic" category, rather than reflecting more granular racial identification. As a result, strata representing American Indian or Alaska Native, Asian and Pacific Islander, and African American Spanish-speaking students are small, even in statewide longitudinal data. Rather than treating this sparsity as a reason to collapse or omit these groups, it signals the importance of examining their experiences directly, given how often students in these racialized categories are rendered invisible in administrative data and prior research.

MAIHDA is explicitly designed to accommodate sparse and unbalanced group sizes through partial pooling, which stabilizes estimates for small strata by shrinking them toward the overall mean. As a result, estimates for these two sets of models should be interpreted as

conservative. Even under these conditions, however, between-stratum variance remains evident, particularly within the Spanish-speaking population, indicating that racialized differences in access to advanced coursework persist even when estimation intentionally errs on the side of caution.

Accounting for District Context

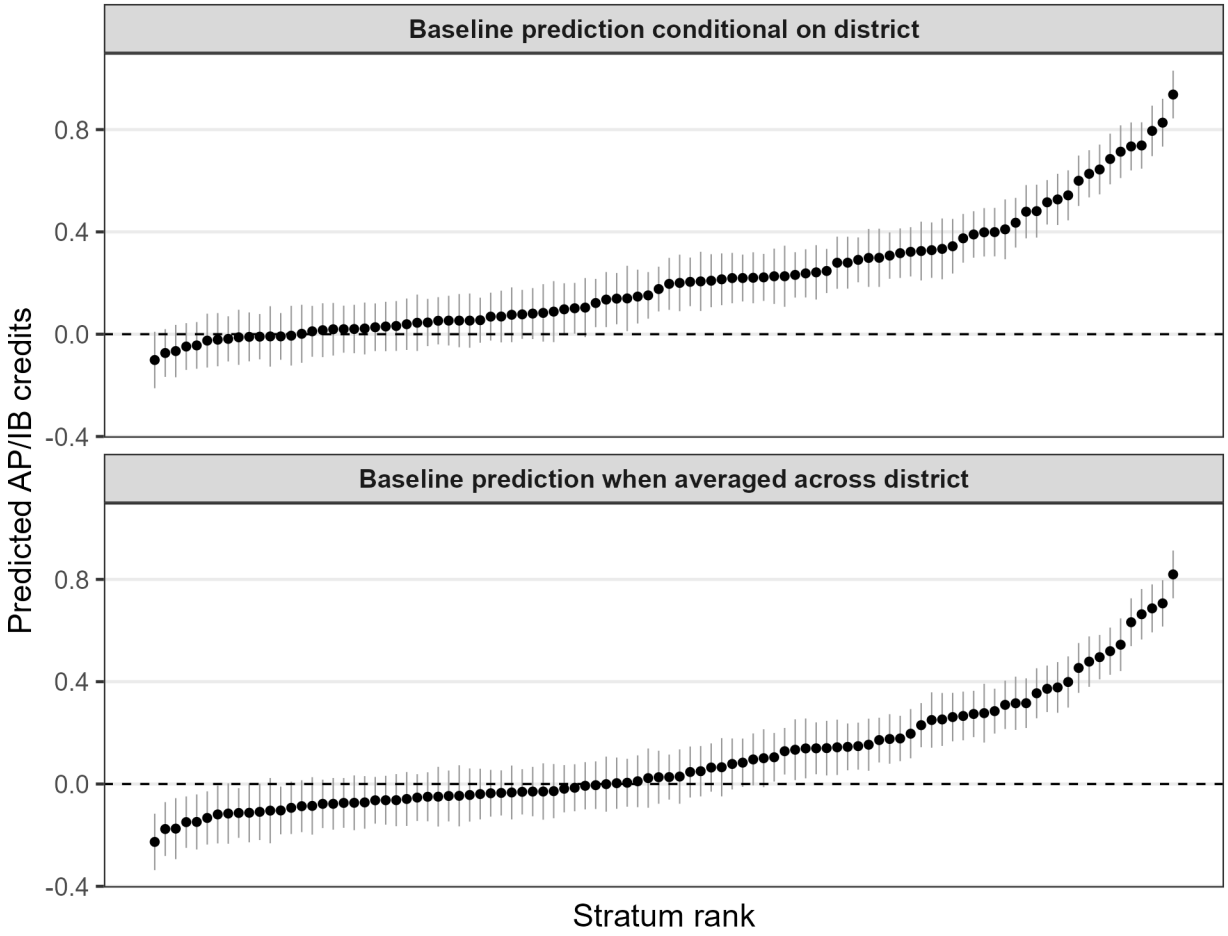
Turning to RQ4, once district-level random intercepts were introduced to the student-level model, variation in advanced course-taking remained attributable to districts, even after accounting for student-level intersectional strata. Figure 3.1 helps clarify what this means by comparing baseline predicted advanced credit enrollment across student-defined strata when predictions are conditioned on district (Panel A) versus averaged across districts (Panel B). In both panels, strata remain strongly ordered, indicating that student intersectional position continues to structure access to advanced coursework even after district context is incorporated. Predicted values range from slightly below zero to nearly one credit, underscoring substantial heterogeneity across strata.

As shown in Panel A, conditioning on district shifts predicted values modestly upward across much of the distribution relative to the district-averaged model. This pattern suggests that averaging across districts includes a downward pull from districts with lower overall AP/IB participation, whereas the conditional model re-centers predictions around district-specific baselines. In other words, some of the lower predicted access in the averaged model reflects district-level differences in opportunity structures rather than only differences between student strata. At the same time, the similarity in ordering across panels indicates that district context does not eliminate stratification across intersectional groups; instead, it operates alongside it. Negative predicted values at the lower end of the distribution should not be interpreted as literal

negative credits, but as model-based predictions for strata with expected participation below the overall average.

Figure 3.1

Comparison of Baseline Averaging and Conditioning Across Districts



Note. AP/IB = Advanced Placement or International Baccalaureate. Each point represents an intersectional stratum defined by combinations of student characteristics. Panel A displays baseline predicted AP/IB credits from a MAIHDA model that includes district-level random intercepts, such that predictions are conditioned on district (i.e., reflect within-district variation). Panel B displays the same baseline predictions averaged across districts. Error bars represent 95% confidence intervals. Negative predicted values indicate strata with expected AP/IB participation below the overall model average.

Importantly, conditioning model-based predictions on district-level random effects did not eliminate heterogeneity in the association between TAG identification and advanced course-taking across strata. As shown in Figure 3.2, patterns of unequal returns to TAG identification

persist regardless of whether predictions are averaged across districts or conditioned on district, with only modest differences between Panels A and B and between Panels C and D. As in Figure 3.1, conditioning on district produces a slight upward shift in predicted values across strata, reflecting the removal of the downward pull from districts with lower overall levels of participation in advanced coursework.

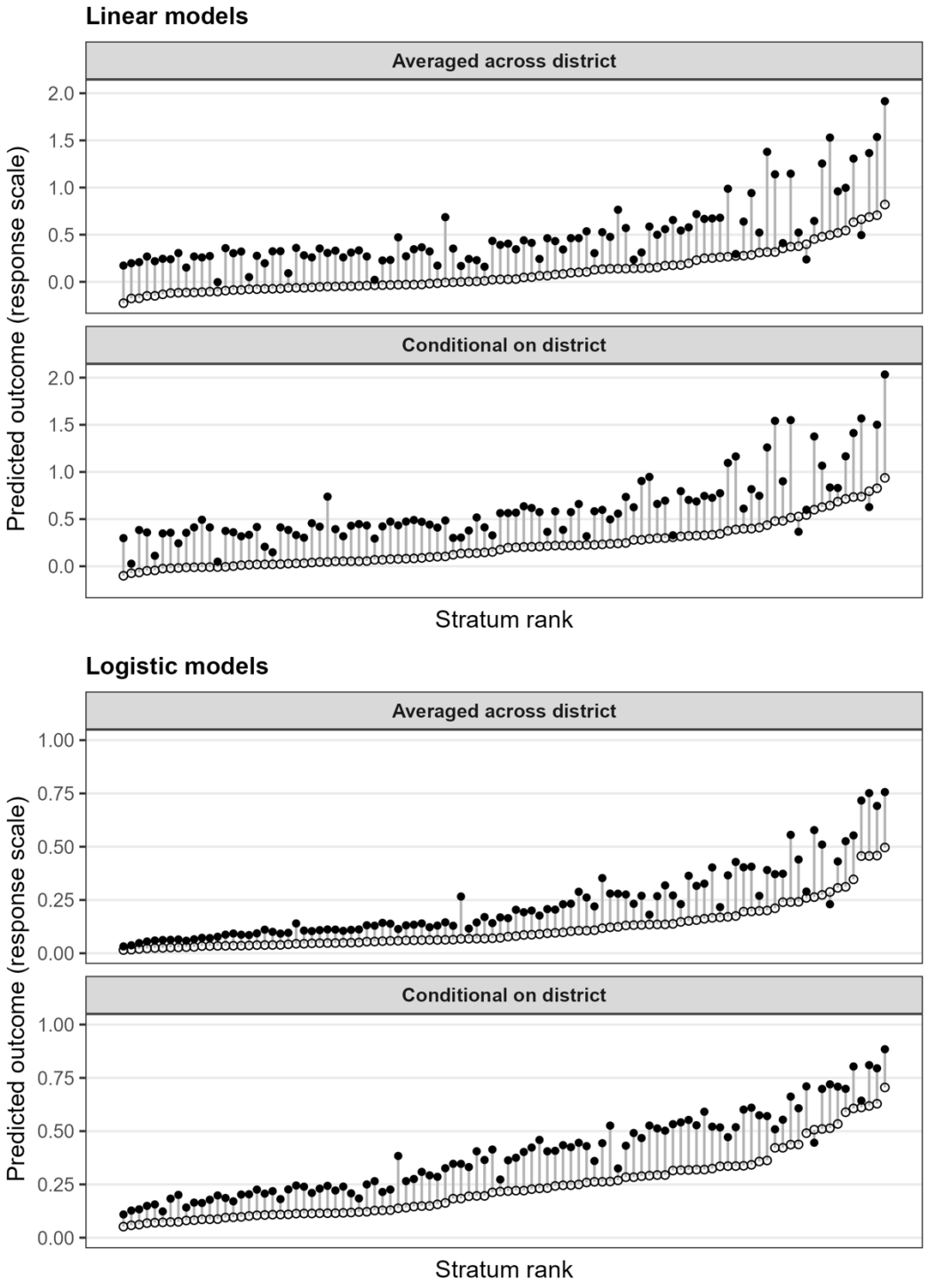
Interestingly, the relationship between baseline access and predicted access with TAG identification differs depending on how outcomes are measured. In the logistic models (Panels C and D), students who are already more likely to access advanced coursework see larger increases associated with TAG identification, while students with lower baseline access see much smaller gains, regardless of whether we average across districts or not.

In contrast, the linear models (Panels A and B) show a less consistent pattern. While higher-baseline strata often experience larger increases in enrollment, this relationship is not uniform. There is substantial variation across the distribution, and some groups with already high baseline access show very small increase in credits following TAG identification. Similarly, some strata with lower baselines benefit substantially more than others.

These patterns suggest that TAG identification more consistently affects whether students access advanced coursework at all than how much coursework they ultimately complete. The similarity between district-averaged and conditional predictions indicates that these differences are not primarily driven by cross-district variation but instead reflect persistent heterogeneity in how TAG identification translates into opportunity across students' intersectional social positioning within districts.

Figure 3.2

Comparison of Predictions Averaging and Conditioning Across Districts



Note. Each pair of points represents an intersectional stratum. Filled circles show predicted outcomes for TAG-identified students, and open circles show predicted outcomes for students not identified for TAG in the same stratum. Panels A and B show linear model predictions for AP/IB credits, and Panels C and D show predicted probabilities from logistic models. Panels A and C are averaged across districts; Panels B and D are conditional on district.

With the final MAIHDA model, to further investigate differences across district context district-level strata were modeled in place of student-level strata. District context again emerged as an important structuring force for advanced course-taking. In null models that only include strata (see variance components for the null models in Table 3.9), variance was concentrated at the individual level (44%), but also present at the district level (5%), with additional heterogeneity across district-level strata (see Table 3.9). The estimated variance at the stratum level is small in this specification, which may reflect the coarser construction of district-level strata and the inclusion of a separate district-level random effect, which absorbs a portion of between-group variation.

In logistic models, variance components can exceed one and are not directly interpretable on their own due to the scaling of the model. Accordingly, interpretation focuses on the VPC and PCV as indicators of between-stratum variation and the extent to which it is explained by observed characteristics. Stratum-level variance was estimated at or near zero, yielding VPC values approaching zero and PCV values approaching one. This pattern suggests that observed differences across district-level strata are largely explained by additive characteristics of districts and their student populations. At the same time, the small number of district-level strata limits the precision with which residual between-stratum heterogeneity can be distinguished from zero. Taken together, these results indicate that much of the variation in course-taking reflects who students are *and* the institutional contexts in which they are situated.

Table 3.9

Parameter Estimates for Linear and Logistic Models

	Linear Model (Null)		Linear Model (Additive)		Logistic Model (Null)		Logistic Model (Additive)	
	Est.	[95% CI]	Est.	[95% CI]	OR	[95% CI]	OR	[95% CI]
Fixed Effects: Regression Coefficients								
Intercept	0.19	[0.12, 0.26]			-1.5	[-1.9, -1.11]	-3.24	[-3.8, -2.68]
Language status								
Initially fluent			0.53	[0.49, 0.56]			2.20	[2.02, 2.37]
Long-term EL			0.08	[0.04, 0.12]			0.61	[0.44, 0.79]
Long-term EL + Dually identified			0.01	[-0.02, 0.05]			-0.05	[-0.23, 0.14]
Newcomer			0.05	[0.02, 0.09]			0.60	[0.43, 0.78]
Reclassified			0.34	[0.3, 0.37]			1.86	[1.69, 2.03]
Dually identified			0.03	[-0.01, 0.07]			0.43	[0.25, 0.61]
Economically disadvantaged			-0.20	[-0.21, -0.19]			-0.27	[-0.31, -0.23]
Home language								
Chinese			0.45	[0.41, 0.48]			0.95	[0.82, 1.08]
Russian			-0.08	[-0.12, -0.05]			-0.65	[-0.77, -0.52]
Somali			-0.07	[-0.12, -0.03]			-0.57	[-0.75, -0.39]
Spanish			0.00	[-0.03, 0.03]			-0.07	[-0.18, 0.03]
Vietnamese			0.28	[0.24, 0.31]			0.92	[0.8, 1.05]
Something else			0.12	[0.09, 0.15]			-0.10	[-0.21, 0.01]
ML Concentration								
High			0.07	[-0.05, 0.18]			0.27	[-0.33, 0.87]
Low			-0.01	[-0.11, 0.08]			0.12	[-0.39, 0.63]
Universal screening			0.01	[-0.08, 0.1]			-0.15	[-0.63, 0.32]

Table 3.9 (continued)

	Linear Model (Null)	Linear Model (Additive)	Logistic Model (Null)	Logistic Model (Additive)	Linear Model (Null)	Linear Model (Additive)	Logistic Model (Null)
	Est.	[95% CI]	Est.	[95% CI]	Est.	[95% CI]	Est.
Urban/ Suburban			0.17	[0.08, 0.26]		1.29	[0.81, 1.78]
Random Effects: Variances							
Stratum-level	0.01		0.00		0.29	0.00	
District-level	0.05		0.04		1.17	1.24	
Individual-level	0.44		0.39		1.00	1.00	
Summary Statistics							
VPC	0.02		0.00		0.06	0.00	
PCV			1.00			1.00	
AUC					0.66	0.75	

Note. VPC = Variance Partition Coefficient. PCV = Proportional Change in Variance. AUC = Area Under Receiver Operating Characteristic Curve. Est. = Estimate. OR = Odds Ratio. 95% CIs shown in brackets.

Allowing the association between gifted identification and advanced course-taking to vary across district-level strata revealed systematic contextual differences in the magnitude of this relationship. While gifted identification was associated with higher levels of advanced course-taking in all district contexts, the strength of this association differed across strata defined by multilingual enrollment concentration, screening practices, and urbanicity. In particular, gifted identification corresponded to larger gains in advanced course-taking in urban and suburban districts and in districts implementing universal screening, compared to rural districts and districts without universal screening (see Table 3.10).

Table 3.10

District-level Strata Baseline and Adjusted Estimates for Advanced Course Enrollment

Strata	Baseline	Adj.	Diff.
Predicted Probability			
High ML Universal screening Urban/Suburban	0.49	0.72	+0.23
Avg ML Universal screening Urban/Suburban	0.39	0.61	+0.22
High ML No universal screening Urban/Suburban	0.38	0.63	+0.25
Low ML Universal screening Urban/Suburban	0.32	0.52	+0.20
Avg ML No universal screening Urban/Suburban	0.26	0.48	+0.22
High ML No universal screening Rural	0.21	0.38	+0.17
High ML Universal screening Rural	0.20	0.33	+0.13
Low ML No universal screening Urban/Suburban	0.20	0.41	+0.21
Low ML Universal screening Rural	0.17	0.32	+0.15
Avg ML No universal screening Rural	0.16	0.33	+0.17
Low ML No universal screening Rural	0.15	0.30	+0.15
Predicted Annual Credits			
High ML Universal screening Urban/Suburban	0.53	1.21	+0.68
High ML No universal screening Urban/Suburban	0.41	1.22	+0.81
Avg ML Universal screening Urban/Suburban	0.38	0.96	+0.58
Low ML Universal screening Urban/Suburban	0.37	1.03	+0.66
Avg ML No universal screening Urban/Suburban	0.36	0.58	+0.22
High ML Universal screening Rural	0.24	0.59	+0.35
Low ML Universal screening Rural	0.23	0.36	+0.13
Low ML No universal screening Urban/Suburban	0.21	0.63	+0.42
High ML No universal screening Rural	0.18	0.64	+0.46
Avg ML No universal screening Rural	0.17	0.45	+0.28
Low ML No universal screening Rural	0.12	0.41	+0.29

Table 3.10 (continued)

Strata	Baseline	Adj.	Diff.
Avg ML Universal screening Rural	0.08	0.29	+0.21

Note. Adj. = Adjusted estimate for TAG-identified students. Diff. = Difference between adjusted and baseline predictions.

These high-gain strata included districts with both low and high concentrations of multilingual learners. Notably, among districts serving large multilingual student populations, those that had adopted universal screening exhibited larger gains associated with TAG identification than similarly urban and suburban districts without universal screening. The next highest gains were observed in urban and suburban districts with high multilingual learner concentrations that had not implemented universal screening, whereas rural districts and districts without universal screening consistently exhibited smaller gains.

In sum, across district contexts, predicted probabilities of advanced course-taking among non-identified students remained low, particularly in rural districts and districts without universal screening. In contrast, students identified as gifted experienced markedly higher probabilities of access in all contexts, with the largest absolute differences emerging in urban and suburban districts and in universally screening districts. These patterns alongside those observed in the models with student-level strata indicate that gifted identification operates as a gatekeeping mechanism whose association with advanced course-taking is conditioned by district context: the same designation is associated with different levels of access depending on where a student is enrolled.

Discussion

This study examined patterns of TAG identification among multilingual students and how identification for TAG services is associated with access to advanced coursework, with

particular attention to how these relationships vary across students' intersecting social positions and district contexts. The findings point to a dual role of TAG identification in Oregon: it expands access to advanced course-taking for students who are identified, while simultaneously operating as a gatekeeping system.

Across the sample, patterns of identification reveal persistent disparities. Students currently classified as ELs were identified for TAG services at markedly lower rates than the statewide average, while reclassified students, though faring better, remained less likely to be identified relative to their peers. Multilingual students who never received EL services, by contrast, were identified at rates well above the average.

At the same time, TAG identification was strongly associated with enrollment in AP and IB coursework, both in terms of the probability of ever enrolling and the average number of advanced credits enrolled per year. These associations were observed for multilingual students, ever-EL students, and English-only students alike, indicating that when multilingual learners are identified for TAG services, the designation is meaningfully linked to expanded academic opportunity. In this sense, TAG programs appear to function as intended in translating identification into access.

However, this relationship is not uniform. Even among groups with higher identification rates, substantial heterogeneity remained in predicted course-taking. Access to advanced coursework is therefore unevenly distributed across multilingual learners, first through identification rates and then through variation in how identification translates into enrollment.

This pattern raises broader questions about how TAG services are enacted at the secondary level. In many districts nationwide, access to advanced coursework functions as the primary mechanism through which TAG services are met (Rinn et al., 2022). However, these

courses are not designed specifically for gifted learners nor are they exclusively reserved for students identified for TAG. As a result, the systems risks conflating access to advanced coursework with the provision of appropriate services for advanced learners. This misalignment is particularly consequential for multilingual learners, whose access to both identification and advanced coursework is already uneven, regardless of the TAG label.

Intersectional and Contextual Conditions That Shape Access

A central contribution of this study is its demonstration that access to advanced course-taking is patterned by students' intersectional social positioning and the contexts in which they attend school. MAIHDA models revealed substantial between-stratum variation in advanced course-taking, indicating that enrollment in AP and IB coursework differs meaningfully across combinations of language status, socioeconomic background, disability status, and home language. Although much of this variation was accounted for after adjusting for observed student characteristics, heterogeneity remained in the strength of the association between TAG identification and course access across strata.

These patterns complicate narratives that frame gifted identification as either inherently equitable or inherently exclusionary (Card & Giuliano, 2016; Ford, 2014; Peters & Engerrand, 2016). Instead, the payoff of the TAG label depends on students' broader social positioning. At a descriptive level, an additive reading of the data might suggest that multilingual learners who were never classified as EL experience the greatest benefit from TAG identification, while dually identified students and LTELs would see more limited returns. These patterns would be consistent with prior research documenting structural barriers to advanced academic access for dually identified students and LTELs, as well as more favorable schooling trajectories for students never classified as ELs (Callahan, 2005; Umansky, 2016). However, the MAIHDA

results complicate this interpretation. For example, Chinese speakers who are not economically disadvantaged and considered LTEL and dually identified students who are not economically disadvantaged and speak a language other than the top languages represented both saw some of the highest gains in predicted annual advanced course credits (1.1 and .84, respectively). On the other hand, many initially fluent groups saw the smallest gains in predicted course taking.

This variation indicates that the payoff of the TAG label depends on students' broader social positioning rather than membership in any single category. For some multilingual learners, identification corresponds to large gains in access; for others, the same designation is associated with more modest increases. TAG identification thus operates as a conditional mechanism rather than a uniform equalizer, with returns to identification structured by the same social and institutional processes that shape who is identified in the first place.

District context emerges as a key condition that shapes how gifted identification is translated into access to advanced coursework. Differences across districts are not limited to overall levels of access but extend to the strength of the association between TAG identification and advanced course-taking. In this sense, district context structures not only who has access to advanced coursework, but how much leverage the TAG label provides once students are identified. This may depend heavily on the robustness and inclusivity of TAG programming, alongside course placement practices and language service structures. Prior research has documented substantial variation in how schools and districts govern access to advanced coursework, with some relying on open enrollment while others maintain formal or informal gatekeeping mechanisms such as prerequisites, recommendations, or selective admission processes that shape who ultimately participates in advanced academic pathways (College Board, 2024; The Education Trust, 2020).

Importantly, variation in how TAG identification functions persist even after accounting for district context. This suggests that district-level factors do not simply sort students into more or less advantageous environments; rather, they interact with students' social positioning to produce layered patterns of access within the district. Advanced course-taking is therefore shaped by multiple, overlapping systems of stratification that operate both within and across districts, limiting the extent to which any single policy intervention can improve access on its own.

In the exploratory MAIHDA models using strata constructed at the district level using district characteristics, the clustering of high-gain strata within certain districts suggests that district context shapes how identification translates into advanced coursework in ways that reflect both institutional orientation and student population. Unlike the primary specifications, which capture heterogeneity across intersectional student groups, these models highlight variation across similar districts in the strength of the association. While the models do not identify specific mechanisms, these patterns point to several plausible explanations grounded in policy context. For example, districts serving high concentrations of multilingual learners may face stronger pressures or have greater incentives to attend to inclusive identification and placement practices, while policies such as universal screening may further amplify the extent to which the TAG label translates to access.

Together, student and district patterns underscore the importance of district-level policies that are attuned to local context in shaping whether identification reforms translate into expanded access to advanced coursework. Oregon's 2022 revisions to TAG policy reflect this orientation by pairing state-level mandates with district-level flexibility in TAG planning and identification.

The results of this study suggest that such flexibility may be a necessary condition for expanding access, but not a sufficient one.

Race, Language, and the Limits of Additive Equity Frameworks

Race and ethnicity were central to the motivating questions of this study yet incorporating race directly into the primary MAIHDA stratification alongside language status, home language, socioeconomic background, and disability status proved infeasible due to extensive overlap between race/ethnicity and home language. Attempting to include all dimensions simultaneously produced a large number of empty strata. This constraint is meaningful. It reflects how race and language are not only intertwined at broader socio-political levels, but also how these dimensions are codified within educational data systems. Schools assign and record language status, home language, and race/ethnicity as separate administrative categories that serve as proxies for students' identities but do so imperfectly and in ways that can obscure or misrepresent lived experience. These classifications shape how students are represented in data, and, in turn, what can be observed and modeled in quantitative analyses.

The difficulty of modeling race as an independent dimension alongside language therefore reflects statistical limitations as well as the tension between how race and language are experienced and how they are formally categorized. While race and language are deeply intertwined in lived experience, educational systems separate and codify them into distinct administrative categories that serve as imperfect proxies for students' identities. These decisions about which distinctions to formalize and measure shape the structure of the data and the analytic possibilities available to researchers. As a result, the inability to model race and language simultaneously is a reflection of how racialization is embedded in the assignment and institutional use of language status in schools. This is evident in prior research showing that

school records can overwrite students' identities through record taking, for example, cases in which Indigenous students are recorded as Latinx Spanish speakers based on racialized assumptions about their identities alongside the presence of Spanish as a second language, effectively obscuring both their racial identification and home language in administrative data (Campbell-Montalvo, 2023).

Language classification thus functions as a racialized system, shaping students' access to academic recognition and opportunity in ways that cannot be cleanly disentangled from race. Rather than treating race as an additional dimension that can be layered onto language, the analyses in this study point to race and language as co-constructed within systems of identification and access. Here, co-constructed does not mean that race and language are the same thing or that language groups are racially homogenous. It means that students are positioned through both at once, and that the meaning of one is shaped by the other. As a result, variation within language groups is not only possible but expected. Evidence from the Spanish-speaker models underscores this dynamic. Even when linguistic background is held constant, access to advanced course-taking varies systematically across racialized social positions. Within this linguistically similar population, patterns of access to advanced coursework remain unevenly distributed by race, indicating that shared language background does not neutralize racialized differences in opportunity.

These patterns suggest that language-based frameworks alone are insufficient for understanding inequities in advanced course-taking. Instead, they point to the need for analytic and policy approaches that recognize how race and language jointly shape students' experiences within identification systems. Even within shared language categories, racialized processes continue to differentiate access and opportunity. Treating language status as race-neutral risks

obscuring the ways racialized interpretations of linguistic difference continue to structure access to advanced academic opportunities.

Implications for Policy and Practice

The findings from this study raise a central design question for gifted education policy: *how should systems of identification and service delivery be structured to equitably distribute access?* In Oregon, TAG identification is strongly associated with access to advanced coursework for students who receive the designation, including multilingual learners. In this sense, the system is functioning as designed: identification confers access to programming for students broadly, and it's especially consequential for multilingual learners who would otherwise not take AP or IB coursework.

First, these findings indicate that access to advanced coursework is highly dependent on formal identification. Multilingual learners who are identified for TAG services are substantially more likely to enroll in advanced courses than those who are not. While this suggests that identification is functioning as a gateway to programming, it also raises concerns about the degree to which access hinges on a single designation. In a more equitable system, multilingual learners would have meaningful opportunities to enroll in advanced coursework by default, rather than only after being formally identified as gifted. From a policy perspective, this implies that expanding equitable access requires reducing the extent to which advanced coursework is gated by identification alone, and instead designing systems in which access to rigorous learning opportunities is more broadly available.

Second, the strength of this association points to broader inequities in access to advanced coursework beyond the TAG system itself. Advanced coursework such as AP and IB is not exclusively reserved for students identified for TAG services, yet in practice, it is the primary

form of TAG programming. The fact that identification is so strongly associated with enrollment suggests that access to these courses is not equitably distributed more broadly. This raises questions about how readiness for advanced coursework is defined and for whom. Further, if limited access is justified on the basis that EL-classified students are not prepared for advanced coursework, then the patterns suggest that opportunities are not being designed to support multilingual learners. Improving equity in advanced course-taking is not solely a matter of identification policy, but also of how advanced coursework is structured, supported, and made accessible to multilingual learners within general education systems.

Third, inequities in access emerge across multiple points in the pathway from identification to course enrollment. Students who received language services at some point in their schooling, and particularly those who are currently EL-classified, are less likely to be identified for TAG services. At the same time, even among students who are identified, access to advanced coursework varies across student characteristics and districts contexts. These patterns indicate that inequity is not confined to a single decision point but is embedded across the broader system that connects identification, placement, and course enrollment. As a result, barriers to access may accumulate over time and do not have a simple fix. For policy and practice, this implies that isolated reforms targeting only identification or only course access are unlikely to produce equitable outcomes; instead, coordinated approaches that address the full pathway are necessary.

Fourth, these findings point to the need for greater investment in the infrastructure that supports identification, subsequent services, and equitable access to advanced coursework. Ensuring that identification translates to meaningful opportunity depends on the availability of courses, staffing, and organizational capacity. This includes financial investment in professional

learning to support inclusive identification practices, resources to expand TAG programming and advanced course offerings, particularly in rural contexts where access was most constrained, and data systems that allow districts to monitor access and outcomes across and within student groups quickly and easily. It may also require clearer guidance and accountability structures to ensure that TAG identification reliably translates into service delivery and sustained academic opportunity. Without these investments, efforts to improve equity risk remaining symbolic, as expanded identification alone cannot produce access in the absence of sufficient capacity.

Oregon's 2022 TAG policy revisions, which combine statewide requirements with district-level flexibility in TAG planning, screening, and identification, create important space for districts to adapt practices to local contexts. However, without sustained investment and coordinated systems that center equity as a design goal, this flexibility risks reinforcing existing disparities. This suggests that flexibility alone is insufficient to advance equity; it must be paired with resources, guidance, and accountability mechanisms that ensure equitable access.

Implications for Research

This study also has implications for how researchers conceptualize and examine access and structural equity. First, this study highlights that even explicitly intersectional approaches can encounter empirical limits when key dimensions of stratification are institutionally intertwined. In this case, the inability to jointly model race/ethnicity and language-related classifications within the primary MAIHDA specification reflects how these categories are already entangled within educational identification systems, shaping both patterns of access and what can be observed simultaneously in quantitative research. For research on educational equity, this implies that limits on what can be modeled simultaneously should not be treated as

analytic failures, but as substantively meaningful features of the systems under study—features that warrant deliberate analytic choices.

Second, this study demonstrates the importance of examining average effects at analytically meaningful levels rather than relying solely on population-level averages. Much of the existing literature on gifted identification focuses on overall identification rates or mean differences in outcomes, which can obscure how access is patterned across groups. By estimating population-average effects within intersectional strata, MAIHDA makes visible both baseline inequities in access and systematic variation in how identification is associated with opportunity across social positions and contexts. For equity-oriented research, this distinction matters: policies may appear effective in the aggregate while producing uneven or conditional benefits within broader groups.

Third, although intersectional approaches like MAIHDA allow researchers to move beyond broad categories, increasing granularity is not inherently a solution to inequity. In practice, finer disaggregation can introduce substantial challenges related to data sparsity, privacy, and the capacity of districts and states to collect and maintain detailed data. In dissemination, it can also reinforce stereotypes and biases that place the blame on students rather than systems. For research on multilingual learners in particular, the challenge is not whether to disaggregate, but how to do so intentionally, prioritizing distinctions that *meaningfully* capture differences in access and opportunity while avoiding analytic groupings that obscure patterns or reinforce deficit-oriented narratives.

Fourth, this study points to the importance of treating identification as part of a broader system rather than as a discrete event. Research that focuses solely on who is identified risks overlooking how identification interacts with placement practices, programming, and

institutional capacity to shape students' academic trajectories. Future work should more explicitly examine the pathways through which identification is translated into service delivery and sustained access, particularly for multilingual learners.

Finally, these findings highlight the need for greater attention to context in studies of identification-based reforms. Districts operate under varying policy environments, resource constraints, and organizational priorities, all of which shape how identification functions in practice. Research designs that incorporate contextual variation, rather than treating it as noise to be controlled away, will be better positioned to inform policies aimed at expanding equitable access to advanced academic opportunities.

Limitations

Several limitations of this study point to directions for future research. First, while MAIHDA provides a powerful framework for examining heterogeneity in access to advanced course-taking, the approach requires balancing theoretical priorities with empirical feasibility. The construction of intersectional and district-level strata depended on available administrative data and resulted in some low-frequency groups and a limited number of district contexts that could be observed. Although partial pooling helps stabilize estimates, results for smaller strata should be interpreted as conservative, and the emphasis of the analysis is therefore on variance decomposition and patterns across strata rather than on individual group estimates.

Second, this study relies on administrative measures of enrollment in AP and IB courses as indicators of access to advanced coursework. Enrollment represents a critical gateway to opportunity, but the data do not capture course completion, performance, or the quality of instructional experiences within advanced courses. Future research should examine whether

identified multilingual learners are supported to persist and succeed once enrolled, and whether access translates into longer-term academic or postsecondary outcomes.

Third, the analysis is observational and descriptive in nature. Although the models estimate robust associations between TAG identification and advanced course-taking, they do not establish causal effects. Unobserved factors such as teacher recommendations, family advocacy, or school-level practices may influence both identification and later course access. In addition, students who exit the state data system prior to outcome observation are excluded, and because mobility is socially patterned, this may bias estimates for particular groups.

Finally, this study is situated within a single state policy context. Oregon's TAG system is characterized by statewide mandates coupled with substantial local discretion and provides an important case for examining how identification operates as a gateway to advanced coursework. However, future research should examine whether similar patterns emerge in states with different identification criteria, course structures, or levels of standardization, and whether policy designs that more tightly link identification to course placement produce different equity outcomes.

Conclusion

This study examines patterns of TAG identification among multilingual learners in Oregon and how identification is associated with access to advanced coursework across students' intersecting social positions and district contexts. The main contribution of this study is to show that gifted identification operates as a conditional mechanism for access rather than a universal pathway to programming, specifically advanced coursework at the secondary level. For multilingual learners who are identified for TAG services, the label is strongly associated with enrollment in advanced courses. At the same time, patterns of identification—particularly low

rates among EL-classified students—and substantial heterogeneity in access across student social positions and district contexts indicate that opportunity remains tightly gated.

By applying an intersectional multilevel framework, this study demonstrates that inequities in advanced course-taking are not explained solely by individual characteristics or district-level sorting. Instead, access is shaped by layered systems of classification and context that condition whether and how identification translates into opportunity. This approach moves beyond documenting disparities to illuminate how policy-relevant labels function differently across social and institutional settings.

These findings raise a central design question for equity-focused reform in gifted education: whether systems have been built not only to recognize talent, but to do so in ways that consistently and equitably expand opportunity. Addressing this question requires attention to both identification practices and the institutional contexts that govern access, highlighting the limits of reforms that focus on identification alone.

Appendix B

Parameter Estimates for Null and Additive Student-level MAIHDA Models

	Linear Model (Null)		Linear Model (Additive)		Logistic Model (Null)		Logistic Model (Additive)	
	Est.	[95% CI]	Est.	[95% CI]	OR	[95% CI]	OR	[95% CI]
Fixed Effects: Regression Coefficients								
Intercept	0.31	[0.25, 0.37]	0.25	[0.11, 0.38]	-1.01	[-1.21, -0.8]	-1.45	[-1.83, -1.06]
TAG-identified			0.65	[0.63, 0.66]			1.13	[1.07, 1.19]
Language status								
Initially fluent			0.36	[0.23, 0.49]			1.52	[1.16, 1.87]
Long-term EL			0.06	[-0.07, 0.19]			0.59	[0.21, 0.96]
Long-term EL + Dually identified			-0.07	[-0.21, 0.06]			-0.25	[-0.63, 0.12]
Newcomer			0.08	[-0.04, 0.21]			0.56	[0.22, 0.9]
Reclassified			0.39	[0.27, 0.52]			1.8	[1.46, 2.14]
Dually identified			-0.02	[-0.15, 0.11]			0.25	[-0.11, 0.62]
Economically disadvantaged			-0.1	[-0.16, -0.04]			-0.19	[-0.34, -0.04]
Home language								
Chinese			0.16	[0.04, 0.28]			0.49	[0.19, 0.79]
Russian			-0.18	[-0.3, -0.06]			-0.99	[-1.3, -0.68]
Somali			-0.16	[-0.3, -0.03]			-0.77	[-1.13, -0.42]
Spanish			-0.15	[-0.27, -0.04]			-0.49	[-0.76, -0.22]
Vietnamese			0.04	[-0.08, 0.16]			0.45	[0.15, 0.74]
Something else			0	[-0.12, 0.11]			-0.27	[-0.55, 0.01]
Random Effects: Variances								
Stratum-level	0.09		0.02		1.03		0.08	
Individual-level	0.41		0.40		1.00		1.00	
Summary Statistics								

	Linear Model (Null)		Linear Model (Additive)		Logistic Model (Null)		Logistic Model (Additive)	
	Est.	[95% CI]	Est.	[95% CI]	OR	[95% CI]	OR	[95% CI]
VPC	0.18		0.04		.24		0.02	
PCV			0.80				0.93	
AUC					0.69		0.70	

Note. VPC = Variance Partition Coefficient. PCV = Proportional Change in Variance. AUC = Area Under Receiver Operating Characteristic Curve. Est. = Estimate. OR = Odds Ratio. 95% CIs shown in brackets.

Appendix C

This appendix consists of the full tables of predicted baseline/adjusted proportional number of credits and odds of taking an advanced course for each strata constructed at the student level.

Table C1
Strata Differences in Probability of Advanced Course Enrollment by TAG Identification

Strata	Baseline	Adj.	Diff.
SPED Not economically disadvantaged Something else	0.20	0.59	+0.39
Initially fluent Economically disadvantaged Russian	0.25	0.59	+0.34
Reclassified Not economically disadvantaged Something else	0.50	0.83	+0.33
Reclassified Economically disadvantaged Something else	0.37	0.69	+0.32
Newcomer Not economically disadvantaged Something else	0.31	0.62	+0.31
Initially fluent Economically disadvantaged Something else	0.51	0.81	+0.30
Reclassified Economically disadvantaged Somali	0.37	0.67	+0.30
Newcomer Not economically disadvantaged Chinese	0.43	0.73	+0.30
SPED Economically disadvantaged Vietnamese	0.29	0.58	+0.29
Reclassified Not economically disadvantaged Russian	0.28	0.57	+0.29
SPED Not economically disadvantaged Chinese	0.35	0.63	+0.28
Newcomer Economically disadvantaged Vietnamese	0.33	0.61	+0.28
Reclassified Economically disadvantaged Spanish	0.41	0.67	+0.26
LTEL Not economically disadvantaged Vietnamese	0.47	0.73	+0.26
Newcomer Economically disadvantaged Chinese	0.40	0.66	+0.26
Newcomer Economically disadvantaged Arabic	0.26	0.52	+0.26
SPED Economically disadvantaged Something else	0.13	0.39	+0.26
LTEL Not economically disadvantaged Chinese	0.45	0.71	+0.26
EL Not economically disadvantaged Chinese	0.29	0.54	+0.25
LTEL Economically disadvantaged Chinese	0.38	0.63	+0.25

Table C1 (continued)

Strata	Baseline	Adj.	Diff.
Reclassified Not economically disadvantaged Somali	0.37	0.62	+0.25
LTEL Economically disadvantaged Arabic	0.28	0.53	+0.25
EL Not economically disadvantaged Vietnamese	0.28	0.53	+0.25
LTEL Not economically disadvantaged Arabic	0.33	0.58	+0.25
Reclassified Not economically disadvantaged Spanish	0.40	0.64	+0.24
Newcomer Not economically disadvantaged Vietnamese	0.36	0.60	+0.24
LTEL Not economically disadvantaged Something else	0.25	0.49	+0.24
EL Economically disadvantaged Vietnamese	0.25	0.49	+0.24
LTEL Economically disadvantaged Vietnamese	0.34	0.58	+0.24
Initially fluent Not economically disadvantaged Somali	0.33	0.57	+0.24
Initially fluent Economically disadvantaged Somali	0.33	0.57	+0.24
SPED Not economically disadvantaged Vietnamese	0.32	0.55	+0.23
LTEL*SPED Economically disadvantaged Chinese	0.22	0.45	+0.23
Initially fluent Economically disadvantaged Chinese	0.59	0.82	+0.23
Initially fluent Not economically disadvantaged Arabic	0.57	0.79	+0.22
SPED Economically disadvantaged Chinese	0.24	0.46	+0.22
Newcomer Not economically disadvantaged Arabic	0.25	0.47	+0.22
Newcomer Economically disadvantaged Spanish	0.20	0.42	+0.22
LTEL*SPED Economically disadvantaged Vietnamese	0.20	0.42	+0.22
Reclassified Not economically disadvantaged Arabic	0.60	0.81	+0.21
LTEL Not economically disadvantaged Somali	0.18	0.39	+0.21
EL Economically disadvantaged Chinese	0.23	0.44	+0.21
LTEL*SPED Not economically disadvantaged Chinese	0.22	0.43	+0.21
Newcomer Not economically disadvantaged Russian	0.16	0.37	+0.21
Initially fluent Not economically disadvantaged Russian	0.31	0.51	+0.20

Table C1 (continued)

Strata	Baseline	Adj.	Diff.
EL Not economically disadvantaged Arabic	0.18	0.38	+0.20
SPED Economically disadvantaged Spanish	0.18	0.38	+0.20
Newcomer Economically disadvantaged Something else	0.16	0.36	+0.20
Initially fluent Not economically disadvantaged Something else	0.65	0.85	+0.20
LTEL*SPED Not economically disadvantaged Vietnamese	0.21	0.40	+0.19
Newcomer Economically disadvantaged Russian	0.15	0.34	+0.19
LTEL Economically disadvantaged Somali	0.15	0.34	+0.19
SPED Economically disadvantaged Arabic	0.18	0.37	+0.19
EL Economically disadvantaged Spanish	0.12	0.31	+0.19
LTEL*SPED Not economically disadvantaged Arabic	0.16	0.35	+0.19
Reclassified Not economically disadvantaged Vietnamese	0.73	0.91	+0.18
SPED Not economically disadvantaged Arabic	0.22	0.40	+0.18
EL Economically disadvantaged Arabic	0.15	0.33	+0.18
Newcomer Not economically disadvantaged Somali	0.15	0.33	+0.18
Reclassified Economically disadvantaged Russian	0.30	0.48	+0.18
LTEL*SPED Economically disadvantaged Arabic	0.14	0.32	+0.18
EL Not economically disadvantaged Something else	0.17	0.35	+0.18
Newcomer Not economically disadvantaged Spanish	0.17	0.35	+0.18
Reclassified Economically disadvantaged Chinese	0.72	0.89	+0.17
SPED Not economically disadvantaged Somali	0.13	0.30	+0.17
EL Not economically disadvantaged Spanish	0.13	0.30	+0.17
Reclassified Not economically disadvantaged Chinese	0.75	0.91	+0.16
Reclassified Economically disadvantaged Vietnamese	0.72	0.88	+0.16
LTEL*SPED Not economically disadvantaged Spanish	0.11	0.27	+0.16
LTEL*SPED Economically disadvantaged Spanish	0.11	0.27	+0.16

Table C1 (continued)

Strata	Baseline	Adj.	Diff.
SPED Not economically disadvantaged Spanish	0.16	0.32	+0.16
LTEL Not economically disadvantaged Spanish	0.15	0.31	+0.16
Reclassified Economically disadvantaged Arabic	0.55	0.71	+0.16
LTEL Economically disadvantaged Spanish	0.18	0.33	+0.15
LTEL Economically disadvantaged Russian	0.12	0.27	+0.15
SPED Economically disadvantaged Somali	0.12	0.27	+0.15
LTEL*SPED Not economically disadvantaged Something else	0.12	0.27	+0.15
Initially fluent Economically disadvantaged Vietnamese	0.58	0.72	+0.14
Initially fluent Not economically disadvantaged Spanish	0.38	0.52	+0.14
Initially fluent Economically disadvantaged Spanish	0.31	0.45	+0.14
LTEL Not economically disadvantaged Russian	0.12	0.26	+0.14
LTEL Economically disadvantaged Something else	0.15	0.29	+0.14
Initially fluent Economically disadvantaged Arabic	0.50	0.63	+0.13
SPED Not economically disadvantaged Russian	0.10	0.23	+0.13
EL Not economically disadvantaged Somali	0.10	0.23	+0.13
LTEL*SPED Not economically disadvantaged Somali	0.08	0.21	+0.13
EL Economically disadvantaged Somali	0.08	0.20	+0.12
EL Economically disadvantaged Something else	0.10	0.22	+0.12
EL Economically disadvantaged Russian	0.07	0.19	+0.12
EL Not economically disadvantaged Russian	0.08	0.19	+0.11
Newcomer Economically disadvantaged Somali	0.10	0.21	+0.11
LTEL*SPED Economically disadvantaged Something else	0.09	0.19	+0.10
SPED Economically disadvantaged Russian	0.08	0.18	+0.10
Initially fluent Not economically disadvantaged Vietnamese	0.54	0.64	+0.10
LTEL*SPED Not economically disadvantaged Russian	0.06	0.15	+0.09

Table C1 (continued)

Strata	Baseline	Adj.	Diff.
LTEL*SPED Economically disadvantaged Somali	0.06	0.15	+0.09
LTEL*SPED Economically disadvantaged Russian	0.04	0.11	+0.07
Initially fluent Not economically disadvantaged Chinese	0.60	0.62	+0.02

Note. Adj. = Adjusted estimate for TAG-identified students. Diff. = Difference between adjusted and baseline predictions.

Table C2

Strata Differences in Predicted Advanced Course Credits by TAG Identification

Strata	Baseline	Adj.	Diff.
Reclassified Not economically disadvantaged Chinese	1.06	2.26	+1.20
Reclassified Not economically disadvantaged Something else	0.69	1.83	+1.14
LTEL Not economically disadvantaged Chinese	0.48	1.58	+1.10
Initially fluent Not economically disadvantaged Something else	0.93	1.87	+0.94
Initially fluent Economically disadvantaged Chinese	0.67	1.54	+0.87
Reclassified Not economically disadvantaged Arabic	0.56	1.41	+0.85
SPED Not economically disadvantaged Something else	0.18	1.02	+0.84
Initially fluent Economically disadvantaged Something else	0.53	1.36	+0.83
Reclassified Economically disadvantaged Chinese	0.81	1.53	+0.72
Reclassified Not economically disadvantaged Vietnamese	0.82	1.53	+0.71
Newcomer Not economically disadvantaged Chinese	0.50	1.20	+0.70
Reclassified Economically disadvantaged Something else	0.42	1.11	+0.69
SPED Not economically disadvantaged Chinese	0.37	1.04	+0.67
Reclassified Not economically disadvantaged Spanish	0.35	0.92	+0.57
Initially fluent Economically disadvantaged Russian	0.27	0.80	+0.53
Reclassified Not economically disadvantaged Russian	0.23	0.76	+0.53
Initially fluent Not economically disadvantaged Arabic	0.82	1.33	+0.51
Reclassified Not economically disadvantaged Somali	0.43	0.94	+0.51
Newcomer Economically disadvantaged Something else	0.13	0.62	+0.49
SPED Economically disadvantaged Something else	0.10	0.59	+0.49
Newcomer Not economically disadvantaged Something else	0.39	0.87	+0.48
LTEL Not economically disadvantaged Vietnamese	0.44	0.91	+0.47
LTEL Not economically disadvantaged Arabic	0.39	0.86	+0.47
Newcomer Not economically disadvantaged Russian	0.25	0.72	+0.47
LTEL*SPED Economically disadvantaged Russian	-0.02	0.44	+0.46

Table C2 (continued)

Strata	Baseline	Adj.	Diff.
EL Economically disadvantaged Russian	0.03	0.49	+0.46
LTEL Economically disadvantaged Somali	0.09	0.54	+0.45
Reclassified Economically disadvantaged Spanish	0.31	0.76	+0.45
LTEL Not economically disadvantaged Somali	0.20	0.65	+0.45
EL Economically disadvantaged Spanish	0.07	0.52	+0.45
LTEL*SPED Economically disadvantaged Somali	-0.01	0.44	+0.45
EL Economically disadvantaged Somali	0.03	0.48	+0.45
SPED Economically disadvantaged Vietnamese	0.21	0.65	+0.44
Newcomer Economically disadvantaged Chinese	0.42	0.86	+0.44
Reclassified Economically disadvantaged Vietnamese	0.69	1.12	+0.43
EL Economically disadvantaged Vietnamese	0.23	0.66	+0.43
SPED Not economically disadvantaged Somali	0.09	0.52	+0.43
LTEL*SPED Not economically disadvantaged Somali	0.03	0.46	+0.43
EL Not economically disadvantaged Vietnamese	0.33	0.76	+0.43
LTEL*SPED Not economically disadvantaged Spanish	0.06	0.49	+0.43
SPED Economically disadvantaged Arabic	0.16	0.59	+0.43
EL Not economically disadvantaged Spanish	0.10	0.52	+0.42
EL Not economically disadvantaged Somali	0.09	0.51	+0.42
LTEL*SPED Not economically disadvantaged Russian	0.01	0.43	+0.42
LTEL*SPED Not economically disadvantaged Arabic	0.17	0.59	+0.42
Newcomer Not economically disadvantaged Vietnamese	0.37	0.78	+0.41
Reclassified Economically disadvantaged Somali	0.27	0.68	+0.41
LTEL Not economically disadvantaged Russian	0.10	0.51	+0.41
Newcomer Economically disadvantaged Somali	0.05	0.46	+0.41
LTEL Economically disadvantaged Arabic	0.19	0.60	+0.41

Table C2 (continued)

Strata	Baseline	Adj.	Diff.
LTEL*SPED Economically disadvantaged Arabic	0.07	0.48	+0.41
EL Not economically disadvantaged Russian	0.07	0.48	+0.41
Newcomer Not economically disadvantaged Spanish	0.16	0.57	+0.41
EL Not economically disadvantaged Chinese	0.37	0.77	+0.40
EL Economically disadvantaged Chinese	0.28	0.68	+0.40
LTEL Economically disadvantaged Vietnamese	0.23	0.63	+0.40
EL Not economically disadvantaged Arabic	0.22	0.62	+0.40
Newcomer Not economically disadvantaged Somali	0.14	0.54	+0.40
LTEL*SPED Economically disadvantaged Vietnamese	0.12	0.52	+0.40
EL Economically disadvantaged Something else	0.09	0.49	+0.40
LTEL*SPED Economically disadvantaged Chinese	0.20	0.60	+0.40
Initially fluent Not economically disadvantaged Somali	0.45	0.84	+0.39
LTEL Economically disadvantaged Chinese	0.29	0.67	+0.38
EL Economically disadvantaged Arabic	0.10	0.48	+0.38
LTEL Not economically disadvantaged Spanish	0.09	0.47	+0.38
Newcomer Economically disadvantaged Arabic	0.18	0.55	+0.37
Newcomer Not economically disadvantaged Arabic	0.24	0.61	+0.37
LTEL*SPED Not economically disadvantaged Chinese	0.23	0.59	+0.36
LTEL Economically disadvantaged Something else	0.08	0.44	+0.36
SPED Economically disadvantaged Somali	0.04	0.38	+0.34
Newcomer Economically disadvantaged Russian	0.12	0.44	+0.32
SPED Economically disadvantaged Chinese	0.16	0.48	+0.32
Newcomer Economically disadvantaged Vietnamese	0.25	0.56	+0.31
SPED Not economically disadvantaged Russian	0.06	0.36	+0.30
EL Not economically disadvantaged Something else	0.21	0.48	+0.27

Table C2 (continued)

Strata	Baseline	Adj.	Diff.
LTEL*SPED Not economically disadvantaged Something else	0.09	0.36	+0.27
Newcomer Economically disadvantaged Spanish	0.14	0.39	+0.25
Initially fluent Economically disadvantaged Vietnamese	0.61	0.85	+0.24
Initially fluent Economically disadvantaged Spanish	0.27	0.51	+0.24
Reclassified Economically disadvantaged Russian	0.24	0.48	+0.24
LTEL*SPED Not economically disadvantaged Vietnamese	0.19	0.43	+0.24
LTEL Economically disadvantaged Russian	0.07	0.31	+0.24
SPED Not economically disadvantaged Arabic	0.17	0.41	+0.24
LTEL*SPED Economically disadvantaged Something else	0.05	0.28	+0.23
SPED Economically disadvantaged Russian	0.04	0.26	+0.22
Initially fluent Not economically disadvantaged Vietnamese	0.58	0.79	+0.21
SPED Not economically disadvantaged Vietnamese	0.21	0.42	+0.21
Reclassified Economically disadvantaged Arabic	0.55	0.76	+0.21
SPED Economically disadvantaged Spanish	0.09	0.29	+0.20
SPED Not economically disadvantaged Spanish	0.10	0.27	+0.17
LTEL Not economically disadvantaged Something else	0.21	0.36	+0.15
LTEL*SPED Economically disadvantaged Spanish	0.05	0.19	+0.14
Initially fluent Not economically disadvantaged Spanish	0.42	0.54	+0.12
LTEL Economically disadvantaged Spanish	0.10	0.22	+0.12
Initially fluent Not economically disadvantaged Russian	0.52	0.63	+0.11
Initially fluent Economically disadvantaged Somali	0.33	0.41	+0.08
Initially fluent Not economically disadvantaged Chinese	0.92	0.86	-0.06
Initially fluent Economically disadvantaged Arabic	0.64	0.49	-0.15

Note. Adj. = Adjusted estimate for TAG-identified students. Diff. = Difference between adjusted and baseline predictions.

Appendix D

Model Results for Strata Incorporating Race

This appendix consists of the strata distribution, model estimates, and predicted baseline/adjusted proportional number of credits and odds of taking an advanced course for students using race/ethnicity in place of home language.

Table D1
Distribution of Sample Size for Student-Level Strata Including Race

Strata Size	N	%
Less than 10	12	0.14
10 or more	3	0.04
20 or more	10	0.12
50 or more	6	0.07
100 or more	53	0.63

Table D2

Parameter Estimates for Null and Additive Student-level MAIHDA Models Including Race

	Linear Model (Null)		Linear Model (Additive)		Logistic Model (Null)		Logistic Model (Additive)	
	Est.	[95% CI]	Est.	[95% CI]	OR	[95% CI]	OR	[95% CI]
Fixed Effects: Regression Coefficients								
Intercept	0.28	[0.21, 0.35]	0.15	[0.01, 0.28]	-1.18	[-1.38, -0.97]	-1.91	[-2.16, -1.66]
TAG-identified			0.6	[0.58, 0.62]			1.08	[1.02, 1.14]
Language status								
Initially fluent			0.5	[0.37, 0.63]			1.95	[1.7, 2.21]
Long-term EL			0.04	[-0.09, 0.18]			0.48	[0.21, 0.74]
Long-term EL + Dually identified			-0.04	[-0.17, 0.1]			-0.15	[-0.45, 0.15]
Newcomer			0.12	[-0.01, 0.25]			0.68	[0.43, 0.94]
Reclassified			0.37	[0.24, 0.5]			1.78	[1.54, 2.02]
Dually identified			0.01	[-0.12, 0.14]			0.39	[0.12, 0.65]
Economically disadvantaged			-0.13	[-0.19, -0.06]			-0.26	[-0.38, -0.14]
Race								
American Indian/Alaska Native			-0.18	[-0.3, -0.06]			-1.2	[-1.51, -0.89]
Asian/Pacific Islander			0.2	[0.09, 0.3]			0.67	[0.47, 0.87]
Latine			-0.05	[-0.15, 0.05]			-0.05	[-0.23, 0.13]
Multi-ethnic			0.1	[-0.02, 0.21]			0.38	[0.14, 0.62]
White			0.01	[-0.1, 0.11]			-0.01	[-0.21, 0.19]
Random Effects: Variances								
Stratum-level	0.09		0.02		1.05		0.04	
Individual-level	0.41		0.39		1.00		1.00	
Summary Statistics								
VPC	0.18		0.04		.24		0.01	
PCV			0.83				0.96	
AUC					0.69		0.69	

Note. VPC = Variance Partition Coefficient. PCV = Proportional Change in Variance. AUC = Area Under Receiver Operating Characteristic Curve. Est. = Estimate. OR = Odds Ratio. 95% CIs shown in brackets.

Table D3

Ten Strata with the Highest and Lowest Baseline Estimates for Advanced Course Enrollment

Strata	Baseline	Adj.	Diff.
	Predicted Probability		
Highest			
Initially fluent Not economically disadvantaged Asian/Pacific Islander	0.74	0.83	0.09
Reclassified Not economically disadvantaged Asian/Pacific Islander	0.7	0.89	0.19
Initially fluent Not economically disadvantaged Multi-Ethnic	0.65	0.77	0.12
Initially fluent Economically disadvantaged Asian/Pacific Islander	0.61	0.87	0.26
Reclassified Economically disadvantaged Asian/Pacific Islander	0.6	0.85	0.25
Reclassified Not economically disadvantaged Multi-Ethnic	0.58	0.79	0.21
Initially fluent Not economically disadvantaged White	0.54	0.78	0.24
Initially fluent Economically disadvantaged African American	0.52	0.66	0.14
Initially fluent Economically disadvantaged Multi-Ethnic	0.52	0.76	0.24
Initially fluent Not economically disadvantaged Hispanic	0.49	0.71	0.22
Lowest			
Newcomer Not economically disadvantaged American Indian/Alaskan Native	0.08	0.21	0.13
Newcomer Economically disadvantaged American Indian/Alaskan Native	0.08	0.17	0.09
LTEL Not economically disadvantaged American Indian/Alaskan Native	0.06	0.17	0.11
SPED Not economically disadvantaged American Indian/Alaskan Native	0.06	0.16	0.1
LTEL Economically disadvantaged American Indian/Alaskan Native	0.05	0.14	0.09
SPED Economically disadvantaged American Indian/Alaskan Native	0.05	0.13	0.08

Table D3 (continued)

Strata	Baseline	Adj.	Diff.
EL Not economically disadvantaged American Indian/Alaskan Native	0.04	0.12	0.08
LTEL*SPED Not economically disadvantaged American Indian/Alaskan Native	0.04	0.1	0.06
EL Economically disadvantaged American Indian/Alaskan Native	0.03	0.09	0.06
LTEL*SPED Economically disadvantaged American Indian/Alaskan Native	0.03	0.08	0.05
Predicted Annual Credits			
Highest			
Initially fluent Not economically disadvantaged Asian/Pacific Islander	1.14	1.88	0.74
Reclassified Not economically disadvantaged Asian/Pacific Islander	0.98	2.04	1.06
Initially fluent Not economically disadvantaged Multi-Ethnic	0.84	1.47	0.63
Initially fluent Not economically disadvantaged White	0.79	1.36	0.57
Initially fluent Economically disadvantaged Asian/Pacific Islander	0.76	1.68	0.92
Reclassified Not economically disadvantaged Multi-Ethnic	0.73	1.46	0.73
Reclassified Economically disadvantaged Asian/Pacific Islander	0.62	1.29	0.67
Initially fluent Economically disadvantaged Multi-Ethnic	0.6	1.1	0.5
Reclassified Not economically disadvantaged African American	0.57	0.95	0.38
Initially fluent Not economically disadvantaged African American	0.54	1.13	0.59
Lowest			
LTEL*SPED Economically disadvantaged White	0.05	0.55	0.5
LTEL*SPED Economically disadvantaged African American	0.03	0.45	0.42
LTEL Not economically disadvantaged American Indian/Alaskan Native	0.02	0.49	0.47

Table D3 (continued)

Strata	Baseline	Adj.	Diff.
LTEL Economically disadvantaged American Indian/Alaskan Native	0.01	0.56	0.55
SPED Not economically disadvantaged American Indian/Alaskan Native	-0.01	0.46	0.47
SPED Economically disadvantaged American Indian/Alaskan Native	-0.01	0.56	0.57
EL Not economically disadvantaged American Indian/Alaskan Native	-0.03	0.45	0.48
LTEL*SPED Economically disadvantaged American Indian/Alaskan Native	-0.03	0.55	0.58
LTEL*SPED Not economically disadvantaged American Indian/Alaskan Native	-0.05	0.42	0.47
EL Economically disadvantaged American Indian/Alaskan Native	-0.12	0.37	0.49

Note. Adj. = Adjusted estimate for TAG-identified students. Diff. = Difference between adjusted and baseline predictions.

Appendix E

Model Results for Spanish-Speaking Students

This appendix consists of the strata distribution, model estimates, and predicted baseline/adjusted proportional number of credits and odds of taking an advanced course for students using race/ethnicity in place of home language.

Table E1
Distribution of Sample Size for Student-Level Strata

Strata Size	N	%
Less than 10	35	0.51
10 or more	5	0.07
20 or more	6	0.09
50 or more	6	0.09
100 or more	16	0.24

Table E2

Parameter Estimates for Null and Additive Student-level MAIHDA Models

	Linear Model (Null)		Linear Model (Additive)		Logistic Model (Null)		Logistic Model (Additive)	
	Est.	[95% CI]	Est.	[95% CI]	OR	[95% CI]	OR	[95% CI]
Fixed Effects: Regression Coefficients								
Intercept	0.27	[0.21, 0.33]	0.13	[-0.04, 0.29]	-0.86	[-1.1, -0.63]	-1.91	[-2.35, -1.48]
TAG-identified			0.44	[0.42, 0.46]			1.09	[1, 1.18]
Language status								
Initially fluent			0.19	[0.14, 0.24]			0.78	[0.68, 0.88]
Reclassified			0.19	[0.15, 0.24]			1.17	[1.13, 1.2]
Economically disadvantaged			-0.06	[-0.1, -0.02]			0.03	[-0.04, 0.09]
Race								
American Indian/Alaska Native			-0.02	[-0.2, 0.15]			0.04	[-0.53, 0.6]
Asian/Pacific Islander			0.14	[-0.06, 0.35]			1.08	[0.37, 1.79]
Latine			0.01	[-0.15, 0.17]			0.26	[-0.17, 0.7]
Multi-ethnic			0.04	[-0.15, 0.23]			0.21	[-0.42, 0.85]
White			0.06	[-0.11, 0.22]			0.32	[-0.13, 0.77]
Random Effects: Variances								
Stratum-level	0.02		0.00		0.32		0.00	
Individual-level	0.24		0.23		1.00		1.00	
Summary Statistics								
VPC	0.07		0.01		.09		0.00	
PCV			0.96				1.00	
AUC					0.62		0.62	

Note. VPC = Variance Partition Coefficient. PCV = Proportional Change in Variance. AUC = Area Under Receiver Operating Characteristic Curve. 95% CIs shown in brackets.

Table E3

Ten Strata with the Highest and Lowest Baseline Estimates for Advanced Course Enrollment

Strata	Baseline	Adj.	Diff.
	Predicted Probability		
Highest	0.59	0.78	+0.19
Reclassified Not economically disadvantaged Asian/Pacific Islander	0.59	0.78	+0.19
Reclassified Economically disadvantaged Asian/Pacific Islander	0.50	0.71	+0.21
Initially fluent Not economically disadvantaged Asian/Pacific Islander	0.50	0.71	+0.21
Initially fluent Economically disadvantaged Asian/Pacific Islander	0.40	0.61	+0.21
Reclassified Not economically disadvantaged White	0.40	0.64	+0.24
Reclassified Economically disadvantaged White	0.39	0.66	+0.27
Reclassified Economically disadvantaged Hispanic	0.38	0.62	+0.24
Reclassified Not economically disadvantaged Hispanic	0.38	0.60	+0.22
EL Not economically disadvantaged Vietnamese	0.59	0.78	+0.19
Lowest			
Current EL Economically disadvantaged Hispanic	0.17	0.33	+0.16
Current EL Not economically disadvantaged White	0.17	0.34	+0.17
Current EL Economically disadvantaged White	0.17	0.34	+0.17
Current EL Not economically disadvantaged Hispanic	0.16	0.32	+0.16
Current EL Not economically disadvantaged Multi-Ethnic	0.16	0.31	+0.15
Current EL Economically disadvantaged Multi-Ethnic	0.16	0.32	+0.16
Current EL Economically disadvantaged American Indian/Alaskan Native	0.14	0.28	+0.14
Current EL Not economically disadvantaged African American	0.13	0.27	+0.14
Current EL Economically disadvantaged African American	0.13	0.27	+0.14
Current EL Not economically disadvantaged American Indian/Alaskan Native	0.13	0.28	+0.15

Table E3 (continued)

Strata	Baseline	Adj.	Diff.
Predicted Annual Credits			
Highest			
Initially fluent Not economically disadvantaged Asian/Pacific Islander	0.5	0.6	+0.10
Reclassified Not economically disadvantaged Asian/Pacific Islander	0.49	0.75	+0.26
Initially fluent Economically disadvantaged Asian/Pacific Islander	0.43	0.69	+0.26
Reclassified Economically disadvantaged Asian/Pacific Islander	0.41	0.83	+0.42
Initially fluent Not economically disadvantaged White	0.41	0.81	+0.40
Reclassified Not economically disadvantaged White	0.39	0.4	+0.01
Initially fluent Not economically disadvantaged Multi-Ethnic	0.37	0.64	+0.27
Reclassified Not economically disadvantaged Multi-Ethnic	0.37	0.63	+0.26
Initially fluent Not economically disadvantaged Hispanic	0.36	0.49	+0.13
Reclassified Not economically disadvantaged African American	0.35	0.60	+0.25
Lowest			
Current EL Not economically disadvantaged White	0.20	0.45	+0.25
Current EL Not economically disadvantaged Multi-Ethnic	0.16	0.43	+0.27
Current EL Not economically disadvantaged African American	0.14	0.41	+0.27
Current EL Not economically disadvantaged Hispanic	0.12	0.42	+0.30
Current EL Not economically disadvantaged American Indian/Alaskan Native	0.11	0.38	+0.27
Current EL Economically disadvantaged White	0.11	0.32	+0.21
Current EL Economically disadvantaged Hispanic	0.10	0.21	+0.11
Current EL Economically disadvantaged Multi-Ethnic	0.09	0.36	+0.27
Current EL Economically disadvantaged African American	0.07	0.28	+0.21

Table E3 (continued)

Strata	Baseline	Adj.	Diff.
Current EL Economically disadvantaged American Indian/Alaskan Native	0.05	0.30	+0.25

Note. Adj. = Adjusted estimate for TAG-identified students. Diff. = Difference between adjusted and baseline predictions.

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CHAPTER IV

DO INCLUSIVE POLICIES DELIVER? DISTRICT VARIATION AND MULTILINGUAL LEARNER REPRESENTATION IN TALENTED AND GIFTED PROGRAMS

Talented and gifted (TAG) identification is often portrayed as an objective process designed to select students who demonstrate exceptional academic or intellectual promise. Yet in practice, identification functions as a gatekeeping mechanism. Students gain access to gifted services not only by virtue of their talents, but also through systems of recognition that reflect dominant cultural, linguistic, and institutional norms (Borland, 2003; Callahan, 2005; McBee & Makel, 2019). For multilingual learners, whose strengths may not align with standard screening tools or educator expectations, the gate can be difficult to pass (de Wet & Gubbins, 2011; Harris et al., 2009). Decades of research have documented the underrepresentation of multilingual learners in gifted programs (Ford, 2014; Siegle et al., 2016) and examined how identification systems contribute to these disparities (Callahan, 2005; Grissom & Redding, 2016; Harris et al., 2009), a topic I discuss more fully in Chapter III. The result is a system in which large numbers of students remain excluded from TAG programs and the opportunities that result from the label because the mechanisms of recognition fail to capture their talents, ability, and needs. Yet far fewer studies have assessed whether district-level policy reforms meaningfully change identification patterns or disrupt inequitable practices (for exceptions, see McBee et al., 2016; Peters & Johnson, 2023).

These disparities are not just administrative failures. They reflect missed opportunities to affirm students' linguistic assets, expand access to advanced coursework, and disrupt long-standing patterns of educational exclusion. In effect, inequitable identification policies

compound opportunity gaps. The students least likely to be identified are often those for whom access to enriched learning could be most transformative. As states begin to adopt more inclusive identification policies such as universal screening, nonverbal screening tools, and native-language screening tools it becomes increasingly urgent to understand whether these practices make a measurable difference, and for whom. Do they shift who is seen as gifted, or do existing inequities simply reappear in new forms?

This study investigates whether district-level adoption of inclusive identification practices in Oregon increases representation of multilingual learners in gifted programs. Specifically, it examines the effects of universal screening, nonverbal screening tools, and native-language screening tools on the identification of students who are currently or were formerly classified as an English learner (EL), as well as those who speak a non-English language at home but were never classified as ELs. Drawing on administrative data and district-level records, this study asks whether these practices expand access equitably and how their effects vary across local contexts. By situating inclusive identification within broader debates on equity in opportunity to learn, the study speaks to both the promise and the limits of policy reforms as tools to dismantle entrenched patterns of exclusion.

Conceptual framework

The concept of opportunity to learn (OTL) provides one lens for understanding how gifted identification operates. Originally developed in relation to time and exposure to curriculum (Carroll, 1963; Porter, 1991), OTL has been extended to consider broader questions of equity: the institutional arrangements that enable or constrain students' chances to participate fully in education (Carter & Welner, 2013; Darling-Hammond, 2024; McDonnell, 1995; Stevens & Grymes, 1993). From this perspective, learning outcomes are not only the product of

individual effort or ability, but of the opportunities made available by schools and systems. OTL directs attention to the policy and organizational conditions that shape whether students can access high-quality learning, and whether they are positioned to demonstrate their abilities.

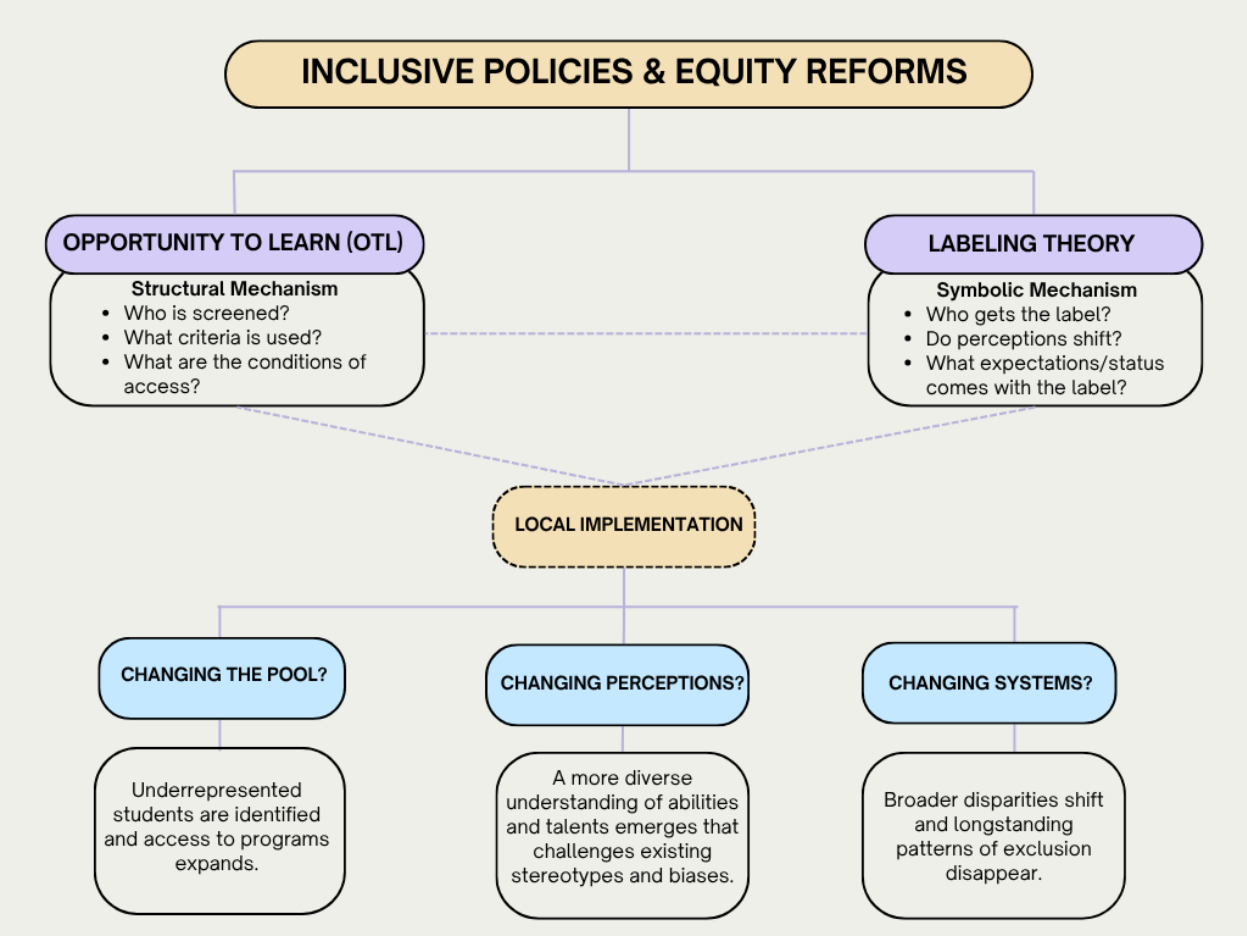
Applied to gifted identification, OTL highlights that gifted identification itself is a condition of access. Before students can benefit from advanced instruction, they must first be referred, screened, and formally recognized as gifted. Each stage in the process represents an opportunity (or a *missed* opportunity) for students to be considered. Traditional systems for gifted identification that rely on referrals, for example, restrict OTL by filtering eligibility through the perceptions and biases of individual teachers. Similarly, reliance on written and verbal assessments in English during the screening process may constrain opportunities for multilingual students early in the process of developing academic English and for some students with disabilities whose learning profiles are not well aligned with language-intensive assessment formats. Policies that move away from referrals and focus on expanding universal screening, incorporating nonverbal or native-language assessments, or otherwise broadening the range of evaluative tools function as attempts to increase OTL by restructuring the conditions under which students can be identified.

For multilingual learners, OTL is especially constrained. EL-designated students are less likely to be referred for evaluation and more likely to encounter assessments that do not align with their linguistic skills (Callahan et al., 2017; Grissom & Redding, 2016; Harris et al., 2009). Even students who have reclassified out of EL status often remain subject to lowered expectations or course placement policies that obscure their strengths (Callahan, 2005; Kanno & Kangas, 2014; Umansky & Dumont, 2021). In this sense, disparities in TAG programs are not simply individual oversights but reflections of systematically restricted OTL.

Yet OTL theory alone cannot fully explain the significance of identification. Being labeled as gifted may shape student trajectories not only by opening access to coursework, but also by altering how students are perceived and treated once identified. Labeling theory suggests that classification carries social consequences: it signals status, influences expectations, and shapes opportunities in ways that extend beyond formal program structures (Becker, 1997; Hargreaves et al., 2012; Link & Phelan, 2013). The gifted label may prompt educators to view students as more capable, encourage peers and families to see them as academically exceptional, and legitimize their place in advanced academic spaces. Conversely, the absence of such a label can reinforce deficit perspectives, particularly for multilingual learners who already contend with raciolinguistic ideologies that mark their language practices as deficient (Flores & Rosa, 2015). Gifted identification is thus both a structural opportunity and a symbolic act, redistributing resources and recognition.

Taken together, OTL and labeling theory frame gifted identification as more than a technical process. Inclusive policies that broaden screening reshape the conditions under which students are considered, while the labels that result from these processes influence how students are positioned within schools. This dual perspective underscores that policy reforms may matter in at least three ways: 1) by changing the pool of students who gain access to TAG programs and the course-taking opportunities the label confers, as explored in Chapter III; 2) by transforming how educators and peers perceive identified students, shaping those students' daily experiences once identified; and 3) by changing local systems to potentially disrupt longstanding patterns of exclusion, as explored in this chapter (see Figure 4.1 for a visualization).

Figure 4.1
Conceptual Framework Linking Inclusive Policies to Equity in Gifted Identification



Literature review

Efforts to identify and serve students with exceptional abilities have long been part of U.S. schooling, though the structure and emphasis of these programs has shifted with broader educational reforms. The federal government defines gifted as "Students, children, or youth who give evidence of high achievement capability in areas such as intellectual, creative, artistic, or leadership capacity, or in specific academic fields, and who need services and activities not ordinarily provided by the school in order to fully develop those capabilities" (ESSA, 2015). While the federal government has periodically provided funding and guidance, gifted education has historically been left to states and districts, leading to wide variation in definitions, criteria

and service models as states are not required to comply with the federal definition for giftedness (Ford, 2010; Rinn et al., 2022). This discretion has important equity implications. McBee and Makel (2019), for instance, demonstrate that different definitions of giftedness can produce strikingly different identification rates, ranging from less than 1% to nearly 90% depending on which domains are considered and how criteria are applied.

Across this fragmented landscape, states have defined giftedness in multiple domains. The most widely recognized are intellectual and academic ability, but many states increasingly include creativity, leadership, and the arts (Ford, 2010; Rinn et al., 2022). Oregon, like most states, formally recognizes these domains but leaves districts substantial discretion in deciding how students are assessed and identified. This flexibility has allowed for local innovation but also contributes to inconsistency in who is considered gifted and how equitably opportunities are distributed (Callahan et al., 2017).

Identification practices reflect this variation. While 38 states have identification requirements in place, 25 leave the specific procedures entirely up to local education agencies (Callahan et al., 2017). Despite this, the identification process generally follows three phases: 1) nomination or referral, during which potential gifted students are named; 2) screening, during which potential students are evaluated, and 3) placement, during which a final determination about students' eligibility for TAG programming is made (National Association for Gifted Children, n.d.). Common approaches for the initial referral process include relying on teacher or parent referrals and supplementing or replacing referrals with the use of standardized achievement tests to screen all students (i.e., universal screening). Increasingly, alternate measures or multiple measures are used during the screening phase including cognitive ability measures, rating scales, portfolios, and performance assessments. Many districts use a

combination of tools, but reliance on referral as the first step remains widespread (Grissom & Redding, 2016; Rinn et al., 2022). More recent innovations aim to reduce bias and expand the pool of students considered through the use of approaches like universal screening where all students are assessed, multiple-criteria systems that rely on many measures rather than a single assessment score, or the use of local measures (e.g., classroom-based performance or thresholds normed to grades or schools) to ensure students are compared to more reliable baselines (Card & Giuliano, 2016; Peters & Engerrand, 2016). Still, national surveys suggest that implementation is uneven, with many states leaving decisions entirely to districts and just seven states requiring that students be referred through universal screeners (Rinn et al., 2022).

Historically and currently, the widespread fragmentation of TAG policies means that gifted identification is mediated by broader institutional priorities and local discretion. Its domains are multiple, but in practice intellectual and academic measures dominate. And while multiple approaches to identification exist, those most dependent on subjective referrals remain the most common, raising concerns about who is systematically afforded the opportunity to be seen as gifted.

Disproportionality and Inequity in Gifted Identification

A consistent body of research has documented significant inequities in identification for TAG programs. Black, Latine, Native American, low-income, and students with disabilities are all underrepresented in gifted programs, while White and Asian students are often overrepresented (Grissom & Redding, 2016; McBee, 2010; Yaluma & Tyner, 2018; Yoon & Gentry, 2009). National data illustrate the magnitude of these disparities: White and Asian students are overrepresented in gifted programs relative to their share of enrollment (70% of TAG compared to 55% of enrollment), while Black and Latino students are substantially

underrepresented (26% of TAG compared to 40% of enrollment), and EL-classified students and students with disabilities participate at rates several times lower (3x and 7x, respectively) than their peers (U.S. Department of Education Office for Civil Rights, 2014). These disparities reflect the ways identification systems privilege dominant cultural, linguistic, and behavioral norms (Ford, 2010; Hodges et al., 2018). As summarized in Chapter III, such inequities are well established across multiple contexts; the question here is how policy design and implementation either reinforce or mitigate them.

These patterns persist across states and over time, even when overall access to programs expands. Increases in the number of students identified nationally have not translated into more equitable representation of minoritized groups (McBee, 2010) and disparities are also evident across school type and geography, with rural and under-resourced districts often identifying fewer students overall and offering fewer program options (Yaluma & Tyner, 2018). The continued underrepresentation of minoritized groups, even as overall identification expands, highlights how inequities are tied to the design and implementation of identification systems. This has led researchers to examine how local decisions about procedures and criteria shape equity, and whether policy structures can mitigate or reproduce these disparities.

Several studies highlight that local decisions have material consequences for equity. McBee and colleagues (2012), studying Florida districts, found that local adoption of alternative identification pathways, such as allowing students to qualify through multiple measures rather than relying on a single cutoff score, led to higher rates of identification for low-income and Black students. Peters and Johnson (2023) found that districts with mandated plans and compliance structures tended to identify a more representative pool of multilingual students, suggesting that district policy infrastructure may play a role in shaping access. Similarly,

Callahan (2005) argues that local policy decisions shape how educational services are structured and experienced by students, with implications for access to academic opportunities. Though studies centering policy effects remain limited, the persistence of disproportionality and the local variation that sustains disproportionality has prompted attention to how identification procedures themselves might be reformed to broaden access.

Equity and Reforms to Identification Practices

Concerns about disproportionality in TAG identification have spurred a range of reforms aimed at reducing barriers for historically underrepresented students. These reforms focus less on expanding the definition of giftedness and more on changing the procedures through which students are considered, with an extensive focus on the screening phase. Screening typically refers to the use of standardized measures to evaluate students for possible gifted identification. Historically, these measures have included cognitive ability tests (e.g., Intelligence Quotient [IQ] tests, the Cognitive Abilities Test [CogAT], Naglieri Nonverbal Ability Test [NNAT]), standardized achievement tests, or other district-selected assessments (Lohman, 2005; Peters & Engerrand, 2016). In many districts, screening occurs only after a referral, limiting who is assessed whereas universal screening refers to administering these measures to all students within a grade or set of grades. This distinction between referral and screening processes is central to recent equity debates, as it shapes both who is considered and how their potential is measured. The following subsections review universal screening, referral practices, and the use of more inclusive screening tools, with particular attention to their implications for equity.

Universal Screening vs. Referral-Only Systems

Universal screening has emerged as a widely recommended practice to address disparities in TAG identification. In contrast to traditional referral-based systems, universal screening

involves assessing all students at a given grade level using a systematic process, thereby reducing reliance on subjective nominations. Research finds that this shift increases identification among historically underrepresented groups, including multilingual students. For example, in one of the most widely cited studies, Card and Giuliano (2016) evaluated a district-wide shift from a referral-only system to universal screening using a nonverbal screener for third-grade students. They found substantial increases in identification rates for Black, Hispanic, and EL-designated students. Notably, students who would otherwise have been missed had similar IQ scores to their peers but lower standardized achievement scores, highlighting how traditional referral methods likely exclude capable students with lower measured academic performance. Beyond this study, few have examined how shifts in identification policy affect outcomes across diverse student groups, or whether newly identified students receive services aligned with their needs.

Gubbins and colleagues (2018; 2020) document that universal screening was a common feature in districts and schools identified as exemplars for their proportional representation of EL-classified students in gifted programs. These schools also frequently used native-language assessments and considered the speed of English language acquisition in the identification process. McBee and colleagues (2016) found that systems requiring nominations before screening missed more than 60% of students who would otherwise have been identified as gifted. They concluded that nomination phases should be eliminated to improve validity and inclusivity.

Despite these findings, state-level adoption of universal screening policies remains limited. As of 2020-21, most states still allowed local discretion over whether and how to implement screening, underscoring the continued importance of district-level variation. Rinn and colleagues (2022) report that local control, lack of federal mandate, and resource constraints are

among the most frequently cited reasons for inconsistent implementation. Even in states like Oregon, where universal screening is encouraged or required, challenges related to timing, staff capacity, and tool selection may affect how policies are enacted on the ground.

Nonverbal and Bilingual Screening Tools

Nonverbal and bilingual assessments are frequently proposed as ways to reduce linguistic and cultural bias in TAG identification. However, evidence on their effectiveness is mixed, and implementation is uneven across states and districts. In both cases, the aim is to offer alternative standardized measures that evaluate reasoning and problem-solving skills while reducing dependency on language. Nonverbal assessments typically use visual puzzles or sequences to assess abstract reasoning, spatial skills, and pattern recognition (Naglieri & Ford, 2003). Bilingual or native-language assessments, by contrast, present information in a student's home language to reduce linguistic barriers in demonstrating ability (Gubbins et al., 2020; Harris et al., 2009).

Nonverbal assessments, such as the NNAT, are often assumed to be more culturally neutral. Yet several studies suggest otherwise. Some studies, including Lohman et al. (2008), found that EL-designated students scored about a third of a standard deviation below their non-EL peers across three nonverbal tests. Others, such as Giessman and colleagues (2013) and Carmen and colleagues (2020), found more comparable outcomes. Carman and Taylor (2010) found persistent disparities by socioeconomic status even on the NNAT, cautioning against viewing nonverbal tests as bias-free. Oller and colleagues (2000) argued that verbal and nonverbal cognitive abilities are deeply intertwined and that nonverbal tasks may still require language mediation, particularly for bilingual students.

Native-language assessments are less well studied. Gubbins and colleagues (2020) highlight a few exemplar schools that used native language tools and employed bilingual psychologists, but there is little evidence about broader adoption or impact. Harris and colleagues (2009) document how the lack of such tools in one district contributed to persistent underidentification of EL-classified students. Challenges to widespread use include the limited availability of psychometrically validated tools, staffing constraints in bilingual assessment and interpretation, and the fact that many students have had limited opportunities to formally develop literacy or academic language in school within predominantly English-only schooling contexts. While promising, native language assessments remain underexplored.

Some scholars have urged caution against treating any tool as a silver bullet. Peters and Engerrand (2016) argue that assessments—whether verbal, nonverbal, or bilingual—ultimately reflect students' prior opportunities to learn. They suggest that without contextualizing scores using local or group norms, even well-intentioned tools may reproduce inequity. These findings align with a growing consensus in the field that equitable identification requires multiple measures and multiple opportunities to demonstrate potential (Ford, 2010; Grissom & Redding, 2016; Peters & Engerrand, 2016).

Other Mechanisms

In addition to universal screening and the use of nonverbal or native-language assessments, districts often rely on other mechanisms to broaden access to gifted programs. These include portfolios and the use of local norms. Portfolio assessments can capture creativity, artistic ability, or other forms of talent not well measured by standardized tests (Callahan et al., 2017). Local norms compare students to peers within their own school or district rather than to

statewide or national averages, a practice shown to significantly increase the representation of historically underserved groups (Card & Giuliano, 2016; Peters et al., 2019).

In practice, these mechanisms rarely operate in isolation. For example, Oregon requires the use of multiple measures, and districts often combine quantitative tools (e.g., cognitive or achievement tests), qualitative judgments (e.g., classroom observations, teacher and parent ratings), and alternative demonstrations of ability (e.g., portfolios, especially for identifying giftedness in visual or performing arts). Local norms may also be applied at district discretion. Within that broader mix, however, screening practices and assessment type represent the clearest and most consistently observed levers for reform. While portfolios, local norms, and dynamic assessment contribute to the broader equity landscape, their implementation is more diffuse, inconsistently tracked, and less visible in state or district records, making them more difficult to study systematically.

Identification of Multilingual Learners

Multilingual learners remain significantly underrepresented in TAG programs. Despite increased attention to educational equity, disparities in identification persist across states and districts. Only 0.5% of current ELs are identified for services in Oregon, compared to the statewide average of 7% (Oregon Department of Education [ODE], 2024; ODE, 2026). These disparities are shaped by a complex set of factors, including language status, assessment design, cultural definitions of giftedness, educator beliefs, and prior educational opportunities. Scholars have emphasized how EL classification, which often correlates with linguistic and cultural difference, interacts with systems of identification that rely heavily on standardized assessments and subjective nominations (Callahan, 2005; Mun et al., 2020).

Nomination-based identification systems in particular have come under scrutiny for amplifying cultural bias and overlooking students whose academic potential may not align with dominant norms of classroom behavior or communication. Valdés (2014), for example, illustrates how bilingual students who serve as interpreters for their families—demonstrating sophisticated cognitive and linguistic skills—are often overlooked in formal gifted identification processes because their strengths are illegible or not valued within dominant school frameworks. These cultural mismatches are compounded by structural barriers. Multilingual students are frequently filtered out before formal screening even begins, often due to referral systems that rely on subjective educator judgments (Elhoweris, 2008; Elhoweris et al., 2005; Grissom & Redding, 2016).

Research shows that shifting from teacher referrals to universal screening is associated with significant increases in identification rates for EL-classified, Black, and Latine students. For example, Card and Giuliano (2016) found that universal nonverbal screening led to substantial gains in identification for these groups, many of whom had previously been overlooked under nomination-based systems. These findings suggest that traditional referral processes may serve as a key gatekeeping mechanism, disproportionately limiting access to gifted programs for multilingual and racially minoritized students.

Finally, while descriptive and qualitative studies have documented underrepresentation and examined efforts to reform identification practices for multilingual students (e.g., Esquierdo & Arreguín-Anderson, 2012; Harris et al., 2009), there is little evidence on whether identification leads to equitable outcomes for these students, as explored in Chapter III. This gap is particularly salient in light of recent policy reforms, such as Oregon's shift toward the use of multiple measures and required transparency through publicly posted district TAG plans, while

recommending the use of universal screening at the local level. These shifts aim to expand the pool of students screened for services, reduce barriers to access for historically marginalized students, and increase transparency with caregivers.

Variation in Access Across Multilingual Students and District Contexts

While inequities in gifted identification are well documented, far less is known about how access varies within multilingual student populations. National and state data rarely distinguish between students currently classified as ELs, those who have been reclassified, and multilingual students who were never formally identified for language services. Prior research has raised concerns about this practice, noting that ELs are often treated as a homogeneous category in both research and policy, masking meaningful variation across students with different linguistic and educational trajectories (Kieffer & Thompson, 2018; Abedi, 2004).

This distinction matters because students' classification histories are associated with different educational experiences and opportunities. For example, studies of reclassification show that students who exit EL status often gain greater access to academic opportunities, while students who remain classified may face continued constraints on course-taking and program participation (Callahan, 2005; Umansky & Reardon, 2016). However, little research has examined how these differences extend to gifted identification or access to TAG services. As a result, it remains unclear whether patterns of underrepresentation operate similarly across multilingual subgroups or whether access varies based on students' classification histories.

Additionally, prior research suggests that access to educational opportunities is also shaped by local context. School districts play a central role in interpreting and implementing policy (Honig, 2006), and variation in resources, student demographics, and organizational capacity can produce substantially different outcomes under the same formal policy conditions

(Datnow & Park, 2009; Honig & Hatch, 2004; Spillane & Riser, 2002). In the context of gifted education, differences in screening tools, identification criteria, and program capacity have been shown to influence which students are identified and served (Card & Giuliano, 2016; Ford, 2010; Grissom & Redding, 2016; Hodges et al., 2018; McBee, 2010). In Oregon, districts serving larger multilingual populations may face greater institutional pressure to reform identification practices to ensure equitable identification, while fiscal capacity and district size can influence the ability to administer screening tools at scale. These patterns suggest that the effects of universal screening are unlikely to be uniform across districts and may depend on contextual factors that shape both implementation and access. Examining district-level variation is therefore essential for understanding how policy translates into practice.

Oregon Policy Context

In 2022, Oregon adopted revised administrative rules guiding TAG identification that emphasized equity, transparency, and the use of multiple evidence-based measures. Under Oregon Administrative Rule (OAR) 581-022-2325, school districts are required to implement policies that use a variety of tools and procedures to identify students, minimize the effects of bias, and consider culturally and linguistically relevant indicators of ability. Identification may not rely on a single test or measure and must incorporate evidence from multiple sources, including qualitative and quantitative indicators.

Districts were required to update their TAG program plans in line with these rules beginning in the 2022-23 school year. To support implementation, the Oregon Department of Education (ODE) developed a TAG program plan template and accompanying guidance documents. ODE also produced slide decks and training materials that were shared with districts, highlighting practices intended to reduce inequities in identification. These materials explicitly

named multilingual learners as one key group and focused on broadening the range of measures districts could use, including examples of culturally and linguistically responsive assessments. Visuals presenting profiles of a gifted learner were also used to challenge stereotypes. For instance, emphasizing that gifted students may not always be high achieving or motivated, that English proficiency is not a precondition for giftedness, and that disengagement can signal unmet needs. In addition to publishing guidance documents and templates, ODE provides annual training for district TAG coordinators at the beginning of the year in which the revised rules and accompanying materials are formally presented and discussed. These sessions are offered virtually to reach a statewide audience and clarify the state's policy intent while emphasizing equity-oriented identification practices.

At the same time, these rules stop short of mandating universal screening or monitoring district practice, leaving the scope and structure of screening decisions to local districts. An additional policy, OAR 581-022-2500 requires each district to submit a written TAG plan to ODE and to make it publicly available on their website, increasing transparency but not prescribing specific procedures. As a result, districts maintain considerable discretion over which assessments to use, how to weigh evidence, and what thresholds to set for eligibility. This discretion has led to staggered adoption of more inclusive identification practices, with some districts implementing universal screening or native-language assessments prior to 2022, and others only recently beginning or not yet adopting these reforms.

This variation creates a unique policy environment in which state rules encourage, but do not enforce, standardization. Oregon is therefore an ideal case for examining whether changes in identification practice, spurred by policy updates and local innovation, are associated with improved access to gifted services for multilingual learners. These policy revisions are also

situated within a broader equity framework adopted by ODE, which explicitly identifies the underrepresentation of students of color, students classified as ELs, and students with disabilities in TAG programs as a critical equity concern. The equity stance emphasizes multilingualism as an asset and calls for culturally responsive identification practices, shaping both the intent and the implementation of Oregon's TAG regulations.

Taken together, the literature highlights widespread and persistent inequities in TAG identification while Oregon's policy context offers a unique opportunity to examine whether recent reforms alter those patterns. Despite calls for equity-oriented reforms, few studies have provided causal evidence on how specific practices affect the representation of multilingual learners in TAG. Even less is known about whether effects vary across student subgroups or by local implementation context. This study addresses these gaps by asking:

1. To what extent, and at what points in time, have Oregon districts adopted inclusive TAG identification practices, including universal screening, nonverbal assessments, and native-language assessments, between 2012–13 and 2023–24?
2. What is the effect of district-level adoption of universal screening on identification rates for all students, multilingual students, and EL-classified students?
3. Do the effects of these practices vary by district characteristics?

Method

This study primarily examines the effect of adopting universal screening measures on district-level identification rates for multilingual learners. It is motivated by persistent disparities in TAG identification, especially among students classified as ELs, and recent policy shifts in Oregon that aim to promote equity in identification processes. To address RQ1 on the adoption and timing of inclusive identification practices, I draw on systematic document analysis of

district TAG plans, which is then integrated with administrative data for causal analysis. To answer the additional research questions outlined, this study uses a staggered difference-in-differences (DiD) design. Oregon's flexible policy framework has led to variation in how and when districts have implemented recommended practices. This variation provides an opportunity to estimate both average and subgroup-specific treatment effects using administrative data and district-level implementation records. The goal is to understand whether inclusive practices expand access, for whom, and under what conditions.

Data

This study draws on longitudinal, student-level administrative data from ODE, compiled through the National Research and Development Center to Improve Education for Secondary English Learners, a center housed at WestEd and funded through the Institute of Education Sciences. These data span the 2012–13 through 2023–24 school years and include information on student demographics, achievement, course-taking, teacher characteristics, and school and district characteristics.

In addition to administrative data, this study draws on a second data source constructed from district-level TAG program plans and verification with district TAG coordinators. These materials were used to identify the adoption and timing of inclusive identification practices across districts, including universal screening, nonverbal assessments, and native-language assessments. This dataset provides the basis for measuring treatment and timing in the analyses that follow and were merged with the broader ODE dataset after construction.

Document Analysis of District TAG Plans

This study draws on a systematic document analysis of district TAG program plans and related materials to identify when and how districts adopted inclusive identification practices.

This component of the study addresses RQ1 and is used to construct variables related to the presence and timing of adoption of universal screening, nonverbal assessments, and native-language assessments across Oregon districts.

I began by compiling a comprehensive list of all Oregon school districts and their designated TAG coordinators in June 2025. Under OAR 581-022-2500, districts are required to maintain a written TAG plan and make it publicly available alongside contact information for the TAG coordinator. ODE provides a template for reporting that most districts utilize, greatly reducing effort required to construct these data. The ODE template prompts districts to 1) indicate whether they use universal screening, and, if so, for which grade(s); 2) list the specific assessments used for identification; and 3) describe steps taken to make the process more inclusive for underrepresented student groups (see Appendix F for the full layout of the template).

Using this requirement as a starting point, I conducted a systematic search of district websites to locate TAG plans for all districts statewide. Despite this requirement, TAG plans were not publicly available for all districts. In cases where plans could not be located online or were not publicly accessible, I contacted district TAG coordinators directly to request access. The resulting corpus of documents included TAG plans from 180 districts, representing a systematically compiled record of district-level identification practices during the study period. Plans were supplemented, where available, with additional district-provided materials and verification through direct communication via e-mail with coordinators.

Using a structured coding approach, I reviewed each TAG plan to identify whether districts reported the use of universal screening. Districts were coded as “1” if plans indicated that screening was conducted for all students within a specified grade level or set of grades. I

also recorded the grade levels in which screening occurred, and the specific assessment tools used. For each identified screener, I conducted additional review to determine whether the tool functioned as a nonverbal assessment or native-language assessment. Districts were coded as "1" for their respective characteristics. I also maintained analytic notes capturing variation in implementation, including whether nonverbal assessments were used universally or only as accommodations, and the languages in which native-language assessments were available.

In addition, I documented whether districts used the state-provided TAG plan template. This detail is analytically relevant because the template explicitly prompts districts to report on universal screening and other inclusive identification practices, which may shape how practices are documented and communicated.

To strengthen the accuracy of the dataset, I conducted follow-up outreach to TAG coordinators. For districts where universal screening practices were identified in documents, I requested confirmation of implementation, verification of screener used, and the year in which screening was first adopted. For districts where documentation was unclear or incomplete, I requested verification of whether universal screening was used and, if so, details regarding timing and implementation. Responses from coordinators were used to validate and refine coding decisions and to establish treatment timing for the DiD analysis. Implementation data were collected for 112 districts and timing data were verified for 46 districts.

Following coding and verification, the document-driven dataset was cleaned and merged with longitudinal administrative data from ODE. The resulting dataset includes district-level indicators of inclusive identification practices and their timing, which serve as the basis for estimating treatment effects in the subsequent analysis.

Sample

Oregon includes 197 school districts that vary widely in size, student demographics, and TAG identification procedures. Approximately 22% of students speak a language other than English at home, and about 18% have been classified as ELs at some point (ODE, 2025). This variation provides a useful context for examining how district-level adoption of inclusive identification practices relates to differences in identification rates across local contexts. The analytic sample consists of a district-year panel of Oregon public school districts observed between the 2012–13 and 2023–24 school years. The unit of analysis is the district-year. District-level identification rates are constructed using the full population of students enrolled in each district in each year, allowing for comparisons of TAG identification patterns before and after the adoption of inclusive practices. The analytic sample includes 85 districts for which TAG program plans were obtained and for which implementation of inclusive identification practices or lack thereof was verified. These districts form the basis of the analytic sample used in the DiD models.

Across the study period, this yields 935 district-year observations. Districts adopt inclusive identification practices at different points in time, resulting in staggered treatment timing. A total of 32 districts adopted universal screening during the study period with sufficient pre- and post-treatment units, while the remaining 53 districts serve as not-yet-treated or never-treated comparison units. Because adoption occurs at different points in time, the length of the post-treatment period varies across districts, with more limited post-period observations for districts adopting in later years. Accordingly, the analytic window extends prior to 2022 to capture early adopters and to estimate treatment effects relative to districts that adopted later or

not at all. The longer pre-period also provides additional observations to assess parallel trends, strengthening the credibility of the design.

Key variables

Outcome

The primary outcomes are district-year rates of TAG identification, constructed from student-level administrative data. For each district and year, I calculate the proportion of students enrolled in that district during the academic year who are identified for TAG services. At the student level, TAG identification is measured using an annual indicator reflecting whether a student was identified for TAG services in a given year. Students are counted once per academic year, and district-year rates are calculated by aggregating this indicator across all enrolled students within each district.

To examine variation across student populations, I estimate separate models using alternative outcome definitions, including TAG identification rates for (a) multilingual learners, (b) students ever classified as ELs, and (c) students who were never assessed for services. In each case, the outcome represents the proportion of students within the specified population who are identified for TAG services in a given district-year. Multilingual learners are defined broadly to include students currently classified as ELs, students who have been reclassified as fluent English proficient, and students who speak a language other than English at home but were never classified as ELs. Additionally, exploratory analyses examine identification patterns for students with disabilities, given longstanding disparities in gifted representation for this group. These results are presented as supplementary findings and are not used as primary tests of treatment effects.

TAG identification is documented annually and reflects district-level identification decisions. ODE recognizes five domains of giftedness for identification: intellectual ability, academic ability, creativity, leadership, and visual or performing arts, and districts retain discretion over which domains to assess. Beginning in 2022, ODE reporting collapses these domains into a single binary TAG indicator. For earlier years, I construct a comparable binary measure indicating whether a student was identified in any TAG domain.

Key Predictors

The focal predictor is a district-level indicator for adoption of universal screening, defined as whether the district implemented universal screening at any grade level for TAG eligibility in a given year. This definition aligns with prior research conceptualizing universal screening as the replacement of referral-based identification systems with systematic evaluation of entire student cohorts (e.g., Card & Giuliano, 2016).

Universal screening is coded at the district-year level, with districts classified as treated beginning in the first year in which such practices are implemented. Coding treatment at the district level captures the shift from referral-dependent identification toward systematic screening, while allowing for variation in the specific grade levels and assessment instruments used across districts.

In the Oregon context, it is important to distinguish between universal screening as defined in the literature and the baseline assessment infrastructure already in place statewide. All students participate in annual statewide standardized assessments in reading and math, and state policy recognizes high performance on these assessments as one piece of qualifying evidence for TAG identification in academic domains. As a result, a form of cohort-wide assessment is already embedded in the state system. However, prior research has shown that reliance on

standardized achievement measures obscure gifted potential, as these assessments reflect differential access to learning opportunities and contribute to the underrepresentation of culturally and linguistically diverse students in gifted programs (Ford et al., 2008; Peters et al., 2019), limiting their alignment with the inclusive aims of universal screening. And because this statewide testing system is consistently implemented across districts and over time, it does not provide meaningful variation for causal identification and is not treated as the policy exposure in this study. Thus, instead, the treatment captures the adoption of additional district-level screeners that expand identification beyond referral-based processes and beyond reliance on statewide achievement data. This approach yields a conservative estimate of the effects of universal screening by isolating the impact of screening practices designed to reduce linguistic and opportunity-based bias in identification.

In addition to universal screening, I construct indicators for the use of nonverbal screening tools, i.e., whether the district used nonverbal cognitive measures (e.g., NNAT) as part of its identification process, and native-language screening tools, i.e., whether the district administered assessments in students' home languages or using translated versions. These measures capture variation in the types of assessments districts use within their identification systems. Due to limited adoption and insufficient variation over time, these measures are included descriptively but are not used as treatment variables in the causal analysis.

District Context Measures

District-level stratification variables include multilingual learner concentration, district size, per-pupil expenditure, and urbanicity. These characteristics are selected because they plausibly shape both the capacity and incentive structure for implementing universal screening.

District measures are constructed from annual administrative aggregates and publicly reported financial data. Total enrollment and the proportion of students classified as multilingual learners are derived from district-level student records. Per-pupil expenditure is drawn from Oregon Department of Education financial reports published under the Every Student Succeeds Act and linked by district-year. Urbanicity classifications are based on locale codes published by the National Center for Education Statistics and linked by district name.

For heterogeneity analyses, selected continuous measures (multilingual learner concentration, district size, and per-pupil expenditure) are transformed into binary indicators (e.g., high versus low) using cut points defined relative to pre-treatment distributions. These binary splits are used in stratified model specifications to examine whether treatment effects differ across district contexts, rather than as covariates in the primary models.

Identification Strategy

The study exploits district-by-year variation in the adoption of universal screening to estimate its effect on the proportion of students identified for TAG services. Because Oregon districts adopted this practice at different times, the setting lends itself to a staggered DiD design. The primary comparison is the change in outcomes within a district before and after adoption, evaluated relative to districts that have not yet adopted in the same year. In other words, the design compares districts to themselves over time while using not-yet-treated districts to anchor contemporaneous counterfactual trends. For example, if District A begins universal screening in 2019–20 and District B in 2022–23, District A's post-adoption change is compared to changes observed in districts that had not yet adopted by 2019–20. Once District B adopts in 2022–23, its post-adoption change is evaluated relative to districts that remain untreated at that point. These cohort-specific comparisons are then aggregated to estimate the overall treatment effect.

Causal identification rests on standard DiD conditions adapted to staggered adoption. The central requirement is a parallel-trends assumption: districts would have exhibited similar trends in TAG identification for multilingual learners absent adoption. Following common practice in staggered DiD applications, this assumption is evaluated using event-study plots that display outcomes in the years leading up to and following adoption (Freyaldenhoven et al., 2021; Roth, 2022; Roth et al., 2023).

The design also assumes that adoption does not influence outcomes prior to implementation (i.e., no anticipatory effects). In the Oregon context this assumption is plausible because adoption of universal screening or new assessments generally required substantial coordination, including purchasing tests, training staff, and integrating new procedures into district systems. These changes are unlikely to affect district-wide identification patterns before the official rollout. While an individual school or leader could theoretically attempt to broaden consideration of students informally, the effort required to administer assessments universally or in multiple languages without support from the district TAG coordinator makes widespread anticipatory effects improbable. Following conventions and recommendations in other staggered adoption studies, this assumption will be evaluated empirically by examining lead coefficients in the event-study models. Significant pre-adoption effects would indicate potential anticipatory effects and trigger additional sensitivity checks that shift adoption year (e.g., Callaway & Sant'Anna, 2021; Sun & Abraham, 2021).

The design further assumes limited interference across districts (i.e., no spillover effects), meaning that one district's adoption of inclusive practices does not directly affect another district's TAG identification outcomes. This assumption is plausible because TAG identification is governed locally in Oregon. Districts set their own criteria, administer their own assessments,

and report results independently. While it is possible that professional networks or regional trainings could diffuse knowledge on inclusive practices, such influences would likely affect the timing of adoption rather than directly altering identification decisions. Moreover, most DiD designs assume no interference across units, though more formal treatment of spillovers in staggered designs is emerging (e.g., Fiorini et al., 2024).

Two additional concerns are particularly salient. First, timing measurement error is possible when plan documentation is imprecise or when practices are rolled out mid-year. To mitigate this, timing is verified with coordinators whenever the plan does not provide a named assessment or year of implementation. Although adoption status relies in part on district-reported information, large-scale misclassification is unlikely. Adopting universal screening requires considerable district-wide coordination and purchasing materials that are typically documented in district records. As a result, while some imprecision in the exact year of rollout may still remain in cases where coordinators did not reference records, systematic reporting error across districts is unlikely.

Additionally, adoption is likely not random. Districts that adopt earlier may differ from later adopters in ways related to capacity, leadership priorities, or prior identification practices. In these cases, estimated treatment effects may capture pre-existing trends or concurrent reforms rather than the causal impact of universal screening. Consistent with current practice in applied DiD, I will take several steps that limit how much these differences can bias estimates and make any residual dependence transparent. First, I use not-yet-treated districts as the counterfactual group, comparing early adopters to districts that have not yet implemented universal screening but do so later in the study period. This approach prioritizes comparisons among districts that eventually adopt, improving comparability relative to comparisons with never-treated districts,

which may differ systematically in ways related to capacity or policy orientation. Never-treated districts are included in supplementary specifications to assess robustness but are not relied upon as the primary counterfactual due to the possibility that they represent a substantively different set of districts. I estimate event-study profiles and group-time average treatment effects with modern staggered estimators. This comparison set is adopted in recent methods to account for problematic weighting in conventional two-way fixed effects (TWFE) models and to anchor counterfactual trends among exposed districts to the same statewide shocks (e.g., the 2022 shift in policy) via year fixed effects (Callaway & Sant'Anna, 2021).

As a supplementary specification, I estimate a conventional TWFE model anchored to the statewide policy introduction year. Although adoption timing varies across districts, the 2022 revision to state TAG guidance represents a common institutional shock that may have shifted identification practices broadly, including among districts that had not formally adopted universal screening. Estimating a model that treats the policy introduction as a common post period allows assessment of whether identification rates changed statewide following the rule revision, independent of district-specific adoption timing. This specification complements the staggered adoption design by capturing average post-policy shifts. Because implementation of universal screening was neither simultaneous nor uniform across districts, and because the primary research question concerns district-level adoption timing, I do not treat this specification as the main identification strategy.

Second, I restrict the analytic sample to adoption cohorts in which at least three districts adopt universal screening in the same year. This robustness check drops years with very small adoption cohorts that could exert disproportionate influence on estimates. Third, I assess sensitivity to potential violations of the parallel trends assumption by trimming districts that

exhibit extreme pre-treatment trends in TAG identification rates. These are standard checks recommended in recent syntheses of the DiD literature (Roth et al., 2023). Finally, because perfect parallel trends is a strong claim, I assess pre-treatment dynamics using the event-study specification. Event-study estimates of treatment effects in pre-adoption years are examined to determine whether they are substantively small and statistically indistinguishable from zero. This non-parametric assessment allows departures from parallel trends to be made transparent and provides a direct test of whether treated districts exhibited differential trends prior to adoption.

Estimation approach

The first stage of analysis will begin by examining how many districts adopted universal screening, nonverbal assessments, and/or native-language assessments across the state and at what points in time. The research question will be addressed descriptively, using the district-by-year dataset constructed from publicly available TAG plans to generate a simple descriptive table. I will also calculate how often practices overlap, for example, the use of both nonverbal and native-language assessments, or the use of universal screening alongside more inclusive assessments.

To estimate the effect of district adoption of universal screening, nonverbal assessments, and native-language assessments on the identification of multilingual learners, I employ the staggered DiD framework described above as the focal analysis. Traditional TWFE models used in DiD designs have well-documented limitations when applied to staggered policy adoption, particularly in the presence of treatment effect heterogeneity (Goodman-Bacon, 2021). In such cases, TWFE estimators can produce biased or misleading average treatment effects due to negative weighting or inappropriate comparisons across treated and untreated groups at different times. Negative weighting arises in TWFE models because the overall estimate is constructed as

a weighted average of many two-group, two-period comparisons. When districts that adopt earlier are used as controls for districts that adopt later, some of these comparisons receive negative weights. As a result, districts with large positive effects can receive negative weight in the aggregating, pulling the overall estimate downward.

To address these concerns, this study employs the generalized DiD estimator developed by Callaway and Sant'Anna (2021), which responds to a growing body of critiques of TWFE models in staggered settings. Their approach makes it possible to estimate policy effects even when the impact of adoption differs across districts or changes over time. Instead of averaging all possible comparisons, this approach estimates group-time average treatment effects by comparing treated districts to an explicitly defined comparison group, thereby avoiding the pitfalls of standard TWFE identified by Baker and colleagues (2022), Borusyak and colleagues (2024), de Chaisemartin and D'Haultfœuille (2020), Goodman-Bacon (2021), Sun and Abraham (2021), and Athey and Imbens (2018). This method is particularly well suited for settings where different units adopt the policy at different points in time.

The estimator I will use follows Callaway and Sant'Anna's (2021) approach. It calculates group-time average treatment effects (ATTs), which are simply the estimated impact for each group of districts (grouped by timing of implementation) in each year after adoption. These estimates can then be averaged to report an overall effect, or disaggregated to show how impacts vary across districts and time. The method also incorporates doubly robust estimation by combining outcome regression with inverse probability weighting, which makes the estimates more reliable even if one of the approaches is not perfectly specified.

A key advantage of this approach is that it makes the timing of effects more transparent. Instead of producing a single number that averages across early- and late-adopting districts, the

estimator decomposes effects by cohort and period. For example, it can show whether districts that adopted universal screening in 2016 experienced an immediate increase in multilingual student identification while those adopting in 2020 saw slower or smaller effects. This is an expected pattern given COVID disruptions that a TWFE model with a different estimator would fail to capture. The Callaway and Sant'Anna (2021) approach also allows for testing parallel trends within each adoption group and generating event-study style plots that compare pre- and post-adoption trends.

Formally, the model is specified as:

$$Y_{dt} = \alpha + \tau_{gt} D_{gt} + \delta_t + \gamma_d + \varepsilon_{dt} \quad (4.1)$$

Where Y is the district-level proportion of students identified for TAG in district *d* in year *t*; *D* is the group-time treatment indicator for group *g* (i.e., cohort defined by treatment timing) set to a value of 0 for district *d* in years prior to implementation and 1 upon adoption of universal screening for all years following; τ represents the treatment effect for group *g* in time *t*; δ are year fixed effects to account for time shocks affecting all districts; γ are district fixed effects to control for time-invariant district characteristics; and ε is the error term. Standard errors will be clustered at the district level to account for intra-district correlation in outcomes and implementation patterns. The coefficients of interest in this model are the group-time average treatment effects (τ), which represent the effect of adopting a given practice for districts that adopted in cohort *g* in period *t*. Examining these effects separately allows me to see whether early- and late-adopting districts experienced different trajectories, and whether the size or timing of impacts shifted in response to broader shocks such as COVID. For reporting, I will summarize overall average effects and will highlight meaningful variation across cohorts and

periods. I estimate these models for the overall proportion of students identified for TAG, as well as for multilingual learners and EL-classified students.

RQ3 examines whether effects vary by district characteristics. To do so, I estimate subgroup-specific versions of the DiD model described above, focusing on district-year identification rates for multilingual learners. In practice, this involves stratifying districts into groups based on characteristics such as multilingual learner concentration, per-pupil expenditure, district size, and urbanicity. Separate models are then estimated within each subgroup.

Within each subgroup, I estimate group-time ATTs using the same specification described above. Comparisons across subgroups are made by examining differences in the magnitude and trajectory of estimated effects across these models. Because subgroup membership is fixed prior to treatment and models are estimated separately, these comparisons are descriptive rather than based on formal statistical tests of differences within a unified model. Given the smaller number of districts within each subgroup, these analyses are considered exploratory and may be underpowered to detect modest differences in effects across district contexts. Event-study plots are used to visualize pre- and post-adoption trends within each subgroup, providing a descriptive assessment of whether effects differ systematically across district characteristics.

Estimation for all models will be conducted using the {did} package in R which implements the Callaway and Sant'Anna framework. I will rely on a doubly robust procedure, which combines outcome regression and inverse probability weighting to adjust for observed covariate imbalance and to improve efficiency. I will present results as overall aggregated treatment effects and disaggregated group-time effects. I will present these results alongside visual diagnostics to assess model assumptions.

Power and Minimum Detectable Effects

To assess whether the estimation approach is sufficiently powered to detect substantively meaningful effects, I conduct design-specific power analyses tailored to the staggered DiD framework. Recent methodological work highlights that statistical power in staggered DiD designs depends not only on the number of units but also on outcome variability, serial correlation, treatment timing, and effect heterogeneity (Schochet, 2022; Egerod & Hollenbach, 2026). Even panels that appear large in terms of units and years may be underpowered to detect substantively meaningful effects. Accordingly, rather than relying on sample size alone, I conduct design-specific power assessments tailored to the data structure to evaluate whether the study is sufficiently powered to detect substantively meaningful treatment effects of plausible magnitude and to assess how limited power may shape interpretation of null findings.

However, assessing statistical power in staggered DiD designs is more complex than in a simple two-group comparison. In this study, districts adopt universal screening at different points in time, the comparison group changes as adoption spreads, and the final estimate aggregates effects across cohorts and post-adoption years. Because of these features, there is no single closed-form minimum detectable effect (MDE) formula that corresponds to the estimator used in the main analysis. To address this, I used two complementary strategies.

First, I calculate approximate MDEs using observed variability in the outcome. One calculation uses the overall standard deviation of district-level identification rates (SD = 0.049). This treats the analysis as if it were a simple comparison between treated and untreated districts and therefore provides a conservative estimate of the effect size the design could detect. A second calculation uses the standard deviation of within-district year-to-year changes (SD = 0.024). Because DiD relies on changes over time within districts, this change-based measure

more closely reflects the logic of the design. Identification rates are highly stable within districts over time (lag-1 correlation = 0.88), meaning that year-to-year changes are less variable than overall cross-sectional differences. As a result, detectable effects under the year-to-year approximation are smaller. Under the cross-sectional calculation, the design can detect effects of approximately 3.09 percentage points at 80% power and 3.57 percentage points at 90% power. Under the within-district calculation, the detectable thresholds are approximately 1.52 percentage points at 80% power and 1.75 percentage points at 90% power. These calculations simplify the staggered adoption structure and therefore should be interpreted as approximate bounds rather than exact thresholds (for summary, see Table 4.1).

Table 4.1
Minimum Detectable Effects Under Alternative Variability Assumptions

Assumption	Standard Deviation	80% Power	90% Power
Approximate Analytical MDEs			
Cross-sectional	0.049	3.09	3.57
Within-district change	0.024	1.52	1.75
Simulation-Based Power			
Staggered DiD		1.25	1.50

Note. Treated districts = 32; never-treated districts = 53. Outcome mean = 3.22%. Serial correlation (lag-1) = 0.88. MDE calculations use a two-sample approximation and should be interpreted as bounds rather than exact thresholds for the staggered DiD estimator.

Second, to better align the power analysis with the actual staggered DiD design, I conducted a simulation-based analysis. Using the observed district panel and adoption timing, I added assumed treatment effects of varying magnitudes that begin in the year of adoption and persist thereafter. For each assumed effect size, I repeatedly re-estimated the same Callaway and Sant'Anna staggered DiD model used in the main analysis and recorded how often the null hypothesis of no effect was rejected at the 5% significance level. The power curve is visualized in Figure 4.2. The simulation results indicate that the design achieves approximately 80% power

to detect effects of 1.25 percentage points and 90% power to detect effects of 1.50 percentage points when aggregating post-adoption effects over event times 0–2. Power increases sharply beyond this range, approaching 100% for effects of 2 percentage points or larger. In contrast, effects of 0.5 percentage points or smaller are detected infrequently under this design.

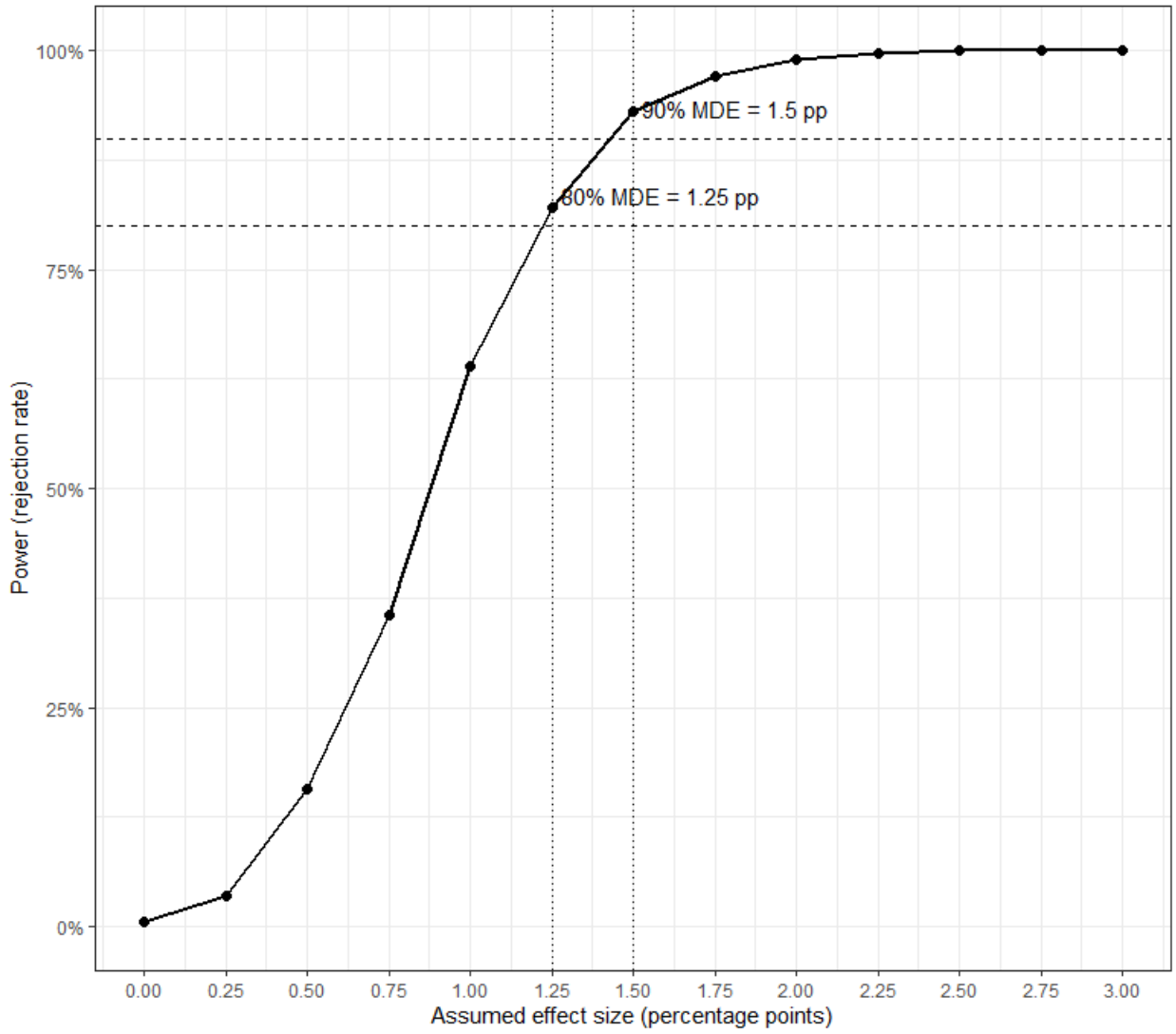
Across both approaches, the design appears well-powered to detect moderate district-level shifts in identification rates. However, smaller effects may be more difficult to detect within the available observation window, particularly if they are gradual, concentrated among late adopters, or heterogenous across districts. This is especially relevant given that adoption accelerated in 2023–24, the final year of outcome data, leaving limited post-adoption exposure for many districts. Accordingly, estimates from this design should be interpreted as most sensitive to moderate district-level shifts in identification rates. Smaller effects may be more difficult to detect within the available observation window, particularly if they are gradual, concentrated among late adopters, or heterogeneous across districts.

Findings

This section presents findings related to (1) the uptake of inclusive TAG identification practices across districts in Oregon and (2) the estimated effect of adopting universal screening on district-level TAG identification rates overall and for multilingual learners. I begin with descriptive evidence on adoption patterns and implementation features, then turn to staggered DiD estimates of the impact of universal screening adoption, followed by sensitivity analyses, power considerations, and exploratory heterogeneity tests.

Figure 4.2

Simulation-based Power Curve for Staggered DiD Estimator



Note. DiD = Difference-in-differences. MDE = Minimum Detectable Effect. pp = percentage points. Power computed over post-adoption event times 0-2 with 500 bootstrapped replications per effect size.

Uptake of Inclusive Identification Practices

Across 178 Oregon districts for whom district TAG plans were collected, inclusive identification practices are present but unevenly adopted. Just over half of districts (57%) report some form of universal screening. Forty-one percent report using a nonverbal assessment, and only 7% report using a native-language assessment. Although these figures suggest meaningful

uptake of broader identification practices, examining how these practices co-occur reveals a more constrained pattern.

More than one-third of districts (37%) report using none of the three inclusive practices. Universal screening most commonly appears in combination with nonverbal assessments (32% of districts), while only 3% report implementing all three practices simultaneously (see Table 4.2). Native-language assessment is rare in any configuration, underscoring the limited infrastructure for identification using bilingual tools statewide. In practice, nonverbal assessments frequently function as the primary accommodation for multilingual students rather than as one component of a broader linguistically responsive identification system.

Table 4.2
Prevalence and Co-Occurrence of Inclusive TAG Identification Practices Across Oregon Districts

Practice	N	%
Universal screening	112	0.57
Nonverbal assessment	82	0.41
Native-language assessment	13	0.07
Universal screening only	41	0.21
Nonverbal assessment only	9	0.05
Native-language assessment only	1	0.01
Universal screening + Nonverbal assessment	63	0.32
Universal screening + Native-language assessment	2	0.01
Nonverbal + Native-language assessment	4	0.02
All practices	6	0.03
None	73	0.37

Note. Percentages reflect proportion of all Oregon districts for which TAG plans were collected (N = 178).

I was able to collect data on the timing of implementation for 46 districts, out of the total 112 districts that indicated they were using some form of universal screening (41%). Reported implementation timelines indicate that adoption of universal screening has accelerated in recent years, as has adoption of nonverbal screening tools (see Table 4.3). I am unable to verify whether the use of native-language tools has had a similar trajectory given low adoption rates and lack of

response to verify implementation timing. While a small number of districts report implementing universal screening practices prior to 2012–13, the largest concentration of adoption occurs after 2018, with a noticeable uptick in 2023–24 following revisions to statewide TAG policy. These descriptive patterns suggest growing alignment with state-level guidance over time.

Table 4.3
Adoption of Inclusive Practices Over Time

Year	Universal Screening	Nonverbal Assessments	Native-language Assessments
2003–04	1	1	
2005–06	1	0	
2009–10	3	2	
2010–11	1	1	
2012–13	1	1	
2013–14	1	0	
2014–15	1	0	
2015–16	2	3	
2016–17	2	1	
2017–18	2	2	
2018–19	3	3	
2019–20	4	3	
2021–22	3	4	
2022–23	4	3	
2023–24	11	3	
2024–25	5	3	
2025–26	1	1	
Total	46	31	0

Note. Cells for native-language assessments are empty due to inability to verify timing with district coordinators.

Variation in Implementation

Importantly, district plans reveal substantial variation in how these practices are defined and operationalized. Many districts continue to rely on fixed percentile cutoffs on statewide standardized achievement assessments as their primary identification mechanism. Although some districts labeled this approach “universal screening,” state guidance distinguishes universal

screening from sole reliance on statewide achievement tests with general cut scores. Consistent with the coding approach described earlier, districts that labeled their practices as "universal screening" but described relying solely on statewide achievement assessments were coded as not implementing universal screening.

Further, universal screening is rarely implemented across all grade levels simultaneously. In most districts, screening is concentrated in early elementary grades (e.g., kindergarten through grade 2), with fewer districts screening at later entry points (see Table 4.4). This grade-level concentration means that screening opportunities are often limited to a narrow developmental window. Students who enter districts after early elementary grades, such as multilingual newcomers, may therefore have fewer structured opportunities for identification unless additional referral-based pathways are activated. As a result, the operational design of screening may shape who is exposed to evaluation, even in districts formally reporting universal adoption.

Table 4.4
Grades Screened in Oregon

Grade level	Number of districts	%
Kindergarten	3	0.03
1	4	0.04
2	91	0.81
3	24	0.21
4	16	0.14
5	9	0.08
6	13	0.12
7	3	0.03
8	4	0.04
9	6	0.05
10	2	0.02
11	2	0.02
12	2	0.02

Note. Percentages represent the proportion of Oregon districts implementing universal screening (N = 112). Districts may screen multiple grades; therefore, counts across grades are not mutually exclusive.

Plans also frequently conflate nonverbal and native-language assessment in ways that complicate the meaning of "linguistically inclusive" identification. In many cases, districts describe the use of a nonverbal tool for multilingual students as evidence of linguistic responsiveness, without reference to assessment in students' home languages. While nonverbal assessments may reduce reliance on English proficiency, they do not provide information about students' academic or cognitive performance in their primary language. As a result, the designation of nonverbal screening as "inclusive" may reflect a narrower accommodation than the term suggests.

Additionally, a small number of district plans explicitly reference English language proficiency assessments or rate of English acquisition as part of the portfolio of evidence for identification without explicit justification for their inclusion or explanation of how they are used. This practice blurs the conceptual distinction between language development and the constructs that TAG identification is intended to measure. English proficiency assessments are designed to measure language acquisition rather than advanced academic aptitude. When incorporated into identification decisions without clear justification, they risk positioning English proficiency or speed of English acquisition as a proxy for ability, or as an implicit gatekeeping mechanism within the evaluation process. Accelerated language acquisition may reflect strong learning capacity, but it may also reflect prior educational exposure, support received outside of the classroom, existing literacy foundations, or other contextual factors not directly related to domain-specific giftedness.

Referral-based pathways remain prominent across plans; several districts continue to require teacher or parent referral prior to screening or evaluation. These procedural features may function as access barriers, particularly for families navigating language differences or

unfamiliarity with district processes. Although universal screening is intended to reduce reliance on discretionary referral, these procedural requirements suggest that referral structures in some districts may operate alongside screening practices rather than being replaced by them.

During follow-up conversations conducted to clarify adoption timing and assessment type, several coordinators describe discrepancies between what was documented in their district TAG plan and what was currently implemented in practice. In some cases, coordinators described practices listed in the plan as still in progress. Others characterized certain screening procedures as aspirational goals that had not yet been operationalized due to funding constraints, competing district priorities, or other resource limitations. Funding emerged repeatedly as a practical constraint. Some coordinators reported wanting to adopt more inclusive screening tools—particularly using multiple measures or adopting nonverbal or bilingual assessments—but described those instruments as cost-prohibitive for their district. In these cases, the screening approach documented in the plan reflected what was feasible rather than what coordinators viewed as ideal. These conversations suggest that formal plan documentation may not always correspond to fully realized implementation. As a result, the treatment variable in the analyses that follow should be understood as capturing documented adoption rather than verified intensity or fidelity of implementation.

Together, these descriptive findings indicate that inclusive identification practices are spreading but not uniformly implemented. Universal screening is increasingly common, yet native-language assessment remains rare, and nonverbal tools are often positioned as substitutes rather than complements to linguistically responsive assessment. Although nonverbal assessments are intended to reduce linguistic bias, prior research suggests they do not fully eliminate it, raising questions about their use as a primary accommodation for multilingual

students. At the same time, referral-dependent systems persist alongside screening structures and variation in implementation fidelity is a known potential confounder. These implementation patterns provide important context for interpreting the causal estimates that follow.

Effect of Universal Screening Adoption

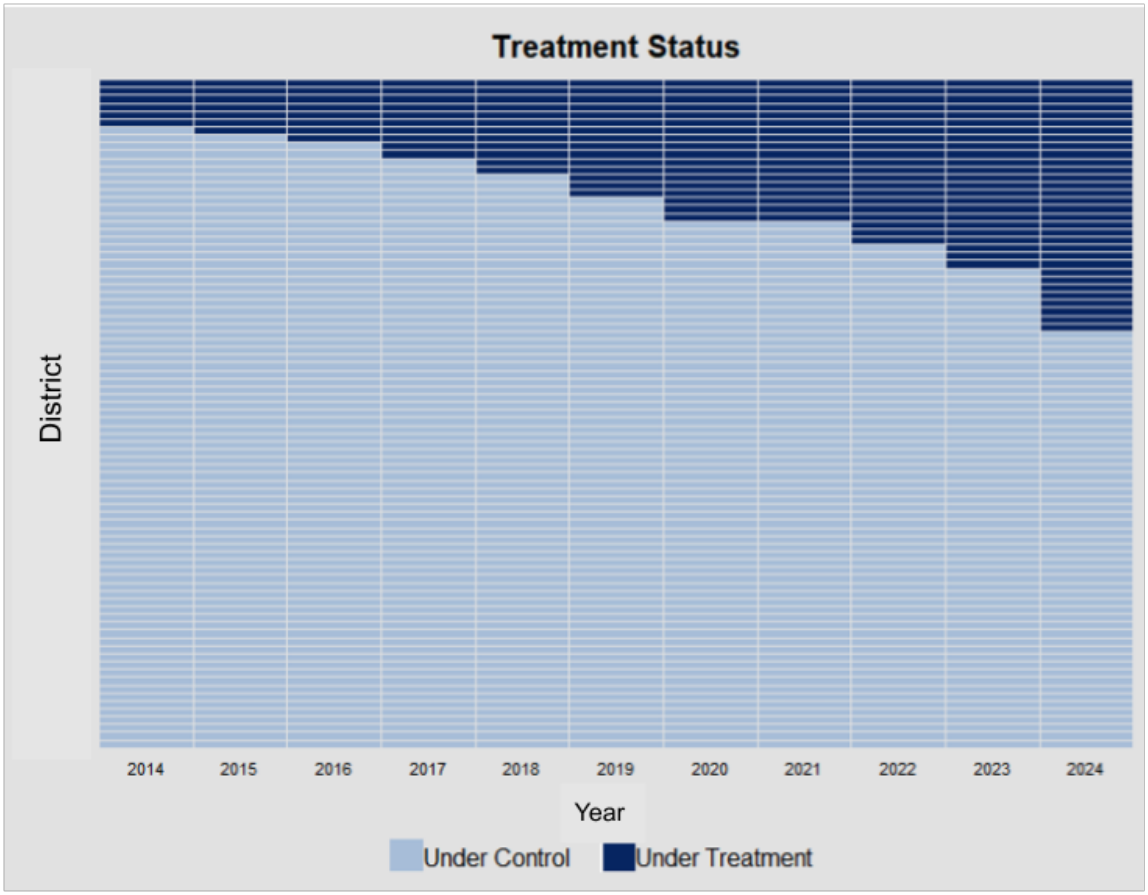
To estimate the impact of universal screening adoption on district-level TAG identification rates, I employ a staggered DiD framework using the Callaway and Sant'Anna (2022) estimator. The analytic sample includes 85 districts where treatment and timing could be identified during the study period, including 32 districts that adopted universal screening during the study period and 53 districts that did not. Some districts adopted universal screening prior to the study period, as early as 2004, and were dropped from the analytic sample.

Adoption of universal screening increased steadily over time within this sample, rising from approximately 7% of districts in 2014 to 38% in 2024 (see Table 4.5). Importantly, districts adopted at different points during the study window rather than in a single coordinated year. As shown in Figure 3, adoption is staggered across districts, with the largest number of uptake occurring in 2023–24, the final year of outcome data. This variation in treatment timing is central to the identification strategy, as it allows districts that have not yet adopted to serve as contemporaneous controls for districts that have already adopted.

The primary specification compares adopting districts to districts that had not yet adopted in a given year, clustering standard errors at the district level. This estimator produces cohort-specific treatment effects that are then aggregated into an overall ATT.

Figure 4.3

Staggered Adoption of Universal Screening Across Districts, 2014–2024



Note. Each row represents a district-year observation. Dark shading indicates years in which the district implemented universal screening.

Overall TAG Identification

Across district-year analyses, the estimated overall effect of universal screening on total TAG identification rates is small and statistically indistinguishable from zero (ATT = 0.0024, SE = 0.0064). The 95% confidence interval ranges from approximately -1.0 to +1.5 percentage points. Substantively, this estimate corresponds to a change of roughly 0.24 percentage points in district-level identification rates, a magnitude that is small relative to baseline variation across districts (see Table 4.6).

Table 4.5

Adoption of Universal Screening Over Time in District-Year Panel

Year	Not-Yet-Treated	Treated	Percent Treated
2013–14	79	6	7.1%
2014–15	78	7	8.2%
2015–16	77	8	9.4%
2016–17	75	10	11.8%
2017–18	73	12	14.1%
2018–19	70	15	17.6%
2019–20	67	18	21.2%
2020–21	67	18	21.2%
2021–22	64	21	24.7%
2022–23	61	24	28.2%
2023–24	53	32	37.6%

Event-study estimates further support this interpretation. Pre-treatment coefficients cluster near zero with confidence intervals overlapping zero, indicating no systematic difference between adopting and non-adopting districts prior to implementation and providing evidence that the parallel trends assumption holds. Coefficients in the year immediately preceding adoption (event time = -1) remain close to zero, providing no evidence of anticipatory effects. Post-adoption estimates fluctuate slightly but do not display sustained gains in identification rates (see Table 4.7). Figure 4.4 provides this information visually, across the full sample and for multilingual student groups.

Table 4.6

Staggered Difference-in-Differences Estimates of Universal Screening Adoption on District-Level TAG Identification Rates

TAG Identification Rate	ATT	SE	95% CI	Sig.
All students	0.0024	0.0064	[−0.0089, 0.0138]	
Multilingual students	-0.0002	0.0008	[-0.0018, 0.0014]	
Eligible for EL services	0.0002	0.0002	[−0.0002, 0.0006]	
Eligible for special education services	0.0000	0.0003	[-0.0003, 0.0004]	

Note. ATT = Group-level average treatment on the treated. SE = Standard error. CI = Confidence interval. Sig. = Significance level. * indicates the 95% confidence interval does not include 0. Estimates from Callaway & Sant'Anna staggered DiD estimator with district-clustered standard errors. Effects represent percentage-point changes in district-level identification rates.

Table 4.7

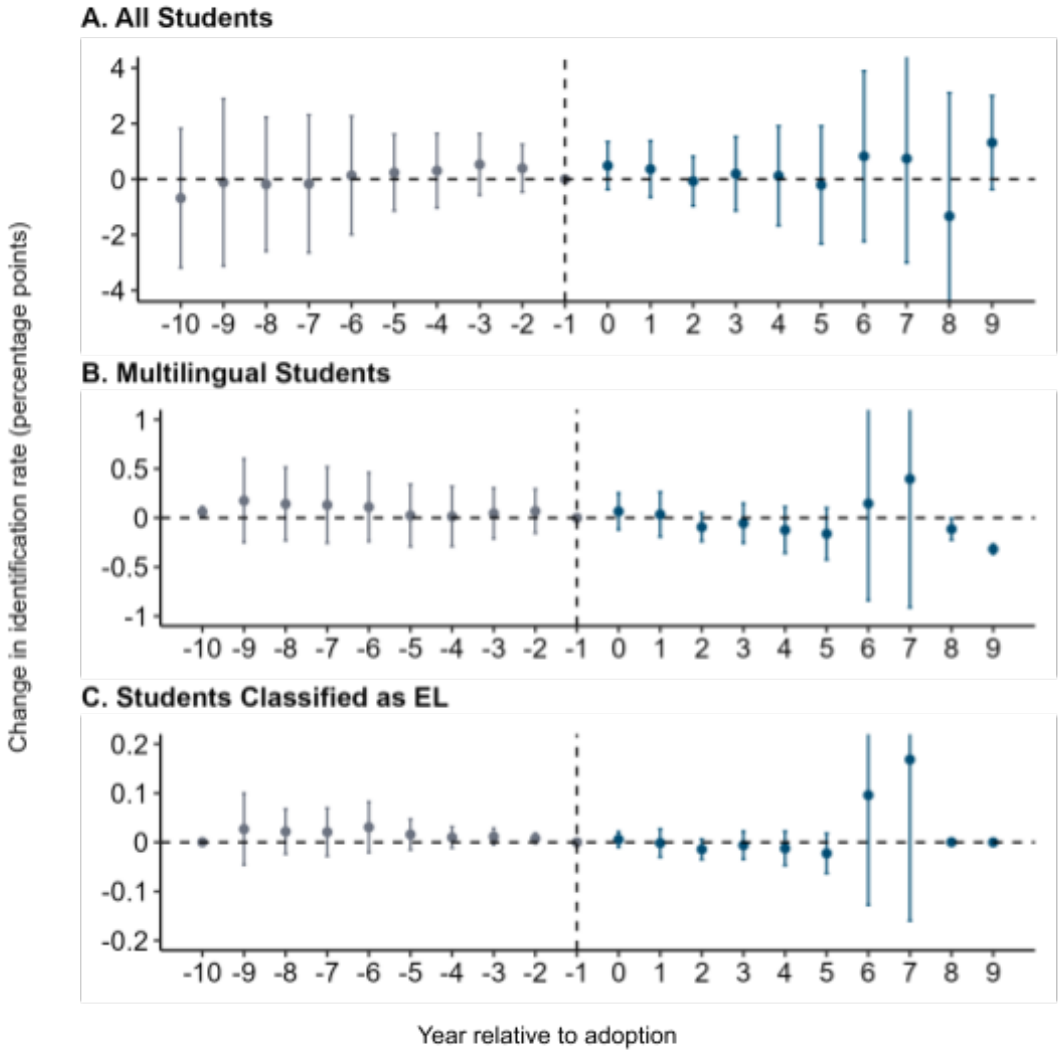
Event-Study Estimates of Universal Screening Adoption on Overall TAG Identification Rates

Event Time	Estimate	SE	95% CI	Sig.
-10	-0.0068	0.0097	[-0.0302, 0.0166]	
-9	-0.0012	0.0121	[-0.0304, 0.0280]	
-8	-0.0018	0.0093	[-0.0242, 0.0206]	
-7	-0.0017	0.0104	[-0.0269, 0.0236]	
-6	0.0014	0.0086	[-0.0194, 0.0221]	
-5	0.0024	0.0060	[-0.0121, 0.0169]	
-4	0.0030	0.0054	[-0.0100, 0.0161]	
-3	0.0053	0.0047	[-0.0060, 0.0166]	
-2	0.0039	0.0035	[-0.0044, 0.0123]	
0	0.0049	0.0035	[-0.0037, 0.0134]	
1	0.0036	0.0040	[-0.0061, 0.0134]	
2	-0.0007	0.0038	[-0.0098, 0.0084]	
3	0.0019	0.0053	[-0.0110, 0.0149]	
4	0.0012	0.0073	[-0.0164, 0.0188]	
5	-0.0021	0.0091	[-0.0241, 0.0199]	
6	0.0083	0.0117	[-0.0199, 0.0364]	
7	0.0074	0.0171	[-0.0339, 0.0487]	
8	-0.0133	0.0200	[-0.0618, 0.0352]	
9	0.0132	0.0069	[-0.0036, 0.0299]	

Note. SE = Standard error. CI = Confidence interval. Sig. = Significance level. * indicates the 95% confidence interval does not include 0. Event time -1 omitted as reference category.

Figure 4.4

Dynamic Effects of Universal Screening Adoption on TAG Identification Rates



Note. EL = English learner. Event time -1 is the omitted reference category. The vertical dashed line marks the final pre-treatment period. Estimates are shown in percentage points; coefficients from the event-study models are multiplied by 100 for ease of interpretation.

Multilingual Learners and Students Classified as ELs

For multilingual learners, the estimated ATT is essentially zero (ATT = -0.0002, SE = 0.0008). This corresponds to a change of approximately -0.02 percentage points, with confidence intervals spanning small positive and negative values. In other words, adoption of universal

screening does not measurably shift district-level TAG identification rates for multilingual students.

Similarly, for students currently classified as ELs, the estimated effect is extremely small and statistically indistinguishable from zero (ATT = 0.0002, SE = 0.0002). Given descriptive evidence that nonverbal assessments were being used more often than native-language tools, I also examined whether identification patterns shifted for students receiving special education services as an exploratory analysis. Although nonverbal assessments were most often discussed in the context of linguistic accessibility, they may also reduce certain verbal or expressive demands that can affect evaluation processes more broadly. If changes in screening format were altering identification dynamics for students facing assessment-related barriers, those shifts may be detectable among students receiving special education services. However, students receiving special education services showed no detectable effect following universal screening adoption, with estimates numerically indistinguishable from zero across event times.

Although some long-horizon event-time coefficients reach statistical significance in isolated years, these estimates are small in magnitude and rely on early-adopting cohorts (see Table 4.8). They do not form a consistent pattern of post-adoption growth and therefore do not alter the substantive interpretation.

The staggered DiD results suggest that, at the district-year level aggregate level, adoption of universal screening does not produce detectable increases in overall TAG identification or in representation of multilingual learners within TAG programs.

Table 4.8

Event-Study Estimates of Universal Screening Adoption on Overall TAG Identification Rates for Student Subgroups of Interest

Event Time	Estimate	SE	95% CI	Sig.
Multilingual learners				
-10	0.0006	0.0002	[0.0002, 0.0010]	*
-9	0.0018	0.0015	[-0.0014, 0.0049]	
-8	0.0014	0.0014	[-0.0014, 0.0042]	
-7	0.0013	0.0014	[-0.0016, 0.0043]	
-6	0.0011	0.0013	[-0.0016, 0.0038]	
-5	0.0002	0.0012	[-0.0022, 0.0027]	
-4	0.0001	0.0011	[-0.0021, 0.0024]	
-3	0.0005	0.0009	[-0.0014, 0.0023]	
-2	0.0007	0.0008	[-0.0010, 0.0023]	
0	0.0007	0.0007	[-0.0008, 0.0021]	
1	0.0003	0.0009	[-0.0014, 0.0021]	
2	-0.0009	0.0005	[-0.0020, 0.0001]	
3	-0.006	0.0007	[-0.0021, 0.0010]	
4	-0.0012	0.0008	[-0.0028, 0.0003]	
5	-0.0016	0.0010	[-0.0037, 0.0005]	
6	0.0015	0.0036	[-0.0058, 0.0087]	
7	0.0040	0.0055	[-0.0074, 0.0153]	
8	-0.0011	0.0004	[-0.0020, -0.0002]	*
9	-0.0032	0.0002	[-0.0036, -0.0028]	*
Students eligible for EL services				
-10	0.0000	0.0000	[0.0000, 0.0000]	
-9	0.0003	0.0004	[-0.0004, 0.0010]	
-8	0.0002	0.0002	[-0.0002, 0.0007]	
-7	0.0002	0.0002	[-0.0003, 0.0007]	
-6	0.0003	0.0003	[-0.0002, 0.0008]	
-5	0.0002	0.0002	[-0.0002, 0.0005]	
-4	0.0001	0.0001	[-0.0001, 0.0003]	
-3	0.0001	0.0001	[-0.0001, 0.0003]	
-2	0.0001	0.0001	[0.0000, 0.0002]	
0	0.0001	0.0001	[-0.0001, 0.0002]	
1	0.0000	0.0001	[-0.0003, 0.0003]	
2	-0.0001	0.0001	[-0.0004, 0.0001]	
3	-0.0001	0.0001	[-0.0004, 0.0002]	
4	-0.0001	0.0002	[-0.0005, 0.0002]	
5	-0.0002	0.0002	[-0.0006, 0.0002]	
6	0.0010	0.0011	[-0.0012, 0.0031]	
7	0.0017	0.0021	[-0.0024, 0.0058]	
8	0.0000	0.0000	[0.0000, 0.0000]	
9	0.0000	0.0000	[0.0000, 0.0000]	
Students eligible for special education services				
-10	0.0000			

Table 4.8 (continued)

Event Time	Estimate	SE	95% CI	Sig.
-9	0.0000	0.0000	[-0.0001, 0.0001]	
-8	0.0000	0.0000	[0.0000, 0.0001]	
-7	0.0000	0.0000	[0.0000, 0.0001]	
-6	0.0000	0.0000	[0.0000, 0.0001]	
-5	0.0000	0.0000	[0.0000, 0.0000]	
-4	0.0000	0.0000	[0.0000, 0.0000]	
-3	0.0000	0.0000	[0.0000, 0.0000]	
-2	0.0000	0.0000	[0.0000, 0.0000]	
0	0.0000	0.0000	[0.0000, 0.0000]	
1	0.0000	0.0000	[0.0000, 0.0000]	
2	0.0000	0.0000	[0.0000, 0.0000]	
3	0.0000	0.0000	[0.0000, 0.0000]	
4	0.0000	0.0000	[0.0000, 0.0000]	
5	0.0000	0.0000	[0.0000, 0.0000]	
6	0.0001	0.0001	[-0.0001, 0.0002]	
7	0.0002	0.0002	[-0.0002, 0.0006]	
8	0.0000	0.0000	[-0.0001, 0.0000]	*
9	0.0000			

Note. SE = Standard error. CI = Confidence interval. Sig. = Significance level. * indicates the 95% confidence interval does not include 0. Event time -1 omitted as reference category. Empty cell sizes for standard errors and confidence intervals indicates standard errors are unable to be estimated due to few treated districts contributing observations.
not statistically significant
* statistically significant

Robustness and Sensitivity Analyses

To assess the stability of my primary estimates, I conducted a series of robustness and sensitivity analyses that vary the comparison group, timing assumptions and model specification.

Alternative Construction of the Counterfactual Group

The primary specification compares adopting districts to districts that had not yet adopted universal screening in a given year. To assess sensitivity to this counterfactual, I re-estimated models using districts that never adopted universal screening during the study period as the comparison group.

Results remain substantively unchanged. The estimated effect on overall identification is small and statistically indistinguishable from zero (ATT = 0.0030, SE = 0.0072), and effects for multilingual learners and other subgroups likewise remain null (see Table 4.9). These findings suggest that results are not driven by the inclusion of not-yet-treated districts in the comparison group.

Table 4.9

Staggered Difference-in-Differences Estimates Using Never-Treated Comparison Group

Outcome	ATT	SE	95% CI	Sig.
Overall TAG identification rate	0.0030	0.0072	[−0.017, 0.0166]	
Multilingual learner TAG identification rate	-0.0003	0.0008	[-0.0018, 0.0013]	
English learner TAG identification rate	0.0002	0.0002	[−0.0002, 0.0006]	
Special education TAG identification rate	0.0000	0.0003	[0.0000, 0.0001]	

Note. ATT = Group-level average treatment on the treated. SE = Standard error. CI = Confidence interval. Sig. = Significance level. * indicates the 95% confidence interval does not include 0. Estimates from Callaway & Sant'Anna staggered DiD estimator with district-clustered standard errors. Effects represent percentage-point changes in district-level identification rates.

Policy-aligned Common Adoption Year

Although districts adopted universal screening at different points in time, statewide policy revisions adopted in early 2022 clarified expectations around identification practices, with implementation beginning in the 2022–23 school year. Because of this policy signal, I estimated a two-way fixed effects model imposing a common treatment year of 2022–23 for all ever-adopting districts. This specification intentionally abstracts from staggered adoption timing and therefore does not serve as the primary identification strategy. However, it provides a useful test of whether identification rates shifted following the most recent statewide policy.

One pre-policy coefficient reaches conventional levels of statistical significance (event time = -2), consistent with expected limitations of imposing a common treatment year when adoption is staggered (see Table 4.10). This approach obscures variation in true adoption timing and can generate spurious pre-treatment differences. Post-period estimates, however, remain close to zero. Substantively, this specification reinforces the primary finding: even under this policy-aligned timing assumption, there is no evidence of a meaningful post-implementation increase in identification rates.

At the same time, adoption accelerated sharply in 2023–24, the final year of available data. Because identification processes may take time to influence observed rates and given many districts reported recent or in-progress implementation, the absence of detectable effects through 2023–24 may partially reflect limited post-adoption exposure rather than definitive absence of impact. The estimates therefore capture short-run responses to adoption and should be interpreted accordingly.

Table 4.10

Two-Way Fixed Effect Estimates with Common Policy Adoption Year (2022–23)

Event Time	Estimate	SE	95% CI	Sig.
-8	-0.0046	0.0078	[-0.0199, 0.0107]	
-7	-0.0036	0.006	[-0.0153, 0.0080]	
-6	-0.0014	0.0054	[-0.0120, 0.0092]	
-5	-0.0047	0.01	[-0.0242, 0.0148]	
-4	-0.0044	0.0099	[-0.0239, 0.0151]	
-3	0.003	0.0042	[-0.0052, 0.0112]	
-2	0.0043	0.0022	[0.0001, 0.0086]	*
0	-0.0015	0.004	[-0.0094, 0.0064]	
1	0.0046	0.0084	[-0.0118, 0.0211]	
2	0.0081	0.0086	[-0.0088, 0.0249]	

Note. SE = Standard error. CI = Confidence interval. Sig. = Significance level. * indicates the 95% confidence interval does not include 0. Models include district and year fixed effects. Standard errors clustered at the district level. Reference period is event time -1. Estimates

represent percentage-point changes in district-level TAG identification rates relative to the year immediately prior to the 2022–23 policy-aligned adoption year.

Grade-level Analyses of Treatment Concentration

Universal screening is adopted at the district level but is often implemented within specific grade bands. To examine whether effects might be concentrated in grades most likely to be screened, I estimated a version of the staggered DiD model using district-grade-year observations rather than district-year aggregates.

This specification increases the number of observations but does not increase the number of treated districts. Because standard errors remain clustered at the district level, the effective number of independent treatment units is unchanged. Consequently, this approach tests whether effects are masked in district averages but does not materially increase statistical power.

Results from the grade-level models do not indicate consistent post-adoption increases in identification rates at the grade level (see Table 4.11). Estimates are less precise at longer event-time horizons, reflecting smaller cell sizes. Substantively, these findings suggest that the absence of detectable district-level effects is not driven by aggregation across grades.

Across specifications, the consistency of null findings suggests that the primary conclusions are not an artifact of modeling choice but reflect limited detectable short-run shifts in district-level identification patterns across student groups.

Cohort Size Restriction

Because staggered DiD estimates rely on cohort-specific comparisons, treatment cohorts with very few districts entering adoption in a given year may produce imprecise or noisy group-time effects. In the primary specification, all adopting districts contribute to estimation regardless of cohort size. However, in some years, fewer than three districts began universal screening. To assess whether results are sensitive to small cohort sizes, I re-estimated the staggered DiD model

restricting the sample to cohorts in which at least three districts adopted universal screening in the same year. This approach removes cohorts with minimal within-year adoption, thereby reducing the influence of potentially unstable group-time estimates.

Table 4.11

Staggered DiD Effect Estimates for Multilingual Learner Identification Rate Using Grade-District-Year Units

Event Time	Estimate	SE	95% CI	Sig.
All students				
-10	-0.0332	0.0163	[-0.0763, 0.0100]	
-9	-0.0271	0.017	[-0.0720, 0.0178]	
-8	-0.0147	0.0143	[-0.0525, 0.0230]	
-7	0.0022	0.0076	[-0.0179, 0.0223]	
-6	0.0184	0.0065	[0.0013, 0.0355]	*
-5	0.0167	0.0067	[-0.0011, 0.0345]	
-4	0.013	0.0079	[-0.0079, 0.0340]	
-3	0.0197	0.0057	[0.0045, 0.0348]	*
-2	0.0108	0.0053	[-0.0031, 0.0248]	
0	0.0026	0.0053	[-0.0113, 0.0165]	
1	0.0015	0.0072	[-0.0175, 0.0206]	
2	-0.0108	0.0073	[-0.0301, 0.0086]	
3	-0.004	0.0112	[-0.0336, 0.0256]	
4	-0.007	0.0097	[-0.0325, 0.0186]	
5	-0.0149	0.0094	[-0.0399, 0.0100]	
6	0.0109	0.0179	[-0.0363, 0.0582]	
7	0.0162	0.0215	[-0.0405, 0.0729]	
8	0.011	0.0181	[-0.0368, 0.0587]	
9	0.0191	0.0239	[-0.0440, 0.0822]	
Multilingual students				
-10	0.0013	0.0013	[-0.0017, 0.0043]	
-9	0.0007	0.001	[-0.0016, 0.0030]	
-8	0.0005	0.001	[-0.0019, 0.0028]	
-7	-0.0003	0.0011	[-0.0028, 0.0023]	
-6	0.0001	0.0009	[-0.0020, 0.0022]	
-5	0.0009	0.0011	[-0.0015, 0.0034]	
-4	0.0004	0.0007	[-0.0012, 0.0020]	
-3	0.0009	0.0007	[-0.0007, 0.0025]	
-2	0.0005	0.0008	[-0.0013, 0.0023]	
0	0.0012	0.0008	[-0.0006, 0.0030]	
1	0.0019	0.0019	[-0.0024, 0.0061]	
2	-0.0017	0.0019	[-0.0060, 0.0027]	
3	0.0001	0.0037	[-0.0081, 0.0083]	
4	-0.0012	0.0026	[-0.0070, 0.0047]	

Table 4.11 (continued)

Event Time	Estimate	SE	95% CI	Sig.
5	-0.0031	0.0039	[-0.0118, 0.0056]	
6	0.0029	0.0071	[-0.0128, 0.0187]	
7	0.0037	0.0101	[-0.0187, 0.0262]	
Students eligible for EL services				
-10	0.0002	0.0004	[-0.0007, 0.0011]	
-9	0.0004	0.0005	[-0.0006, 0.0015]	
-8	0.0004	0.0006	[-0.0008, 0.0017]	
-7	0.0003	0.0007	[-0.0012, 0.0019]	
-6	0.0008	0.0006	[-0.0004, 0.0021]	
-5	0.0005	0.0008	[-0.0012, 0.0022]	
-4	0.0002	0.0003	[-0.0004, 0.0008]	
-3	0.0003	0.0003	[-0.0004, 0.0011]	
-2	-0.0001	0.0003	[-0.0007, 0.0005]	
0	0.0004	0.0004	[-0.0005, 0.0013]	
1	0.0002	0.0007	[-0.0013, 0.0016]	
2	-0.0009	0.0009	[-0.0027, 0.0009]	
3	0.0007	0.0018	[-0.0031, 0.0046]	
4	0.0005	0.0011	[-0.0017, 0.0027]	
5	-0.001	0.0008	[-0.0026, 0.0006]	
6	0.0026	0.0027	[-0.0029, 0.0082]	
7	0.005	0.0046	[-0.0046, 0.0145]	
8	0.0007	0.0014	[-0.0023, 0.0036]	
9	-0.0001	0.0002	[-0.0005, 0.0003]	

Note. SE = Standard error. CI = Confidence interval. Sig. = Significance level. * indicates the 95% confidence interval does not include 0. Event time -1 omitted as reference category.

Restricting the analysis to these larger cohorts produces slightly wider confidence intervals, reflecting the smaller effective sample. Substantively, however, the pattern of results remains unchanged. Estimated effects remain small and statistically indistinguishable from zero across overall identification and subgroup analyses (see Appendix G). These findings suggest that the primary null results are not driven by sparse adoption years or small-cohort instability.

Heterogeneous Effects Across District Contexts

Finally, I examined whether the effect of universal screening adoption varied across district contexts, including multilingual learner concentration, district size, per-pupil expenditure,

and urbanicity. As shown in 4.12, across all stratified models, the central pattern remains consistent: adoption does not produce systematic post-adoption increases in district-level identification rates.

Table 4.12
Exploratory Heterogeneous Effects of Universal Screening Adoption

Outcome	ATT	SE	95% CI	Sig.
ML Concentration				
High	0.0044	0.0113	[-0.0177, 0.0265]	
Low	-0.0017	0.0055	[-0.0124, 0.0091]	
Size				
Large district	-0.0066	0.0045	[-0.0155, 0.0023]	
Small district	0.0084	0.0061	[-0.0036, 0.0205]	
Per-pupil expenditure				
High	0.0142	0.0097	[-0.0048, 0.0332]	
Low	-0.0048	0.0058	[-0.0162, 0.0066]	
Urbanicity				
Urban	0.0066	0.0088	[-0.0107, 0.0239]	
Suburban	-0.0136	0.0090	[-0.0313, 0.0041]	
Rural	0.0045	0.0060	[-0.0072, 0.0162]	

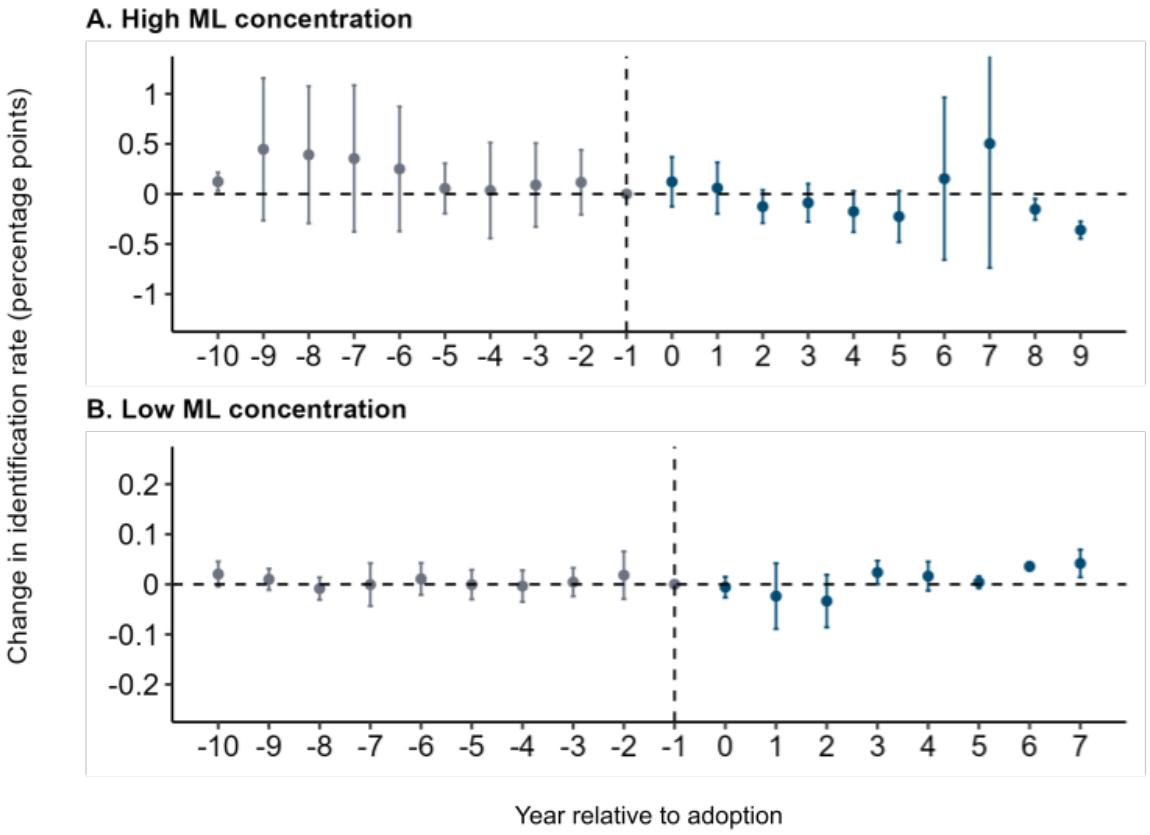
Note. ATT = Group-level average treatment on the treated. SE = Standard error. CI = Confidence interval. Sig. = Significance level. * indicates the 95% confidence interval does not include 0. Estimates from Callaway & Sant'Anna staggered DiD estimator with district-clustered standard errors. Effects represent percentage-point changes in district-level identification rates.

In districts with above-median multilingual learner concentration, post-adoption coefficients remain small and statistically indistinguishable from zero (see Figure 4.5). Similar patterns appear in lower-concentration districts. Stratification by district size (see Figure 4.6) and per-pupil expenditure (see Figure 4.7) yields comparable results. Urban, suburban, and rural districts likewise do not display sustained positive divergence following adoption (see Figure 4.8). Although estimates for smaller strata are less precise due to limited treated cohorts, there is no evidence of consistent contextual moderation.

These exploratory analyses provide little evidence that null average effects mask stronger gains in particular types of districts. Across district contexts, formal adoption of universal screening does not correspond to measurable shifts in aggregate identification patterns.

Figure 4.5

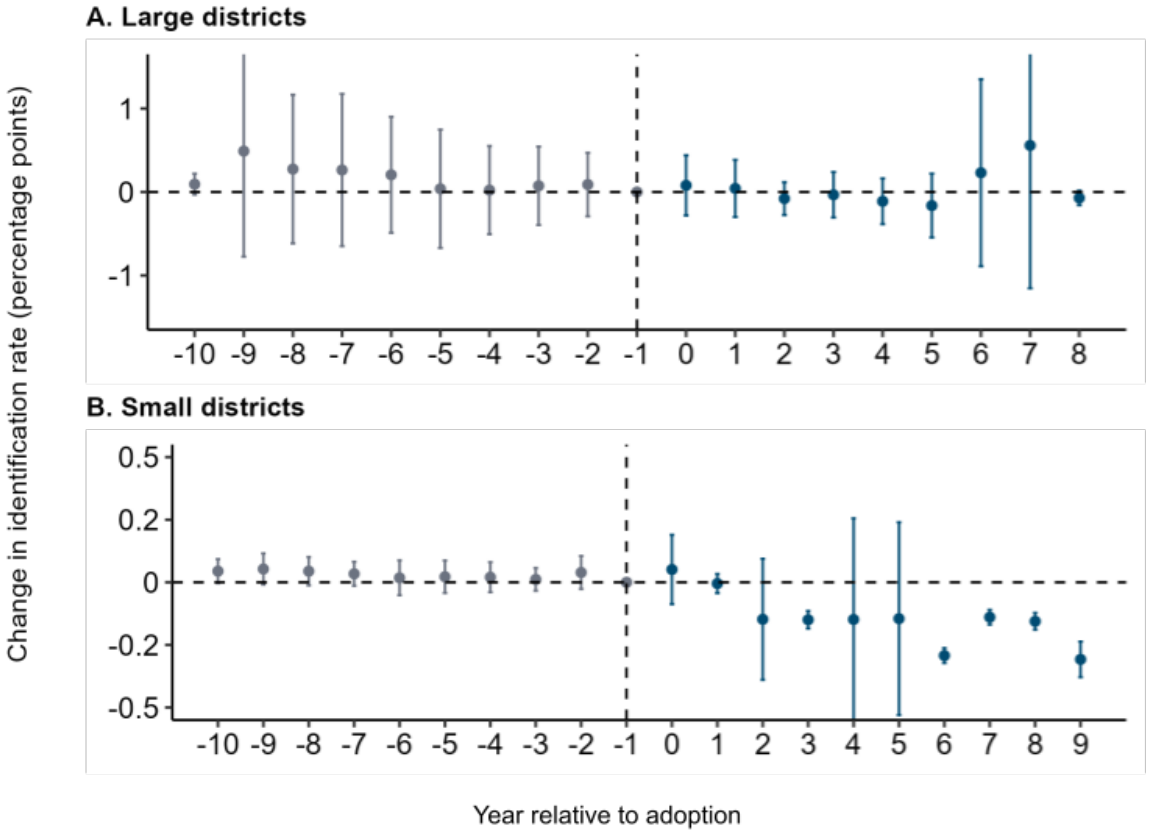
Event-Study Estimates of Universal Screening Effects by District Multilingual Concentration



Note. ML = Multilingual learner. Event time -1 is the omitted reference category. The vertical dashed line marks the final pre-treatment period. Estimates are shown in percentage points; coefficients from the event-study models are multiplied by 100 for ease of interpretation.

Figure 4.6

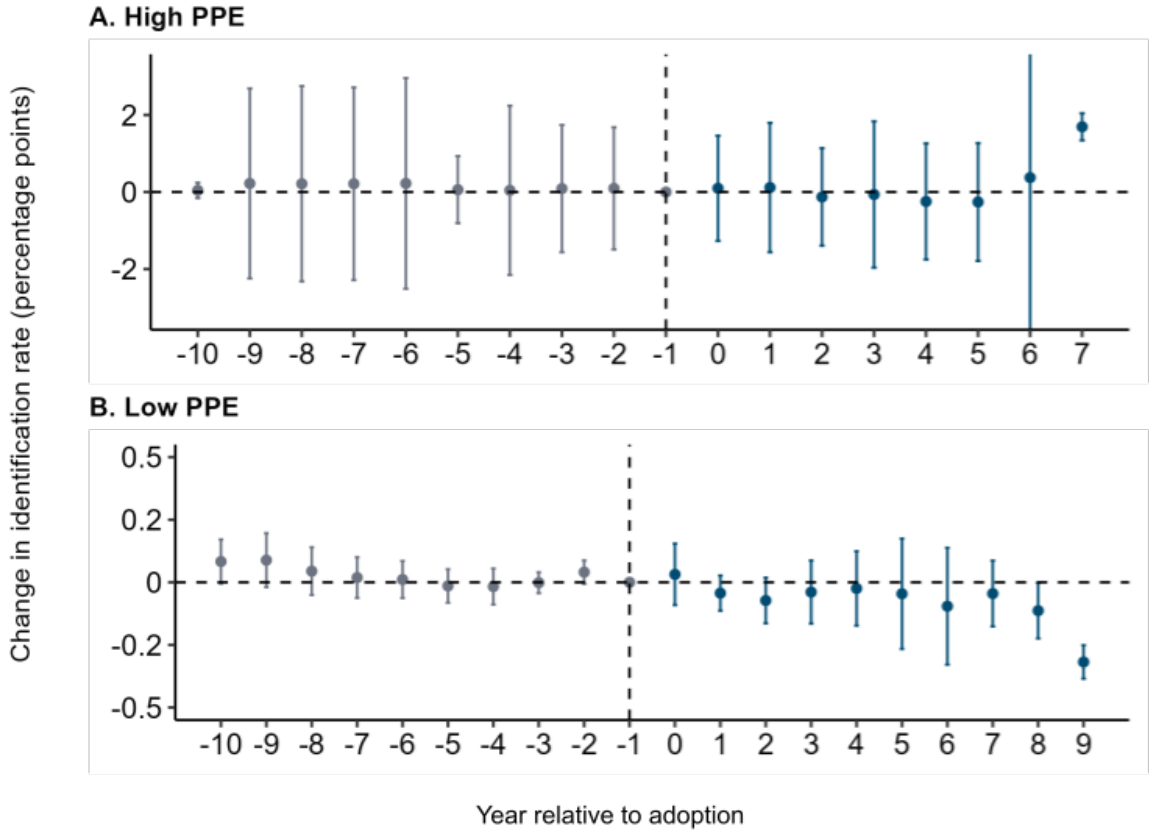
Event-Study Estimates of Universal Screening Effects on TAG Identification Rates by District Size



Note. Event time -1 is the omitted reference category. The vertical dashed line marks the final pre-treatment period. Estimates are shown in percentage points; coefficients from the event-study models are multiplied by 100 for ease of interpretation.

Figure 4.7

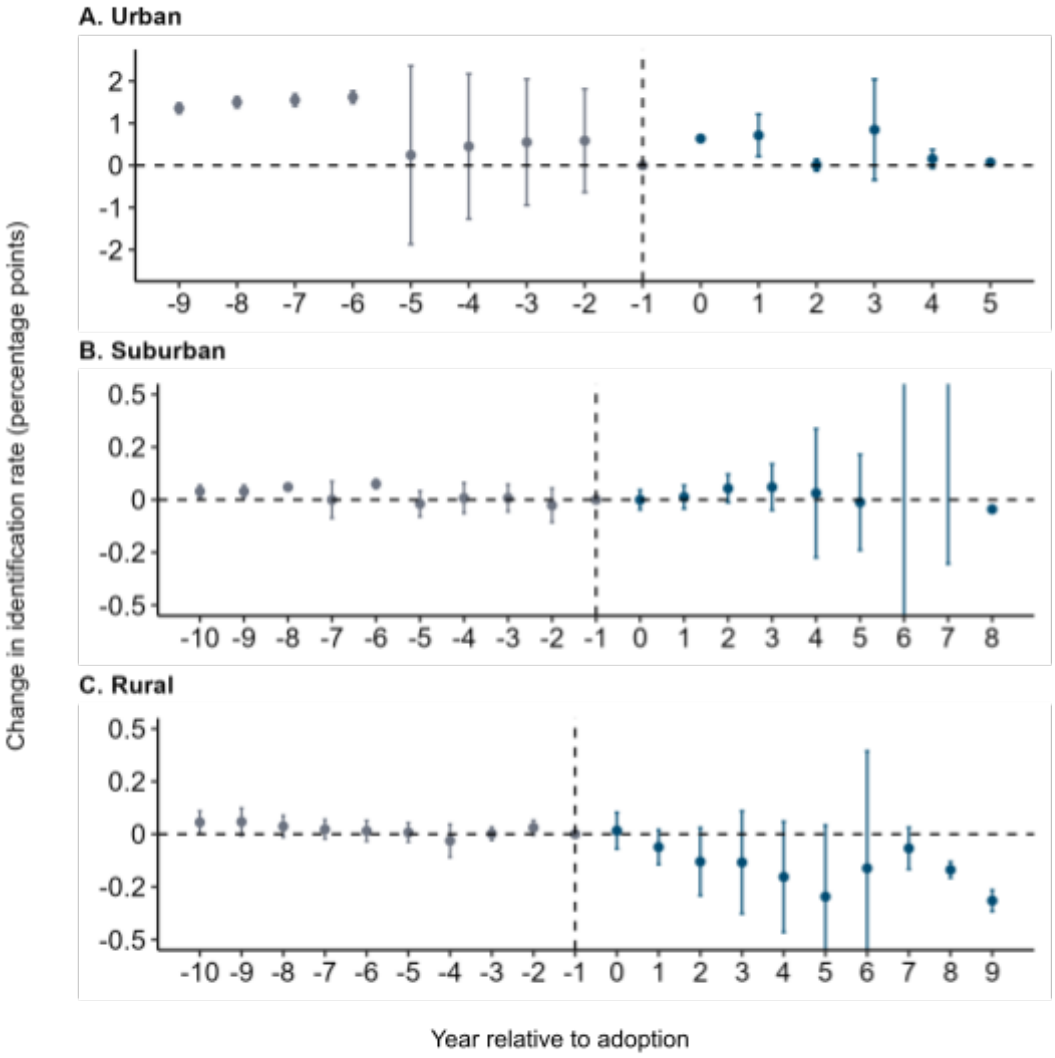
Event-Study Estimates of Universal Screening Effects on TAG Identification Rates by District Per-Pupil Expenditure (PPE)



Note. PPE = per-pupil expenditure. Event time -1 is the omitted reference category. The vertical dashed line marks the final pre-treatment period. Estimates are shown in percentage points; coefficients from the event-study models are multiplied by 100 for ease of interpretation.

Figure 4.8

Event-Study Estimates of Universal Screening Effects on TAG Identification Rates by District Urbanicity



Note. Event time -1 is the omitted reference category. The vertical dashed line marks the final pre-treatment period. Estimates are shown in percentage points; coefficients from the event-study models are multiplied by 100 for ease of interpretation.

Discussion

This study set out to examine whether district adoption of universal screening was associated with changes in TAG identification rates, particularly for multilingual learners.

Through 2024, the answer appears to be no. Across staggered DiD specifications and multiple robustness checks, adoption was not associated with detectable district-level shifts in overall identification rates or in the representation of multilingual learners, including students classified as ELs.

Importantly, this is a statement about what has occurred within the observable window and under the policy and implementation conditions observed in Oregon, rather than a definitive claim about the long-term potential of inclusive identification reform. Adoption accelerated in the final years of the analytic period, particularly in 2023–24. Many districts that adopted screening late contribute only limited post-adoption observations. As a result, the design is most informative about early adopters and short-run effects. If universal screening produces gradual shifts through cohort progression, professional development, or evolving placement practices, those effects may not yet be visible in district-level aggregates.

Still, the absence of detectable effects through 2024 complicates assumptions that universal screening, once adopted, will quickly or automatically increase access to TAG services. Interpreting this finding requires attention to how universal screening is defined in this analysis. Here, universal screening is conceptualized as the adoption of practices aligned with Oregon's emphasis on multiple measures and expanded conceptions of giftedness, rather than reliance on standardized achievement data alone. This operationalization is in line with state aims and prior studies of universal screening that define screening with the use of cognitive ability assessment scores (e.g., nonverbal NNAT) to systematically identify students for TAG services (e.g., Card & Giuliano, 2016; Lohman, 2005; Peters & Engerrand, 2016). The resulting estimates capture the effects of expanding screening beyond existing identification mechanisms,

specifically, shifts away from referral- and achievement-based identification, rather than reflecting all forms of cohort-wide assessment.

At the same time, there are important lessons about implementation we can learn from those early-adopting districts and the lack of detectable effects. The discussion that follows interprets the absence of detectable effects as a function of how universal screening is implemented in practice, rather than as evidence that such policies are ineffective.

Implementation Variation and the Limits of Formal Reform

The document analysis provides important context for interpreting the null findings. District plans revealed considerable variation in how universal screening is defined, structured, and operationalized. While some districts describe systematic, grade-wide screening aligned with state intent, others continue to rely heavily on achievement-based metrics, referral pathways, or a combination of both.

This variation is not incidental. Oregon's governance structure grants districts substantial discretion in tool selection, cut scores, portfolio components, and grade levels screened. As a result, "adoption" is not a uniform treatment. It encompasses a wide spectrum of implementation approaches, some of which may be unlikely to meaningfully disrupt existing identification patterns. This pattern is consistent with a long-standing body of policy implementation research demonstrating that local interpretation and discretion often mediate the effects of formal reform, particularly in decentralized systems (McDonnell & Elmore, 1987; Spillane & Reiser, 2002). The findings therefore suggest that formal policy adoption in the absence of mandates or incentives that structure local implementation is insufficient to generate structural change. Inclusive policy language does not guarantee inclusive practice, particularly in decentralized systems where local interpretation mediates reform.

Grade-Level Screening and the Dynamism of Giftedness

An additional feature of implementation warrants attention that could further explain the null results: universal screening is typically conducted at specific grade levels, most often in early elementary grades. In practice, this means that identification opportunities are temporally bounded. Students are screened at designated points, and subsequent identification often depends on referral or secondary evaluation.

This design raises important questions about the temporal assumptions embedded in screening policy. Giftedness is not static. Academic strengths may emerge or become visible over time, particularly for multilingual learners whose early schooling may involve language acquisition and adjustment. Screening concentrated in early grades may therefore fail to capture later-developing talent or students who enter districts after the designated screening window, including newcomers.

Without recurring screening or explicit provisions for late entrants, universal screening may function as a one-time gate rather than an ongoing access mechanism. This structural feature may partially explain the absence of observable district-level shifts: screening may identify different students within cohorts without substantially altering overall identification rates.

Infrastructure, Compliance, and Resource Constraints

Screening is only one component of the identification ecosystem. An opportunity-to-learn lens suggests that expanding formal access requires more than procedural change; it depends on the resources and organizational capacity that enable students to benefit from those procedures, a dynamic widely documented in studies of education policy implementation (Honig, 2006; Cohen & Moffitt, 2007). Universal screening entails assessment procurement, staff training, a formal

review process, and—critically—program capacity to serve newly identified students. Without fiscal support and clear guidance, districts will differ in their capacity to implement inclusive identification policies.

In conversations with district coordinators, themes of constrained funding and resource limitations emerged. Some districts described aspirations to adopt or expand universal screening and the use of linguistically responsive screeners but cited cost barriers. Others indicated that elements described in formal plans were still in progress or were now aspirational due to staffing or budget constraints. In this sense, compliance pressures and resource realities intersect. Plans may reflect state expectations, but implementation may lag due to capacity limitations.

These constraints may operate upstream, limiting the extent to which screening is implemented in ways that meaningfully expand identification in the first place. If districts face fiscal or staffing pressures at the point of implementation, screening reforms may alter formal procedures without substantially changing identification outcomes. Inclusive policy without material support risks producing symbolic compliance rather than substantive expansion of opportunity. From this perspective, the absence of detectable effects could be due to implementation conditions that are constraining its ability to alter patterns at scale. As earlier research has shown, formal policy adoption does not guarantee substantive change in practice, particularly when reforms are not matched by material support or implementation guidance (Honig, 2006).

The Institutional Positioning of TAG Services

Another theme that surfaced across plans and follow-up conversations is the relative marginalization of TAG services within broader district priorities. In contexts where districts face pressing mandates related to literacy, accountability, or special education, gifted

programming may be perceived as secondary (Callahan & Hertberg-Davis, 2013; Ford, 2010). Students presumed to be "high-achieving" are often viewed as academically secure, reducing urgency around systemic reform (Plucker et al., 2010). This institutional positioning matters. When gifted education is treated as peripheral rather than integral to equity agendas, reforms such as universal screening may not receive sustained attention, monitoring, or investment. For multilingual learners who might qualify for advanced services, this dynamic is particularly consequential. Expanding access requires not only procedural inclusion but also institutional commitment.

In some Oregon districts, TAG services are administratively housed within special education departments. While this structure may streamline compliance oversight, it also shapes how giftedness is conceptualized and resourced. When gifted identification operates within special education frameworks, resource allocation and administrative attention is likely dominated by legally mandated disability services. Special education is governed by federal requirements and compliance obligations under the Individuals with Disabilities Education Act (2004), which carry clear accountability pressures for districts (Yell et al., 2017). In contrast, gifted education is more weakly mandated and inconsistently funded resulting in greater local discretion in how services are prioritized and delivered (Callahan & Hertberg-Davis, 2013).

Policy research suggests that initiatives tied to stronger mandates and clearer accountability structures tend to receive greater organizational attention and resources, particularly under conditions of constraint (McDonnell & Elmore, 1987). Within this context, the administrative positioning of TAG within special education may further amplify these asymmetries, as resources and attention are directed toward areas with the highest compliance demands. This structural positioning may constrain the capacity of districts to expand

identification or programming in response to screening reforms. The absence of detectable shifts in identification rates must therefore be understood within broader organizational arrangements that shape priorities and funding streams.

Heterogeneity and Uneven Local Contexts

Exploratory analyses did not reveal consistent patterns of differential treatment effects across district characteristics. However, limited post-adoption exposure and uneven adoption timing constrain the ability to detect heterogeneous effects with precision. It remains plausible that screening reforms are more consequential in districts with stronger implementation fidelity, greater resources, or explicit alignment between multilingual services (i.e., EL and/or dual language) and TAG systems. Future research with longer post-adoption windows may better illuminate whether effects emerge unevenly across contexts.

Limitations

This study is subject to several important limitations. First, although the staggered DiD design allows for variation in treatment timing and heterogeneous effects across cohorts, it still relies on the parallel trends assumption: that in the absence of universal screening adoption, districts would have followed similar identification trajectories. Event-study diagnostics support this assumption within the observed data, but it cannot be directly verified.

Second, identification of treatment status relies on qualitative coding of district TAG plans and confirmation from district coordinators. These documents are not centrally maintained and may vary in completeness, clarity, or frequency of updates. While triangulating document review with direct outreach strengthens classification accuracy, some measurement error remains possible, particularly for earlier years or for districts whose implementation evolved over time. In addition, adoption is measured as a binary indicator and does not capture variation in

implementation fidelity, screening intensity, grade coverage, or alignment with state guidance. As the document analysis demonstrates, “universal screening” encompasses a heterogeneous set of practices, which may attenuate average treatment effects.

Treatment timing is based on document review supplemented by confirmation from district coordinators. Because timing information was collected retrospectively, some risk of recall error exists. However, many coordinators referenced district records suggesting that reported timing was typically grounded in institutional documentation rather than informal recollection. Moreover, universal screening represents a substantial procedural undertaking for districts, often involving assessment purchase, staff training, scheduling adjustments, and communication with families. As such, it is unlikely to be a minor or easily misremembered event. While small imprecision in the exact year of rollout cannot be ruled out, any misclassification would likely attenuate estimated effects toward zero rather than generate spurious positive findings.

Third, adoption of universal screening accelerated in the final years of the analytic window, particularly in 2023–24. Many districts therefore contribute limited post-adoption observations. The study is most informative about early adopters and short-run effects; it cannot fully assess whether effects may emerge over a longer time horizon as implementation stabilizes and additional student cohorts pass through screening cycles.

Fourth, the primary analyses use district-year identification rates as the outcome measure. While this level of aggregation aligns with the district-level policy intervention, it may obscure within-district dynamics. Universal screening is typically conducted at specific grade levels, often concentrated in early elementary grades. Identification shifts within screened cohorts may not substantially alter overall district-level rates, particularly if program capacity or eligibility

thresholds remain stable. Similarly, small shifts in multilingual learner representation may be difficult to detect in district-wide aggregates.

Fifth, although the power analysis indicates that the design is capable of detecting moderate district-level effects, extremely small effects less than 1.5 percentage points may fall below detectable thresholds, particularly if delayed, heterogeneous across contexts, or concentrated in specific subgroups. The absence of statistically significant findings should therefore be interpreted as evidence of no detectable moderate shifts within the available data, not as definitive evidence of no effect.

Finally, the outcome measure captures formal TAG identification only. The study does not observe the quality, intensity, or instructional nature of services provided after identification, nor does it capture informal enrichment opportunities or classroom-level differentiation practices. Changes in screening procedures may influence instructional experiences in ways not reflected in formal identification counts. More broadly, unobserved factors such as local advocacy, educator expectations, or district resource allocation may shape both adoption decisions and identification patterns.

Implications for Policy

The findings do not suggest that universal screening is ineffective as a reform strategy. Rather, they indicate that adoption of universal screening alone has not produced detectable district-level shifts in TAG identification through 2024. This distinction is important. Universal screening may be a necessary condition for expanding equitable access, but it is not sufficient in the absence of sustained infrastructure and prioritization.

If expanding equitable access to advanced learning opportunities is a genuine state priority, screening reforms must be accompanied by explicit commitments to capacity building

and sustained monitoring. Adoption alone does not guarantee expansion. States may need to clarify expectations around recurring screening, multilingual assessment practices, and data reporting, while also ensuring that districts have the fiscal and staffing resources necessary to implement reforms with fidelity. Without clear prioritization and follow-through, universal screening may alter procedures without meaningfully shifting opportunity structures.

The concentration of adoption in recent years further underscores the need for state-level support. Districts appear to be responding to policy expectations, but variation in implementation suggests uneven capacity. When reforms are mandated without accompanying fiscal support, implementation may be symbolic rather than transformative. If the goal is to meaningfully expand access to advanced learning opportunities, particularly for historically under-identified groups like multilingual learners, the state must ensure that screening reforms are paired with the material and organizational infrastructure required to sustain them.

The findings also highlight the importance of assessment design. Many district plans describe nonverbal assessments as linguistically inclusive while omitting systematic native-language evaluation. Although nonverbal tools may reduce linguistic demand, they do not substitute for assessing academic reasoning in a student's home language. Emerging critiques suggest that these instruments may not substantially alter identification patterns for multilingual learners, despite their intended purpose. As Jonathan Plucker, president of the National Association for Gifted Children noted in a discussion of gifted identification, districts are increasingly observing that nonverbal screeners yield identification patterns similar to traditional approaches, raising questions about their effectiveness as equity tools (Napolitano, 2021).

This study does not directly estimate the effects of specific screening instruments, as cohort sizes were insufficient to support tool-level analysis. However, the documented variation

alongside this critique suggests that assessment choice is consequential as one form of district variation, because different instruments capture different dimensions of ability and impose different linguistic demands. Prior research similarly demonstrates that identification outcomes are sensitive to the selection of assessment measures (Lohman, 2005; Peters & Engerrand, 2016). Policymakers seeking to advance equitable identification should provide clearer guidance and support for the incorporation of native-language measures where feasible, rather than relying solely on nonverbal tools as proxies for linguistic inclusion.

At the district level, the institutional positioning of TAG services also warrants attention. In many contexts, gifted programming is administratively housed within special education departments and may lack dedicated funding streams. In environments shaped by multiple compliance pressures and resource constraints, TAG services may be deprioritized relative to legally mandated programs with stronger oversight and advocacy. When gifted identification is treated as peripheral rather than central to equity agendas, reforms such as universal screening may not receive sustained monitoring or investment. Expanding access for multilingual learners requires intentional coordination between ML and TAG systems, recurring screening opportunities across grade levels, and alignment between identification and program capacity.

Taken together, the policy implications are clear: inclusive identification reforms require prioritization, coordination, and sustained investment. Adoption without infrastructure is unlikely to produce measurable expansion in opportunity.

Implications for Research

Several directions for future research follow from these findings. First, longer post-adoption windows are necessary to assess whether effects emerge over time. Adoption accelerated in the final years of the study period, limiting the ability to observe delayed impacts

or cohort-level accumulation effects. Continued monitoring will be essential to determine whether screening reforms produce shifts as implementation stabilizes.

Second, future work should move beyond binary adoption indicators to examine implementation fidelity, grade-level coverage, assessment choice, and program capacity. The variation documented in district plans suggests that "universal screening" encompasses heterogeneous practices. Understanding how differences in design and execution shape outcomes will be critical for evaluating reform effectiveness.

Third, identification represents only one stage in the opportunity pipeline. This chapter focuses on formal TAG designation as the outcome of screening reform. However, access to advanced coursework and enrichment opportunities is a distinct and consequential dimension of opportunity. Subsequent analyses in this dissertation examine advanced coursework enrollment patterns directly, recognizing that identification and access do not always move in tandem. Future research beyond this study should continue to examine how screening reforms interact with placement practices, quality and presence of programming, and long-term academic trajectories.

Finally, greater attention should be paid to the intersection of multilingual status and gifted identification within decentralized governance systems. Coordination between EL and TAG services remains uneven, and the mechanisms through which students navigate overlapping classification systems are not well understood. Mixed-methods research that examines how policy intent is translated into local practice may be particularly valuable in illuminating these dynamics.

Conclusion

The central contribution of this study is to show that district-level adoption of universal screening, on its own, has not produced detectable district-level shifts in TAG identification rates for multilingual learners within the observed period. Despite increased uptake and accelerated adoption following recent statewide policy revisions, formal screening adoption does not appear to translate automatically into expanded access.

This finding reframes how screening reform should be understood. Universal screening can change procedures. It can formalize expectations. And the descriptive evidence suggests districts are responsive to those signals. But adoption does not, by itself, reconfigure the institutional conditions that shape who is identified. As evidenced through the document analysis, in practice, screening is often limited to specific grade bands, implemented alongside referral pathways, reliant on nonverbal rather than native-language tools as accommodations, and constrained by local capacity and funding realities. In decentralized systems, policy adoption is heterogeneous and can obfuscate intended structural change.

Importantly, the absence of detectable short-run effects should not be read as evidence that identification reform is futile. Adoption accelerated in the final years of the analytic window, suggesting that districts are responsive to state guidance. That momentum represents a meaningful opportunity. If identification reforms are paired with clearer implementation expectations, recurring grade-level coverage, integration of linguistically responsive tools, and sustained fiscal support, they may yet produce more durable shifts in identification patterns. What the present findings suggest is that adoption alone is unlikely to be enough.

Methodologically, this study applies modern staggered DiD to evaluate district-level adoption of universal screening in TAG identification, linking document-based policy coding to

longitudinal administrative data. Substantively, it complicates a common reform assumption: that widening the gate automatically widens access. The results indicate that identification systems are embedded within broader institutional contexts that mediate whether and how reform translates into opportunity. If expanding equitable access to TAG programming is a genuine policy priority, the question is not simply whether districts adopt more inclusive identification practices, but how those reforms are operationalized, resourced, and sustained.

Appendix F

Excerpt from Oregon Department of Education District Plan Template

The text below is drawn from the Oregon Department of Education's template and accompanying instructions for districts submitting Talented and Gifted (TAG) program plans. Section Three, reproduced here, outlines the identification process and highlights inclusive measures that districts may employ to improve identification of underrepresented students.

Section 3: Identification of TAG-Eligible Students



Legal References: aligned to (Elementary and Secondary Education Act of 1965, 1965); ORS 343.397; ORS 343.407; OAR 581-022-2325; OAR 581-022-2500

A. Describe the process for identification of TAG students in your district.
Include the following information: District TAG Identification Practices

1. Provide a procedural description of the identification process for the district. Include general practices that apply to all students, K-12, and specific identification protocols that may occur at designated ages and grade levels.
2. Include explanation and documentation of the following identification practices:
    - A) Multiple modes and methods of data collection used in the identification process
    - B) Culturally responsive practices specific to identification
    - C) Research-based tools, instruments, or considerations utilized to equitably identify students from underrepresented populations including, but not limited to: students experiencing disabilities, students who are culturally and linguistically diverse
    - D) Methods and practices that minimize or seek to eliminate the effects of bias in assessment and identification practices
    - E) Universal Screening/Inclusive considerations (see guiding questions below)
    - F) Assessment data, specifically addressing the use of national norms, local norms, or both in identification data collection
    - G) Qualitative data (teacher, parent, and student checklists, observational data, portfolios, and classroom performance, etc.)
    - H) A tool or method for determining a threshold of when preponderance of

evidence is met

I) TAG Eligibility Team - list position titles of those who serve on the eligibility team at the elementary, middle, and high school level

J) Documents that are included in the students' cumulative record file regarding TAG identification and the eligibility teams' process to determine identification

B. Universal Screening/Inclusive Considerations

Include the answers to the following questions in your plan:

A) Is a universal screening instrument used at a specific grade level? For example, all students at one grade level are screened for TAG eligibility using a common instrument.

B) What is the broad screening instrument and at what grade level is it administered? (For example, *the CogAT is used at second grade, second semester for all second graders*)

C) How is the screener used in the identification process (i.e. what percentile threshold, if any, is used to initiate the eligibility process? How are percentiles used to promote, rather than extinguish, eligibility?).

C. Portability of TAG Identification

Oregon does not have a state law or administrative rule on portability, which is the term used to describe the transfer of a TAG identification for a student from one district to another. It is a local district decision to determine policy and practice regarding portability of TAG identification.

Describe the policy or practice for handling TAG identification for students who transfer from another

district or state. If helpful, use the following questions to guide the articulation of your district's policy or practice:

A) Does your district accept TAG identification from other districts in Oregon?

B) Does your district accept TAG identification from other states?

C) Do local norms influence the decision to honor identification from other districts and states? If yes, please explain how the district will address the identification of students identified as TAG using local norms from other districts or states.

Appendix G

Sensitivity Check by Restricting Cohort Size

Because staggered DiD estimates rely on cohort-specific comparisons, treatment cohorts with very few districts adopting in a given year may generate imprecise or unstable group-time effects. In the primary specification, all adoption cohorts contribute to estimation regardless of size. However, in some years, fewer than three districts began implementing universal screening.

To assess sensitivity to sparse adoption cohorts, I re-estimated the staggered DiD models restricting the sample to adoption years in which at least three districts entered treatment. Districts in smaller cohorts were excluded from the treated group in those years, while never-treated and not-yet-treated districts remained in the comparison set.

Table G1

Staggered Difference-in-Differences Estimates of Universal Screening Adoption on District-Level TAG Identification Rates Using a Restricted Cohort Size

TAG Identification Rate	ATT	SE	95% CI	Sig.
Not-Yet-Treated Comparison Group				
All students	0.0071	0.0058	[-0.0043, 0.0185]	
Multilingual students	0.0004	0.0004	[-0.0004, 0.0012]	
Eligible for EL services	0.0001	0.0001	[0.0000, 0.0002]	*
Eligible for special education services	0.0000	0.0000	[0.0000, 0.0000]	
Never-Treated Comparison Group				
All students	0.0072	0.0062	[-0.0049, 0.0193]	
Multilingual students	0.0003	0.0004	[-0.0004, 0.0011]	
Eligible for EL services	0.0001	0.0000	[0.0000, 0.0002]	*
Eligible for special education services	0.0000	0.0000	[0.0000, 0.0000]	

Note. ATT = Group-level average treatment on the treated. SE = Standard error. CI = Confidence interval. Sig. = Significance level. * indicates the 95% confidence interval does not include 0. Estimates from Callaway & Sant'Anna staggered DiD estimator with district-clustered standard errors. Effects represent percentage-point changes in district-level identification rates.

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CHAPTER V

CONCLUSION: CLASSIFICATION, DISCRETION, AND THE LIMITS OF REFORM

This dissertation began with a central paradox: educational services designed to expand opportunity for students can also function as mechanisms that structure access, constrain participation, and reproduce inequities. Policies governing services for students classified as ELs and those identified for TAG programs are often framed as levers for equity. These programs are intended to ensure that students receive appropriate support and access to opportunities that level the playing field. They operate by sorting students into categories in order to allocate services. However, as I argued in Chapter I, in doing so, they also introduce tradeoffs, as access to one set of supports or opportunities can limit access to others. These tradeoffs are not evenly distributed. They are shaped by the design of the programs, the ways policies are interpreted and enacted, and the ideological assumptions that underlie them. They are further intensified where classification systems intersect, producing uneven and consequential pathways through schooling.

Across three studies, this dissertation examined how these classification systems function in practice. Rather than treating identification and service provision as discrete policy stages, the studies collectively focused on how opportunity is structured through the design, interpretation, and enactment of these systems. Drawing on qualitative analysis of education decision-making around waiving EL services (Chapter II), quantitative analysis of TAG identification and advanced coursework using multilevel intersectional models (Chapter III), and a policy analysis of universal screening reforms using a mixed-methods design with a difference-in-differences (DiD) framework (Chapter IV), this dissertation provides a multi-level account of how educational opportunity is produced through institutional processes.

Together, the findings across the chapters suggest that access to services alone does not determine opportunity. Instead, opportunity is shaped through interrelated mechanisms including: (1) the structural design of programs and institutional constraints, (2) the discretionary interpretation of policy by educators and systems, and (3) underlying ideological assumptions about language, ability, and belonging. These mechanisms operate across contexts and interact in ways that produce uneven and often unintended patterns of access. The remainder of this chapter synthesizes these findings and considers their implications for research, policy, and system design.

Opportunity Structures Across Systems

Across the chapters, opportunity emerges as something structured through the interaction of multiple, overlapping systems. Rather than operating independently, classification processes, program design, and institutional decision-making intersect to shape how students access and move through educational pathways. Examining these processes together reveals how opportunity is produced through layered mechanisms that extend beyond any one policy or program.

Classification as a Gatekeeper, Not a Guarantee

Across the studies, classification emerged as a critical but incomplete mechanism for shaping access to educational opportunities. In Chapter III, identification for TAG services was associated, on average, with increased enrollment in advanced coursework, suggesting that classification can function as a gateway to expanded academic opportunities. However, this relationship was not uniform. Multilingual students were less likely to be identified for TAG services in the first place, and among those who were identified, the TAG label did not

consistently translate into increased enrollment in AP or IB coursework. Identification may open doors, but it does not ensure that students are positioned to walk through them.

These findings point to a layered structure of access. Inequality emerges at multiple points in the process: first in who is identified for services, and second in what that identification yields once it occurs. For multilingual students, these layers compound. They are less likely to be recognized within systems that route to advanced learning, and when they are, they do not experience the same returns to that recognition. This underscores that classification operates not only as a gateway, but also as a mechanism that structures the distribution of opportunities that follow.

Findings from Chapter IV further complicate assumptions about access. Despite policy efforts to expand identification through universal screening, there was no consistent evidence that these reforms increased district-level identification rates overall or for multilingual students. This suggests that expanding the formal mechanisms of identification does not automatically produce broader access. Instead, classification systems appear to be embedded within institutional contexts that shape whether and how identification translates into meaningful opportunities.

Importantly, Chapter II highlights how the limitations of classification become visible through the tradeoffs it introduces. When families choose to waive EL services, they are not rejecting support outright; rather, they are responding to how those services constrain access to other valued opportunities. Educators consistently described decisions about waiving as emerging when participation in services introduced conflicts with other opportunities or were misaligned to students' needs or goals. In this sense, waiving functions as an indicator of programmatic misalignment, revealing how access to one set of supports can limit access to

others. These dynamics were especially pronounced for students navigating overlapping classification systems, especially those dually identified, where participation in one program further restricted access to other opportunities. Together, these findings underscore that classification structures the terms under which different pathways can be pursued.

Program Design and Institutional Constraints as Structuring Forces

One of the most consistent findings across the studies is the central role of program design and institutional constraints in shaping access to opportunity. In Chapter II, educators repeatedly described decisions about waiving as emerging in response to structural tensions within secondary schools. Standalone ELD courses and secondary dual language programs often competed with electives, advanced coursework, or graduation requirements, creating situations in which students were forced to choose between services and other opportunities. In contrast, integrated or co-teaching models reduced these tensions by embedding language support within core academic classes, although they introduced new challenges related to classroom size and differentiation.

Similar dynamics appear in the context of TAG identification. Chapter IV shows that universal screening policies were implemented unevenly across districts, often concentrated in early grade levels. The timing matters greatly: when screening occurs only at specific points in the educational trajectory, students who were not identified early may have limited opportunities for later entry. Additionally, districts' reliance on particular screening tools (namely, standardized tests and nonverbal screeners as the primary accommodation for multilingual learners) reflects both practical constraints and underlying assumptions about how to identify academic potential in multilingual populations. Although state policy emphasizes the use of

multiple measures, implementing comprehensive multi-measure identification systems across grades is resource- and time-intensive.

Across both domains, opportunity is structured not only by whether students are eligible for services, but by how those services are designed, when they are offered, and how they intersect with other institutional features such as available resources, master schedules, and identification procedures. These findings underscore that policy implementation cannot be understood apart from the organizational contexts in which it occurs.

Discretion and Policy Interpretation in Practice

While policies establish formal rules and expectations, their implementation depends on how they are interpreted and enacted by educators and institutions. Chapter II demonstrates that educators play a central role in mediating waiver policy, often acting as interpreters who translate policy into practice under conditions of ambiguity and constraint. Although federal policies prohibit educators from recommending that families waive services, educators still shape what information is shared (e.g., importance of academic language vs. costs/benefits of opting out for competing programs like AP/IB) and how conversations are structured (e.g., sending an email vs. scheduling a meeting with a family liaison). This discretionary space allows educators to navigate competing demands but also introduces variability in how families experience and understand their options.

At the same time, discretion is not exercised in isolation. Districts also play a critical role in interpreting federal policy and establishing the conditions under which waiver conversations occur. Across sites, districts differed in whether conversations were expected to be strictly family-initiated or whether educators could play a more active role in raising the possibility of waiving. These institutional interpretations shaped the nature of the conversation, effectively

setting the boundaries of educator discretion. Within these parameters, educators further differentiated their approach based on student characteristics and perceived need for services, as well as on who initiated the conversation. In some cases, educators took a more directive stance when they believed students required continued support, while in others they adopted a more informational or responsive approach. Together, these layered interpretations underscore that policy implementation is shaped through a multi-level process, in which discretion is structured by institutional context as well as by individual street-level bureaucrats who interpret the policy within those bounds.

These multi-level dynamics of policy interpretation extend beyond decisions about waiving and are also evident in the implementation of TAG identification policies. In Chapter IV, districts interpreted universal screening in different ways, leading to variation in which students were screened, at what grade levels, and using which measures. These differences reflect local priorities and resource constraints as named above, but also broader uncertainty about how to operationalize policy mandates. Similarly, the intersectional variation observed in Chapter IV reflects how systems differentially recognize and respond to students across combinations of language status, race/ethnicity, home language, socioeconomic status, and eligibility for special education services.

Together, the studies suggest that policy is continuously shaped through interpretation on many different levels. Discretion is a fundamental feature of how policy is enacted rather than simply a source of implementation error. This means that access to opportunity ends up mediated through localized and often uneven processes.

Raciolinguistic Ideologies and the Valuation of Students

Underlying these structural and interpretive processes are broader ideological assumptions about language, ability, and academic potential. Across the studies, raciolinguistic ideologies that evaluate language practices through racialized norms shape how students are perceived and positioned within educational systems. In particular, what counts as "academic language" reflects historically dominant, standardized forms of English that are often aligned with white, monolingual norms. As a result, students' linguistic practices are evaluated not simply on their effectiveness for communication or learning, but on how closely they approximate these norms, shaping which forms of language are recognized as evidence of ability.

In Chapter II, educators frequently named EL services as necessary for developing academic language, positioning continued participation as essential for students' long-term success and implicitly more important than other competing goals. While this framing reflects a commitment to supporting students, it also narrows the definition of what counts as meaningful language development. Educators often described students who sought waivers as those who demonstrated strong communicative proficiency but continued to struggle on ELP assessments, suggesting a disconnect between students' functional language use and the specific forms of language those assessments prioritize. In practice, this emphasis can position students as still "in need" of services even when they are successfully navigating academic and social contexts, reinforcing a view of language development that privileges alignment with standardized norms over other forms of linguistic competence.

The emphasis on academic language reflects a broader tension within multilingual education. Academic language is often positioned as essential because it facilitates academic

success, opening pathways to higher education and higher-paying career pathways. Yet this framing also elevates a particular set of goals and linguistic practices as the standard for success, implicitly devaluating other forms of communication that are meaningful and effective in students' everyday lives and communities. In this way, the prioritization of academic language is intended to expand opportunity, but simultaneously reinforces a hierarchy of language use in which students' choices were mediated. Educators described applying greater emphasis on continued participation and reclassification for students perceived as not yet meeting these norms, shaping how waiving was presented and discussed as an option.

In the context of TAG identification, Chapter IV highlights the reliance on nonverbal assessments as a strategy for identifying multilingual students. While these tools are intended to reduce linguistic bias, their use also reflects assumptions about how academic potential should be assessed, namely, that ability can be most fairly measured by minimizing or removing language demands. In doing so, these approaches position language as a barrier to be controlled for rather than as evidence of giftedness or talent, sidestepping opportunities to recognize multilingualism as an integral component of students' academic potential.

Meanwhile, the uneven translation of identification into advanced coursework (Chapter III) suggests that recognition alone is insufficient without corresponding changes in how students are supported within academic pathways. Even when linguistic background is held constant, access to advanced coursework varies across racial groups, indicating that students' language practices are not evaluated in isolation but are interpreted through broader racialized frameworks that shape how ability is recognized and acted upon.

These patterns point to the importance of examining not only the technical design of policies and their implementation, but also the underlying beliefs that shape them. Systems of

classification are not neutral; they reflect and reproduce particular understandings of what counts as talent, ability, and readiness.

Intersectionality and Uneven Pathways Through Systems

Finally, this dissertation demonstrates the value of an intersectional lens for understanding how students experience educational systems. The MAIHDA models in Chapter III reveal substantial variation in outcomes patterned across intersectional strata, indicating that differences in access and participation cannot be fully understood by examining single dimensions like language status in isolation.

Rather than operating independently, classification systems intersect to produce uneven pathways through schooling. Students are not simply "English learners" or "Gifted," they occupy multiple, overlapping positions that shape how they are recognized and supported within those services. As a result, policies that target a single dimension of inequality may fail to address the complexity of students' experiences.

Contributions to Research and Theory

This dissertation makes several contributions to research on educational policy and multilingual learners. First, it advances a conceptualization of classification systems as dynamic mechanisms that structure access to opportunity, rather than static categories. This perspective shifts attention from whether students are identified or served to how those processes function within broader institutional contexts.

Second, it extends theoretical frameworks from street-level bureaucracy by examining how discretion operates not only at the level of individual educators, but also across organizational levels, including districts. It also integrates insights from raciolinguistics and

intersectionality into the analysis of policy implementation, highlighting how structural and ideological factors interact.

Third, it demonstrates the value of a mixed methods approach for understanding complex policy processes. By combining qualitative analysis of educator decision-making with quantitative models of student outcomes and policy effects, the dissertation provides a more comprehensive account of how policies operate across levels.

Implications for Policy and Practice

The findings suggest several implications for policy and practice. First, patterns of waiving highlight predictable points at which EL services are misaligned with students' broader educational pathways. Rather than treating waiving as an individual decision or isolated outcome, it should be understood as a system-level indicator of programmatic fit. Across sites, waiving most often occurred in secondary grades and in contexts where services competed with access to coursework, electives, or other opportunities. These patterns suggest that existing service models are breaking down at specific points in the educational pipeline in ways that are both observable and, in principle, measurable. Paying closer attention to when and why students opt out of services offers an opportunity to identify and address structural misalignments before they result in lost access to supports or constrained academic pathways.

Second, the findings point to significant gaps in how information about EL services is communicated to students and families. In many cases, families received detailed explanations of identification, services, and their implications only at the point when they were seeking to opt out. This includes critical information about how the home language survey operates, why students are identified, what services are designed to provide, and how those services are structured within the school. When communication occurs primarily or only at moments of

potential exit, it limits families' ability to make informed decisions and positions waiving as one of the first points of substantive engagement with the system. More proactive, ongoing communication is needed earlier in students' educational trajectories to ensure that families understand both the purpose and structure of services before tradeoffs become acute.

Third, policies aimed at expanding access, like universal screening, should be designed with attention to the full pathway through which students move, rather than focusing on a single-entry point. The findings from Chapter IV suggest that expanding identification alone is insufficient to produce meaningful changes in access if students do not subsequently have equitable access to services, coursework, or the supports needed to participate. Designing for access requires attention to how identification, service delivery, course placement, and resource allocation operate together. This includes ensuring that districts have the resources, infrastructure, and guidance necessary to take on that level of design work.

Finally, greater coordination is needed across systems that serve multilingual students, particularly where classifications and services intersect. Many students are simultaneously positioned within EL, TAG, and special education systems, yet these systems are designed and administered as if they operate independently. In practice, their points of intersection are where some of the most significant constraints on access emerge. A one-size-fits-all approach to service design assumes a "typical" student who rarely reflects the realities of those navigating multiple classifications. As a result, students at these intersections encounter greater tradeoffs and the most limited access to opportunities. Addressing these challenges requires coordinated policy design and implementation that accounts for overlapping systems and supports across, rather than within, categorical boundaries.

Rethinking Policy Solutions

A central implication of this dissertation is that policy strategies focused primarily on expanding access may be insufficient to produce meaningful changes in opportunity. Universal screening policies, for example, are designed to broaden the pool of students considered and ultimately identified for TAG. However, the findings from Chapter IV suggest that these reforms do not necessarily lead to increased identification rates or more equitable access. This disconnect highlights the limitations of approaches that focus on procedural expansion without addressing underlying the underlying system dynamics and ideological assumptions that shape how students are recognized and supported within those systems.

Another key limitation of current policy approaches is the tendency to treat systems as separate and independent. EL and TAG services are governed by district policies, funding streams, and organizational structures, yet students experience these systems simultaneously and in interaction with one another. As a result, points of overlap between systems become sites where competing priorities and constraints are negotiated. This fragmentation means that policies designed to improve one system might inadvertently create barriers in another, particularly when access to one set of services is structured in ways that limit access to others. Without coordination, efforts to expand access in one domain may be undermined by constraints embedded elsewhere in the system.

Rather than focusing solely on expanding access, these findings point to the need for a shift toward system (re)design and alignment. Expanding opportunity requires attention to multiple points along the pathway simultaneously, including how students are identified, how services are structured and delivered, how schedules and coursework are organized, and how resources are allocated to support participation. These shifts require attention to the infrastructure

and coordination necessary for implementation to ensure that systems work together to support, rather than constrain, students' access to opportunity.

Closing Reflection

This dissertation set out to examine how educational systems structure opportunity for multilingual students. Across contexts, the findings suggest that opportunity is not simply a matter of access, but of alignment between policy design, institutional structures, and the lived experiences of students.

Classification systems make certain pathways visible while obscuring others. They create opportunities, but also constraints. Understanding how these systems operate requires moving beyond individual policies to consider the broader structures in which they are embedded.

What these findings ultimately point to is the need for intentional system redesign. Under current conditions, services for multilingual students are often positioned as separate from the core academic program and sidelined in ways that limit their full integration into broader educational pathways. As a result, even well-intended efforts to expand access tend to operate within existing structures that continue to reproduce the same constraints. Without changes to how these systems are organized in relation to one another, the status quo reasserts itself, and gains in access are difficult to sustain.

Expanding opportunity for multilingual students therefore requires more than adding new programs or adjusting individual policies; it requires thinking how classification systems, service models, and academic pathways are organized in relation to one another. This work depends on building the capacity of educators and system leaders to identify where systems break down, to navigate the intersections between them, and to make coordinated changes that align structures with the goals they are intended to serve. Without this capacity, reforms are likely to remain

fragmented and partial. With it, there is the possibility of designing systems that fundamentally reshape how opportunity is structured, and for whom access becomes possible.